

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

January 17, 2023

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 17th DAY OF JANUARY, 2023.**

BOARD MEMBERS PRESENT AT BOARD OF TRUSTEE MEETING:

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

ALSO PRESENT:

Village Attorney	Lindsay Crocker
Village Clerk-Treasurer	Patricia Mulderig
Village Deputy Clerk	Laura Winkeler
NQFD Chief	George Gavaris
NQFD 2 nd Assistant Chief	William Howard
Deputy Police Commissioner	John Valentine

OTHERS PRESENT: James Gallo

At 7:00 p.m. the Mayor opened the meeting with the Pledge of Allegiance.

RESOLUTION # 001-23:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to accept the Minutes of the Regular Monthly Board of Trustees Meeting of
December 20, 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 January 17, 2023.

RESOLUTION # 002-23:

Upon a motion by Trustee Potter, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to adopt the 2022/2023 Budget Reclassifications as presented.”

ATTACHED HERETO

RESOLUTION # 003-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to adopt the 2021/2022 Budget Reclassifications as presented.”

ATTACHED HERETO

RESOLUTION # 004-23:

Upon a motion by Trustee Grosskopf, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to transfer \$1,436.00 from the Georgakopoulos T&A Account and
\$98.00 from the Rubman T&A Account for a total of \$1,534.00 to the General Fund.”

ABSTRACTS & INVOICE PAYMENT AUTHORIZATIONS:

RESOLUTION # 005-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to approve Abstracts #2730 - 2739 in the amount of \$108,365.18.”

RESOLUTION # 006-23:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and unanimously passed, it was
“**RESOLVED** to approve Abstract #2740 totaling \$647.45 to pay invoices that require
payment prior to the February 21, 2023 Board of Trustees Meeting.”

Attorney Report:

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

Requests by Member of the Public in Attendance:

Village resident James Gallo requested an update from the Village Board about the status of the unsafe structure at 523 Long Beach Road, commenting that the condition of the property had worsened. Mayor Smith detailed the steps that have been taken to address this public hazard as well as the most recent developments. Mr. Gallo thanked the Board for their efforts as well as the update.

Village Clerk:

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

VILLAGE ELECTION

Notice of Election:

RESOLUTION # 007-23:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to authorize the Village Clerk to post and publish a notice designating the offices
to be filled and the terms thereof for the June 20th Village Election.”

Hand Counted Paper Ballot Use:

RESOLUTION # 008-23:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to continue the use of hand counted paper ballots for the June 20th Village
Election.”

Abolish Village Election Registration Day:

RESOLUTION # 009-23:

Upon a motion by Trustee Potter, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** that pursuant to §15-118, subdivision 3, of the Election Law of the State of
New York, the Village of Nissequogue hereby abolishes the Village registration day for village
elections in the Village of Nissequogue effective for all elections occurring more than 60 days
after the passing of this resolution.”

Expansion of Election Inspector & Alternate Election Inspector Residency Requirements:

RESOLUTION # 010-23:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** that in lieu of any other residency requirement imposed by law, for the
Village elections occurring on or after June 20, 2023, village election inspectors, and alternate
inspectors, may reside within the County of Suffolk.”

Election Inspector Training:

RESOLUTION # 011-23:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and unanimously passed, it was
“**RESOLVED** to authorize payment of up to \$240.00 to the New York Conference of Mayors
(NYCOM) for up to eight people to attend Village Election training.”

Budget Work Session:

RESOLUTION # 012-23:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to authorize the Village Clerk to post and publish notice of a Board of Trustees
Work Session on March 04, 2023 at 9:00 a.m.”

RESOLUTION # 013-23:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to accept the Certificate of Board of Trustees Comparison of the Account of
Unpaid Taxes and the Original Tax Roll presented by the Village Clerk-Treasurer on
January 17, 2023.”

ATTACHED HERETO

Department and Committee Reports:

NQFD – Chief George Gavaris presented oral and written reports.

EMS Cost Recovery:

Cost recovery program with Proclaim EMS Solutions & Billing was discussed.

LENS Program:

The DMV License Event Notification Service (LENS) to keep notified about the driving qualifications of
drivers for the Nissequogue Fire Department will be utilized with the assistance of Deputy Police
Commissioner John Valentine.

Annual Sexual Harassment Training:

Chief Gavaris stated that he would follow up with the NQFD members to ensure compliance with training
requirements.

Grant Guys Inc. & FD Grant Application Update:

The Grant Guys assistance with month-end deadline for the SCBA grant submission was discussed. Chief
Gavaris also gave a status update on a PPE Micro-Grant for Bunker Gear and Wildlife Conservation
Grant for hoods and gloves for which he has applied.

Department and Committee Reports (continued):

NVPD – Deputy Police Commissioner John Valentine presented oral and written reports.

Planning Board – The Board reviewed the minutes of the January 09, 2023 Planning Board meeting.

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

ARB – The Board reviewed the minutes of the December 19, 2022 ARB meeting.

Building Department – The Board reviewed Building Inspector Joseph Arico’s written report.

Highway Department – The Board reviewed Highway Superintendent Dominick Alois’ written report.
JCMC – The Board reviewed Chairman Michael Braaten’s written report.

Fire Department Chief’s Vehicle Purchase:
RESOLUTION # 014-23:

BOND RESOLUTION

(effective immediately)

At a regular meeting of the Board of Trustees of the Village of Nissequogue, Suffolk County, New York, held at the Village Hall, in St. James, New York, in said Village, on the 17th day of January 2023, at 7:00 o’clock P.M., Prevailing Time.

