

# WAINSCOTT CITIZENS ADVISORY COMMITTEE



## Wainscott Citizens Advisory Committee (WCAC) Meeting of March 2, 2019

### Member Attendance:

Jose Arandia, WCAC Co-Chair Emeritus  
Lori Anne Czepiel  
Frank Dalene  
Dennis D'Andrea, WCAC Chair Emeritus  
Rick Del Mastro, WCAC Chair Emeritus  
Barry Frankel, WCAC Co-Chair Emeritus  
Carolyn Logan Gluck, Co-Chair  
Michael Hansen  
Anthony Liberatore  
Phil Young

### Excused Absences:

Cindy Herbst  
Susan Macy, Co-Chair  
Bruce Solomon  
Sally Sunshine

### Elected Officials:

Jeff Bragman, Town Councilman, Liaison to WCAC  
Fred Thiele, State Assemblyman and invited guest  
Peter Van Scoyoc, Town Supervisor

### Appointed Town Officials:

Richard Myers, Chairman, Architectural Review Board (ARB), WCAC Chair Emeritus

### Members of the Public:

Mark Adams  
Rosemary Arnold  
Lisa Babinski  
Elizabeth Bambrick  
Joseph Barr

Jeff Barris  
Lauren Barris  
Tim Bjhirolf  
Peter Boody  
Brian Cohen  
Carin Constant  
Jim Daigle  
Sara Davison, Friends of Georgica Pond  
Jean Dodici  
Ellen Dola  
Alexander Edlich  
Hersey Egginton  
Quincy Egginton  
Jose Gabriel Fernandez  
Chapin Fey  
John Finley  
Abigail Fleming  
Ellen Friedman  
Jonathan Friedman  
David Gruber  
Michael Israel  
Alexander Johnson  
Susan McGraw Keber, EH Town Trustee  
Michael Kelley  
Wendy Keys  
Si Kinsella  
Francizka Kleib  
Ellen Klein  
Rona Klopman  
Rosemary Koropat  
Jo Carole Lauder  
Anna Lapinska  
Francine Lembo  
Joseph Macal  
Michael Mahoney  
Pamela Mahoney  
Jeffrey Mazur  
Neachela Mazur  
Sean McCarthy  
Katrina Mesarovich  
Bonnie Newman-Myers  
Roberta Olsen  
Daniel Osborne  
Irving Paler  
Anthonth Ponzini  
Christopher Prause  
Judith Prause

Barbara Raeder  
Lois Sachs  
Chuck Samuelson  
Susan Slover  
Jonathan Sobel  
Doreen Steinhauser  
Eric Steinhauser  
Carol Suchman  
David Susser  
Marla Susser  
Ravi Takner  
Jennifer Tanzmann  
Aaron Warkon  
Brian Waterman  
Lauren Lesser Waterman  
Diana Werner  
Diana Wier  
Michael Wooten  
Michael Zambrelli

#### Minutes

The February 2, 2019 minutes were seconded and approved.

#### **Liaison Report: Jeff Bragman**

##### Wainscott Sand & Gravel

The DEC will conduct independent sampling and analysis at the site and not rely on data supplied by the owner.

##### Superfund Designations

It is expected that the east end of the EH Airport terminal, the north end of the runway will be designated as [Class 2] Superfund sites. Similarly, the fire station and industrial Rd. training sites. These designations will be addressed at the March 13 Planning Board Meeting at 6:30 PM.

##### Welcome to State Assemblyman Fred Thiele

Mr. Bragman welcomed Assemblyman Fred Thiele, and noted that he was a key force behind getting Sand Land in Noyac to cease its mining activities and reclaim the site.

##### Hamlet Studies

The Hamlet Studies will be discussed at the upcoming Tuesday Town Board meeting. The focus will be on comments that have come in, and the potential environmental impacts if the Studies are adopted. Councilman Bragman stated that he does not believe there are any SEQRA issues relating to the Wainscott Hamlet study unlike other hamlet studies.

##### South Fork Commuter Connection

Councilman Bragman noted that this is in place, and that Assemblyman Thiele would discuss further.

