

THE EAST HAMPTON STAR

SHINES FOR ALL

Off the Block, Fort Pond House Will Be a Park

By Joanne Pilgrim | August 15, 2013 - 12:18pm



Town property on Fort Pond in Montauk, used in 2008 for a Shakespeare performance, will become a public park named for the late Carol Morrison, and remain in public hands, after to a split East Hampton Town Board vote this week to take the site, known as Fort Pond House, off the real estate market. Carissa Katz

Fort Pond House, a building on Fort Pond in Montauk that was used by community groups before it was condemned, and the four acres on which it sits will be taken off the sale block and designated as a park to be named in honor of the late Carol Morrison. The decision was the result of a split vote by East Hampton Town Board on Tuesday.

Ms. Morrison was a well-known Montauk resident and environmental advocate who was a founder of both the Concerned Citizens of Montauk and the Third House Nature Center. The groups had sued the town over a decision by the Wilkinson administration's Republican majority three years ago to sell the property.

Town Councilman Peter Van Scoyoc, a Democrat who began pressing the board to take the property off the market after taking office in 2012, made his fourth call for a vote on the matter at Tuesday's work session. With a swing yes vote by Republican Councilman Dominick Stanzione, along with the support of Democratic Councilwoman Sylvia Overby, the measure finally gained success.

Mr. Stanzione's fellow Republicans, Town Supervisor Bill Wilkinson and Councilwoman Theresa Quigley continued to support the sale, and before the meeting was over they unleashed angry words, accusing board members, including Mr. Stanzione, of playing politics.

Mr. Van Scoyoc said a management plan would be developed for the property, "but the intent here is to allow it as a venue for community activities." However, in an e-mail yesterday, he said that because the building had "suffered from complete neglect for about three years" it was possible that demolition, rather than renovation, would be required.

To avoid burdening taxpayers with the cost, he said the money could come from community fund-raising or through a lease or rental agreement with the organizations that would use the property. He added that the plan should not exclude general public use for passive recreation or as a meeting place. "These are a few of the possibilities," he said.

Concerned Citizens of Montauk and the Third House Nature Center, as well as dozens of residents, had appeared en masse at Town Hall vehemently opposing the sale of the property, noting that it provided one of only two town-owned public accesses to the pond. But in a 3-to-2 vote, with the board's two Democratic members dissenting, the majority, citing a need to sell assets in the face of the \$28 million deficit accumulated by the previous Democratic administration, put the property on the market for \$2 million.

An Article 78 lawsuit that is still in State Supreme Court followed, alleging that the town acted illegally in authorizing the sale. A

separate federal lawsuit was settled. It named Mr. Wilkinson and Ms. Quigley, asserting violation of the Constitutional rights of the sale's opponents, based on allegations that the town closed the facility in retaliation for their vocal opposition. The plaintiffs, the nature center and its director, Ed Johann, were then allowed to enter the house to retrieve their property, and were given free use of space at the town's Montauk Community Playhouse.

Mr. Stanzione, who had voted previously to authorize the sale, and then to proceed with it, had abstained from voting on a similar resolution offered by Mr. Van Scoyoc only last week, leaving the decision tied. "If you want my vote, time is not up," he told the Democrats, who were pushing for a decision.

This week, Mr. Stanzione, who is running for re-election, not only supported Mr. Van Scoyoc's resolution, but made the suggestion that the town "name this park after an outstanding Montauk citizen — Carol Morrison. "Explaining his changed vote, Mr. Stanzione said the town's financial position has stabilized. "I recognize that we have a new set of facts on the ground. As a result of the work that the supervisor has done, I take the position that we no longer need to sell this asset."

"You don't change course, regardless of the success or failure of the year that you're in," Mr. Wilkinson said.

Jeremy Samuelson, the executive director of Concerned Citizens of Montauk, said Tuesday that he was thrilled with the vote to rescind the sale and with naming the park for Ms. Morrison. "It's never too late to do the right thing," he said of Mr. Stanzione.

Mr. Samuelson said his group's attorney would review the resolution "to ensure that the public interest is being upheld" before the remaining litigation is withdrawn.

"C.C.O.M.'s hope would be to see this park returned to its former uses by the Montauk School, the Boy Scouts, Third House Nature Center, Hampton Shakespeare, and all of the other groups that used this beautiful park on a routine basis. It is truly a shame that taxpayer money has been wasted over three years fighting to disenfranchise the people of Montauk, rather than making this park as amazing a place as it could be," Mr. Samuelson said.

"It's a shame, in both cases," he added, meaning not only taxpayer money but his organization's. Costs were not immediately available from the town; an e-mail sent by C.C.O.M. to its members said the group had spent "nearly \$30,000" on the lawsuit.

Although their wishes were clearly outvoted, Mr. Wilkinson and Ms. Quigley continued to press the matter. They took issue with details of the resolution, questioned the future use of the site, and painted the decision to take the property off the market as a political one.

Ms. Quigley said the vote was "another example of just doing something without thinking it through." She repeated assertions she had made last week that the property was never used by the public. She also raised the specter of Hanta virus, pointing out that the house is in proximity to another where a resident, who later died, contracted that disease, which is linked to mouse droppings. Among the reasons Fort Pond House was closed to the public, she said, was that there was a mouse infestation.

"It's not a park," Mr. Wilkinson insisted. The town, he noted, had defended its position that the site is not parkland — a key allegation in C.C.O.M.'s lawsuit.

"Is a public hearing required to make it a park, John?" Mr. Wilkinson asked Mr. Jilnicki, the town attorney. No, Mr. Jilnicki replied, just a majority vote. Mr. Wilkinson did not let the matter drop. "So the board, in unanimity, is saying that this property wasn't parkland?" That is what the town has maintained legally, Mr. Jilnicki conceded. Mr. Van Scoyoc's resolution did not address the property's previous status, he said, but only designates it as a park from here on.

"Whether it was or not, it certainly will be," Mr. Van Scoyoc said. "The litigation becomes moot."

"I stand by the fact that it was never a community asset. It was used by one or two groups sporadically," Mr. Wilkinson said. "The asset was in disrepair. I stand by the fact that the town doesn't benefit by the asset." Raising his voice, Mr. Wilkinson said, "This is purely a political device; that's all it is."

"Speaking of politics," Ms. Quigley said, "Dominick Stanzione masterminded the Republican budget of 2009 that included a plan to sell assets."

"I supported sale of this property at the time of crisis . . . to fix the problem that we inherited," Mr. Stanzione responded.

Speaking by phone yesterday, Ed Johann, the president of the Third House Nature Center, said he was "absolutely thrilled to hear" the news. "It's been a long struggle to get to this point," he said. "We were hoping for something like this. It's very good news — especially the Carol Morrison part."

He called Ms. Morrison the "lion" who led the charge on local environmental problems for years. It was Ms. Morrison who first suggested that the Fort Pond property, which had been a private residence, should be in public hands. "She could be fierce," Mr. Johann said. The property was purchased in 2003 for \$890,000.

At the meeting on Tuesday, Councilwoman Overby said "Ms. Morrison did so much for Montauk. She was a stalwart. I think it is an appropriate use of her name. I think she would be very proud."