



**Trustees - Regular Meeting of October 18, 2021  
1:00 PM**

**Monday, October 18, 2021** **1:00 PM** **Remote Locations**

**I. Call to Order**

1:00 PM Meeting called to order on October 18, 2021 at Remote Locations, to be conducted via teleconferencing, Southampton, NY.

**II. Pledge of Allegiance**

**III. Roll Call**

Attendee Name	Present	Absent	Late	Arrived
President Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Secretary Treasurer Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trustee Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**IV. Next Trustee Meeting**

Work Session: Monday, November 1, 2021 at 9:30 am  
Regular Meeting: Monday, November 1, 2021 at 1:00 pm

**V. Discussions**

**VI. Public Hearings**

**1. Convert 2022 Board of Trustees Tentative Budget to Preliminary Budget and Schedule Public Hearing**

✓ Vote Record - Motion						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adjourned <input type="checkbox"/> Closed	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	align="center"> <input type="checkbox"/>	
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	align="center"> <input type="checkbox"/>	
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	align="center"> <input type="checkbox"/>	
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	align="center"> <input type="checkbox"/>	
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	align="center"> <input type="checkbox"/>	

**VII. Public Portion**

**VIII. Applications for Permits**

*\*\*Board of Trustees hereby waive a public hearing on the following applications because it has been determined that the following projects do not raise a significant degree of public interest or public input is not needed to aid in the decision making process\*\**

**Eric Shultz**

**Trustees Resolution 2021-247**

**Category:** General Permit - Trustees  
**Sponsors:** Eric Shultz  
**Department:** Trustees of the Freeholders  
**Applicant:** Land Planning Services, Ltd., Laurie Wiltshire, P.O. Box 1313 East Hampton, New York 11937

**Modification Application (First) of Permit No. GP000306, Joel and Jody Berger, 1 Tanners Neck Lane, Westhampton, New York (SCTM No. 0900-382-1-43) Body of Water: Moriches Bay**

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED,** that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **MODIFICATION (FIRST) OF PERMIT NO. GP000306 OF JOEL AND JODY BERGER** originally permitted on June 23, 2021 for the construction of a 4' X 44' fixed dock consisting of Greenheart posts and Thru-Flow decking; a 3' X 15' ramp (Thru Flow); and a 6' X 20' floating dock consisting of Greenheart piles, Doug Fir frame and blocks and Thru Flow decking for the premises located at **1 Tanners Neck Lane, Westhampton, New York (SCTM No. 0900-382-1-43);** and be it

**FURTHER RESOLVED,** the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-247						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/> Adopted						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Closed	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Acknowledged Signature	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Withdrawn						

**Trustees Resolution 2021-248**

**Category:** General Permit - Trustees  
**Sponsors:** Eric Shultz  
**Department:** Trustees of the Freeholders  
**Applicant:** First Coastal Corp., P.O. Box 1212, 4 Arthur Street, Westhampton Beach, New York 11978

**Modification Application (First) of Permit No. GP000192, Steven Wax, 38 Basket Neck Lane, Remsenburg, New York (SCTM No. 0900-375-2-32.4) Body of Water: Seatuck Cove**

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED,** that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the **MODIFICATION PERMIT NO. GP000192 OF STEVEN WAX** to install boat lift with 16,000 lb.

lift capacity. Install four (4) 10" diameter greenheart piles; no treated materials to be used for the premises located at **38 Basket Neck Lane, Remsenburg, New York (SCTM No. 0900-375-2-32.4)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-248					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted					
<input type="checkbox"/> Tabled					
<input type="checkbox"/> No Action					
<input type="checkbox"/> Closed	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjourned	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Acknowledged Signature	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

### **Scott M. Horowitz**

**Trustees Resolution 2021-249**

**Category:** General Permit - Trustees

**Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

**Applicant:** DKR Shores Inc., Agena Rigdon, P.O. Box 488, Hampton Bays, NY

**Application of Brothers Real Estate Ventures LLC., 83 West Tiana Rd, Hampton Bays, NY, (SCTM No. 900-257-3-3) Body of Water: Tiana Bay**

