

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON FRIDAY, AUGUST 21, 2020 AT 4:00 P.M.

This meeting was accessible via teleconference.

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

OTHERS PRESENT: Police Chief Chris Isola, Building Inspector William Nowak, Fire Chief Ben Hubbard, Robert Treuhold, Irwin Messer, Carol Crane, Lynn Joyce, Frances Beatty, Robert Kelly, Barry Altman, Kittric Motz, Patrick Maxwell, Allen Adler, Alexander Adler and Michelle Carbone

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, the Minutes of Regular Meeting held on July 17, 2020 are approved.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 08-20, \$239,778.55 and Treasurer's Report for the Month ending July 31, 2020 are approved.

\$ 1,098,420.28	Checking Account
\$11,571,711.96	Investments
<u>\$ 1,059,075.07</u>	Capital Reserves
\$13,729,207.31	Total General Fund 07/31/20

The Clerk gave the report for July 2020 False Fire and Burglar Alarms:

Fire Billed: \$400; Fire Collected: \$150

Burglar Billed: \$225; Burglar Collected: \$50

Fire Chief Ben Hubbard gave the July 2020 report for the Fire Department. Police Chief Chris Isola gave the July 2020 report for the Police Department. Chief Building Inspector Bill Nowak gave the July 2020 report for the Building Department.

The Board discussed the request for an approval to reduce the number of houses that can be constructed at 52 Quogue Street from five to four by combining the two remaining undeveloped condominium units on the eastern side of the property into a single unit with property owner Barry Altman and attorney Gus Kelly. Gus Kelly said that the proposed new house on the combined lot is just under 4,000 square feet of Gross Floor Area. An architectural plan showing that will be provided to the Village Office. Also, the new offering plan with a new condo map and plan will be furnished to the Village Office. Mr. Kelly will also contact the Southampton Town assessor's office concerning adjustment of the assessments. Barry Altman said that he will submit a plan with Suffolk County Health Department's stamped approval to the Village Office. Neighbor Tom Cunningham expressed his hope that the developer will construct a sound barrier, plant additional screening, reposition the dwelling to create more space between the yards and adjust construction times. Patrick Maxwell spoke on behalf of neighbor Holly Cunningham and stated she is supportive of Mr. Cunningham's suggestions. Mayor Sartorius mentioned that the sound fencing and landscaping on the eastern border had been approved and installed as per the original approval in 2010. Asked whether that plan could be reviewed, Mayor Sartorius said it could be. Gus Kelly said house could not be moved because of the septic system and the location of the private road. He also said that the planting plan was approved

with the previous owner for two houses. Frances Beatty suggested the developer revisit the plantings and add additional ones because it has been roughly nine years since they went in and it is a congested area. Carol Crane stated that she hopes the Board would consider the neighbors' suggestions. Bill Nowak said that he would assure that the planting was in place before issuing a certificate of occupancy for the new house. Mayor Sartorius stated that the Board would consider these suggestions and give a decision at the September meeting.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the resignation of Charles Mott from the Zoning Board of Appeal effective July 20, 2020 is accepted with regret.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, Edward P. Tolley III is appointed to the position of Zoning Board of Appeals Alternate effective August 21, 2020.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, Geoff Judge is appointed as member of the Zoning Board of Appeals effective August 21, 2020.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, JR Watercorp's fee to operate the concession at the Village Beach is reduced from \$5,000 to \$2,000.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, vehicles parking in the Village Beach parking lot are required to display a 2020 Village Beach sticker on September 19 and 20, 2020.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the renewal of the Maintenance Service Agreement with Arenz Heating & Air Conditioning for the heating equipment in Village Hall (2 gas boiler, 6 air handlers) at a cost of \$1,393.00 for the term of 9/1/20 through 2/29/21 is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the Mayor is authorized to approve the renewal of Village municipal and Fire Department insurance policies for the period 8/20/2020 to 8/20/2021 solicited through Salerno Brokerage Corp.

Upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, it was RESOLVED, the Village election will be held on September 15, 2020.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the annual organization meeting is scheduled to be held on September 21, 2020 at 10 A.M.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, purchase order 16059 General Code is increased in the amount of \$55.

Upon motion made by Ted Necarsulmer seconded by Kimberley Payne and unanimously carried, it was RESOLVED, a budget transfer in the amount of \$100,000 from fund balance to A5110447 Jessup Avenue is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, the proposal from Arenz Heating & Air Conditioning to install a MERV 13 filter for the gym in the amount of \$2,876 utilizing Tift Funds is accepted.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, an application to reconstruct/replace 12 linear feet of bulkhead wing wall and install two watercraft floats and one safety ladder for 23 Dune Road (902-12-1-13) is approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, an application for permanent stairs, catwalk, ramp and float for 27 Bay Road is approved, subject to a house being built.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, pursuant to Section 196-13I(3) of the Quogue Village Code, the design specifications for residential dune walkways required pursuant to Sections 80-13C and Section 146-4 of the Village Code for pedestrian passage (including wheelchair passage) across dunes are amended as follows:

1. All walkways shall be elevated. The bottom of horizontal joists shall be constructed at least one foot above grade. Stairways shall have open risers. Stairways down the south face of a dune shall be constructed with at least two and one-half feet of clearance from the dune. In the event that sand thereafter accumulates around and under a walkway or stairway so that it is at or below the surrounding grade, such walkway or stairway shall be reconstructed so that it becomes properly elevated or shall be replaced by a walkway or stairway that complies with the elevation requirement. Retaining walls that restrict the natural movement of sand are prohibited.
2. Walkways shall be a maximum of 4 feet in width. Walkways designed for wheelchair access, which shall be permitted if required by the needs of the owner, may have a passing area up to 8 feet in length and width.
3. A hand rail and a horizontal mid rail shall be required on each side of any walkway that has a walking surface that is two and one-half feet or more above grade. Cable rails made of steel or other metal materials are not permitted.
4. All newly installed lighting shall be low-voltage and downward-facing.
5. Walkways and stairways and their handrails shall be made of natural lumber only. Plastic or composite materials are not permitted. Treated lumber may only be used for posts in direct contact with the ground.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, pursuant to Section 196-13F of the Quogue Village Code, the design specifications for newly constructed or rebuilt residential elevated walkways to a body of water are amended as follows:

1. Decking on walkways above wetlands areas shall be designed to allow passage of light and air to the wetlands below.
2. Walkways shall be a maximum of 4 feet in width.
3. Decking shall be not more than two and one-half feet above grade unless a greater clearance is required by the DEC or another agency for environmental reasons.
4. There shall be no handrails in areas of the walkway above land and marsh areas that do not exceed two and one-half feet above grade. In other areas of the walkway, handrails may be permitted if they will be consistent with conditions in the surrounding area and will not materially impair views from the surrounding area.
5. Any lighting shall be low-voltage and downward facing and designed to avoid light intrusion onto other properties.
6. Building materials shall comply with requirements of the DEC and other regulatory agencies.

Upon motion made by Randy Cardo, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, "Local Law No. ____ of 2020 A Local Law Amending Chapter 118 (Parks, Waterways and Recreation) of the Village Code was introduced and a public hearing is scheduled to be held on Friday, September 18, 2020 at 4:00 PM.

Local Law No. ____ of 2020

A Local Law Amending Chapter 118
(Parks, Waterways and Recreation) of the Village Code

Section 1. Chapter 118 of the Quogue Village Code is hereby amended by adding a new Article VI thereto to read in its entirety as follows:

Article VI Quogue Village Dock

§ 118-32- Designation as recreation center.

The premises located in the Village of Quogue, bounded on the north by Quogo Neck Lane at a line across such Lane which is 1,155 feet south from the center of its intersection with Howell Lane, on the east by lands now of Reisner and 13 At Hudson LLC, on the south by the Quogue Canal and on the west by Quantuck Bay, hereinafter referred to as "Quogue Village Dock," is hereby designated a recreation center of the Village of Quogue..

§ 118-33 Deposit of wastes.

No person shall throw, break, cast, lay or deposit bottles, papers, wrappers, garbage or refuse of any kind or nature upon any part or portion of the Quogue Village Dock except in the containers provided therefor.

§ 118-34 Damage of property.

No person shall in any manner damage, deface, injure or destroy any structure, planting, roadway, embankment, building or equipment located on the grounds of the Quogue Village Dock.

§ 118-35 Permit required for vending.

The selling, vending or offering for sale of any wares, foodstuffs, beverages or other merchandise or services upon the grounds or in and about the facilities of the Quogue Village Dock is prohibited, unless the Board of Trustees of the Village of Quogue has issued a permit therefor.

§ 118-36 Docking time limited.

No person shall moor, tie or dock any boat, barge or other vessel to the Quogue Village Dock for a period in excess of two hours without a permit issued therefor by the Board of Trustees or the Mayor.

§ 118-37 Responsibility of Village for injury or loss.

Any person using the Quogue Village Dock or any of its facilities shall do so with the understanding that the Village of Quogue assumes no responsibility for any injury or damage which such person may sustain while using said facilities and that said Village will not be responsible for the loss of any personal property on said Quogue Village Dock.

§ 118-38 Regulations.

The Board of Trustees may by resolution adopt and establish regulations with respect to the use and operation of the Quogue Village Dock. Such regulations shall have the same force and effect as if expressly set forth herein.

§ 118-39 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 2. This local law shall become effective upon the filing thereof with the Secretary of State of the State of New York.

* * *

Irwin Messer said that internet service appeared to have been adversely affected by the increase in number of persons in the Village.

Lynn Joyce expressed her concern that drivers were not yielding when traveling north on to Post Lane from Dune Road. The Police and Highway departments will look into it.

Chris Isola lauded Tim Meduski and the Highway Department for their great job of cleaning up after the storm.

With no other business to discuss and upon motion made by Ted Necarsulmer, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 5:00 P.M.

Aimee Buhl, Village Clerk