

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, AUGUST 18, 2017 AT 4:00 P.M.

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Kimberley Payne, Ted Necarsulmer, Village Attorney Richard DePetris and Village Clerk Aimee Buhl

ABSENT: Trustee Jeanette Obser

OTHERS PRESENT: Police Chief Robert Coughlan, Building Inspector William Nowak, Fire Chief John Sipala, Amanda Bernocco of the Southampton Press, Dick Gardner, Frances Ryan, Natalie and John Blaney, David Kepner, Ann Janis and Wilhelmus Bryan

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Minutes of Regular Meeting held on July 21, 2017 is approved.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 08-17, \$329,567.74 and Treasurer's Report for the Month ending June 30, 2017 are approved.

\$ 5,583,725.65	Checking Account
\$ 5,765,224.10	Investments
<u>\$ 711,164.38</u>	Capital Reserves
\$12,060,114.13	Total General Fund 07/31/17

The Clerk gave the report for July 2017 False Fire and Burglar Alarms:

Fire Billed: \$600; Fire Collected: \$250

Burglar Billed: \$575; Burglar Collected: \$650

Fire Chief John Sipala gave the July 2017 report for the Fire Department. Chief Building Inspector Bill Nowak gave the July 2017 report for the Building Department. Police Chief Robert Coughlan gave the July 2017 report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a Special Event Permit for a party at the Village Beach on August 19, 2017 from 7 P.M. until 10 P.M. is approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a Special Event Permit for a party at the Village Beach on September 15, 2017 from 6:45 P.M. until 10 P.M. is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a Special Event Permit for a party at the Village Beach on September 2, 2017 has been changed to September 3, 2017.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a Special Event Permit for a party at the Village Beach on September 23, 2017 from 4 P.M. until 9 P.M. is approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, a film permit application for September 1, 2017 at the Village Beach is approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a bake sale by the members of the AME Zion Church to be held on the Village Green on August 19, 2017 from 10 A.M. until 3 P.M. is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the resignation of Dawn Gaudiello, Justice Court Clerk, effective August 7, 2017 is accepted. She is removed from the role of Justice Court petty cash custodian.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, Theresa Conway is appointed as Justice Court petty cash custodian.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the resignation of Hannah Sadloski, Detention Attendant, effective August 17, 2017, is accepted.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the renewal of the Maintenance Service Agreement with Arenz Heating & Air Conditioning for the heating and air conditioning equipment in Village Hall (2 gas boilers, 6 condensing units) at a cost of \$1,291.50 for the term of 9/1/17 through 2/28/18 is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the renewal of the street lighting maintenance services contract with New York Trenchless, Inc. is approved.

Upon motion made by Kimberley Payne seconded by Randy Cardo and unanimously carried, it was RESOLVED, an increase in the amount of \$102,724.41 from revenue code A2680 (Insurance Recoveries) to A1620443 (Buildings/Improvements & Maintenance) for fire damage to Quogue Wildlife Refuge icehouse from Glatfelter Claims Management is approved.

The Mayor asked the audience for any comments regarding the proposed local law regarding storage containers. There were no comments.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the Mayor closed the public hearing.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Board of Trustees finds that this local law will not have a significant adverse impact on the environment.

The question of enactment of said law as Local Law No. 3 of 2017 was duly put to a roll call vote with the following results:

Mayor Sartorius: Voting Aye
Trustee Payne: Voting Aye
Trustee Necarsulmer: Voting Aye
Trustee Cardo: Voting Aye

Local Law No. 3 of 2017

A Local Law Amending Chapter 196
(Zoning) Of The Village Code
In Relation To Storage Containers

Section 1. Chapter 196, Article IV of the Quogue Village Code shall be amended by adding a new § 196-21.3, which shall read in its entirety as follows:

§ 196-21.3 Temporary Storage Containers.

A single temporary storage container may be maintained on a residential lot for a period not exceeding 60 days during the course of repair or renovation of preexisting improvements on such lot that entails removal of their contents or for a another purpose approved by the Zoning Administrator, provided that:

- (1) The ground area dimensions of such container shall not exceed eight feet by 16 feet.
- (2) Such container shall be maintained at a location on such lot which provides a setback of at least 25 feet from the front lot line or, if less, as far from the front lot line as is practicable..

