

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD ON FRIDAY, MAY 20, 2022

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Ted Necarsulmer and Robert Treuhold, Village Attorney Wayne Bruyn, Village Clerk Aimee Buhl

ABSENT: Trustee Kimberley Payne

OTHERS PRESENT: Police Chief Chris Isola, Chief Building Inspector Bill Nowak, Fire Chief Michael Nelson, Harry Mainzer, Joan Scanlan, Irwin Messer and George Motz

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

Upon motion made by Robert Treuhold, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the Minutes of the Regular Meeting held on April 15, 2022 and the Special Meeting held on April 27, 2022 are approved.

Upon motion made by Ted Necarsulmer, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, the Abstract of Audited Vouchers Schedule 05-22, \$257,427.58 and Treasurer's Report for the Month ending April 30, 2022 were approved:

\$ 63,929.91	Checking Account
\$7,913,501.67	Investments
\$ 821,167.89	Capital Reserve
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\$8,798,599.47	Total General Fund 4/30/22

The Clerk gave the report for April 2022 Burglar and Fire Alarms:

Burglar Billed: \$100; Burglar Collected: \$175
Fire Billed: \$1,250; Fire Collected: \$150

Fire Chief Mike Nelson gave the Fire Department April 2022 report. Building Inspector Bill Nowak gave the Building Department April 2022 report. Chief Chris Isola gave the Police Department April 2022 report.

Upon motion made by Ted Necarsulmer, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that a special meeting of the Board of Trustees is scheduled to be held on Friday, May 31, 2021 at 10:00 A.M.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that the 2021-2022 budget is increased A3089 Other Government Aid and A3410423 Fire Department Equipment in the amount of \$64,000, which reflects anticipated FEMA grant funding for the compressor and fill bottle system.

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that South Fork Asphalt's Change Order No. 3 in the amount of \$35,418.60 pertaining to the Jessup Avenue Renovation Project, increasing the total contract amount from

\$770,883.51 (including Change Order No. 1 and 2 previously approved) to \$806,300.11, is accepted.

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

From A1325140 Clerk Salaries to A1325150 Clerk PT Salaries \$2,650

From A132549 Clerk Misc to A1325150 Clerk PT Salaries \$1,000

From Fund Balance to A5110447 Jessup Avenue Reno \$75,000

From Employee Benefits Reserve to A3120190 Police Compensated Absences \$94,960.85

From A1420400 Law/Contract/Vill Attny to A7180100 Beach Personal Services \$7,000

From A718015 Beach Lifeguard Instructor to A7180443 Beach Improvements & Maint \$1,100

From A132549 Clerk Misc to A1420410 Law Codification \$225

From A1325210 Clerk Treas Furniture to A1620443 Buildings Improvements & Maint \$2,000

From A132522 Clerk Treas Equip to A9060800 Empl Benefits/Hosp & Med Ins. \$5,000

From A8745400 Erosion Control/Contractual Services to A341023 Fire Department Equip \$11,500

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following purchase order increases are approved:

4194 South Fork Asphalt \$68,406

16796 Ak Athletics Equipment, Inc. \$30

16734 Firefighter's Equip of NY, Inc. \$1,781.65

16748 Brothers The Police Store \$68

Upon motion made by Ted Necarsulmer, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that Police Department 2014 Ford Taurus (1FAHP2MK9EG107445) and 2016 Ford Taurus (1FAHP2MK5GG136654) are declared as surplus and unneeded and sale of vehicles are approved through GovDeals.com.

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a refund of \$120 to Donna Chiaia for the duplicate payment of a beach sticker is approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Mayor is authorized to execute the engagement letter of Satty, Levine & Ciacco., CPA's, P.C. for the audit of the Village's financial statements for the year ended May 31, 2022.

Upon motion made by Robert Treuhold, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the Mayor is authorized to execute the engagement letter of Satty, Levine & Ciacco., CPA's, P.C. for the audit of the Justice Court's financial statement for the year ended May 31, 2022.

Upon motion made by Robert Treuhold, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the Mayor is authorized to sign and execute the Johnson Electrical

Construction Corp. Traffic Signal Maintenance Contract for the term June 1, 2022 to May 31, 2023.

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the minutes of the bid openings in accordance with RFP for services for the 2022-2023 and 2023-2024 fiscal years are approved.

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the proposal of Anacarolina Schaffauer for Office Cleaning Services, June 1, 2022 through May 31, 2023 and June 1, 2023 through May 31, 2024 is accepted.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the proposal of Mulco Plumbing for Plumbing Services June 1, 2022 through May 31, 2023 and June 1, 2023 through May 31, 2024 is accepted.

Upon motion made by Robert Treuhold, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the proposal of T. Collins Electrical Contracting Corp. for Electric Services, June 1, 2022 through May 31, 2023 and June 1, 2023 through May 31, 2024 is accepted.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that Michelle Bertorello's, Office Assistant, hourly rate is \$20 per hour effective April 1, 2022.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that Michael Rogers is appointed to the position of Gatekeeper PT at a rate of \$17 per hour.

Upon motion made by Ted Necarsulmer, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, that the Election and Alternate Election Inspectors hourly rate for the 2022 Village election is \$15.

