

MINUTES FOR THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF QUOGUE, HELD ON FRIDAY, FEBRUARY 19, 2016.

PRESENT: Mayor Peter Sartorius, Trustees Jeanette Obser, Ted Necarsulmer and Kimberley Payne, Village Attorney Richard DePetrus and Village Clerk Aimee Buhl
ABSENT: Trustee Randy Cardo

OTHERS PRESENT: Police Chief Robert Coughlan, Building Inspector William Nowak, Fire Chief John Sipala, Amanda Bernocco of the Southampton Press, Dick Gardner, Frances Ryan, Harald deRopp and Ann E. Janis

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

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, the Minutes of Regular Meeting held on January 15, 2016 were approved.

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, the Abstract of Audited Vouchers Schedule 02-16, \$262,373.37 and Treasurer's Report for the Month ending January 31, 2016 were approved.

\$ 84,636.19	Checking Account
\$ 420,018.24	Capital Reserves
<u>\$ 6,273,904.34</u>	Investments
\$ 6,778,558.77	Total General Fund 1/31/16

The Clerk gave the report for January 2016 False Fire and Burglar Alarms:

Burglar Billed: \$275; Burglar Collected: \$900

Fire Billed: \$100; Fire Collected: \$550

Fire Chief John Sipala gave the January 2016 report for the Fire Department.

Building Inspector William Nowak gave the January 2016 report for the Building Department.

Police Chief Robert Coughlan gave the January 2016 report for the Police Department.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the following refunds of duplicate tax payments were approved:

2-1-49.16	\$ 1,832.11	Core Logic Tax Services
3-1-17.2	\$ 3,156.79	Core Logic Tax Services
8-1-13.2	\$ 2,595.92	Core Logic Tax Services
11-2-25	\$ 2,862.68	Core Logic Tax Services
14-1-23	\$ 6,232.36	Core Logic Tax Services

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a refund of \$5 to Paul Mejean for overpayment of 2015-16 Village taxes is approved.

Upon motion made by Ted Necarsulmer, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, a donation to the Police Department in the amount of \$100.00 from the Martin and Florence Rothman Donor Advised Fund of the Endowment Foundation of Jewish Federation of Northern New Jersey (recommended by Janet and William Rothman) to be funded into revenue account A2705 (Donations) is accepted.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the renewal of the Maintenance Service Agreement with Arenz Heating & Air Conditioning for the heating and air conditioning equipment in Village Hall (2 gas boilers, 6 condensing units) at a cost of \$1,291.50 for the term of 3/1/16 through 8/31/16 is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the certification from the Quogue Fire Department as to the members and points they received in 2015 under the Quogue Fire Department Service Award Program Point System is accepted. The fire department was directed to post the list for 30 days as required by law and to resubmit.

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

From A3410411 Fire Department Personnel Protection to A3410443 Fire Department Building Improvements and Maintenance \$11,250

From A341023 Fire Department Equipment to A3410443 Fire Department Building Improvements and Maintenance \$10,000

From A142042 Law/Contractual- Other to A1420430 Village Prosecutor \$3,000

From A1990400 Special Items Contingent to A1910400 Special Items Allocated Insurance \$7,220

From A3120422 Police Heat to A3120443 Police Building Improvements and Maintenance \$2,500

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to sign the renewal of the Building & Codes Software Support Contract with Williamson Law Book Co. from 3/1/2016 to 2/28/2017 in the amount of \$820.00.

Upon motion made by Kimberly Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the creation of a village office petty cash fund of \$200 and the appointment of Amy Cosgrove as custodian of fund is approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the Mayor is authorized to approve firefighter and employee requests to attend out of town conferences or training. Reimbursement of travel expenses for accommodations, tolls, fuel and meals will be based upon the federal reimbursement rates for the locality involved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the appointment of Hannah Sadloski to the position of Police Department Jail Attendant is approved.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED, the fees for the 2016 Village Beach Permit Application, 2016 Locker Rental Application, 2016 Seasonal Rental License Application and 2016 Special Events Permit Application are approved as follows:

Vehicle (Resident)	\$90
Vehicle (Renter)	\$240
Walk-In	\$12
Locker Rental Fee	\$250 plus \$50 security deposit
Seasonal Rental Fee	\$250 (more than 31 days)
Seasonal Rental Fee	\$125 (31 days or less)
Late Fee	\$50 if application is received after the commencement date of the lease.
Beach	\$100
Decks and Beach	\$200
Interior Eating Area/Kitchen	\$500
Parking Lot For Off-Site Function	\$300

There was further discussion of the following Local Law No. of 2016, A Local Law Amending Chapters 149 (Seasonal Rentals) and 196 (Zoning) of the Village Code in relation to short-term and partial rentals as introduced at the Board of Trustees meeting held on Friday, December 18, 2015 at 4:00 P.M. Changes to original proposed local law amendment are noted in red. The Mayor closed the public hearing for written comments and stated that the enactment of the proposed local law will be considered at the March 25, 2016 meeting.

