

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, HELD ON FRIDAY, OCTOBER 20, 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: Thomas Mullen, Mark Malloy, Karen and Andy Cirincione, John Cooney and Irwin Messer

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

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, the Minutes of the Regular Meeting held on September 15, 2023 were approved.

The Clerk reported the Abstract of Audited Vouchers Schedule 09-23, \$826,031.57 and Treasurer's Report for the Month ending September 30, 2023:

\$ 210,373.16	General Account
\$10,750,970.45	General Investment
\$ 947,917.62	Capital Reserve
\$ 500,000.00	Compensating Balance
\$ 3,091,254.87	Class General Account
\$ <u>628,494.26</u>	Scrub Oak Renovation Bond Proceeds
\$16,129,010.36	Total 09/30/23

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

Burglar Billed: \$700; Burglar Collected: \$850  
Fire Billed: \$1,100; Fire Collected: \$750

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

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED that the filing fee for an application for an alarm permit (including renewal of an alarm permit) is increased from \$10 to \$25.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that the minutes of the bid opening held on October 13, 2023 for the Fire Department Roof Repair Project are approved and the bid is awarded to J.P. Hunter Co, Inc. in the amount of \$42,825.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that a transfer in the amount of \$42,825 from Unassigned Balance to A3410443 Fire Department Building Maintenance is approved.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that refunds of the Village's 2023-2024 taxes as a result of a court decision reducing the Town of Southampton's 2022-2023 assessment are approved as follows:

<u>TAX MAP #</u>	<u>OWNER</u>	<u>ORIG ASSMT</u>	<u>REDUCED TO</u>	<u>REFUND DUE</u>
4-1-88	Frey	1,553,100	1,422,000	260.69
10-3-31.1	Bradley	5,388,800	5,056,000	661.77

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

PO #17070 – Proliner, Inc. - \$68.44 for shipping  
PO #17202 – Otis Ford, Inc. - \$111.52 for additional labor on Code Enforcement vehicle repair  
PO #17225 – T.M. Kenney's Garage Door, Inc. - \$117.02 for additional FD garage door repair labor

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED that the following payments from Capital Account H4200200 (Road Improvements) are approved as follows:

The Raynor Group, PE & LSP LLC - \$100.00 – Beach Lane project  
The Raynor Group, PE & LSP LLC - \$4,413.75 – Ogden Lane project  
Chip's Evergreen Landscape & Lawncare - \$13,250.00 – Beach Lane project

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that the Mayor is authorized to execute the renewal of the CSEA Employee Benefit Fund contract (June 1, 2023 through May 31, 2028).

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that the Mayor is authorized to sign and execute the January 1, 2024 through December 31, 2025 Business Associate Agreement with Brown & Brown Insurance, administrators of the village's flexible spending plan.

Upon motion made by Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED that a refund is approved in the amount of \$600 to Edward Seltenreich due to the cancellation of a special event and bonfire.

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED that based upon the recommendations of The Raynor Group, by memorandum dated October 19, 2023, and the Planning Board, by resolution dated October 20, 2023, the Performance Bond Agreement with 125 Montauk Highway Group, LLC (the "Principal"), in the reduced amount of \$12,000, submitted to guarantee the completion of the required common driveway improvements in connection with the Subdivision Map of 125 Montauk Highway, shall be RELEASED, and the Village Clerk is authorized to return a check to the Principal in said amount.

Discussion of the Grant of a Turnaround Easement on Ogden Lane:

WHEREAS, Vincent R. LaSala and Donna N. LaSala are owners of certain real property situate on the westerly side of Post Lane, northerly side of Ogden Lane, and easterly side of Schaefer Lane (a private road), in the Village of Quogue, Town of Southampton, County of Suffolk, State of New York, designated as SCTM No. 0902-014.00-001.00-042.000 (the "LaSala Property"); and

WHEREAS, the Village of Quogue is currently undertaking improvements to Ogden Lane and desires to provide a vehicular turnaround area at the easterly terminus of Ogden Lane adjacent to the LaSala Property; and

WHEREAS, it is necessary to utilize an approximately 5' by 34' portion of the LaSala Property to enable the installation of the vehicular turnaround area; and

WHEREAS, the LaSalas have offered to grant the Village of Quogue a turnaround easement over the approximately 5' by 34' portion of their property to allow the Village to construct and maintain a paved turnaround area as part of the public street.

NOW, THEREFORE, upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, BE IT RESOLVED, that the Board of Trustees hereby accepts the Grant of Turnaround Easement offered by Vincent R. LaSala and Donna N. LaSala, and the Mayor is hereby authorized to execute all instruments to permit the easement to be recorded in the Office of the Suffolk County Clerk.

Upon motion made by Sally Beatty, seconded by Randy Cardo and unanimously carried, it was RESOLVED that the bid from Otis Ford, Inc. for three 2025 Ford Explorers in the amount of \$194,929.11 is accepted. The Police Capital Reserve Fund will be utilized for the expense of the three vehicles, subject to a permissive referendum.

