

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, APRIL 21, 2023 AT 4:00 P.M.

PRESENT: Mayor Robert Treuhold, Trustees Randy Cardo, Kimberley Payne, Ted Necarsulmer and Sally Beatty, Village Attorney Wayne Bruyn and Village Clerk Aimee Buhl

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

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

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Minutes of Regular Meeting held on March 17, 2023 were approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Minutes of Special Meeting held on April 17, 2023 were approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 4-23, \$312,757.34 and Treasurer's Report for the Month ending March 31, 2023 were approved.

\$ 106,731.09	Checking Account
\$ 788,647.71	Capital Reserves
<u>\$ 9,000,520.45</u>	Investments
\$ 9,895,899.25	Total General Fund 3/31/23

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

Fire Billed: \$175; Fire Collected: \$925

Burglar Billed: \$350; Burglar Collected: \$250

Fire Chief Mike Nelson gave the March 2023 report for the Fire Department. Police Chief Chris Isola gave the March 2023 report for the Police Department.

Upon motion made by Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that Cynthia D'Alsace is appointed to the position of Office Assistant, at a yearly salary of \$45,000, effective April 24, 2023.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the resignation of Alfrieda Robinson is accepted with regret. She was thanked for her more than 37 years of service as a school crossing guard and for her dedicated efforts to ensure the safety of the children of the Village of Quogue.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that Helen Horton and Verna Merkel are appointed as Election Inspectors and Patrizia Salvatore is appointed as Alternate Election Inspector for the June 16, 2023 village election at a rate of \$15 per hour.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Memorandum of Agreement between the negotiating committees for the Village of Quogue and the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Village of Quogue Unit, Suffolk County Local 852 is approved.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Police Department's weekly cleaning expense (by Ana Schaffauer) is increased from \$100 to \$200.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a refund in the amount of \$10 to Gail Mason for the overpayment of an alarm registration renewal is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a Special Event Permit application from Ryan Fay for a breakfast function to be held at the Village Beach on April 30, 2023 from 10 am until noon is approved.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that two Special Event Permit applications from Joseph Moinian for use of the Village Beach parking lot only on July 29 and July 30, 2023 from 6:30 pm until Midnight are approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that a Special Event Permit application from Adam Dubin for a party to be held at the Village Beach on August 19, 2023 from 6 pm until 9 pm is approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that a Special Event Permit application from Ed Seltenreich for a party to be held at the Village Beach on September 30, 2023 from 6 pm until 10 pm is approved.

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the request from the Quogue Historical Society to use the Village Green on Friday, August 11, 2023 for a cocktail party, and Saturday, August 12, 2023 for its annual art show, is approved and the Mayor is authorized to sign a license agreement for that purpose.

Upon motion made by Sally Beatty seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the proposal from Suffolk Computer Consultants, Inc. for Managed IT Support is accepted and the Mayor is authorized to sign the Suffolk Computer Consultants, Inc. Master Services Agreement.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that an application to dredge and maintain the boat basin and to place 625 cubic yards of dredge fill around the exterior of the new bulkhead wall, reconstruct 134 linear feet of bulkhead wall, install 4' wide walkway and 10' wide sand buffer at 31 Ogden Lane (902-14-1-31) is approved. Randy Cardo questioned the amount of fill and asked Bill Nowak to clarify with the contractor.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the budget is increased in the amount of \$15,504.75 to fund the sand fencing installed by First Coastal Corporation utilizing revenue code A1001SA (Special Assessment- Sand Fences) and appropriation code A8745400 (Erosion Control-Contractual Services).