#### Deepwater Wind

Co-chair Logan Gluck noted that she saw the Town had voted to give Deepwater Wind (DWW) approval to proceed with certain testing along Beach Lane. Councilman Bragman stated that the vote was 3-2 to approve DWW's proposal to conduct digging to investigate the potential presence of archaeological resources, and conduct test borings and a percolation test near the proposed location of the cable landing at Beach Lane to be completed before March 31, 2019. He stated that he did not vote to approve such testing. He also stated that he believes that no testing should proceed outside of or before completion of the Article 7 review process, and that process should determine what testing is needed and should be allowed. Councilman Bragman noted that DWW had put out a statement that it is still looking at both options, Wainscott and Hither Hills.

Several members of the WCAC and the public addressed Mr. Bragman with follow-up questions. The question and answer session concluded with a statement by Chair Emeritus Del Mastro that he is extremely disappointed that a unanimous vote was not required for the decision. He reiterated the WCAC's majority position against Wainscott as a landing site, and in support of Councilman Bragman's efforts in this regard. This statement was met with applause from the public audience members.

#### **Presentation by State Assemblyman Fred Thiele, Invited Guest**

##### Overview, State Assembly

Assemblyman Thiele began with an overview of the current legislative session in Albany, and the impact of the election which resulted in Democrats assuming the majority of assembly seats. He noted that while he is an Independent, he is caucusing with the Democrats.

##### State Budget

Assemblyman Thiele first noted that the Governor has proposed to cut funding to towns and villages, which would have resulted in a significant cut to East Hampton's budget given that it is in the middle of its budget year. Assemblyman Thiele stated that it is the intent of the legislature to restore this funding.

Assemblyman Thiele also stated that voting reform efforts are in place, with early voting to be in place by the November 2019 election. He noted that he wants to see that additional funding be approved to pay for the resulting additional local costs.

##### Commuter Rail Service

Assemblyman Thiele next addressed the South Fork Commuter Rail Service that will begin on March 4. He discussed in detail the current and possible future plans of the LIRR in this regard as well as the long history behind trying to implement this service.

##### Water

Assemblyman Thiele next turned to the local water quality and contamination issues that Wainscott has experienced over the past few years. He acknowledged the good cooperation among the town, Town Supervisor Peter Van Scoyoc, Councilman Bragman and the state, including weekly calls throughout the process. He noted the state funding provided to assist with the issues, and the additional funds that were made available for the water main extension. He noted that while access to clean water is now available to all residents, the clean-up still needs to occur. He summarized the process under the NY Superfund law and the locations mentioned earlier by Councilman Bragman. He also noted that understaffing at the DEC is slowing the identification and designation process, a decision on which he anticipates will occur in the next couple months. At that point they will proceed to identify responsible parties, the source, and what will be required for clean-up. Assemblyman Thiele also noted that previously the towns had been prohibited from adopting requirements for sand mining, but that he had passed an exception to allow towns to do groundwater testing, and he thanked the town for adopting those water rules. He then turned to a brief overview of PFAS chemical regulations at the state level, noting that they are not yet federally regulated.

### DWW

Assemblyman Thiele then turned to DWW. He stated that he believes in reducing reliance on fossil fuels but that it must be done in the right way. He noted that initially he was more trusting of the process, but that there are no precedents in NY as DWW is proposing the first wind farm in the state, and the Governor is developing a comprehensive plan.

Assemblyman Thiele then reviewed why he withdrew his support for the South Fork Wind Farm project, citing Deepwater Wind's lack of candor, increase in power generation, and lack of cooperation. He noted that he made multiple efforts to speak with DWW about the project and his questions, both before and after the announcement of the sale to Orsted, and that he was ignored. He noted that hundreds of millions of dollars have been spent to protect the local Hamptons community character over many years, and that any project would need that focus. The public in attendance burst into applause.

Assemblyman Thiele noted that as a former planning attorney he believes in the Article 7 process. He expects there will be hearings in Albany and locally and noted that we are barely at the beginning of the process and that public participation is and will be central.

He concluded by discussing a statewide RFP that was put out for an 800 MW power project, and that 4 responses were received. He noted that they will need to know about each proposal with full transparency on the LIPA contract and other elements. While he didn't expect any of this to come ashore in East Hampton, he wanted to let the audience know that there are different proposals pending.

