

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD ON FRIDAY, AUGUST 18, 2023

PRESENT: Mayor Robert Treuhold, Trustees Randy Cardo, Ted Necarsulmer and Sally Beatty, Village Attorney Wayne Bruyn, Village Clerk Aimee Buhl, Police Chief Christopher Isola, Building Inspector William Nowak, Fire Chief Mike Nelson and Fire Marshal Dave Schaffauer

ABSENT: Trustee Kimberley Payne

OTHERS PRESENT: Karen and Andrew Cirincione, Ed Corballis, Lynn Joyce, Vita and Edward Reinoso

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

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, the Minutes of the Regular Meeting held on July 21, 2023 were approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 08-23, \$253,151.39 and Treasurer's Report for the Month ending July 31, 2023 were approved:

| | |
|----------------------|------------------------------------|
| \$ 139,700.00 | General Account |
| \$12,006,329.13 | General Investment |
| \$ 1,065,282.06 | Capital Reserve |
| \$ 1,000,000.00 | Compensating Balance |
| \$ 2,067,776.81 | Class General Account |
| \$ <u>635,712.16</u> | Scrub Oak Renovation Bond Proceeds |
| \$16,914,800.16 | Total 07/31/23 |

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

Fire Billed: \$1,600; Fire Collected: \$350
Burglar Billed: \$275; Burglar Collected: \$225

Fire Chief Mike Nelson gave the July 2023 report for the Fire Department. Fire Marshal Dave Schaffauer gave his July 2023 report of inspections. Building Inspector Bill Nowak gave the July 2023 report for the Building Department. Police Chief Chris Isola gave the July 2023 report for the Police Department.

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED that a Special Event Permit application from Peter Salerno for a party to be held at the Village Beach on August 24, 2023 from 6 PM until 9 PM is approved.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that the modified Village of Quogue Sexual Harassment Policy is approved.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that the proposal from Mulco, Inc. for an HVAC System Service Agreement for the Building and Code Enforcement building from 9/1/2023 to 3/31/2024 in the amount \$531.00 is accepted.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED that A312022 Police Special Equipment is increased in the amount of \$1,678.00 which represents the revenue received from the sale of used Taser equipment.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that a 2016 Ford Taurus police interceptor (VIN 1FAHP2MK7GG136655) is declared as surplus and unneeded and is authorized to be sold through GovDeals.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED that Paulann Hoffman is appointed to the position of School Crossing Guard at a rate of \$57 per day, effective August 21, 2023.

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

From A3120450 Police Contracts to A3120443 Police Building & Maint \$10,000
From A3120450 Police Contracts to A3120415 Police Marine Equip & Maint \$4,000

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED that the Mayor is authorized to execute the engagement letter with Firefly Admin Inc. for the administration of the Village of Quogue Service Award Program October 1, 2023 to September 30, 2025.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that First Coastal has permission to use the Village Dock for access to the canal and for transporting dredged material off-site while performing a dredging project for 147 Dune Road.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that a payment of \$4,687.50 to the Raynor Group from Capital Fund H4200200 Scrub Oak Road and Jessup Avenue Reconstruction Project is approved.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that an application for the construction of a 4' x 75' elevated catwalk located at 37 Second Neck Lane (902-6-2-2.86) is approved.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that a Bond Continuance, expiring August 12, 2024, for the Picheny subdivision road improvements (902-6-1-18.2, .3, .4 and .5), is accepted.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer 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, September 15, 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 §111-4 (Violating Acts) of the Noise Law to add standards for sports courts."

Attached hereto as Exhibit A

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, **September 15, 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 §111-4 (Violating Acts) of the Noise Law to add standards for sports courts.

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**

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer 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, September 15, 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 §196-13K to provide additional standards for pickleball courts."

Attached hereto as Exhibit B

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, **September 15, 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 §196-13K to provide additional standards for pickleball courts."

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**

Lynn Joyce asked if this local law would apply to certain times of the day. The Mayor stated that it had been discussed and the Trustees did not want to regulate specific hours. The belief is that the preceding proposed local law addresses this issue by prohibiting loud, disturbing and unnecessary noises. He stated he hopes most people will be reasonable.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo 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, September 15, 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 §149-12 (Prohibitions; Restrictions) of the Village Rentals Law to limit the number of rentals during the summer season and annually."

Attached to as Exhibit C

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, September 15, 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 §149-12 (Prohibitions; Restrictions) of the Village Rentals Law to limit the number of rentals during the summer season and annually."

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**

Local Law Adoption

WHEREAS, the Board of Trustees of the Village of Quogue have proposed a local law amending §174-42 of the Village Vehicle and Traffic Law to add Stop Signs at the intersections of Jessup Avenue and Scrub Oak Road and Niamogue Lane and Ogden Lane; and

WHEREAS, a public hearing was held on July 21, 2023; and

WHEREAS, the adoption of said local law is considered to be a Type II action under 6 NYCRR §617.5(c), SEQRA and will not have a significant adverse impact upon the environment;

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 Cardo voting Aye
Trustee Necarsulmer voting Aye

Trustee Beatty voting Aye

NOW, THEREFORE, BE IT RESOLVED that Local Law No. 7 of 2023 is hereby adopted as attached as Exhibit D.