Section 2. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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The Mayor asked the audience for any comments regarding the proposed local law regarding accessory structures. There were no comments.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, the public hearing was closed.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Board of Trustees finds that this proposed local law will not have a significant adverse impact on the environment.

The question of enactment of said law as Local Law No. 4 of 2017 was duly put to a roll call vote with the following results:

Mayor Sartorius:	Voting Aye
Trustee Payne:	Voting Aye
Trustee Necarsulmer:	Voting Aye
Trustee Cardo:	Voting Aye

Local Law No. of 2017

A Local Law Amending Chapter 196
(Zoning) Of The Village Code
In Relation To Accessory Structures in Residential Districts

Section 1. §196-2B is hereby amended by deleting the definitions of “Living Quarters Space” and “One –Family Main Residence Dwelling” in their entirety and by adding the following three definitions, each of which shall be inserted so as to appear in correct alphabetical order:

HOME OFFICE

An office in a one-family dwelling or, when expressly permitted by this chapter, in a building accessory to a one-family dwelling, used exclusively by the occupants of such dwelling for purposes that do not involve customers, clients, patients, or vendors coming to the premises, do not involve on-site advertising, do not involve any employees on the premises other than such occupants, and do not involve on-site distribution or storage of inventory.

LIVING QUARTERS

Space used or useable for eating, cooking, sleeping or other living activities typically conducted in a living room, den or similar space in a residence, sink, toilet and bathing facilities, and associated hallways, stairways and other connecting areas.

ONE-FAMILY DWELLING

A single building having living quarters used exclusively for residential purposes by a single family, as herein defined. A one-family dwelling may have a home office. A one-family dwelling may have only one kitchen and no other room with cooking facilities. When parts of a structure are connected by a hallway or similar area, such parts shall be considered a single building only if the hallway or similar area is roofed, fully enclosed on the sides, heated by the HVAC system that services the dwelling and its width is at least one-half of its length.

Section 2. §196-13A shall be amended as follows:

- (a) By deleting the words “main residence” in paragraph (1).
- (b) By modifying paragraph (6) so that subparagraphs (a) through (c) thereof read in their entirety as set forth below and by adding new subparagraphs (d) and (e) also set forth below:

“(a) Such garage may be either a detached garage or a garage attached to the principal building.

“(b) If such garage is a detached garage or does not meet all the criteria in (c) below), such garage shall not exceed 10 feet in height if it has a flat or shed roof and shall not exceed 20 feet in height if it has a pitched roof. Any second story constructed over such garage may be used only for storage and, if such garage is accessory to a one-family dwelling and provided all requirements applicable to habitable space in the New York State Code are met, a single-room home office or a single fitness and exercise room for the personal use of the occupants of such single family dwelling. A garage may have a sink and a toilet on the first floor only but no other use as living quarters except as expressly permitted by this paragraph.

“(c) If such garage is attached to a one-family dwelling and part of a single building, such garage may have a second story used for living quarters (other than cooking) provided all of the following provisions are complied with:

[1] Such garage shall be attached on at least one wall to heated living quarters.

[2] There shall be no exterior access to the second story over the garage.

[3] Main access to the second story over the garage shall be by way of interior access designed and located so as to be an integral part of the living quarters space in the dwelling. A secondary access may be provided from inside the garage.

[4] Such main access to the second story over the garage may be by way of access from second-floor living quarters space over the main part of the dwelling or by way of a stairway from first-floor living quarters space to the second story over the garage.

“(d) In the case of a single family dwelling that is required to be elevated pursuant to Chapter 95, the Zoning Administrator is authorized to grant height relief up to two feet to a detached accessory garage..

“(e) No garage shall have an overall floor area exceeding 1,200 square feet or have more than three vehicle bays with an exterior garage door.”