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

From A5182448 St. Lighting/Repairs to A3310400 Traffic Light-Service \$350

From A1325450 Clerk-Treas/Maint Cont. to A1325411 Clerk-Treas/Supplies & Materials \$2,000

From A1325450 Clerk-Treas/Maint Cont. to A1620422 Buildings/Heat \$1,000

From A1325450 Clerk-Treas/Maint Cont. to A1620443 Buildings/Improvements & Maintenance \$2,000

From A3620410 Safety Insp/Fire Prevention Inspector to A3620411 Safety/Supplies & Materials \$500
From A3620421 Safety/121 Jessup/Light & Water to A362049 Safety Insp/Misc. \$250
From A5110422 Highway Heat to A5110421 Highway/Light & Water \$1,000
From A5110150 Highway Overtime to A5110425 Highway/Gasoline \$3,000
From A1990400 Special Items/Contingent Acct to A7180100 Beach/Personal Services \$12,000
From A1990400 Special Items/Contingent Acct to A7180443 Beach/Improvements & Maint. \$4,000

Upon motion made by Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that a change order from Rosemar Construction Inc. in the amount of \$23,920 for the work at 6 Midland Street is accepted, increasing the amount of the total contract from \$2,183,000 to \$2,206,920.

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that a 5-foot wide Sidewalk Easement granted by Livingston and Livingston, LP to permit a new sidewalk to be constructed and maintained by the Village of Quogue within the bounds of property currently used by the United States Post Office known as 6 Midland Street, SCTM 0902-008.00-001.00-005.001 is accepted; and the Mayor is authorized to execute all instruments to permit the easement to be recorded at the Office of the Suffolk County Clerk.

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

The Raynor Group \$15,930.00
Rosemar Construction, Inc. \$1,115,569.04
Rosemar Construction, Inc. \$23,920.00
New York Trenchless \$1,800.00
Raynor, Marcks & Carrington Surveying \$2,175.00
Amazon Business \$434.00

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a payment of \$6,390 to Whitman Nurseries from the Jobson Account for the purchase of trees is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following payments from the Tiff Fund for expenses related to the renovation of the Village Gym are approved:

Suffolk Computer Consultants \$1,782.74
Speonk Lumber Corp. \$338.87

Upon motion made by Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED, that the following purchase order increases are approved:

16781 United Ag & Turf in the amount of \$52.12 for additional mower parts
16998 Riverhead Building Supply in the amount of \$183.99 for additional beach repair materials
17019 Hampton Marine Center, Inc. in the amount of \$16.80 for the PD boat repairs
17044 Firematic Supply Co., Inc. in the amount of \$44.14 for shipping for the brush truck nozzles
17073 Firefighters Equipment of NY in the amount of \$1,737.84 for turn-out gear repairs

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that Local Law No. 1 of 2023, entitled A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c is repealed.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the 2023-2024 Budget is approved and the tax rate is set at \$1.9885 per \$1,000 of assessed value.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Board of Trustees of Village of Quogue hereby directs that a public hearing shall be held on **Friday, May 19, 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 various sections of Chapter 73 (Building, Construction & Fire Prevention); Chapter 77 (Bulkheads & Docks); Chapter 135 (Public Gatherings & Entertainment); Chapter 146 (Sand Dunes & Ocean Management Program); and Chapter 196 (Zoning) to make reference to the adoption of a fee schedule by the Board of Trustees.”

LOCAL LAW NO. ___ OF 2023

A LOCAL LAW amending various sections of Chapter 73 (Building, Construction & Fire Prevention); Chapter 77 (Bulkheads & Docks); Chapter 95 (Flood Damage Prevention); Chapter 135 (Public Gatherings & Entertainment); Chapter 146 (Sand Dunes & Ocean Management Program) and Chapter 196 (Zoning) to make reference to the adoption of a fee schedule by the Board of Trustees.”

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

SECTION 1. Amendment. Section §73-8 of Chapter 73 (Building, Construction & Fire Prevention) is amended by adding a new subsection E. as underlined words as follows:

E. Each application for a building permit or certificate of occupancy/certificate of compliance, demolition permit or other permit authorized under this Chapter must be accompanied by a fee or fees established by the Board of Trustees under a separate resolution.

