

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, FEBRUARY 17, 2023 AT 4:00 P.M.

This meeting was also accessible via Zoom

PRESENT: Mayor Robert Treuhold, Trustees Randy Cardo (via Zoom), Kimberley Payne, Ted Necarsulmer 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, Irwin Messer, Lynn Joyce via Zoom, and Karen and Andrew Cirincione via Zoom,

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the minutes of the Regular Meeting held on January 20, 2023 are approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 2-23, \$326,827.13 and Treasurer's Report for the Month ending January 31, 2023 were approved.

\$ 112,542.20	Checking Account
\$ 851,929.63	Capital Reserve
<u>\$ 9,808,439.95</u>	Investments
\$10,772,911.78	Total General Fund 1/31/2023

The Clerk gave the report for January 2023 Fire and Burglar Alarms:

Fire Billed: \$300; Collected: \$750
Burglar Billed: \$50; Burglar Collected: \$1,300

Fire Chief Mike Nelson gave the January 2023 report for the Fire Department. Police Chief Chris Isola gave the January 2023 report for the Police Department. Building Inspector Bill Nowak was absent from the meeting.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the list from the Quogue Fire Department, following posting on January 20, 2023, showing the names of firefighters and the points earned in 2022 under the Quogue Fire Department Service Award Program, subject to there being no changes to the expiration of 30 days from the date of posting, is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the resignation of Eric Cobb from the position of Police Officer Part Time, effective February 11, 2023, is accepted.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the 2023 fees set forth below and the forms of the 2023 Village Beach Permit Application, 2023 Locker Rental Application, and 2023 Special Events Permit Application are approved as follows:

Vehicle (Resident)	\$120
Vehicle (Renter)	\$350
Walk-On	\$20
Locker Rental Fee	\$300
Decks and Beach	\$350
Interior Eating Area/Kitchen	\$500
Parking Lot For Off-Site Functions	\$500

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the Mayor is authorized to sign the renewal of the Building & Codes Software Support Contract with Williamson Law Book Co. from 3/1/2023 to 2/28/2024.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the Mayor is authorized to sign the HVAC System Service Agreement with Mulco Inc. for the heating and air conditioning in Village Hall at a cost of \$1,900 for the term 3/1/2023 through 3/31/2024.

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

From A132522 Clerk/Treas Equip to A1320400 Auditor/Contractual Services	\$500
From A1325450 Clerk Treas/Maint Cont to A1325445 Clerk /Treas/Print Notices	\$500
From A1325450 Clerk Treas/Maint Cont to A1620443 Building/Improvements & Maint	\$3,000
From A5110150 Highway/Overtime to A5110425 Highway/Gasoline	\$5,000
From A718015 Lifeguard Instructor to A7180443 Beach/Improvements & Maint	\$1,200
From A8710000 Conservation to A8020446-Planning/Engineer Contractual Services	\$1,500

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that 10 taser devices, 129 cartridges, 5 cables, and 26 holsters are declared surplus and unneeded and can be sold to Accredited Security of Naples Florida for an estimated purchase price of \$3,000.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following purchase order are increased:

17022 Amazon Business	\$3.27
17010 Suffolk Precast	\$365.00

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that a payment to Suffolk Computer Consultants in the amount of \$891.37 from the Police Tift Fund and \$891.38 from the Fire Department Tift Fund for services related to internet connectivity at the Village Gym is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that authorization to open a new subaccount in NYCLASS titled Scrub Oak Rd & Jessup Recon. is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that authorization to open a new Signature Bank checking account titled Capital Projects Fund (H) is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the following payments related to the Scrub Oak Road & Jessup Avenue Reconstruction Project from the Capital Projects Fund are approved:

The Raynor Group, PE & LS PLLC	\$2,682.50
Moody's Investors Service Inc.	\$14,500.00
Wayne D. Bruyn, Attorney At Law	\$3,000.00
Munistat Services, Inc.	\$11,750.00

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the minutes of the opening of the RFP held on January 31, 2023 at 3:00 P.M. for the operation of the snack bar at the Quogue Village Beach Pavilion for the 2023 summer season, as advertised in the Southampton Press, Western Edition issues dated December 8 and 15, 2022, are approved, and the concession is awarded to Star Fish East Inc. d/b/a Beth's Café.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED that the request from the Quogue Association to use the Village Green for a summer concert on June 24, 2023 is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED,

WHEREAS, the Trustees have discussed the Governor’s proposals for housing development mandates to be imposed by the State on local governments throughout the State, and

WHEREAS, the number of increased housing units which would be mandated for the Village of Quogue is excessive, would overpower Village infrastructure and public service resources leading to significantly increased costs, and is inconsistent with the Village’s best interest to control local zoning and planning,

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Quogue as follows:

The Trustees request that any further process or action on these proposals be suspended until a transparent, collaborative process can be conducted with the meaningful participation of elected officials of the local governments that would be affected by the proposed mandates.

The Mayor opened Public Hearing regarding “Local Law No. ____ of 2023 Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c as introduced at the Board of Trustees meeting held on Friday, January 20, 2023 at 4:00 P.M. There were no comments and upon motion made by Kimberley Payne and seconded by Ted Necarsulmer the Mayor closed the Public Hearing. Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that this proposed law be enacted as Local Law 1 of 2023. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Treuhold voting Aye
Trustee Payne voting Aye
Trustee Necarsulmer voting Aye
Trustee Beatty voting Aye
Trustee Cardo voting Aye

The Mayor opened Public Hearing regarding “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” as introduced at the Board of Trustees meeting held on Friday, January 20, 2023 at 4:00 P.M. There were no comments and upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the public hearing was closed. Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that this proposed local law be enacted as Local Law 2 of 2023. The question of adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Treuhold voting Aye
Trustee Payne voting Aye
Trustee Necarsulmer voting Aye
Trustee Beatty voting Aye
Trustee Cardo voting Aye

The Mayor gave an update on FIMP. The Town of Southampton has completed the public bidding process and has begun Stage Two. Stage Three pertains to Quogue and is slated to begin next winter. Concerned Dune Road residents should be contacted soon. The Village is working with the Town of Southampton regarding existing surveys for properties in the work zone. Lynn Joyce asked the Mayor to repeat the update of FIMP as she was experiencing audio trouble. She asked the Mayor for the location of the project in Quogue and he stated that project location was the East Quogue/Quogue border to approximately the Quogue Beach Club.

Randy Cardo asked the Mayor for an update on the roadwork project. Mayor Treuhold stated that panel pulling will commence the week of February 27th. The sidewalks on Jessup Avenue have been marked out and there are approximately six properties with landscaping issues. A meeting was held on Wednesday with Suffolk County DPW to finalize the permits and to discuss the traffic loops at the intersections of Montauk Highway. Tree work has been done on Scrub Oak Road and two drainage teams are coming on February 27th. Randy also asked if there was anything regarding NJUNS (National Joint Utilities Notification System), cable, and telephone related to the removal of their equipment. Rick has been asked to reach out to Optimum cable and Verizon.

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

Aimee Buhl, Village Clerk

LOCAL LAW NO. 1 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 Quogue 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. 2 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.