Section 3. §196-13B shall be amended as follows:

- (a) By deleting the words “main residence” in its introductory language.
- (b) By adding the words “or storage shed” immediately after “toolhouse” in subparagraph (1) and by adding the following sentence at the end of such subparagraph: “A toolhouse or storage shed shall not have any contiguous roofed area, shall not be connected to any other structure, and shall not contain any living quarters.”
- (c) By adding the following sentence at the end of subparagraph (2): “A greenhouse shall not have any contiguous roofed area, shall not be connected to any other structure, and shall not contain any living quarters.”
- (d) By deleting all the language after “area” in subparagraph (4) and by adding in place thereof the following:

“in all Residence Districts other than the A-8 Residence District and not exceeding 500 square feet in floor area in the A-8 Residence District. A pool house shall not exceed 16’ in height (except as set forth below) and shall not contain more than one room other than a bathroom. A pool house shall not have heat, air conditioning, cooking or sleeping facilities. A pool house may have a contiguous roofed or covered area open on at least three sides having a ground area not exceeding the maximum permitted floor area of the pool house. In the case of a single family dwelling that is required to be elevated pursuant to Chapter 95, the Zoning Administrator is authorized to grant height relief up to two feet to an accessory pool house.”

- (e) By adding a comma followed by the words “pickle ball court” immediately after “tennis court” in subparagraph (5).
- (f) By adding after the word “area” in subparagraph (8) the following: “in the A-8 Residence District or 250 square feet in floor area in all other Residence Districts.”
- (g) By adding after “pergola” in subparagraph (9) the following: “covering a ground area that does not exceed 1,000 square feet.”
- (h) By adding after subparagraph (11) the following new subparagraphs numbered (12) through (17) and renumbering the existing subparagraph (12) as subparagraph (18):
 - “(12) Unroofed decks, patios, terraces, walkways and steps with associated railings and walls that comply with Section 196-13F.

“(13) Outdoor fireplaces, kitchens and barbecues and associated chimneys not exceeding 10 feet in height.

“(14) Outdoor private bocce court or outdoor private sport court having a playing surface that does not exceed 1,500 square feet. Such courts shall be no higher than one foot above the surrounding grade.

“(15) Children’s play equipment, including but not limited to a swing set, a jungle gym and a tree house. A tree house shall not exceed 8 feet in length or width or 6 feet in height and other play equipment shall not exceed 16 feet in length or width or 12 feet in height.

“(16) Residential grade generator for the furnishing of emergency power, pool equipment, HVAC equipment, solar panels, fuel tanks and other reasonably necessary mechanical equipment.

“(17) Artificial ponds and associated equipment provided that they are located in such a manner that equipment is not audible beyond any property line.”

Section 4. §196-13D is hereby amended by deleting all of the existing text thereof and substituting in its place the word “Reserved.”

Section 5. §196-13F is hereby amended (a) in the first sentence by adding a comma and the word “walkways” after “terraces” and the words “and associated railings and walls” after the word “steps” and (b) by adding the following three sentences to the end thereof:

“A walkway to a body of water need not comply with the setback requirement applicable to such body of water. Elevated walkways to a body of water shall be constructed in a manner designed to minimize adverse visual impact. In order to minimize such impact, the Board of Trustees may from time to time by resolution establish and amend written design specifications applicable to such elevated walkways.”

Section 6. §196-13H is hereby amended so as to read in its entirety as follows:

“An accessory building or other structure shall not contain or be used as living quarters except to the limited extent expressly permitted in Section 196-13A(6) pertaining to garages and except to the limited extent expressly permitted in Section 196-13B(4) pertaining to pool houses.”

Section 7. §196-13K shall be amended (a) by adding after the word “court” in the first sentence a comma followed by the words “paddle tennis court or pickle ball court” and (b) by deleting the word “tennis” each of the two times it is used in the second sentence.

Section 8. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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The Mayor advised the audience of an incident at the Village Beach in which a resident went into cardiac arrest and was revived. The lifeguards called 911 and commenced CPR until the police and Westhampton Ambulance arrived. The Mayor commended the lifeguards for their quick action, professionalism and good work.

Frances Ryan asked if any organizations offered CPR training. The police department offers training approximately twice per year. The Westhampton Ambulance offers training as well. Mayor Sartorius stated that the Village will publicize when the police department will offer courses.

Ann Janis commented that she believes the walkway at the Village Beach need to be improved. There was discussion regarding the Mobi Mat which was previously installed, but was unsuccessful because of the steepness of the walkway. Trustee Payne will look into the Town of Southampton beaches' walkways.

John Blaney inquired about landscapers who are operating later than allowed by law. The audience was advised by the Board to call the police if they witness any violations. Code Enforcement and the police have been enforcing the law.

With no other business to discuss and upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 4:35 P.M.

Aimee Buhl, Village Clerk