The meeting was called to order by Mayor Richard B. Smith, and upon roll being called, the following were

PRESENT: Richard B. Smith, Mayor
Kurt J. Meyer, Deputy Mayor
Michael T. Grosskopf, Trustee
Maureen C. Potter, Trustee
Russell J. von Frank II, Trustee

ABSENT: None

The following resolution was offered by Trustee Russell J. von Frank II, who moved its adoption, seconded by Deputy Mayor Kurt J. Meyer, to-wit:

BOND RESOLUTION DATED JANUARY 17, 2023.

A RESOLUTION AUTHORIZING THE PURCHASE OF A VEHICLE FOR USE IN AND FOR THE FIRE DEPARTMENT IN THE VILLAGE OF NISSEQUOGUE, SUFFOLK COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$63,700 AND AUTHORIZING THE ISSUANCE OF \$50,000 SERIAL BONDS OF SAID VILLAGE TO PAY A PART OF THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Board of Trustees of the Village of Nissequogue, Suffolk County, New York, as follows:

Section 1. The purchase of a vehicle for use in and for the Fire Department, in the Village of Nissequogue, Suffolk County, New York, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$63,700.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is as follows:

- a) by the issuance of \$50,000 serial bonds of said Village, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- b) by the expenditure of not exceeding \$13,700 cash monies hereby appropriated therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized **will not exceed five years.**

Section 4. The faith and credit of said Village of Nissequogue, Suffolk County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within fifteen days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Richard B. Smith	VOTING	Yes
Kurt J. Meyer	VOTING	Yes
Michael T. Grosskopf	VOTING	Yes
Maureen C. Potter	VOTING	Yes
Russell J. von Frank II	VOTING	Yes

The resolution was thereupon declared duly adopted.

* * * * *

Executive Session:

RESOLUTION # 015 -23:

Upon a motion by Trustee Groskopf, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 8:08 p.m. to discuss the employment history of a particular person and to seek legal advice from the Village Attorney.”

RESOLUTION # 016-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to exit Executive Session at 8:23 p.m. and re-enter the regular meeting.”

RESOLUTION # 017-23:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and passed 4-1, with Trustee Grosskopf as the dissenting vote, it was
“**RESOLVED** to accept hearing officer Steven C. Kasarda’s Decision.”

RESOLUTION # 018-23:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to authorize the Village Clerk to publish the Legal Notice of Estoppel associated with the Bond Resolution adopted on January 17, 2023.”

Adjournment:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to adjourn at 8:26 p.m.”

Respectfully submitted,

Laura K. Winkeler
Deputy Village Clerk

VILLAGE OF NISSEQUOGUE
2022-2023

17-Jan-23

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>BUDGET ADJUSTMENT</u>	<u>MODIFIED BUDGET</u>
A3501	CONSOLIDATED HIGHWAY AID	(\$139,000.00)	(\$86,272.57)	(\$225,272.57)
A3505	NYS MULTIMODAL	0.00	(50,000.00)	(50,000.00)
A1410.411	CLERK- OFFICE SUPPLIES	3,728.00	(50.00)	3,678.00
A1410.443	CLERK - CONT SVCS SOFTWARE SUPPORT	5,100.00	50.00	5,150.00
A1420.44PL	LAW - CONT SVCS NON RETAINER	75,000.00	40,000.00	115,000.00
A1620.412	BUILDING SUPPLIES - POLICE DEPT	1,000.00	1,500.00	2,500.00
A1620.445	BUILDING CONT SVCS -GENERATOR	1,500.00	350.00	1,850.00
A1620.447	BUILDINGS CONT SVCS - REPAIRS & MAINT	10,000.00	(1,850.00)	8,150.00
A3410.45	FIRE DEPARTMENT HYDRANT RENTAL	22,600.00	150.00	22,750.00
A5110.412	MAINT OF ROADS - VILLAGE MAINT EQUIPMENT	1,000.00	100.00	1,100.00
A5110.46	MAINT OF ROADS- MISC	2,750.00	(100.00)	2,650.00
A1990.0	CONTINGENT ACCOUNT	3,334.77	96,122.57	99,457.34
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>(\$12,987.23)</u>	<u>\$0.00</u>	<u>(\$12,987.23)</u>

VILLAGE OF NISSEQUOGUE
2021-2022

31-May-22

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>BUDGET ADJUSTMENT</u>	<u>MODIFIED BUDGET</u>
A1420.44PL	LEGAL NON RETAINER	58,000.00	5,000.00	63,000.00
A3410.46	FIRE DEPARTMENT - MISCELLANEOUS	430.00	4,000.00	4,430.00
A5142.44	SNOW REMOVAL - CONT SERVICES	77,807.00	(9,000.00)	68,807.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>136,237.00</u>	<u>0.00</u>	<u>136,237.00</u>

**VILLAGE OF NISSEQUOGUE
CERTIFICATE OF BOARD OF TRUSTEES COMPARISON OF THE
ACCOUNT OF UNPAID TAXES AND THE ORIGINAL TAX ROLL**

The Board of Trustees of the Village of Nissequogue has compared the account of unpaid taxes presented by Village Treasurer Patricia Mulderig on January 17, 2023 (“the Account”) and the Original Tax Roll for the 2022/2023 Year (“Original Tax Roll”).

Pursuant to Real Property Tax Law § 1436, each Trustee hereby certifies that:

1. the Account has been compared to the Original Tax Roll;
2. the Account has been found to be correct; and
3. the total amount of taxes unpaid for the 2022/2023 Year is **\$28,075.44**

Mayor Richard B. Smith

Deputy Mayor Kurt J. Meyer

Trustee Michael T. Grosskopf

Trustee Maureen C. Potter

Trustee Russell von Frank II