Assemblyman Thiele then opened the discussion up for questions. Member Dalene asked about the commuter service. Co-Chair Emeritus Frankel raised questions about the DWW landing site and lack of transparency about the terms of the contracts and rate impacts. Assemblyman Thiele then provided a brief overview of the Governor's expected plan for the State, which has been announced in a press release but not developed in de-

tail. As far as transparency, Assemblyman Thiele stated that he has passed laws before to cause LIPA to make other disclosures and will present a bill to ensure LIPA discloses the terms of the arrangements with DWW. Member Hansen posed a question about local traffic and speeds. Assemblyman Thiele provided an overview of applicable state law for towns and villages and his efforts to adopt special legislation to lower the area limit to follow the lower village limits.

Chair Emeritus Del Mastro then reiterated his and the WCAC majority positions against DWW coming through Wainscott. The audience applauded. He thanked Assemblyman Thiele on his decisions and leadership. He also thanked and congratulated all the officials on their responsiveness, sense of urgency and overall handling of the local water contamination issues.

Town Supervisor Van Scoyoc noted that there has been a learning curve on the DWW issues as the town has not faced these kinds of matters before. He noted that no decision has been made yet, and no agreements are drafted. He stated that he hears the views of Wainscott on this matter and that the town is here to represent the residents. They have hired attorneys, and are getting advice on the anticipated process, and terms. Chair Emeritus Del Mastro and Members Hansen and Liberatore asked detailed questions about the town's decisions, process, views and transparency for the LIPA/DWW agreements. Councilman Bragman and Town Supervisor Scoyoc answered the questions. Several members of the public including Sara Davison and Si Kinsella also asked questions.

After a lengthy discussion and question session, the WCAC proposed and adopted unanimously the following motion made by Co-Chair Logan Gluck and seconded by Co-Chair Emeritus Frankel:

MOTION: The WCAC is unanimous in its decision: (i) to request that the details of the LIPA/DWW agreement be publicly disclosed, (ii) support Assemblyman Thiele's efforts to introduce appropriate legislation (iii) to request that the East Hampton Town Board support such transparency efforts and to prepare a letter to the board to that effect.

It was determined that Member Liberatore would draft such a letter and circulate it to the WCAC for review and approval.

The meeting returned to the public question session to allow the public to address questions to Assemblyman Thiele, Councilman Bragman and Town Supervisor Van Scoyoc, including numerous more detailed questions about the Article 7 process, anticipated public hearings on the DWW matters and the town's decision-making process in light of the Article 7 process including with respect to the upcoming testing by DWW and generally.

At 11:30am, Co-Chair Logan Gluck thanked Assemblyman Thiele. The meeting paused for him to depart, at which time most of the public audience also left.

Several minutes thereafter, Co-Chair Logan Gluck called the meeting to order and moved that the rest of the meeting's agenda be tabled until next month's meeting, which motion was seconded by Chair Emeritus Arandia.

Thereafter, there was some discussion about upcoming opportunities for the public to comment as part of the DWW process, and Town Supervisor Van Scoyoc summarized the regular meetings at which the public could comment: the weekly Town Board work session on Tuesday morning, and the weekly Town Board meeting on Thursday evenings.

Thereafter, member of the public Davison stood to update the meeting on the status of the Wainscott Green and clarifying sources of funding for the parking lot, sidewalk and walking trail.

Thereafter Chair Emeritus Arandia noted the upcoming hearing for the CPF Fund purchase of the 13-acre parcel at 550 Wainscott NW. Next Member Young addressed the Feb. 19 work session about the Hamlet Studies and the timing for approval of the Wainscott Hamlet Study considering the moratorium scheduled to expire in July. Councilman Bragman noted that the Town should approve the Wainscott Hamlet study in May.

At 11:55pm Co-Chair Logan Gluck moved to adjourn the meeting, which motion was seconded by Member Hansen.

Thereafter, Chair Emeritus Del Mastro noted that the Town Police Chief has been invited to address the WCAC's May meeting. He continued to discuss the speed limit signs that have been purchased for Wainscott, the rotation/use of them and the costs.

Next Meeting: April 6, 2019, 9am, Wainscott Chapel