

MINUTES OF REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, HELD AT 4:00 P.M. ON FRIDAY, APRIL 19, 2013.

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

ABSENT: Trustees Randy Cardo and Kimberley Payne.

OTHERS PRESENT: Police Chief Robert Coughlan, Fire Chief Tim Shea, Chief Building Inspector Bill Nowak, Ed Seltenreich, Wyck Coddington, Frances Ryan, Dick Gardner, Lee Wadelton, Joan Scanlon, Christian Browne, Theresa Fontana, Anthony Richards, Gene Surdi, Geraldine Surdi, Richard Bivone, Robert K. Ceriello, Anthony Richards and Carol Moran of the Southampton Press.

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

Upon motion made Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, the minutes of regular Meeting held on March 22, 2013, Special Meeting Minutes of March 26, 2013 and Minutes of Public Hearing on the Tentative Budget held on April 15, 2013 are hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, the Abstract of Audited Vouchers Schedule 04-13, \$231,219.19 and Treasurer's Report for the Month ending March 31, 2013 is hereby approved as follows:

\$ 47,703.65 Checking Account  
\$ 5,959,125.09 Investments  
\$ 6,006,828.74 Total General Fund 03/31/13

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, the Clerk gave the report for March 2013 False Fire and Burglar Alarms as follows:

Burglar Billed: \$50.00; Burglar Collected: \$150.00  
Fire Billed: \$1,500.00; Fire Collected: \$0

Fire Department Chief Tim Shea gave the March report for the Fire Department. Chief Building Inspector Bill Nowak gave the March report for the Building Department. He has inspected the recently installed roof of the "snail house" at the Village beach and states that it has been completed. Police Chief Robert Coughlan gave the March report for the Police Department.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the resolution relating to a new roof at 172 Dune Road “snail house” approved at the 10-19-12 Board of Trustee meeting is hereby amended to utilize \$34,650.00 from the Trust & Agency-Park Fund (T-210) and reverse the transfer from A1620.999 (Building Capital Reserve).

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, J. P. Hunter Co., Inc. is hereby approved to supply and install new double dipped factory treated cedar shakes @ 5” exposure to southern most wall and gable facing the ocean at 172 Dune Road for a price of \$4,500.00 from Trust & Agency-Park Fund (T-210).

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, an increase to the 2012-2013 Budget to fund the sand fencing installed by First Coastal Corporation in the amount of \$5,275.60 for Revenue code A2770 (Unclassified Revenues) and Appropriation Code A8745.400 (Erosion Control-Contractual Services) is hereby approved.

The Mayor next opened the public hearing on the 2013-2014 Budget held over from the April 15, 2013 Trustee meeting. Alex Hesterberg had a question on expenses and revenues for the Village beach. After discussion and with no other comments, the public hearing was closed at 4:18 P.M. Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the 2013-2014 Budget and set the tax rate at \$2.0658 per \$1,000 of assessed value.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, Margaret Stevenson and Helen Horton are hereby approved as Village Election Inspectors, and Marie Miele as alternate Village Election Inspector, with compensation set at a rate of \$13.00 per hour. The Mayor thanked Joe and Marilyn DiCarlo for their many years of service as Election Inspectors to our community.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, a Special Event Permit for June 4, 2013 at 11:30 P.M. (rain date June 5<sup>th</sup> or 6<sup>th</sup>) for the Westhampton Beach Performing Arts Center (WHBPAC) volunteer luncheon using the kitchen and interior eating area and two decks, pending receipt of evidence of liability insurance is hereby approved. Permit fee is waived.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the minutes of bid opening held on March 28, 2013 at 3:00 P.M. in accordance with notice published in the Southampton Press, Western Edition issues dated March

14 and 21, 2013 for the surface treatment of two (2) miles of road is hereby approved. (See attached)

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the sale of the following abandoned vehicle is hereby approved:

2000 Jeep Cherokee VIN #1J4FF48S7YL125703, minimum bid: \$250.00.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, a fee of \$250.00 for an updated certificate of occupancy provided for in Local Law #2 of 2013 is hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, to amend Section 174-48 of the Village Code (Schedule XIV: Time Limit Parking) to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit: Hours/Days</u>	<u>Location</u>
Quogue Street	North	60 Minutes 7:00 AM to 8:00 PM All days	East from a point 44 feet from Jessup Avenue for a distance of 110 feet

The Mayor opened the public hearing on proposed Local Law # \_\_\_\_ of 2013, "A Local Law Amending Chapter 73 (Building Construction and Fire Prevention) Of The Village Code In Relation To Appointment of Electrical Inspectors and the Conduct of Electrical Inspections And Adding Penalties for Offenses under Article III". Richard Bivone, President of the Electrical Inspectors Association and Attorney Christian Browne spoke to the Board with their recommendations for revisions of the proposed local law. The Mayor stated the public hearing will be kept open to do further revision of the proposed local law:

Local Law No. \_\_\_\_\_ of 2013

A Local Law Amending Chapter 73  
(Building Construction and Fire Prevention) Of The Village Code  
In Relation To Appointment of Electrical  
Inspectors and the Conduct of Electrical Inspections  
And Adding Penalties for Offenses under Article III

Section 1. Chapter 73 is hereby amended by adding a new § 73-5.1 and § 73-5.2 to read as follows:

§ 73-5.1. Electrical Inspectors.

