

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, ON FRIDAY
DECEMBER 20, 2013 AT 4:00 PM.

PRESENT: Mayor Peter S. Sartorius, Trustees Randy Cardo, Jeanette Obser, Ted Necarsulmer, Kimberley Payne, Village Attorney Richard DePetris and Village Clerk Marcia Rose Koziarz.

OTHERS PRESENT: Police Chief Robert Coughlan, Fire Chiefs Bruce Davidson and Christopher Osborne, Building Inspector Bill Nowak, Bruce Peiffer, Dick Gardner, Frances Ryan, Dag Haraldson, Joe Caldara, Ben Hubbard, Chuck Karpovek, Michael McMahon and Kyle Campbell of The Southampton Press.

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

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Minutes of Regular Meeting held on November 15, 2013 and Special Meeting held on December 6, 2013 are hereby approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the Abstract of Audited Vouchers Schedule 12-13, \$191,951.79 and Treasurer's Report for the Month ending November 30, 2013 is hereby approved as follows:

\$ 44,774.62 Checking Account
\$ 635,115.10 Capital Reserves
\$6,474,851.90 Investments
\$7,154,741.62 Total General Fund 11/30/13

The Clerk gave the report for November 2013 False Fire and Burglar Alarms as follows:

Burglar Billed: \$0; Burglar Collected: \$600.00
Fire Billed: \$1,000.00; Fire Collected: \$1,500.00

Fire Department Fire Chief Bruce Davidson gave the November report for the Fire Department. Chief Building Inspector Bill Nowak gave the November report for the Building Department and Police Chief Robert Coughlan gave the November report for the Police Department. Chief Coughlan advised that Officer Theune's home in Westhampton Beach is undergoing renovation, and he is requesting a waiver to live more than 15 miles from the Village.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, Police Officer Ethan Theune is hereby approved to reside more than 15 miles outside the Incorporated Village of Quogue while his home is under renovation.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED the slate of Fire Department Officers for 2014, elected on December 4, 2013 are hereby approved and ratified as follows:

President:	David Celi
Secretary:	Ted Necarsulmer
Treasurer:	Tom Snodgrass
Chief:	Bruce Davidson
1 st Asst.:	John Sipala
2 nd Asst.:	Christopher Osborne
3 rd Asst.:	Ben Hubbard
Co.1 Captain:	Joe Caldera
Lt.:	Mike McMahon
Warden:	Cliff McKennett
Co. 2 Captain:	Mike Nelson
1 st Lt.:	Tyler Morgan
2 nd Lt.:	Dag Haraldson
Warden:	Tom Mullen & Dave Turinsky

Ted Necarsulmer noted that the Village owes a debt of gratitude to the retiring Fire Department Chief Tim Shea for his dedication and professional leadership and also that he has served the Quogue Village Fire Department for 13 years.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the excision and sale of the following police vehicles from the Police Department's fleet are hereby approved to be published for bids as follows:

2005 Ford Crown Victoria 4DSD (last four of Vin #6505) min. Bid \$3,000.00
2005 Ford Crown Victoria 4DSN (last four of Vin #6516) min. Bid \$3,000.00
2007 Ford Crown Victoria 4DSD (last four of Vin #8670) min. Bid \$3,000.00.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, Clarke Lewis is hereby approved to the appointment as an alternate member of the Planning Board.

Upon motion made by Mayor Peter Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, modifications to the personnel policy applicable to the Building Inspector's and Code Enforcement Officer's hours are hereby authorized and approved.

Upon motion made by Kimberley Payne, seconded by Ted Necasulmer and unanimously carried, it was RESOLVED, two budget transfers from A1910.400 (Unallocated Insurance) are hereby approved as follows:

\$5,229.24 to A3620.140 (Safety Inspection-Ordinance Inspector)
\$6,627.72 to A3620.100 (Safety Inspection-Building Inspector)

Upon motion made by Randy Cardo, seconded by Kimberley Payne and unanimously carried the sale of Village owned property at 155 Dune Road to Robert & Micki Friedman (152 Dune Road) and Ray & Natharon Goodman (156 Dune Road), as tenants in common, for a price of \$250,000.00, subject to restrictions that will limit development to a walkway and dock for two boats and authorize the Mayor to sign a contract of sale is hereby tabled until the January Trustee Board meeting to give people an opportunity to comment.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, refunds of the Village's 2013/14 taxes as a result of court decisions reducing Town of Southampton 2012/13 assessments are hereby approved as follows:

<u>TAX MAP #</u>	<u>OWNER</u>	<u>ORIG ASSMT</u>	<u>REDUCED TO</u>	<u>REFUND DUE</u>
3-1-10	Bonagura	1,194,600	1,139,500	\$113.82
3-2-38.2	Brennan	920,200	774,000	\$302.02
4-1-28	Gooder	845,800	770,000	\$156.58
4-2-2.18	Rubin	1,095,400	821,550	\$565.72
4-2-11	Newbert	788,400	679,000	\$225.99
4-2-42	Connolly	804,900	660,000	\$299.33
5-1-17	Keber	1,075,500	806,625	\$555.44
5-1-35.1	Dubowski	2,654,900	1,991,175	\$1,371.12
7-2-1.7	Talarico	2,621,900	2,300,000	\$664.98
1-1-25.2	Plate	965,700	880,000	\$177.04
3-6-26	Schlessinger	1,020,100	900,000	\$248.10
4-2-18	Infantino	1,499,000	1,300,000	\$411.09
10-3-25.5	Greiner	4,556,700	3,900,000	\$1,356.61
14-1-21	Boyle	3,113,600	3,000,000	\$234.67

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a budget transfer is hereby approved in the amount of \$1,366.04 from A1990.400 (Special Items-Contingent) to A1950.400 (Special Items/Taxes/Village Property) for payment of Southampton Town taxes on road parcels acquired in 2013 after the taxable status date (March 1, 2013).

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the #2 Fuel Oil Contract with Quogue Sinclair Fuel, Inc., is hereby approved to be renewed for the period of January 1, 2014 through December 31, 2014, at 19 cents over the Northville, L.I. Tank Car Consumer price.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a new Building Department Permit Fee Schedule is hereby approved, effective January 1, 2014 (see copy attached).

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The Mayor discussed the proposed Local Law No. ____ of 2013, “A Local Law Amending Chapter 111 (Noise) of The Village Code In Relation to Hours of Operation for Construction and Landscaping” that had been held open for comments from the November 15, 2013 Trustee meeting.

Local Law No. _____ of 2013

A Local Law Amending Chapter 111
(Noise) of The Village Code
In Relation to Hours of Operation for
Construction and Landscaping

Section 1. The Board of Trustees hereby finds and determines that the permissible hours of operation in the evening for construction and landscaping activities should be reduced in order to better secure and promote the public health, comfort, convenience, safety, welfare, prosperity and the peace and quiet of the Village of Quogue and its inhabitants.

Section 2. Section 111-4 (Violating Acts) is hereby amended as follows:

- (a) Paragraph J (Construction or repair) is hereby amended to change the evening times set forth therein for (1) cessation of construction activity (other than by a homeowner on his own dwelling or property) from 8:00 pm to 6:00 p.m. on Monday through Friday and from 6:00 p.m. to 4:00 p.m. on Saturdays during the months of July and August and (2) cessation of construction activity by a homeowner on his own dwelling or property from 9:00 p.m. to 7:00 p.m. so that the entire provision as amended shall read as follows:

“Construction or repair. Excavation, demolition, construction, repair or alteration work in connection with any building, structure or other improvement other than between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 7:00 a.m. and 6:00 p.m. on Saturday during all months other than July and August and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday during the months of July and August, and with regard to construction, repair or alteration work by a homeowner on his own dwelling or property, other than between the hours of 7:00 a.m. and 7:00 p.m. on any day”.

- (b) Paragraph M (Bulldozers or other earth moving machinery, pile drivers and pneumatic hammers) is hereby amended to conform with the foregoing changes to Paragraph J so that the entire provision shall read as follows:

“Bulldozers or other earthmoving machinery, pile drivers and pneumatic hammers. The operation, other than between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 7:00 a.m. and 6:00 p.m. on Saturday during all months

other than July and August and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday during the months of July and August, of any bulldozer or other earthmoving machinery, any pile driver or any pneumatic hammer. (See § 111-4.1 for supplemental regulations applicable to pile drivers and pneumatic hammers.)”

- (c) Paragraph O (Commercial landscaping) is hereby amended to regulate the hours of homeowner landscaping as well as commercial landscaping so that the entire provision shall read as follows:

“Landscaping. The use or operation, other than between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between the hours of 7:00 a.m. and 4:00 p.m. on Saturday, of any engine- or motor-powered lawn care equipment, leaf blower, lawn mower or trimmer by any person other than a homeowner on his own property or the use or operation, other than between the hours of 7:00 a.m. and 7:00 p.m. on any day of any engine- or motor-powered lawn care equipment, leaf blower, lawn mower or trimmer by a homeowner on his own property.”

Section 3. The second sentence of § 111-4.1C is amended to delete the words “the hours of 7:00 a.m. and 6:00 p.m.” and to substitute in place thereof the words “certain hours.”

Section 4. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

Upon motion made by Mayor Sartorius, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the proposed Local Law will not have a significant impact on the environment and RESOLVED, Local Law No. ____ of 2013, “A Local Law Amending Chapter 111 (Noise) of The Village Code In Relation to Hours of Operation for Construction and Landscaping” is hereby enacted as Local Law #6 of 2013. The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Mayor Sartorius: Voting Aye

Trustee Cardo: Voting Aye

Trustee Obser: Voting Aye

Trustee Necarsulmer: Voting Aye

Trustee Payne: Voting Aye

With no other business to discuss and upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 4:31 P.M.

Marcia Rose Koziarz, Village Clerk