Upon motion made by Robert Treuhold, seconded by Randy Cardo, and unanimously carried, it was RESOLVED, that the Mayor is authorized to sign and execute the license agreement with Quogue Chamber Music, Inc.

Upon motion made by Randy Cardo, seconded by Robert Treuhold and unanimously carried, it was RESOLVED, a Special Event Permit for a party to be held at Village Beach by Susan Ach on July 23, 2022 from 6 P.M. until 9 P.M. is approved.

The Mayor stated that the Quogue Draft 2022 Stormwater Management Program Annual Report is posted on the Village's website.

Upon motion made by Robert Treuhold, seconded by Randy Cardo and unanimously carried, it was RESOLVED, "Local Law No. ____ of 2022 amending Chapter 5 of the Quogue Village Code (Administration of Government) to allow public bodies of the Village to hold meetings via

videoconferencing,” was introduced and a public hearing is scheduled to be held on Friday, June 17, 2022 at 4:00 PM.

LOCAL LAW NO. OF 2022

A LOCAL LAW amending Chapter 5 of the Quogue Village Code (Administration of Government) to allow public bodies of the Village to hold meetings via videoconferencing. Section 1. As part of its response to the COVID-19 pandemic, by emergency declarations New York State authorized local governments to utilize videoconferencing to conduct the business of the locality, including, but not limited to, meetings of the Board of Trustees of the Village of Quogue, as well as local land use boards such as the Zoning Board of Appeals and the Planning Board. As a result of this accommodation, public participation was maintained – and likely enhanced – throughout the pandemic by the public’s ability to access these local government boards through videoconferencing.

Given this realization, the New York State legislature amended the New York State Public Officers Law to permanently allow remote public participation, while still ensuring the ability of the public and the media to directly access government officials, in person. Section 103-a, enacted as Part WW of Chapter 56 of the Laws of 2022, enables local governments, in their discretion, to use videoconferencing to conduct their meetings, provided that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend, and certain criteria are met.

The Board of Trustees of the Village of Quogue seeks to authorize the use of this option. Thus, the purpose of this local law is to authorize the Village’s public bodies, in their discretion, to hold meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a. A public body that wishes to do so will adopt videoconferencing procedures to further identify the manner in which videoconferencing will occur.

Section 2. Chapter 5 of the Quogue Village Code (Administration of Government) is hereby amended by adding a new Section 5-6 to read in its entirety as follows:

§ 5-6. Videoconferencing at Meetings of Public Bodies.

Pursuant to Section 103-a of the New York State Public Officers Law, the Village’s public bodies (as such term is used in such Section) are authorized to hold meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a and written procedures governing member and public attendance to be established by such public body as provided in Section 103-a 2(b) of the Public Officers Law and conspicuously posted on such public body’s section of the Village of Quogue website. Such written procedures governing member and public attendance shall be consistent with the Public Officers Law §103-a and may be amended or modified from time to time by such public body as it may deem necessary or desirable.

Nothing herein shall require any public body to utilize videoconferencing technology. Rather, the decision to use videoconferencing technology at any meeting or meetings shall be discretionary on the part of such public body.

Section 3. This local law is enacted pursuant to the New York State Public Officers Law §103-a.

Section 4. If any clause, sentence, paragraph, or part of this local law, or the application

thereof to any person, firm, or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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 5. This local law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

And it was RESOLVED, that the Village Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on Friday, June 17, 2022, at 4:00 p.m., in the north meeting room at Quogue Village Hall, 7 Village Lane, Quogue, New York, to hear any and all persons either for or against a local law entitled, "A LOCAL LAW amending Chapter 5 of the Quogue Village Code (Administration of Government) to authorize public bodies of the Village to hold meetings via videoconferencing."

Summary of Proposed Law

The purpose of this local law is to authorize the Village's public bodies to hold meetings using videoconferencing technology in a manner consistent with Public Officers Law §103-a.

Copies of the proposed law are on file in the Village Clerk's Office, Monday through Friday, from 9:00 a.m. to 4:00 p.m.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF QUOGUE
AIMEE BUHL, CLERK

George Motz addressed the Board regarding the emailed response he received after his presentation at the last meeting requesting to name the nature walk on Dune Road after Arthur Cooley. He proposed a compromise of placing a plaque thanking Arthur Cooley and former Mayor Decker Orr for preserving the wetlands. Mr. Motz suggested that the plaque be located to the right of the gate of the boardwalk. Mayor Sartorius requested that Mr. Motz forward a copy of his presentation and sample of the plaque to the Board.

Harry Mainzer addressed the Board regarding a previous request to name the park on the corner of Midland Street and Jessup Avenue after his father Allan (Buddy) Mainzer whose family had once owned the property. Mr. Mainzer was a ZBA member, Chief and member of the Quogue Fire Department and ran the Quogue Market for many years.

Joan Scanlan was in attendance to support George Motz's request and stated that she thought it was a wonderful idea to honor both Arthur Cooley and Allan Mainzer.

With no other business to discuss and upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, the meeting was adjourned at 4:50 P.M.

Aimee Buhl, Village Clerk