

MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, 7 VILLAGE LANE, QUOGUE, NEW YORK, HELD ON FRIDAY OCTOBER 18, 2013 AT 4:00 PM.

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

OTHERS PRESENT: Chief Building Inspector Bill Nowak, Fire Chiefs Tim Shea and Bruce Davidson, Police Lieutenant Christopher Isola, Lee Wadelton, Wyck Coddington, Frances Ryan, Eileen Schermeyer, Katherine Peiffer, Dick Gardner, Mr. & Mrs. Booker, Maria Michaud, Vita Rienoso, Jeff Lawrence and Helen Lawrence.

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, the minutes of Regular Meeting held on September 20, 2013, are hereby approved.

Upon motion made by Randy Cardo, seconded by Jeanette Obser, the Abstract of Audited Vouchers Schedule 10-13, \$205,491.58 and Treasurer's Report for the Month ending September 30, 2013 are hereby approved as follows:

\$ 62,307.59 Checking Account
\$ 925,753.68 Capital Reserves
\$8,100,354.42 Investments
\$9,088,415.69 Total General Fund 09/30/13

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

Burglar Billed: \$600.00; Burglar Collected: \$300.00
Fire Billed: \$0; Fire Collected: \$250.00

Fire Department Chief Tim Shea gave the September report for the Fire Department and an update on the new fire truck. Chief Building Inspector Bill Nowak gave the September report for the Building Department and Police Lieutenant Christopher Isola gave the September report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was RESOLVED the following candidates be appointed as part-time Police Officers at an hourly rate of \$19.75, pending completion of background investigation:

Mark St. John, Bayport, NY
Garrett P. Lake, Cutchogue, NY

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, a reimbursement from Suffolk County Water Authority in the amount of \$6,846.70 for the restoration of Quaquanantuck Lane to be funded into revenue code A2690 (Compensation For Loss) and an increase to appropriation code A5110.446 (Highway- Special Projects).

The Mayor opened the Public Hearing on proposed Local Law # ____ of 2013, "A Local Law Amending Chapter 111 (Noise) Of The Village Code In Relation To Hours of Operation for Construction and Landscaping". The Mayor opened the floor for comments from the public. Jeff Lawrence spoke regarding the times for homeowners. The Mayor stated that the proposed law did not prohibit homeowners from mowing their own lawns on Sundays, and that the newspaper article had been misleading in that respect. Vita Reinoso spoke next requesting the Board clean up the wording and get the new changes to the service companies. Brenda Kurtz Booker commented on the limited time for working homeowners. Eileen Schermeyer suggested that the time for homeowners should be changed to 8:00 AM to 7:00 PM. With no other comments and upon motion made by Mayor Sartorius, seconded by Kimberley Payne and unanimously carried, the public hearing was closed at 4:36 PM. Mayor Sartorius said that the Board would take the comments under advisement and propose changes at the next Board of Trustees meeting on November 15, 2013.

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 6:00 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 6:00 p.m.”

- (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 6:00 p.m. 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.

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The Mayor opened the floor for any other business. Brenda Kurtz Booker asked if the times for the Board of Trustees meeting could be held later or on a Saturday for working people. Village Attorney Richard E. DePetris said that it was tried in the past and did not generate any greater attendance. The Board will consider this request.

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 4:40 PM.

Marcia Rose Koziarz, Village Clerk