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **BROTHERS REAL ESTATE VENTURES LLC.**, to emergency dredge/maintenance dredge existing boat basin to -4" mean low water; resultant spoil 170 cubic yard town and 1,754 cubic yard private bottom shall remain on site/dewatered in dyke and re-graded; and installation of a brush jetty on town-owned bottomlands. Brush jetty must be maintained. Reference former permits attached DRE00004 and amendment and copy of No Start attached for the premises located at **83 West Tiana Rd, Hampton Bays, NY, (SCTM No. 900-257-3-3)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-249						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Trustees Resolution 2021-250****Category:** General Permit - Trustees**Sponsors:** Scott Horowitz**Department:** Trustees of the Freeholders**Applicant:** First Coastal Corp., Christen Chu, 4 Arthur Street, Westhampton Beach, NY**Application of Susan Kurland, 23 Bayside Ave, East Quogue, NY, (SCTM No. 900-373-2-28) Body of Water: Shinnecock Bay West**

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **SUSAN KURLAND**, for the removal of existing wire fence and non-native debris from shoreline and dispose of off-site. Construct living shoreline rock revetment (approximately 165 square feet or 55 feet long x 3 feet wide). Native stone only to be used for revetment. Cover with approximately 50 cubic yards of clean, beach-compatible sand and plant with American beach grass 12" on center. Plant beach landward of revetment up to existing vegetation line (approximately 300 square feet) with American Beach grass 12" on center for the premises located at **23 Bayside Ave, East Quogue, NY, (SCTM No. 900-373-2-28)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-250						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Edward J. Warner Jr.****Trustees Resolution 2021-251****Category:** General Permit - Trustees**Sponsors:** Edward J. Warner, Jr.**Department:** Trustees of the Freeholders**Applicant:** First Coastal Corp., Andrew Baird, PO Box 1212, Westhampton Beach, NY

11978

**Application of Janine Abbatecola & Peter Von Lehe, 58 Westway Drive, Shinnecock Hills, NY (SCTM 900-233-1-29) Body of Water: Shinnecock Bay East**

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **JANINE ABBATECOLA & PETER VON LEHE** to install new 4' x 98' catwalk (dock) and 8" diameter mooring piles (2). Untreated wood only to be used. Open grate decking to be used for catwalk. The applicant shall be required to agree to give and maintain a public passing way, not less than twelve (12) feet in width, to enable persons to pass and repass between the bulkhead and the catwalk for the premises located at **58 Westway Drive, Shinnecock Hills, NY (SCTM 900-233-1-29)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ <b>Vote Record - Trustees 2021-TRUS-251</b>						
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>	
<input type="checkbox"/> Adopted						
<input type="checkbox"/> Tabled						
<input type="checkbox"/> No Action						
<input type="checkbox"/> Closed						
<input type="checkbox"/> Reschedule						
<input type="checkbox"/> Adjourned						
<input type="checkbox"/> Acknowledged Signature						
<input type="checkbox"/> Adopted as Amended						
<input type="checkbox"/> Defeated						
<input type="checkbox"/> Withdrawn						
	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**William Pell IV****Trustees Resolution 2021-252**

**Category:** General Permit - Trustees

**Sponsors:** William Pell IV

**Department:** Trustees of the Freeholders

**Applicant:** En-Consultants, Susanna F. Herrmann, 1319 North Sea Road, Southampton, NY 11968

**Application of Melinda Hackett, 81 West Neck Point Road, North Sea, NY (SCTM 900-92-3-1.7)**

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **MELINDA HACKETT** for the construction of a dock consisting of 4' x 5' steps up to a 4' x 125' elevated catwalk with 60% open grate decking, supported by 6" diameter piles, 4' x 15' ramp and a 6' x 20' float supported by two (2) 8" diameter piles; all as shown on a plan prepared by En-Consultants dated August 1, 2021. All wood to be non-treated, all decking to be 60% open grate for the premises located at **81 West Neck Point Road, North Sea, NY (SCTM 900-92-3-1.7)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-252						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Trustees Resolution 2021-253

