

**REGULAR MEETING OF THE BOARD OF TRUSTEES
INCORPORATED VILLAGE OF NISSEQUOGUE**

September 20, 2022

Board Meeting Posted on Village Website: July 14, 2022

Board Meeting Posted in Village: July 13, 2022
1 Official Bulletin Board

Board Meeting Published in Sm. News: July 21, 2022

**THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE INCORPORATED
VILLAGE OF NISSEQUOGUE WAS HELD AT THE VILLAGE HALL;
631 MORICHES ROAD
NISSEQUOGUE, NEW YORK ON THE 20th DAY OF SEPTEMBER, 2022.**

BOARD MEMBERS PRESENT AT BOARD OF TRUSTEE MEETING:

| | |
|------------------|---|
| Mayor: | Richard B. Smith |
| Trustees: | Kurt J. Meyer Maureen C. Potter Russell J. von Frank II |
| Trustees Absent: | Michael T. Grosskopf |

ALSO PRESENT:

| | |
|----------------------------|-------------------|
| Village Attorney | Lindsay Crocker |
| Village Clerk-Treasurer | Patricia Mulderig |
| Village Deputy Clerk | Laura Winkeler |
| NQFD Chief | George Gavaris |
| Building Inspector | Joseph Arico |
| Deputy Police Commissioner | John Valentine |

OTHERS PRESENT: Ross Eisenberg

At 7:01 p.m. the Mayor opened the meeting with the Pledge of Allegiance.

RESOLUTION # 174-22:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to accept the Minutes of the Regular Monthly Board of Trustees Meeting of
August 16, 2022 as presented.”

Treasurer’s Report:

Village Clerk-Treasurer Patricia Mulderig presented the Treasurer’s Report to the Board of Trustees, showing the Cash Balances, the Cash Flow Chart, Balance Sheet and Monthly Income and Expense Reports as of September 20, 2022.

RESOLUTION # 175-22:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to adopt the 2022/2023 Budget Reclassifications, as presented.”
ATTACHED HERETO

RESOLUTION # 176-22:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to transfer \$73.50 from the Georgakopoulos T&A Account and \$172.50
from the Rubman T&A Account, once the Rubman T&A Account is replenished, for a total
of \$246.00 to the General Fund.”

RESOLUTION # 177-22:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to reclassify Part-Time Police Officers as Seasonal for the period May 19, 2020
to September 22, 2020.”

RESOLUTION # 178-22:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to reclassify Part-Time Police Officers as Seasonal for the period May 18, 2021
to September 22, 2021.”

RESOLUTION # 179-22:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to reclassify Part-Time Police Officers as Seasonal for the period May 17, 2022
to September 20, 2022.”

ABSTRACTS, INVOICES & SCVOA PAYMENT AUTHORIZATIONS:

RESOLUTION # 180-22:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve Abstracts #2676 - 2692 in the amount of \$106,108.06.”

RESOLUTION # 181-22:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to approve Abstracts #2693 – 2695 totaling \$17,816.73 to pay invoices
that require payment prior to the October 18, 2022 Board of Trustees Meeting.”

RESOLUTION # 182-22:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to authorize payment of \$65.00 per person for up to ten Village personnel to
attend the SCVOA Municipal Training on October 13, 2022 at Atlantic Banquet & Events
in Riverhead, NY.”

RESOLUTION # 183-22:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to authorize payment of \$1,000.00 for four Village personnel to attend the 2022
SCVOA Annual Golf Outing & Dinner / Meeting on October 17, 2022 in Bellport, NY. (Each
member of the golf foursome shall reimburse the Village \$150.00 for the golf portion of the
event.)”

RESOLUTION # 184-22:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve payment to Eddie’s Power Equipment Inc. for three invoices totaling \$109.99 for power saw servicing and parts for the NQFD due prior to the October 18, 2022 Board of Trustees Meeting.”

Attorney Report:

Lindsay Crocker delivered an oral report in addition to Eugene Barnosky’s written litigation report.

RESOLUTION # 185-22:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** that the attached Grant Disbursement Agreement between the Village of Nissequogue and the Dormitory Authority of the State of New York is hereby approved, and Mayor Richard B. Smith, Mayor, is hereby authorized to execute same on behalf of the Village.”

