

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON
FRIDAY, JANUARY 20, 2023 AT 4:00 P.M.

This meeting was held in person and via Zoom.

PRESENT: Mayor Robert Treuhold, Trustees Randy Cardo, Kimberley Payne, Ted Necarsulmer (via Zoom) and Sally Beatty, Village Attorney Wayne Bruyn, Village Clerk Aimee Buhl, and Deputy Village Clerk Denise Michalowski

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

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

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that the minutes of the Regular Meeting held on December 16, 2022 are approved.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the Abstract of Audited Vouchers Schedule 01-23, \$278,219.81 and Treasurer's Report for the Month ending December 31, 2022 are approved as follows:

\$ 368,721.19	Checking Account
\$ 850,122.72	Capital Reserves
<u>\$ 9,923,693.19</u>	<u>Investments</u>
\$ 11,142,537.10	Total General Fund 12/31/22

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

Fire Billed: \$250 Fire Collected: \$500
Burglar Billed: \$1,350; Burglar Collected: \$675

Fire Chief Mike Nelson gave the December 2022 report for the Fire Department. Building Inspector Bill Nowak gave the December 2022 report for the Building Department. Police Chief Chris Isola gave the December 2022 report for the Police Department. Scott Hickerson was named Officer of the Year and Mayor Treuhold stated that the Trustees appreciate his hard work and congratulate Officer Hickerson on receiving this well-earned award.

Upon motion made by Sally Beatty, seconded Kimberley Payne and unanimously carried, it was RESOLVED, that the General Village Election of the Village of Quogue, New York will be held on Friday, June 16, 2023. The polling place for the 2023 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:

Trustees – two (2) for the term of two (2) years
Justice – one (1) for the term of four (4) years

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the village justice and/or acting village justice is allowed to reside outside of the Village of Quogue but within Suffolk County.

Upon motion made by Kimberley Payne, seconded by Sally Beatty, and unanimously carried, it was RESOLVED, that the certified amount of unpaid Village taxes for the fiscal year 2022-2023 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 \$32,211.22 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 14, 2023 and notices of such tax sale are to be published in the Southampton Press-Western Edition for three (3) consecutive weeks in issues dated 2/23/2023, 3/2/2023, and 3/9/2023 in accordance with statutory law.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that pursuant to Section 217(p) of the General Municipal Law two points per month are added for each of the months January 2022 and February 2022 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 Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that the certification from the Quogue Fire Department as to the members and points they received in 2022 under the Quogue Fire Department Service Award Program Point System, as modified pursuant to the preceding resolution, is accepted; 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 Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that Frank D. Carbone is appointed to the position of Police Officer Part Time at an hourly rate of \$27, pending a background check.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the following purchase orders are increased:

- 16868 – First Coastal Consulting Corp. \$200 for the reimbursement of the NYS DEC permit fee
- 16959 – NYCOM \$60 for two additional ZBA training courses
- 16961 – Otis Ford Inc. \$64 for an increase in tire prices
- 16980 – Amazon Business \$29.99 for a price increase for the jump starter box

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

From Unassigned Fund Balance to A1910400 Special Items/Unallocated Ins \$42,000
From Unassigned Fund Balance to A5110447 Jessup Ave Road Reno \$1515
From Unassigned Fund Balance to A9040800 Employee Benefits/Workers Comp. \$27,575
From A1620422 Buildings/Heat to A1620443 Buildings/Improvements & Maintenance \$1500
From A3620420 Electrical Inspect/Supplies to A3620412 Safety Insp/Auto Maint-Parts \$400
From A3620422 Safety/121 Jessup/Heat to A3620441 Safety Insp/Auto Maint-Labor \$400
From A718049 Beach/Misc. Expenses to A7180443 Beach/Improvements & Maint. \$1200
From A8010445 Zoning/Printing Notices to A8010490 Zoning/Misc. Expenses \$40

The Mayor gave background regarding the Scrub Oak Road & Jessup Avenue Roadway Reconstruction Project bid process. Ten bids were received and Village Engineer Vin Gaudiello reviewed the bids, ensured the bids complied with the specifications, and created a detailed analysis. Interviews were held with the representatives from the two lowest bidders to ensure the bidders were prepared to allocate the necessary resources to satisfy the project's very tight time frame and had sufficient man power, equipment, and materials. The Village Engineer was asked to submit his recommendation for awarding the bid.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the Scrub Oak Road & Jessup Avenue Roadways Reconstruction Project is awarded to Rosemar Construction Inc. as per the recommendation of the Village Engineer.

