

AGENDA FOR THE REGULAR MEETING OF BOARD OF TRUSTEES, HELD ON FRIDAY, JANUARY 17, 2025 AT 4:00 P.M.

PRESENT:

OTHERS PRESENT:

The Pledge of Allegiance.

Approval of Minutes of Regular Meeting held on December 20, 2024.

Motion By: Seconded:

Approval of Abstract of Audited Vouchers Schedule 01-25, \$505,453.53 and Treasurer's Report for the Month ending December 31, 2024:

\$ 156,635.29	General Account
\$ 7,611,447.48	General Investment
\$ 1,344,549.63	Capital Reserve
\$ 500,000.00	Compensating Balance
\$ 4,313,167.35	Class General Account
\$ <u>104,566.46</u>	Scrub Oak Renovation Bond Proceeds

\$14,030,366.21	Total 12/31/2024
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Motion By: Seconded:

Clerk's report for December 2024 False Fire and Burglar Alarms:

Fire Billed: \$450; Fire Collected: \$650
Burglar Billed: \$350; Burglar Collected: \$450

Departmental Monthly Reports:

Fire Department
Building Department
Police Department

Public Hearing

Public hearing regarding a local law amending §196-2B (Words defined); §196-15A (Permitted uses in Light Industry Districts) and §196-16F (Uses restricted) to amend the definition of nonnuisance industry, add definitions and listed permitted uses of indoor recreation, small/large scale solar energy systems, and battery energy storage system less than 600 kwh, and clarify the prohibition of bulk fuel storage facilities as introduced at the Board of Trustees meeting held on Friday, December 20, 2024 at 4:00 P.M.

Resolution to schedule the February Board of Trustees meeting to be held on February 14, 2025 at 4:00 p.m.

Motion By: Seconded:

Resolution to approve that the General Village Election of the Village of Quogue, New York will be held on Friday, June 20, 2025. The polling place for the 2025 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

Motion By: Seconded:

Resolution to approve that the certified amount of unpaid Village taxes for the fiscal year 2024-2025 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 \$39,619.63 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 11, 2025 and notices of such tax sale to be published in the Southampton Press-Western Edition for three (3) consecutive weeks in issues dated 2/20/2025, 2/27/2025, and 3/6/2025 in accordance with statutory law.

Motion By: Seconded:

Resolution to accept the certification from the Quogue Fire Department as to the members and points they received in 2024 under the Quogue Fire Department Service Award Program Point System and to direct the Fire Department 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.

Motion By: Seconded:

Resolution to approve the minutes of the bid opening for the operation of the concession at the Quogue Village Beach Pavilion for the 2025 and 2026 summer seasons.

Motion By: Seconded:

Resolution to approve an expense from H80902 Environmental Control Capital Outlay in the amount of \$15,225.00 to Moriches Bay Project for work related to the second Flupsy located at the Village Dock for which the Village will seek reimbursement from a CPF grant.

Motion By: Seconded:

Resolution to accept a donation in the amount of \$150 from Jessica Nagle for the Quogue Fire Department.

Motion By: Seconded:

Resolution to approve the following purchase order increase:

17580	Firematic Supply Co., Inc.	\$205.01
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Motion By: Seconded:

Resolution to approve short-term rental license applications for 5 Beach Lane, 90 Old Depot Road and possibly other potential Quogue addresses for the term of September 23 through September 28, 2025 to accommodate attendees of a wedding of the daughter of a Quogue resident..

Motion By: Seconded:

Resolution to approve and endorse the application of Quogue Wildlife Refuge for a grant under the NYS DEC Department of Environmental Justice Community Environmental Center Grant Program.

Motion By: Seconded:

Resolution to issue a refund to Michael and Marcia Appel in the amount of \$25 for the duplicate payment of a 2025 alarm registration fee.

Motion By: Seconded:

Resolution to appoint Stephen Farrell to the Gabreski Airport Conservation and Assessment Committee Board for a term of three years.

Motion By: Seconded:

RESOLVED, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on **Friday, February 14, 2025 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."

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, February 14, 2025 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 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**

Motion By: Seconded:

RESOLVED, that the Board of Trustees of the **Village of Quogue hereby directs that a public hearing shall be held on Friday, February 14, 2025 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 Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) to confirm the setback relief for lots on the east side of Beach Lane is measured from the east line of Beach Lane, which relief is applicable only to the eight parcels that are located on the east side of Beach Lane or having frontage on Beach Lane."

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, February 14, 2025 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 Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) to confirm the setback relief for lots on the east side of Beach Lane is measured from the east line of Beach Lane, which relief is applicable only to the eight parcels that are located on the east side of Beach Lane or having frontage on Beach Lane."

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**

Motion By: Seconded:

Meeting Adjourned: ____PM

Exhibit A

LOCAL LAW NO. OF 2025

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, 2025 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, 2025 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, 2025 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.

Exhibit B

LOCAL LAW NO. ____ OF 2025

A LOCAL LAW amending Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) to confirm the setback relief for lots on the east side of Beach Lane is measured from the east line of Beach Lane, which relief is applicable only to the eight parcels that are located on the east side of Beach Lane or having frontage on Beach Lane.”

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

SECTION 1. Legislative Intent. A recent Court decision found that the language in Footnote #3 may be ambiguous as to its application to a property on the corner of Ogden Lane and Quaquanantuck Lane, which is located east of Beach Lane, but is not on the east side of Beach Lane. The Village Zoning Code since the 1940s provided street setback relief from 60 feet to 40 feet for improvements on the eight parcels that are on the east side of Beach Lane between the Quogue Canal and Quaquanantuck Lane with such relief being measured from the east side of Beach Lane. The 1984 amendments carried over this relief in the form of Footnote #3 to the Table of Dimensional Regulations but the language in the Footnote apparently did not completely express that the relief is measured from the east side of Beach Lane, which the Court found to create some ambiguity. It is the intent of this Local Law to eliminate any possible ambiguity that the street setback relief of Footnote #3 is not applicable to other conforming lots east of Beach Lane and that the relief is applicable only to the eight parcels that are on the east side of Beach Lane or having frontage on Beach Lane with such setback relief measured from the east line of Beach Lane.

SECTION 2. Amendment. Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) is amended to delete strikethrough words and add underlined words as follows:

3 East side of Beach Lane between the Quogue Canal and Quaquanantuck Lane; 40 feet measured from the east side of Beach Lane. This relief is applicable only to lots having frontage on Beach Lane.

SECTION 3. 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 4. 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 5. 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, February 14, 2025 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 Footnote #3 to the Table of Dimensional Regulations (196 Attachment 1) to confirm the setback relief for lots on the east side of Beach Lane is measured from the east line of Beach Lane, which relief is applicable only to the eight parcels that are located on the east side of Beach Lane or having frontage on Beach 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**