

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, MARCH 16, 2018 AT 4:00 P.M.

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

ABSENT: Trustee Randy Cardo

OTHERS PRESENT: Police Chief Robert Coughlan, Fire Chief Chris Osborne, Building Inspector Bill Nowak, Andrew Botsford, Eileen Duffy and Kittric Motz

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

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, the Minutes of Regular Meeting held on February 16, 2018 were approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 3-18, \$242,059.70 and Treasurer's Report for the Month ending February 28, 2018 were approved.

\$ 496,853.21	Checking Account
\$ 668,257.33	Capital Reserves
<u>\$7,338,339.17</u>	<u>Investments</u>
\$8,503,449.71	Total General Fund 2/28/18

The Clerk gave the report for February 2018 Fire and Burglar Alarms:

Fire Billed: \$350; Fire Collected: \$350
Burglar Billed: \$225; Burglar Collected: \$1,000

Fire Chief Chris Osborne gave the February 2018 report for the Fire Department. Police Chief Robert Coughlan gave the February 2018 report for the Police Department. Building Inspector Bill Nowak gave the February 2018 report for the Building Department.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Maintenance Service Agreement with Arenz Heating & Air Conditioning for the air conditioning equipment at the Fire Department (1 three zone mini split system, 2 single zone mini split systems and 1 central air conditioning system) at a cost of \$690 and at the Gym (1 central air conditioning system) at a cost of \$155 for the term of 4/1/18 through 3/31/19 is accepted.

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the park fee for the Picheny subdivision is reduced from \$256,771 to \$171,181.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the list from the Quogue Fire Department, with modifications following posting on February 16, 2018, showing the names of firefighters and the points earned under the Quogue Fire Department Service Award Program subject to there being no changes prior to the expiration of 30 days from February 16, 2018 is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the following transfers are approved:

From A312021 Police Furniture to A312022 Police Special Equipment \$750

From A3120444 Police Impounds to A312022 Police Special Equipment \$1,720

From A312022a Police Equipment Electronics to A312022 Police Special Equipment \$8,000

From A1990400 Special Items Contingent to A8745400 Erosion Control/Contractual Services \$30,000

From A3410447 Fire Dept. Building Security to A3410441 Fire Dept. Vehicles Labor \$1,000

From A1620443 Buildings Improvements and Maintenance to A1621443 Gym Improvements & Maintenance \$1,000

From A8710000 Conservation to A8710446 Storm Water Management Consulting Fees \$1,350

From A802049 Planning Misc Expenses to A8010445 Zoning Printing Notices \$110

From A1990400 Special Items Contingent to A801049 Zoning Misc Expenses \$750

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, A3410411 Fire Department Vehicle Maintenance and A2680 Insurance Recoveries are increased in the amount of \$1,676.51 which represents the insurance recovery for damage to Fire Department 2017 Chevy Tahoe.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a payroll bank account will be opened at M&T Bank.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a dock permit for 34 Quogue Neck Lane (902-11-3-6) is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to contract with First Coastal Corporation for beach repairs.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Mayor is authorized to execute the CSEA Employment Benefit Fund renewal agreement, covering the period June 1, 2017 to May 31, 2018.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the resignation of Village Prosecutor Daniel Rodgers, effective March 16, 2018, is accepted with regret.

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the appointment of Patrick J. Gunn as Village Prosecutor, effective March 19, 2018, is approved.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the minutes of the bid held on March 14, 2018 at 3:00 P.M. for the operation of the snack bar at the Quogue Village Beach Pavilion for the 2018 summer season, as advertised in the Southampton Press, Western Edition issues dated February 22, March 1 and March 8, 2018 (see attached) are approved and bid is awarded to JR WaterCorp.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a Special Event Permit for a party at the Quogue Village Beach on July 7, 2018 from 7 P.M. until 9 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 wedding rehearsal dinner at the Quogue Village Beach on September 7, 2018 from 6 P.M. until 10 P.M. is approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a Special Event Permit for a wedding ceremony at the Quogue Village Beach on June 30, 2018 from 6 P.M. until 8 P.M. is approved.

The Mayor presented the 2018-2019 tentative budget to the Board of Trustees. Upon motion made by Mayor Sartorius, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the 2018-2019 tentative budget is accepted.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a public hearing is scheduled for April 3, 2018 at 10 A.M. on the 2018-2019 tentative budget.

The Mayor stated that he had not received any additional comments regarding the proposed local law, A Local Law Amending Chapter 73 (Building Construction and Fire Prevention) of the Village Code to add a new Article Requiring Innovative and Alternative On-Site Wastewater Treatment Systems for Certain Residential Project. The Mayor then closed the public hearing and proposed that the local law be enacted. Upon motion made by Ted Necarsulmer and seconded by Kimberley Payne, it was RESOLVED, the Board of Trustees finds and determines 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. 2 of 2018 was duly put to a roll call vote with the following results:

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

Local Law No. 2 of 2018

A Local Law Amending Chapter 73 (Building Construction and Fire Prevention) of the Village Code to add a new Article Requiring Innovative and Alternative On-Site Wastewater Treatment Systems for Certain Residential Projects

