

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, OCTOBER 15, 2021 AT 4:00 P.M.

PRESENT: Mayor Peter Sartorius, Trustees Kimberley Payne and Ted Necarsulmer, Village Attorney Wayne Bruyn and Village Clerk Aimee Buhl

ABSENT: Trustees Randy Cardo and Robert Treuhold

OTHERS PRESENT: Police Chief Christopher Isola, Fire Chief Ben Hubbard, Lynn Joyce and Karen and Andrew Cirincione

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

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, the minutes of the Regular Meeting held on September 17, 2021 are approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Abstract of Audited Vouchers Schedule 10-21, \$341,596.59 and Treasurer's Report for the Month ending September 30, 2021 are approved as follows:

\$ 193,113.20	Checking Account
\$ 11,503,872.50	Investments
\$ 1,118,942.93	<u>Capital Reserve</u>
\$ 12,815,928.63	Total General Fund 09/30/21

The Clerk gave the report for September 2021 False Burglar and Fire Alarms:

Burglar Billed: \$275 Burglar Collected: \$325
Fire Billed: \$1,300; Fire Collected: \$1,500

Fire Chief Ben Hubbard gave the September 2021 report for the Fire Department. Police Chief Christopher Isola gave the September 2021 report for the Police Department. Building Inspector Bill Nowak was absent from the meeting.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a donation of \$25 to the Police Department from Robert and Elsa Wessmiller is accepted.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following expenditures from Park Fund for expenses related to Village Dock boat ramp replacement are approved as follows:

NYS DEC \$200
Southampton Town Board of Trustees \$500
Sea Level Mapping \$1,695

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that a maintenance and service agreement with Fitness Showrooms for the period of November 2021 to November 2022 for one visit for the cleaning, lubrication

and adjustments to all exercise units in the Village Gym at cost of \$995 to be funded one half through the Fire Department Tifft Fund and one half through Police Department Tifft Fund is approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the refunds of the Village's 2021-2022 taxes as a result of court decisions reducing the Town of Southampton's 2020-2021 assessments are approved as follows:

<u>TAX MAP #</u>	<u>OWNER</u>	<u>ORIG ASSMT</u>	<u>REDUCED TO</u>	<u>REFUND DUE</u>
4-1-75	Lurie	1,492,300	1,400,000	169.69
4-1-88	Frey	1,553,100	1,400,000	281.48
15-2-11	Autones	5,970,400	5,900,000	129.43

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following purchase order increases are approved:

16411	ABT Design & Fire Protection	\$80
16577	Brothers Police Store	\$65
16581	Sea Level Mapping	\$1,250

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the 2021-2022 budget A312022a Police Special Equipment Other is increased in the amount of \$10,000 which represents the grant received from NYS Division of Criminal Justice Services for a digital fingerprint machine.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Mayor is authorized to sign the Suffolk County Sheriff Operation Shield Maritime Law Enforcement Services contract.

The Mayor stated the he received a call from the Suffolk District Attorney regarding restitution from the damaged walkway on Dune Road.

The Mayor opened the public hearing regarding "Local Law No. ____ of 2021 A Local Law adopted pursuant to New York Cannabis Law § 131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments in the Village of Quogue" as introduced on September 17, 2021.

The Mayor asked if there were any comments and Karen Cirincione stated she was happy with the proposed law. There were no other comments and the Mayor closed the public hearing.

RESOLUTION OF ADOPTION OF A LOCAL LAW ADOPTED PURSUANT TO NEW YORK CANNABIS LAW §131 OPTING OUT OF LICENSING AND ESTABLISHING RETAIL CANNABIS DISPENSARIES AND ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS IN THE VILLAGE OF QUOGUE

WHEREAS, Board of Trustees of the Village of Quogue have proposed a local law adopted pursuant to New York Cannabis Law §131 opting out of licensing and establishing retail

cannabis dispensaries and on-site cannabis consumption establishments in the Village of Quogue; and

WHEREAS, a public hearing was held on October 15, 2021; and

WHEREAS, the adoption of said local law is considered to be a Type II action under 6 NYCRR §617.5(c), SEQRA and will not have a significant adverse impact upon the environment;

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 6 of 2021 is hereby adopted as follows:

LOCAL LAW NO. 6 OF 2021

A Local Law adopted pursuant to New York Cannabis Law § 131 opting out of
licensing and establishing retail cannabis dispensaries and on-site
cannabis consumption establishments in the Village of Quogue

Section 1. Legislative Intent

It is the intent of this local law to opt the Village of Quogue out of hosting retail cannabis dispensaries and on-site cannabis consumption establishments within its boundaries.

Section 2. Authority

This local law is adopted pursuant to New York Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and On-Site Consumption Opt-Out

The Board of Trustees of the Village of Quogue, Town of Southampton, County of Suffolk, hereby opts-out of licensing and establishing cannabis retail dispensaries and cannabis on-site consumption establishments within the boundaries of the Village.

Section 4. 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 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to New York Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or, if such a petition is validly filed, a referendum has been conducted approving this local law.

AND BE IT FURTHER RESOLVED, that the Village Clerk is hereby authorized and directed to publish the following Notice of Adoption:

NOTICE OF ADOPTION SUBJECT TO A PERMISSIVE REFERENDUM

PLEASE TAKE NOTICE that after public hearing was held on October 15, 2021, the Board of Trustees of the Village of Quogue at their meeting of October 15, 2021 adopted LOCAL LAW NO. __ OF 2021 as follows: "Local Law adopted pursuant to New York Cannabis Law §131 opting out of licensing and establishing retail cannabis dispensaries and on-site cannabis consumption establishments in the Village of Quogue."

PLEASE TAKE FURTHER NOTICE, that this local law is subject to a permissive referendum pursuant to the provisions of Article 9 of the New York Village Law.

Copies of the adopted law may be reviewed and obtained from the Village Clerk during regular office hours in the Village Hall.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF QUOGUE, NEW YORK
AIMEE BUHL, VILLAGE CLERK**

The question of adoption of such law was duly put to a roll call vote with the following results:
Mayor Trustee voting Aye
Trustee Payne voting Aye
Trustee Necarsulmer voting Aye

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that Michael Onufrak and Robert Joyce are approved to attend the Part Time Suffolk County Police Academy commencing October 28, 2021.

The Mayor thanked Karen Cirincione for the nice letter regarding her positive interaction with Stephanie Wagner during a FOIL request appointment.

Lynne Joyce asked if there is a code regarding exposed geo cubes. She stated that there are exposed geo cubes on the beach and Mayor Sartorius stated that he would take a look.

Andrew Cirincione stated that a quad 4x4 was driving up and down the beach and appeared to be taking measurements. The Mayor was unaware of this but thinks it could possibly be the Army Corps of Engineers.

Karen Cirincione asked if there was any news regarding FIMP. The Mayor stated that it is the Town of Southampton's responsibility to have the properties surveyed.

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 4:35 P.M.

Aimee Buhl, Village Clerk