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

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that after public hearing was held on July 21, 2023, the Board of Trustees of the Village of Quogue at their meeting of August 18 2023 adopted "Local Law No. 7 of 2023 amending §174-42 of the Village Vehicle and Traffic Law to add Stop Signs at the intersections of Jessup Avenue and Scrub Oak Road and Niamogue Lane and Ogden Lane" Copies of the adopted 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 led the discussion of recent flooding in the Village associated with the heavy back to back rains. He stated that the Trustees are actively looking into ways to improve the issue by adding drainage, catch basins and the possibility of raising roads. The Village hopes to receive notification next month of a grant for use of CPF funds to improve runoff and catch water before going into the neighboring waters.

The Mayor stated that he had attended the FIMP meeting last week and that he had included a summary of the meeting in his informational email. The Mayor and or Aram Terchunian of First Coastal would be happy to discuss the easement process with anyone who is concerned about signing.

Lynn Joyce and Vita Reinoso voiced their concerns that not all residents are aware of FIMP and questioned a need for a Village meeting. The Mayor stated that he did not believe a meeting was necessary at this time and that he would be happy to meet with anyone who has questions or concerns.

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 5:05 PM.

Aimee Buhl, Village Clerk

Exhibit A

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW amending §111-4 (Violating Acts) of the Noise Law to add standards for sports courts.

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

SECTION 1. Amendment. Section 111-4 (Violating Acts) of the Noise Law of the Village Code is amended by adding a new subsection P as underlined words as follows:

The following acts are declared to be such loud, disturbing and unnecessary noises in violation of this chapter:

P. Sports courts. The use or playing of sports activities on a sports court or other playing surface on the premises in a residential zone, including basketball, tennis, paddleball, pickleball or similar activities, so as to unreasonably annoy or disturb the peace, quiet and comfort of neighboring inhabitants. The provisions of this section do not apply to an existing commercial club or facility with sports courts.

SECTION 2. AUTHORITY. The proposed local law is enacted pursuant to Village Law §4-412, and the Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), 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.

Exhibit B

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW amending §196-13K to provide additional standards for pickleball courts.

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

SECTION 1. Amendment. Section 196-13K of the Village Code is amended to delete strikethrough words and add underlined words as follows:

K. No building permit for construction of a tennis court, paddle tennis court or pickleball court shall be issued until a landscape plan therefor shall have been approved by the Zoning Administrator. Such plan shall provide vegetative screening for the screening of the court (including its fence) from view from adjoining parcels and from any street to the extent that it is visible from a street. The landscape plan shall also include adequate provisions to assure stormwater runoff generated from the court is retained on the premises. Installation and maintenance of the required vegetative screening shall be a continuing condition to use of the court. In addition to the required landscaping, the construction of a new pickleball court or the conversion or use of any tennis court or playing court for playing pickleball shall include appropriate sound attenuation measures to mitigate noise to adjoining residences to be reviewed and approved by the Design Review Board.

SECTION 2. AUTHORITY. The proposed local law is enacted pursuant to Village Law §7-712, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), 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.

Exhibit C

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW amending §149-12 (Prohibitions; Restrictions) of the Village Rentals Law to limit the number of rentals during the summer season and annually.

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

SECTION 1. Amendment. Section 149-12 of the Village Rentals Law is amended by adding a new Subsection H as underlined words as follows:

§ 149-12 H. Limitations on number of rentals. Notwithstanding anything in this Chapter to the contrary, a one family dwelling utilized as rental shall not be used and rented more than four times during the calendar year of which no more than three rentals shall be permitted during the summer season from Memorial Day through Labor Day.

SECTION 2. Authority. The proposed local law is enacted pursuant to Village Law §4-412 and Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11)&(12) and 10(1)(ii)(e)(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.

Exhibit D

LOCAL LAW NO. ____ OF 2023

A LOCAL LAW amending §174-42 of the Village Vehicle and Traffic Law to add Stop Signs at the intersections of Jessup Avenue and Scrub Oak Road and Niamogue Lane and Ogden Lane.

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

SECTION 1. Amendment. Section §174-42 (Schedule VIII: Stop Intersections) of the Village Vehicle and Traffic Law is amended by adding underlined words in alphabetical order in the schedule as follows:

§174-42. Schedule VIII: Stop Intersections.

In accordance with the provisions of §174-11, the following described intersections are hereby designated as stop intersections, and stop sign shall be installed as follows:

| Stop Sign on | Direction of Travel | At Intersection of |
|----------------------|----------------------------|---------------------------|
| <u>Jessup Avenue</u> | <u>South</u> | <u>Scrub Oak Road</u> |
| <u>Niamogue Lane</u> | <u>West</u> | <u>Ogden Lane</u> |

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.