Section 1. The Board of Trustees hereby finds and determines that the Village of Quogue is bordered by the Atlantic Ocean, Shinnecock Bay and Quantuck Bay and contains the Quogue Canal connecting the bays and various creeks and ponds. It is an objective of the Village to preserve and protect the quality of the groundwater and surface waters in and adjacent to the Village of Quogue. It has been well documented that waters in and around the Village of Quogue are receiving more nitrogen than the waters can naturally assimilate. This condition is caused mainly by the wastewater from both older and newer houses that are predominantly

stored and treated in cesspools and conventional on-site sanitary septic systems that do not adequately remove nitrogen; and the nitrogen from these facilities is being released into the groundwater, which ultimately discharges into the waters in and around the Village of Quogue. Thus, nitrogen loading to these waters must be reduced in order to restore their health. The Suffolk County Comprehensive Water Resources Management Plan found that "while all sources of water pollution are concerning, nitrogen pollution from septic systems has clearly emerged as the most widespread and least addressed of the region's growing list of water pollutants." As a result, the Suffolk County Department of Health Services ("SCDHS") has recently authorized the use of innovative and alternative on-site wastewater treatment systems in lieu of conventional sanitary septic systems. These innovative and alternative systems discharge significantly less nitrogen from sanitary waste into the groundwater and work towards achieving less nitrogen in our bays, ponds and other waterways. The Town of Southampton Community Preservation Fund Water Quality Improvement Project Plan ("WQIPP") was adopted by the Town Board of the Town of Southampton to complement the existing Community Preservation Fund Project Plan and identifies water protection priorities and criteria for expenditures throughout the Town of Southampton, including the Village of Quogue. One of the stated objectives of the WQIPP is to promote wastewater treatment improvement projects, and the Town of Southampton has adopted a Septic System Rebate and Incentive Program that is applicable to Village of Quogue residents located within the High Priority and Medium Priority Areas as identified in the WQIPP. Most of the Village of Quogue is located within one of these two Areas.

Accordingly, to further the aforesaid objectives and based upon the approval of these new systems by the SCDHS, the intent of this local law is to require that new residential wastewater treatment systems located anywhere in the Village of Quogue and replacements and substantial changes, repairs or upgrades to residential wastewater treatment systems in High Priority and Medium Priority areas utilize an innovative and alternative on-site treatment system authorized or approved by the SCDHS.

Section 2. Chapter 73 of the Quogue Village Code (Building Construction and Fire Prevention) is hereby amended by adding a new Article IV to read in its entirety as follows:

Article IV. Innovative and Alternative On-Site Wastewater Treatment Systems (I/A OWTS)

§73-10. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BUILDING INSPECTOR

The Village Building Inspector appointed pursuant to Chapter 15 or his/her designee.

HIGH PRIORITY AREA

Those areas in the Village of Quogue mapped as such in the WQIPP.

INNOVATIVE AND ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM (also referred to as "I/A OWTS")

An on-site wastewater treatment system that, at a minimum, is designed to result in total nitrogen in treated effluent of 19 mg/l or less, as approved or authorized for use by the SCDHS.

MEDIUM PRIORITY AREA

Those areas in the Village of Quogue mapped as such in the WQIPP.

SCDHS

The Suffolk County, New York Department of Health Services or any department or entity that may succeed to its functions insofar as they involve the approval or authorization for use of residential wastewater treatment systems.

SUBSTANTIAL SEPTIC SYSTEM UPGRADE

A replacement of an existing residential cesspool or septic system or a change, repair or upgrade to an existing residential septic system where the cost of such change, repair or upgrade would equal or exceed fifty (50%) percent of the cost of replacement of the current system.

WQIPP

The Southampton Town CPF Water Quality Improvement Project Plan dated June/July 2016 adopted by the Town Board of the Town of Southampton as it may be amended from time to time.

§73-11. I/A OWTS Required.

A. An I/A OWTS shall be required for the following projects:

- (1) All new residential construction in the Village of Quogue;
- (2) Any substantial septic system upgrade in a High Priority Area or a Medium Priority Area;
- (3) An addition or renovation to an existing residence in the Village of Quogue that results in an increase of 25% or more in the gross floor area (as defined in Section 196-49) of such residence; or
- (4) A substantial renovation to an existing residence in the Village of Quogue (whether or not the gross floor area is increased), the cost of which, as determined in connection with the granting of a building permit, exceeds \$500,000.

B. Notwithstanding any other provision of this Code, a building permit shall be required for installation of an I/A OWTS, and all above-ground equipment and electrically-powered equipment that is part thereof shall be required to meet applicable setback requirements in Chapter 196, subject to the right of an owner to seek and obtain a variance from the Zoning Board of Appeals.

§73-12. SCDHS Approval; Exceptions

A. SCDHS approval of an I/A OWTS proposed to be installed for a particular project of the type identified in Section 73-11 shall be submitted to the Village prior to the issuance of a building permit therefor.

B. The Building Inspector shall not issue a Certificate of Occupancy or a Certificate of Compliance for any project of the type identified in Section 73-11 above unless such project has received final approval from the SCDHS for the installation of the I/A OWTS.

* * *

Andrew Botsford discussed with the Board the possibility of installing a sculpture outside of Community Hall. The sculpture was created by the late Peter Marbury who was an instrumental designer and builder of sets for the Hampton Theatre Company until his death in 2009. A rendering of the sculpture and its proposed placement will be submitted to the Board.

With no other business to discuss and upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the meeting was adjourned at 4:40 P.M.

Aimee Buhl, Village Clerk