523 Long Beach Road:

Ross Eisenberg of Sharestates addressed the Board of Trustees about his company’s interest in 523 Long Beach Road. The Mayor stressed the importance of further securing the house and property in the interest of public safety. Mr. Eisenberg acknowledged the urgency of the situation discussed, accepted his company’s responsibility, and agreed that any immediate safety issues would be addressed.

Village Clerk:

Village Clerk-Treasurer Patricia Mulderig presented oral and written reports.

Town of Smithtown – Intermunicipal Agreement – Amendment to the Agreement for Fire Marshalls Services:

RESOLUTION # 186-21:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to approve the Amendment to the Intermunicipal Agreement for Fire Marshall Services, dated February 23, 2021, with the Town of Smithtown, to allow the Village to utilize Town Public Safety Ordinance Inspectors and Animal Control Officers to perform inspection and enforcement services within the Village upon request, as needed by the Village.”

Department and Committee Reports:

NQFD – Chief George Gavaris presented oral and written reports.
EMS Cost Recovery and the FD Open House details were briefly discussed.

RESOLUTION # 187-22:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to appoint for membership Alexander Pfitzer as a probationary member of the Nissequogue Fire Department, having been previously approved by the Fire Department general membership and FD Council, as required.”

NVPD – Deputy Police Commissioner John Valentine presented oral and written reports.
The Mayor commented upon the professionalism and general excellence of the officers serving the Village with the Nissequogue Police Department. Deputy Police Commissioner John Valentine thanked the Mayor for the acknowledgement and promised to convey the compliment to the officers.

Building Department – Building Inspector Joseph Arico presented oral and written reports.

JCMC – The Board reviewed Chairwoman Kaylee Engellenner’s written report.

RESOLUTION # 188-22:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to appoint Louise Grober as Joint Coastal Commission member to complete the remainder of Kaylee Engellenner’s term, upon her stepping down from that role effective October 31, 2022, with a term to expire on July 03, 2023.”

ZBA – The Board reviewed Chairman Michael Fazio’s written report.

Executive Session:

RESOLUTION # 189-22:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 8:37 p.m. for the purpose of discussing matters that would impact public safety and to seek legal advice from the Village Attorney.”

RESOLUTION # 190-22:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to exit Executive Session at 8:58 p.m. and re-enter the regular meeting.”

RESOLUTION # 191-22:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** that the attached Stipulations in the matters of *Bluffs Realty LLC v. Zoning Board of Appeals of the Village of Nissequogue* and *Bluffs Realty LLC v. Peter Marullo, et. al. (Planning Board of the Village of Nissequogue)* are hereby approved and the Mayor is authorized to execute same.

ATTACHED HERETO (*Final copy to be attached to Minutes*)

Adjournment:

Upon a motion by Trustee Potter, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to adjourn at 8:52 p.m.”

Respectfully submitted,

Laura K. Winkeler
Deputy Village Clerk

VILLAGE OF NISSEQUOGUE
2022-2023

20-Sep-22

| <u>ACCOUNT NUMBER</u> | <u>ACCOUNT TITLE</u> | <u>BUDGET</u> | <u>BUDGET ADJUSTMENT</u> | <u>MODIFIED BUDGET</u> |
|---------------------------|-----------------------------------|-------------------|------------------------------|----------------------------|
| A1410.443 | CLERK-CONT SVCS WEB SITE | 2,750.00 | 1,250.00 | 4,000.00 |
| A1410.446 | CLERK-CONT SVCS PO BOX RENTAL | 150.00 | 32.00 | 182.00 |
| A1410.411 | CLERK -OFFICE SUPPLIES | 4,500.00 | (32.00) | 4,468.00 |
| A1420.44PL | LAW - CONT SERVICES -NON RETAINER | 15,000.00 | 35,000.00 | 50,000.00 |
| A1440.45 | MARINE ENVIRONMENTALIST | 0.00 | 7,275.00 | 7,275.00 |
| A3620.45 | SAFETY INSP - CODE ENFORCEMENT | 0.00 | 6,600.00 | 6,600.00 |
| A1990.0 | CONTINGENT ACCOUNT | 114,700.00 | (50,125.00) | 64,575.00 |
| | | <u>0.00</u> | <u>0.00</u> | <u>0.00</u> |
| | | <u>137,100.00</u> | <u>0.00</u> | <u>137,100.00</u> |