**Category:** General Permit - Trustees

**Sponsors:** William Pell IV

**Department:** Trustees of the Freeholders

**Applicant:** DKR Shores, Inc., Agena Rigdon, PO Box 488, Hampton Bays, NY 11946

**Application of Pamela Serla, 7 Millstone Lane, North Sea, NY (SCTM 900-110-2-18)**

**Body of Water: Man Made Canal off of Sebonac Creek**

**WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **Pamela Serla** for the reconstruction of an existing 22 linear feet smooth faced bulkhead in place of existing. New bulkhead to be installed 13" higher and match bulkhead to the (South). Bulkhead shall be installed using vinyl sheet piling ESP 400 series (or comp), to backfill with 25 cubic yards clean fill, to install (2) new vinyl returns as necessary within property lines. To install a 4' x 22' walkway landward of bulkhead. To install a 10' non turf (natural stone) buffer as required by Blue Book regulations. To bolt ladder to bulkhead; all material to be untreated for the premises located at **7 Millstone Lane, North Sea, NY (SCTM 900-110-2-18)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-253						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Trustees Resolution 2021-254****Category:** General Permit - Trustees**Sponsors:** William Pell IV**Department:** Trustees of the Freeholders**Applicant:** First Coastal Corp., Andrew Baird, 4 Arthur Street, Westhampton Beach, NY**Application of Cedar Crest Road LLC., 39 Cedar Crest Rd, North Sea, NY, (SCTM No.900-58-5-13) Body of Water: Davis Creek****WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **CEDAR CREST ROAD LLC.**, for the construction of a new 4' x 262' timber bridge with a 4' x 6' platform, 3' x 8' stairs, and 6' x 10' platform with ladder. No treated wood to be used. Open grated material to be used for bridge decking, stairs and platforms for the premises located at **39 Cedar Crest Rd, North Sea, NY, (SCTM No.900-58-5-13)**; and be it**FURTHER RESOLVED**, the following conditions shall apply:**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ Vote Record - Trustees 2021-TRUS-254						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent	
		Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Ann Welker****Trustees Resolution 2021-255****Category:** General Permit - Trustees**Sponsors:** Ann E. Welker**Department:** Trustees of the Freeholders**Applicant:** Tarbet & Lester, PLLC, Brian J. Lester, Esq., 132 North Main Street, 1<sup>st</sup> Floor, East Hampton, NY 11937**Application of 65 Cliff Drive LLC, 65 Cliff Dr., Noyac, NY (SCTM 900-9-1-18.1) Body of Water: Private Canal off of Sag Harbor Cove****WHEREAS**, the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **65 CLIFF DRIVE LLC** for the construction of a low-sill bulkhead (90 L.F. with 10 L.F. return) with facing piles is proposed in the location in which a previous bulkhead was removed, as per enclosed plans dated March 24, 2021. Clean fill (sand) will be placed behind the bulkhead as necessary to return grade to level behind the new bulkhead. *Spartina alterniflora* is proposed to be planted 18" o.c. in all currently unvegetated areas in the buffer area shown on the enclosed

plans dated March 24, 2021 for the premises located at **65 Cliff Dr., Noyac, NY (SCTM 900-9-1-18.1)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

**Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.**

✓ <b>Vote Record - Trustees 2021-TRUS-255</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input type="checkbox"/> Adopted	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> No Action	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Closed	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Reschedule	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adjournd					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					

**IX. Resolutions**

**Trustees Resolution 2021-176**

**Category:** General Misc  
**Sponsors:** Scott Horowitz  
**Department:** Town Attorney  
**Applicant:**

**Home Rule Message in Support of Trustee Tax Line**

History:

08/02/21	Trustees of the Freeholders	TABLED	Next: 08/16/21
08/16/21	Trustees of the Freeholders	TABLED	Next: 09/01/21
09/01/21	Trustees of the Freeholders	TABLED	Next: 09/20/21
09/20/21	Trustees of the Freeholders	TABLED	Next: 10/04/21
10/04/21	Trustees of the Freeholders	TABLED	Next: 10/18/21

