

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, JANUARY 21, 2022 AT 4:00 P.M.

PRESENT: Mayor Peter Sartorius, Trustees Kimberley Payne and Robert Treuhold, Village Attorney Wayne Bruyn, Village Clerk Aimee Buhl and Deputy Clerk Denise Michalowski. Trustees Ted Necarsulmer and Randy Cardo listened via Zoom.

OTHERS PRESENT: Police Chief Chris Isola, Fire Chief Mike Nelson, Building Inspector Bill Nowak and Irwin Messer

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the minutes of the Regular Meeting held on December 17, 2021 are approved.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, the Abstract of Audited Vouchers Schedule 1-22, 257,672.04 and Treasurer's Report for the Month ending December 31, 2021 were approved.

\$ 199,636.85	Checking Account
\$ 1,120,071.64	Capital Reserve
<u>\$ 8,917,227.91</u>	Investments
\$10,236,936.40	Total General Fund 12/31/21

The Clerk gave the report for December 2021 Fire and Burglar Alarms:

Fire Billed: \$1,500 Collected: \$1,350  
Burglar Billed: \$125 Burglar Collected: \$550

Fire Chief Mike Nelson gave the December 2021 report for the Fire Department. Building Inspector Bill Nowak gave the December 2021 report for the Building Department. Police Chief Chris Isola gave the December 2021 report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that the General Village Election of the Village of Quogue, New York will be held on Friday, June 17, 2022. The polling place for the 2022 General Village Election shall be at the Quogue Firehouse, Jessup Avenue, Quogue, New York. The polls shall open at 12:00 noon and close at 9:00 p.m. prevailing time and the offices to be filled at said General Village Election and the terms thereof are as follows:

Mayor- one (1) for the term of two (2) years  
Trustees- two (2) for the term of two (2) years

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the certified amount of unpaid Village taxes for the fiscal year 2021-2022 submitted by the Treasurer of the Village of Quogue, and as provided in Section 1454 of the Real Property Tax Law of the State of New York, has been compared with the original tax roll and has been found to be correct and the amount of unpaid taxes is \$26,074.04 (see listing attached) and further to approve that the unpaid village taxes for such fiscal year will be sold by Public Tax Sale at which sale certificates of tax liens for such unpaid taxes shall be properly sold

with interest and advertising fee (\$25); such tax sale shall be held in the manner provided by law, at 9:15 a.m. on Tuesday, March 15, 2022 and notices of such tax sale to be published in the Southampton Press-Western Edition for three (3) consecutive weeks in issues dated 2/24/2022; 3/3/2022 and 3/10/2022 in accordance with statutory law.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that pursuant to Section 217(p) of the General Municipal Law two points will be added per month for each of the months January through March 2021 and one point in November 2021 (Pancake Breakfast) to the point total of each active firefighter under the Quogue Fire Department Service Award Program to compensate for restrictions on holding of activities during that period as a result of guidelines related to the New York State disaster emergency relating to Covid-19.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that the certification from the Quogue Fire Department as to the members and points they received in 2021 under the Quogue Fire Department Service Award Program Point System, as modified pursuant to the preceding resolution, is approved and the Fire Department is directed to post it for at least 30 days as required by law and to resubmit it at the end of such period with any changes.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that South Fork Asphalt's Change Order No. 2 in the amount of \$20,997.60, increasing the total contract amount from \$749,885.91 (including Change Order No. 1 previously approved) to \$770,883.51, is accepted.

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that a refund in the amount of \$250 to Elcoma Nichols for a denied rental permit is approved.

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that an expenditure of \$8,300.56 from Jobson account for the planting of trees by Chip's Evergreen is approved.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that the follow transfers are approved:

From A3620210 – Safety Inspection/Furniture to A3620441 – Safety Insp/Auto Maint-Labor \$1000

From A3620421 – Safety/121 Jessup/Light & Water to A362049 – Safety Insp/Misc \$500

From A3620422 – Safety/121 Jessup/Heat to A362049 – Safety Insp/Misc \$500

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the following refunds of the Village's 2021/2022 taxes as a result of court decisions reducing Town of Southampton 2020/21 assessments are approved as follows:

<b>TAX MAP #</b>	<b>OWNER</b>	<b>ORIG ASSMT</b>	<b>REDUCED TO</b>	<b>REFUND DUE</b>
3-2-33.6	Qureshi	2,948,900	2,700,000	457.60
4-3-3.3	Rechler	1,396,900	1,225,000	316.04

9-2-10	Detwiler	1,368,800	1,260,000	200.03
10-3-32.1	Bradley	5,388,800	5,200,000	347.11

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that “Local Law No. \_\_\_\_ of 2022 Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c” is introduced and a public hearing is scheduled to be held on Friday, February 18, 2022 at 4:00 PM.

Local Law No. \_\_\_\_ of 2022

A Local Law Authorizing A Property  
Tax Levy In Excess Of The Limit Established  
In General Municipal Law §3-c

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Quogue to adopt a budget for the fiscal year commencing June 1, 2022 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override.

The Board of Trustees of the Village of Quogue is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2022 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Repeal.