### **Public Hearing**

The Mayor opened the public hearing regarding "A Local Law amending §174-5 and §174-36 of the Village Vehicle and Traffic Law to change the speed limit in the Village from 30 to 25 MPH except streets listed in §174-36" as introduced at the Board of Trustees meeting held on Friday, September 15, 2023 at 4:00 P.M.

The Mayor stated that the trustees have been talking about this for some time. Last year an amended state law authorized villages to lower area wide speed limits from 30 to 25 mph, subject to obtaining a traffic engineering study supporting that move. Walter Dunn of Dunn Engineering performed a traffic study of Quogue and recommended the adoption of a village wide reduced speed limit primarily for safety reasons. From a safety perspective, Mayor Treuhold stated that the trustees believe now is the time to reduce the speed limit because of the increased vehicular and pedestrian traffic. He then asked if anyone wished to be heard. Mark Malloy stated that he is very much in favor of a speed limit reduction. He asked the Board to consider lowering the speed limit to 20 mph and to add speed bumps. The Mayor stated that more work would need to be done to lower the speed limit to 20 mph. The Village has looked into traffic calming measures, with the assistance of Sally Booth who has taken a very active roll with safety proposals. Speed bumps pose other problems and often cause more accidents than they solve. The Mayor appreciated the comments and is open to exploring these ideas.

Tom Mullen asked if there had been a large increase in car accidents on village streets within the last two years. The Mayor stated that he does not know if there has been a net increase in the number of accidents, but there has been a net increase in the volume of vehicle and pedestrian traffic.

Chief Isola thanked the Mayor for being proactive, not reactive.

John Cooney commented that according to Newsday, accidents on Long Island's number have increased. He thanked the Board for being proactive.

Upon motion made by Randy Cardo, seconded by Sally Beatty and unanimously carried, the public hearing was closed.

WHEREAS, Board of Trustees of the Village of Quogue have proposed a local law amending §174-42 of the Village Vehicle and Traffic Law to change the speed limit in the Village from 30 to 25 MPH except streets listed in §174-36; and

WHEREAS, a public hearing was held on October 20, 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;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 10 of 2023 is hereby adopted as attached Exhibit A.

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 a public hearing was held on October 20, 2023, the Board of Trustees of the Village of Quogue at their meeting of October 20, 2023 adopted Local Law No. 10 of 2023 as follows: “A Local Law amending §174-42 of the Village Vehicle and Traffic Law to change the speed limit in the Village from 30 to 25 MPH except streets listed in §174-36.”

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 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

### **Public Hearing**

The Mayor opened the public hearing regarding “A Local Law amending Chapter 158 (Streets and Sidewalks) of the Village Code to establish standards and a formal permit process for work in Village Streets” as introduced at the Board of Trustees meeting held on Friday, September 15, 2023 at 4:00 P.M.

There were no comments and upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED that the public hearing was closed.

WHEREAS, the Board of Trustees of the Village of Quogue have proposed a local law amending Chapter 158 (Streets and Sidewalks) of the Village Code to establish standards and a formal permit process for work in Village Streets and

WHEREAS, a public hearing was held on October 20, 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;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No.11 of 2023 is hereby adopted as attached as Exhibit B.

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 a public hearing was held on October 20, 2023, the Board of Trustees of the Village of Quogue at their meeting of October 20, 2023 adopted “Local Law No. 11 of 2023 “A Local Law amending Chapter 158 (Streets and Sidewalks) of the Village Code to establish standards and a formal permit process for work in Village Streets.” 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 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

### **Public Hearing**

The Mayor continued the public hearing “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” as introduced at the Board of Trustees meeting held on Friday, August 18, 2023 at 4:00 P.M and opened at the Board of Trustees meeting held on Friday, September 15, 2023. He explained that the originally proposed local law would limit the number of times a homeowner could rent their property to four times in a calendar year, with a sublimit of only three times in the summer months. The objective of this proposed law was to preserve a residential community. The Mayor stated that the Trustees considered comments and feedback heard at the September meeting, which included the dependence of certain homeowners in the Village on rental income to maintain their properties, and the notion that traditional one-month rentals are no longer systematic and two-week rentals are becoming more popular. In light of these comments, the Trustees modified the proposed local law to increase the limitation to no more than six rentals per year, with no more than four during the summer months. The Mayor stated that the modified proposed local law would also allow an owner to make a hardship appeal the Board of Trustees to increase the number of rentals in a given year.

There were no comments, and upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED that the public hearing was closed.

WHEREAS, the Board of Trustees of the Village of Quogue have proposed 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”; and

WHEREAS, a public hearing was held on September 15, 2023 and continued on October 20, 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;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 12 of 2023 is hereby adopted as attached as Exhibit C.

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 hearings were held on September 15, 2023 and October 20, 2023, the Board of Trustees of the Village of Quogue at their meeting of October 20, 2023 adopted “Local Law No. 12 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.” 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 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

With no other business to discuss and upon motion made by Ted Necarsulmer seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 4:40 PM.

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Aimee Buhl, Village Clerk