A. The Village Board of Trustees may appoint, by resolution, one or more qualified electrical inspectors, who, upon their appointment, shall be authorized as agents of the Building Inspector to make inspections of all electrical installations and to approve or disapprove the same.

B. A qualified electrical inspector means a person who:

1. Is currently certified by the International Association of Electrical Inspectors (IAEI) as (a) an electrical inspector - one & two family dwelling (who shall only be authorized to perform inspections on one and two-family homes) or (b) an electrical inspector - general; and

2. By reason of education, training and work experience demonstrates to the Board of Trustees (which may seek the advice of the Building Inspector) the necessary qualifications to undertake and complete on a timely and professional basis the electrical inspections required to be completed pursuant to this Code.

C. A qualified electrical inspector appointed by the Board of Trustees may be a corporation or other entity provided that each individual employed by such entity who performs inspections in the Village of Quogue individually meets the requirements in the immediately preceding paragraph B.

D. It shall be the duty of the Building Inspector to obtain and maintain evidence of the required certifications of each person or entity appointed by the Board of Trustees, including any applicable expiration date of any certification and, if obtained, any recertification by the IAEI and the expiration date thereof. Any person or entity that fails to retain the necessary certifications shall no longer be eligible to conduct inspections in the Village of Quogue until such time as they have been renewed.

E. All qualified electrical inspectors appointed by the Board of Trustees shall maintain a policy of insurance naming the Village of Quogue and its officials and employees as additional insured in accordance with the policies applicable to contractors of the Village, and evidence of such coverage shall be furnished to the Village Clerk.

F. The Building Inspector, as the "authority having jurisdiction," shall not be bound by any approvals granted by the qualified electrical inspector and shall have the right to disapprove any electrical installation not complying with the State Code.

G. The fees payable to a qualified electrical inspector by the Village of Quogue shall be approved by resolution of the Board of Trustees, and the fees proposed by a person seeking to be appointed may be taken into account by the Board of Trustees in making such appointment.

#### § 73-5.2 Electrical Inspections

A. It shall be the duty of a qualified electrical inspector to physically inspect every installation to which such inspector has been assigned by the Building Inspector and to report in writing to the Building Inspector all violations of the electrical provisions of the New York State Uniform Fire Prevention and Building Code. A signed electrical certificate attesting to the compliance of an approved electrical installation shall be

promptly furnished to the Building Inspector upon completion of the inspection. The electrical certificate shall set forth a description of the installation in such detail as may be required by the Building Inspector, a record of the date or dates the electrical inspection was performed and the name of the qualified electrical inspector performing such inspection.

B. No Building Permit shall be issued under § 73-6 for any work that involves electrical systems unless there has been received by the Building Inspector an application for an electrical inspection and payment of the applicable fee therefor established by resolution of the Board of Trustees.

C. It shall be the further duty of the qualified electrical inspector to provide assistance to the Building Inspector and the Village Ordinance Inspector regarding investigations of complaints of unsafe or unlawful electrical installations and in inspecting electrical installations that are reasonably believed by reason of exposure to the elements or otherwise to constitute a potential electrical hazard that creates a risk of personal injury or damage to property. A written record of the dates and results of such investigations and inspections shall be furnished to the Building Inspector in such form as the Building Inspector may reasonably require.

D. The fees payable by property owners to the Village of Quogue for electrical inspections shall be approved by resolution of the Board of Trustees.

Section 2. Chapter 73 is hereby further amended by adding a new § 73-9 to read as follows:

§ 73-9 Penalties for Offenses.

A. Any person committing an offense against any provision of this article shall, upon conviction thereof, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding \$1,000 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this article shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

B. For each and every violation of this article, the person or persons responsible for, causing, permitting, assisting in or refusing to abate or correct such violation shall be subject to a civil penalty not exceeding \$1,000 for each and every such violation. The continuation of a violation of this article shall constitute, for each day the violation is continued, a separate and distinct violation hereunder.

Section 3. This local law shall become effective 60 days after the filing thereof with the Secretary of State of the State of New York.

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The Mayor spoke regarding the Village beach handicap access. Young and Young was asked to produce a plan for a handicap entrance which plans were deemed “not feasible”. Alex Hesterberg and Theresa Fontana spoke to the Board. The Mayor stated that the Board is always open to suggestions.

With no other business to discuss and upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, the meeting was adjourned at 5:06 P.M.

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Marcia Rose Koziarz, Village Clerk

Minutes of bid opening in accordance with notice published in the Southampton Press, Western Edition issues dated March 7 and 14, 2013 for 2013 surface treatment of approximately two (2) miles of road were opened and publicly read at 3:00 P.M. on March 28, 2013.

Present for the bid opening were: Village Clerk Marcia Rose Koziarz, Deputy Treasurer Aimee Buhl and Assistant to the Mayor Stephanie Wagner.

3 bids were received as follows:

Roberts Asphalt Company Inc., 1981 Montauk Highway, Brookhaven, NY 11719 - \$122,000.00

Corazzini Asphalt Inc., P O Box 1281, Cutchogue, NY 11935 - \$94,000.00

South Fork Asphalt, 224 North Main St., Southampton, NY 11968 - \$108,250.00

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Marcia Rose Koziarz, Village Clerk