The Mayor stated that part of the bond offering process was for the Village to be rated. It was announced today that the Village's rating was upgraded by Moody's from Aa1 to Aaa. The bond offering will be priced on January 25th and the closing will take place the following week.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that an application to reconstruct a fixed dock and walkway at 14 Niamogue Lane (902-10-3-28.3) is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that an application to construct a fixed dock, ramp, and floating dock at 5 Penniman Point Road (902-6-2-24.6) is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that an application to remove and replace timber bulkhead with vinyl bulkhead, replace a portion of the boardwalk and to backfill and restore native vegetation at 19 Dune Road (902-12-1-12.9) is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that an application to reconstruct a float, ramp, and dock and construct new ramp and step at 15 Ogden Lane (902-14-1-22) is approved.

The Mayor introduced a new local law that would enable the property tax levy to exceed the limit established in General Municipal Law §3-c.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on **Friday, February 17, 2023 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c." (see attached)

AND BE IT FURTHER RESOLVED, that the Village Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on **Friday, February 17, 2023 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c."

Pursuant to §103-a of the New York State Public Officer's Law and Local Law No. 3 of 2022, the meeting of the Board of Trustees and aforementioned public hearing will be held in person, or it may be held as a hybrid meeting in a combination of both in-person and videoconference (i.e. ZOOM). Notice whether the meeting will be held as a hybrid meeting and the access requirements of such remote meeting platform may be obtained from the Village Clerk.

Copies of the proposed local law are on file in the Village Hall and may be reviewed during normal business hours.

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

The Mayor introduced a new local law regarding parking on Midland Street.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on **Friday, February 17, 2023 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A Local Law amending §174-46 of the Village Vehicle and Traffic Law to designate portions of the south side of Midland Street to be no parking zones." (see attached)

AND BE IT FURTHER RESOLVED, that the Village Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on **Friday, February 17, 2023 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A LOCAL LAW amending §174-46 of the Village Vehicle and Traffic Law to designate portions of the south side of Midland Street to be no parking zones."

Pursuant to §103-a of the New York State Public Officer's Law and Local Law No. 3 of 2022, the meeting of the Board of Trustees and aforementioned public hearing will be held in person, or it may be held as a hybrid meeting in a combination of both in-person and videoconference (i.e. ZOOM). Notice whether the meeting will be held as a hybrid meeting and the access requirements of such remote meeting platform may be obtained from the Village Clerk.

Copies of the proposed law are on file in the Village Hall and may be reviewed during normal business hours.

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

With no other business to discuss and upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 4:45 P.M.

Aimee Buhl, Village Clerk

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c.

BE IT ENACTED by the Board of Trustees of the Village of Dering Harbor as follows:

Section 1. Title, Intent and Purpose.

1.1. Title. The title of this local law shall be the "Tax Levy Limit Override."

1.2. Legislative Authority. This local law is adopted pursuant to New York State General Municipal Law (GML), §3-c (5) that expressly authorizes a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of 60% of said governing body

1.3. Purpose. It is the intent of this article to allow the Village of Quogue to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the tax levy limit as defined by General Municipal Law §3-c.

Section 2. 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, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in the GML, §3-c.

Section 3. Repeal. If the Board of Trustees of the Village of Quogue adopts a budget for the fiscal year commencing on June 1, 2023 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 2 of this Local Law is not utilized), the override authority under this local law may be repealed by resolution of the Board of Trustees (to wit, without a public hearing and without any further local law).

Section 4. Authority. The proposed local law is enacted pursuant to General Municipal Law §3-c (5) and Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a), 10(1)(ii)(a)(12), and 10(1)(ii)(e)(3).

Section 5. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW amending §174-46 of the Village Vehicle and Traffic Law to designate portions of the south side of Midland Street to be no parking zones.

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

SECTION 1. Amendment. Section §174-46 (Schedule XII: Parking, Standing or Stopping Prohibited at All Times) of the Village Vehicle and Traffic Law is amended by adding the following in alphabetical order in the schedule as follows:

§174-46. Schedule XII: Parking, Standing or Stopping Prohibited at All Times.

In accordance with the provisions of §174-16, no person shall park, stop or stand a vehicle at any time upon the following described streets or parts of streets:

Name of Street	Side	Location
Midland Street	South	From the intersection of Jessup Avenue east for a distance of 100 feet
Midland Street	South	From the intersection of Lamb Avenue west for a distance of 400 feet

SECTION 2. Authority. The proposed local law is enacted pursuant to §1603 and §1682 of the NYS Vehicle and Traffic Law and the Municipal Home Rule Law §10(1)(ii)(a)(5) and §10(2).

SECTION 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.