If the Board of Trustees of the Village of Quogue adopts a budget for the fiscal year commencing June 1, 2022 that does not require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c (to wit, if the authorization contained in Section 3 of this local law is not utilized), this local law may be repealed by resolution of the Village Board of Trustees (to wit, without a public hearing and without any further local law).

Section 5. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date.

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

\* \* \*

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that "Local Law No. of 2022 A Local Law Amending Chapter 196 (Zoning) of the Village Code In Relation to Accessory Structures on Contiguous Lots under Common Ownership in Residential Districts and to clarify certain provisions to confirm that only one of certain types of Accessory Structures are permitted on a Residential Lot" is introduced and a public hearing is scheduled to be held on Friday, February 18, 2022 at 4:00 PM.

Local Law No. of 2022

A Local Law Amending Chapter 196

(Zoning) of the Village Code

In Relation to Accessory Structures on Contiguous

Lots under Common Ownership in Residential Districts

And to clarify certain provisions to confirm that only one of

Certain types of Accessory Structures are permitted on a

Residential Lot

Section 1. §196-20 is hereby amended add in by lettering the existing provision with an "A" and by adding the following provisions:

B. However, if there are two contiguous, conforming residential lots in common ownership (as defined below), only one of which has a one-family dwelling on it (herein, the "residence lot"), an accessory structure or structures permitted under Section 196-13B may be constructed on the other lot (the "non-residence lot") as long as all the applicable permits required by this chapter or

otherwise are obtained and the owners of the residence lot and the non-residence lot demonstrate to the Zoning Administrator that:

1. The accessory structure will be located in a conforming location on the non-residence lot,
2. There will be, after the accessory structure is completed, sufficient buildable area on the non-residence lot to construct a conforming one-family residence,
3. So long as the non-residence lot does not have a one-family dwelling on it, vehicular access to the non-residence lot will be solely through the residence lot, and
4. The residence lot and the non-residence lot have common ownership.

C. The term “common ownership” shall mean that actual control and beneficial (economic) ownership of both the residence lot and the non-residence lot are held directly or indirectly by the members of the same family (although the legal title of the lots may be in separate names). The term “family” means parents, their lineal descendants and their respective spouses.

D. In the event that the residence lot and the non-residence lot cease to be in common ownership for any reason, the use of the accessory structure or structures on the non-residence lot shall cease forthwith, and such structure or structures shall be removed after six months (except a bulkhead need not be removed) unless within such period the owner of the non-residence lot obtains a building permit for a one-family residence and promptly commences and thereafter completes construction thereof. Upon issuance of a certificate of occupancy for the one one-family residence on the non-residence lot, use of the accessory structure or structures may be continued.

E. The accessory structure or structures placed on the non-residence lot shall be used solely by occupants of the dwelling on the residence lot and their non-paying guests.

F. The certificate of occupancy or compliance issued for any accessory structure under Section 196-20B shall have a notation placed thereon that it is issued pursuant to Section 196-20B and is subject to certain restrictions contained in Section 196-20.

G. The Zoning Administrator shall require execution by the owners of the residence lot and the non-residence lot of covenants setting forth the restrictions contained herein, which shall be in a form satisfactory to the Village Attorney, and recording thereof in the office of the Recorder of Deeds of Suffolk County.

H. Notwithstanding the foregoing, the residence lot and the non-residence lot shall together have not more than one of the following types of accessory uses and structures: swimming pool, pool house, tennis court, paddle tennis court or pickleball court, basketball hoop, bocce court or sport court.

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

- (a) By adding at the end of the introductory clause after the word “dwelling” and before the colon the following words:  
“or on a contiguous lot if permitted by Section 196-20”,
- (b) By changing in subparagraph (5) the location of the words “pickleball court” and the preceding comma so that they appear immediately after the words “tennis court” when they first appear in the subparagraph;
- (c) By adding in subparagraph (10) the words “boat slip or” immediately before the word “dock” each time that it appears; and
- (d) By adding the following new sentence immediately after subparagraph (18):

Only one of each of the accessory uses and structures enumerated above shall be permitted on any lot except for those uses and structures referred to in subparagraphs (12), (15) and (16).

Section 3. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

Upon motion made by Kimberley Payne, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that the appointment of Jonathan M. Stanton to the position of Police Officer Full Time, at a salary of \$75,367 per year, effective January 21, 2022 is approved.

Upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the promotion of Robert J. Hammel to the position of Sergeant (Police: Towns & Villages), at a salary of \$152,934 per year, effective January 21, 2022 is approved.

Irwin Messer addressed the Board regarding the East Hampton Airport. Mayor Sartorius stated that consultants engaged by the Town of East Hampton concluded that Gabreski Airport will take most of the traffic if East Hampton Airport closed. Mayor Sartorius said that he is not sure exactly what will happen but predicted a drawn-out process for new rules at East Hampton.

With no other business to discuss and upon motion made by Robert Treuhold, seconded by Kimberley Payne and unanimously carried, the meeting was adjourned at 4:25 P.M.

---

Aimee Buhl, Village Clerk