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton seek to establish a procedure for adoption and submission of an annual budget to be implemented in establishing a "tax line"; and

WHEREAS, establishment of said procedure, annual "tax line" budget and procedure is essential to the Trustees of the Freeholders and Commonalty of the Town of Southampton in order to maintain independence as a body politic charged with stewardship of more than 25,000 acres of undivided, colonial-era lands consisting mostly of Southampton's shores, water ways, marshes, and bottomlands; and

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton seek to establish, after a public hearing, a procedure for preparing and adopting an annual budget prescribed in section 181 of town law, provided that such annual budget shall not contain an increase of more than two percent above the budgeted amount of the prior year, except if the town board approves a resolution by a vote of sixty percent of the total voting power of such body, permitting the trustees to override such limit for such coming fiscal year only. The budgetary controls set forth in section 181-a of the town law, and the independent audit requirements of section 181-b of town law shall apply to this procedure; and

WHEREAS, No change shall be made by the budget officer or the town board to the budget submitted by the Trustees of the Freeholders and Commonalty of the town of Southampton; and



WHEREAS, Assembly Bill A. 5623 and Senate Bill S. 5013 seek to accomplish this goal by adding a provision to Article 107 of New York State Town Law; and

WHEREAS, the Trustees of the Freeholders and Commonalty of the Town of Southampton support the changes to New York State Town Law proposed by Assemblyman Thiele and Senator Anthony H. Palumbo; now therefore be it

RESOLVED, that Trustees of the Freeholders and Commonalty of the Town of Southampton hereby support Assembly Bill A. 5623 and Senate Bill S. 5013 which authorize the establishment of a procedure relating to the adoption and submission of an annual budget by the Trustees of the Freeholders and Commonalty of the Town of Southampton; and be it further

RESOLVED, that the Supervisor and the Town Clerk are authorized to sign an appropriate number of home rule requests to amend New York State Town Law; and be it further

RESOLVED, that the Town Clerk shall forward this home rule request to Assemblyman Fred W. Thiele, Jr. and Senator Anthony H. Palumbo.

✓ Vote Record - Trustees 2021-TRUS-176						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn		Yes/Aye	No/Nay	Abstain	Absent	
	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Trustees Resolution 2021-226**

**Category:** General Misc  
**Sponsors:** Ann E. Welker  
**Department:** Town Attorney  
**Applicant:**

**Authorize Contribution to Sag Harbor Water Quality Initiative 2021**

History:

09/20/21 Trustees of the Freeholders TABLED Next: 10/04/21  
 10/04/21 Trustees of the Freeholders TABLED Next: 10/18/21

WHEREAS, the Southampton Town Trustees are the owners of the underwater lands in the Southampton Town portion of the Village of Sag Harbor; and

WHEREAS, the health of these waters, including the products of the waters and other aquatic flora and fauna, is of the utmost importance to the Trustees, residents, and baymen; and

WHEREAS, it is in the best interest of the residents of the Town of Southampton to determine the presence of contaminants in the waters of Sag Harbor that could harm the health of both residents and marine life; and

WHEREAS Village of Sag Harbor has agreed to participate in the water quality monitoring program proposed by Dr. Gobler of Stony Brook University to the Sag Harbor Harbor Committee; and

WHEREAS, the East Hampton Town Trustees, the Southampton Town Board, and the

Southampton Town Trustees have agreed to contribute funds for this water quality project; and

WHEREAS, the Southampton Town Trustees have historically pledged \$2,000 per year towards this program; and

WHEREAS, for the sole purpose of adhering to the SUNY Research Foundation's funding requirements, the East Hampton Town Trustees have agreed to pool these funds of the various entities that are contributing funds in escrow and pay Dr. Gobler with a check; and

NOW THEREFORE BE IT RESOLVED, that the Southampton Town Trustees authorize payment in the amount of \$2,000 to the East Hampton Town Trustees; and

BE IT FURTHER RESOLVED, that the President is authorized to execute an agreement appointing the East Hampton Town Trustees as the escrow agent for the Trustee's contribution for this project.