Local Law No. of 2016

A Local Law Amending Chapters 149 (Seasonal Rentals) and 196 (Zoning) of the Village Code in relation to short-term and partial rentals

Section 1. The Board of Trustees hereby finds and determines that in order to maintain the character of the Village of Quogue primarily as a quiet family-oriented village and to better secure and promote the public health, comfort, safety, welfare and prosperity of the Village of Quogue and its inhabitants, there should be imposed additional standards pertaining to rentals of one-family dwellings.

Section 2. Section 149-3 (License Required) is hereby amended by adding the following sentence at the end thereof: "For avoidance of doubt, a lease of a one-family dwelling for a period of less than 14 consecutive days is prohibited in the Village of Quogue by Section 196-16L of the Quogue Village Code, and a Transient Rental Property, as defined in Section 196-2B of the Quogue Village Code, may not be licensed as a seasonal rental."

Section 3. Section 149-12 (Prohibitions; Restrictions) is hereby amended by deleting the existing provisions of paragraphs C and D thereof and amending them so that they read in their entirety as follows:

C. No owner or other person shall permit a one-family dwelling that is a seasonal rental to be occupied by any person in such a manner that the property involved constitutes a Transient Rental Property.

D. If a one-family dwelling is utilized as a seasonal rental, the entire dwelling must be rented and occupied for such purpose. As provided in Section 196-16M of the Quogue Village Code, rental to and the use and occupancy by a person of less than all of a one-family dwelling is prohibited.

Section 4. Section 196-2B (Definitions) of the Quogue Village Code is hereby amended by adding the following definition in alphabetical order:

Transient Rental Property

A one-family dwelling that is or may be occupied as a residence by any person for a period of less than 14 consecutive days for which rent or other compensation is paid or payable directly or indirectly to the owner or any other person. The presence of either of the following shall create a rebuttable presumption that the dwelling is being used as a Transient Rental Property: (1) the dwelling is offered for lease or other occupancy on a website or other electronic medium that features short-term rentals or other occupancy without specifying a minimum term of at least 14 consecutive days or (2) the dwelling is offered for lease or other occupancy in any medium for a period of less than 14 consecutive days.

Section 5. Section 196-16 (Uses Restricted) of the Quogue Village Code is hereby amended by adding the following two lettered subparagraphs and additional language at the end thereof:

L. A Transient Rental Property.

M. If a one-family dwelling is rented, the entire dwelling must be rented and occupied for such purpose. Rental to and the use and occupancy by a person of less than all of a one-family dwelling is prohibited.

Notwithstanding the foregoing, the Board of Trustees may upon, application of the owner or owners of a one-family dwelling, grant an exception in a particular case to the prohibitions effected by subparagraphs L and M above in order to facilitate a special event held in or nearby the Village of Quogue that is being given by a Village resident or a not-for-profit organization based in or operating in the Village.

Section 6. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

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The Mayor opened the Public Hearing on the proposed Local Law No. 2016 “A Local Law Authorizing A Property Tax Levy In Excess Of The Limit Established In General Municipal Law §3-c” and asked for comments. There being no comments from the audience, the Mayor closed the public hearing at 4:22 P.M.

Upon motion made by Mayor Sartorius, it was RESOLVED, that this proposed law be enacted as Local Law 1 of 2016. 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 Payne	Voting Aye
Trustee Necarsulmer	Voting Aye
Trustee Obser	Voting Aye

Local Law No. ____ of 2016

A Local Law Authorizing A Property
Tax Levy In Excess Of The Limit Established
In General Municipal Law §3-c

Section 1. Legislative Intent.

It is the intent of this local law to allow the Village of Quogue to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. 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, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Repeal.

If the Board of Trustees of the Village of Quogue adopts a budget for the fiscal year commencing June 1, 2016 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 3 of this local law is not utilized), this local law may be repealed by resolution of the Village Board of Trustees (to wit, without a public hearing and without any further local law).

Section 5. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect , impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 6. Effective date.

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

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Dick Gardner commented on there being no electrical outages during the recent storm. He asked if the Mayor could extend our appreciation for their work.

The Mayor stated that the March Board of Trustees meeting will be held on March 25, 2016 at 4 P.M.

With no other business to discuss and upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, the meeting was adjourned at 4:25 PM.

Aimee Buhl, Village Clerk