SECTION 2. Amendment. Section §77-1 of Chapter 77 (Bulkheads & Docks) is amended by adding a new subsection B. as underlined words as follows:

A. No person shall erect or construct a bulkhead or a dock on any lands in the Village of Quogue, New York, in or adjoining any waters within or bounding the Village of Quogue without first obtaining a permit therefor from the Board of Trustees, which shall grant such permit if, in the judgment of the Board of Trustees, the issuance of said permit shall not be contrary to the public health, safety or interests of the people of the Village of Quogue and, in the case of a bulkhead, will aid in arresting and preventing damage to property in the Village resulting from floods or erosion.

B. Each application for a bulkhead or dock or other permit authorized under this Chapter must be accompanied by a fee or fees established by the Board of Trustees under a separate resolution.

SECTION 3. Amendment. Section §135-1 of Chapter 135 (Public Gatherings & Entertainment) is amended by deleting strikethrough words and adding underlined words as follows:

No person, firm or corporation shall conduct any circus or menagerie, carousel, merry-go-round, children's ride, adult ride, carnival, tent show, music festival, exhibition or performance or any shooting gallery or open-air exhibition or performance of any kind whatsoever within the corporate limits of the Village of Quogue without first applying to the Board of Trustees, by filing a written application with the Village Clerk at least 30 days prior to the earliest date for which the license is to be effective, for a license to conduct the activity and without

first having received such license from the Board of Trustees, a filing fee of \$25 having been paid to the Village Clerk and an application having been filed. Each application under this Chapter must be accompanied by a fee or fees established by the Board of Trustees under a separate resolution.

SECTION 4. Amendment. Section §146-2 of Chapter 146 (Sand Dunes & Ocean Management Program) is amended by adding a new subsection C. as underlined words as follows:

C. Each application for a permit to move sand or fill or other permit authorized under this Chapter must be accompanied by a fee or fees established by the Board of Trustees under a separate resolution.

SECTION 5. Amendment. Chapter 196 (Zoning) is amended by adding a new Article XII entitled Fees as underlined words as follows:

ARTICLE XII
FEES

§196-78 Application, review and inspection fees.

A. A fee or fees shall be paid by applicants for the following applications for permits or approvals authorized under this Chapter:

- (1) Zoning map or code amendments by the Board of Trustees.
- (2) Special Exception review by the Board of Trustees, Planning Board or Board of Appeals.
- (3) Site Plan review by the Planning Board.
- (4) Variance, interpretation or other zoning relief by Board of Appeals.
- (5) Design review by the Design Review Board.
- (6) Amendment of a covenant, easement or other restriction imposed as a condition of a zoning action.
- (7) Building permits, demolition permits, sign permits, change of use permits, review of tennis court landscape plans, certificates of occupancy/compliance or other zoning review by the Building Inspector.

B. The application fees or fees authorized under this Chapter shall be established by the Board of Trustees under a separate resolution, which may be amended from time to time.

C. In addition to all other fees, an inspection fee or fees established by the Board of Trustees under a separate resolution shall be paid prior to each field inspection of improvements in connection with the applications under this Chapter.

D. The Board of Trustees, Planning Board, Design Review Board and Board of Appeals may charge a review fee in an amount which will recover the cost of the reasonably necessary consultant fees incurred on behalf of the board incident to review of the proposed application. The cost to be recovered shall consist of the consultant fees which are reasonable in amount and which are necessary to the accomplishment of the board's legitimate functions.

SECTION 6. Authority. The proposed local law is enacted pursuant to §4-412 of the NYS Village Law and the Municipal Home Rule Law §10(1)(ii)(a)(9-a) and §10(2).

SECTION 7. 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 8. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Village Clerk is hereby authorized and directed to refer this local law to the Suffolk County Planning Commission; and

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, May 19, 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 various sections of Chapter 73 (Building, Construction & Fire Prevention); Chapter 77 (Bulkheads & Docks); Chapter 135 (Public Gatherings & Entertainment); Chapter 146 (Sand Dunes & Ocean Management Program) and Chapter 196 (Zoning) to make reference to the adoption of a fee schedule by the Board of Trustees.”

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**

The Mayor stated that the Town of Southampton published a FIMP update on their website. Offers to property owners will probably take place at the end of 2023 or during the first quarter of next year.

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 4:30 P.M.

Aimee Buhl, Village Clerk