✓ <b>Vote Record - Trustees 2021-TRUS-226</b>						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Trustees Resolution 2021-256**

**Category:** General Misc

**Sponsors:**

**Department:** Town Attorney

**Applicant:**

**Auth President to Sign Stipulation of Settlement Dubeck v. Trustees, Baron, and Koenig**

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton was named as a party in an Article 78 proceeding in which Michael Dubeck and Samantha Dubeck asserted a challenge to annul Trustee Permit GP000269, issued February 16, 2021, and bearing New York State Supreme Court Index Number 21-610896; and

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton granted said permit to ensure ADA compliance of the structure for Steven Koenig who is effected by a cochlear implant surgery and suffers from nerve damage, requiring a safety rail at his property 190 Dune Road, Village of Westhampton Beach, NY; and

WHEREAS, all respondents are represented by counsel, and desire to settle this matter without need of further litigation; and

WHEREAS, a proposed stipulation of settlement has been presented to the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton; and

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton has collectively reviewed the proposed settlement stipulation and finds all terms and conditions agreeable; and

WHEREAS, the Board of Trustees of the Freeholders and Commonalty of the Town of

Southampton shall permit modification of four dock posts without the need for modification of the underlying permit; and

WHEREAS, Respondent Baron shall file and record covenants and restrictions with the Suffolk County Clerk's Office specifying that the handicap exceptions provided for in Permit GP000269 including the safety rail and elevated platform shall be removed upon sale of the premises to a third party, Respondent Koenig ceases to reside at or occupy the premises, or in the event of death of Respondent Steven Koenig; and

WHEREAS, the parties agree that the Plaintiff shall be notified should respondents file applications with the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton for modification of permitted structures; therefore be it

RESOLVED, that the President of the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton is hereby authorized to enter into a stipulation of settlement relating to the matter bearing New York State Supreme Court Index Number 21-610896, in order to allow for continued unfettered access for an individual suffering from a handicap pursuant to American with Disabilities Act guidelines.

BY ORDER OF THE BOARD OF TRUSTEES  
OF THE FREEHOLDERS AND COMMONALTY  
TOWN OF SOUTHAMPTON, NEW YORK  
Eric Shultz, PRESIDENT

✓ Vote Record - Trustees 2021-TRUS-256					
		Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted					
<input type="checkbox"/> Tabled					
<input type="checkbox"/> No Action					
<input type="checkbox"/> Closed					
<input type="checkbox"/> Reschedule					
<input type="checkbox"/> Adjourned					
<input type="checkbox"/> Acknowledged Signature					
<input type="checkbox"/> Adopted as Amended					
<input type="checkbox"/> Defeated					
<input type="checkbox"/> Withdrawn					
	Eric Shultz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Trustees Resolution 2021-257**

**Category:** Budget & Finance - Trustees

**Sponsors:** Scott Horowitz

**Department:** Trustees of the Freeholders

**Applicant:**

**Warrant #18 of 2021 - Trustees**

**RESOLVED**, per the recommendation and reviewed by the Town Comptroller, the following vendor payment warrant dated be approved in the amount of:

Warrant #18 \$7,547.76

**BE IT FURTHER RESOLVED**, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #18 of 2021.

<b>✓ Vote Record - Trustees 2021-TRUS-257</b>						
<input type="checkbox"/> Adopted <input type="checkbox"/> Tabled <input type="checkbox"/> No Action <input type="checkbox"/> Closed <input type="checkbox"/> Reschedule <input type="checkbox"/> Adjourned <input type="checkbox"/> Acknowledged Signature <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Withdrawn			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Eric Shultz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Scott M. Horowitz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Edward J. Warner Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Pell IV		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Ann Welker		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

***X. Executive Session for the Purposes of Litigation & Personnel***

***XI. Closing***