

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

**August 15, 2023**

**Board Meeting Posted on Village Website:** July 11, 2023

**Board Meeting Posted in Village:** July 13, 2023  
1 Official Bulletin Board

**Board Meeting Published in Smithtown News:** July 13, 2023

**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 15<sup>th</sup> DAY OF August, 2023.**

**BOARD MEMBERS PRESENT AT BOARD OF TRUSTEE MEETING:**

Mayor:	Richard B. Smith
Deputy Mayor:	Kurt J. Meyer
Trustees:	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 at 7:04 p.m.
NQFD 1 <sup>st</sup> Assistant Chief	William Howard
Building Inspector	Joseph Arico
Highway Superintendent	Dominick Alois
Deputy Police Commissioner	John Valentine (Telephonically)

**OTHERS PRESENT:** Kyle Lao, Joseph Neitzel, William Kent

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

**Review & Approval of Minutes:**

**RESOLUTION # 173-23:**

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  
July 18, 2023 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 August 15, 2023, as well as the Balance Sheets and Consolidated Statement of Revenues and Expenses for the period ending May 31, 2023.

**RESOLUTION # 174-23:**

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

**ATTACHED HERETO**

**RESOLUTION # 175-23:**

Upon a motion by Trustee Grosskopf, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to adopt the 2023/2024 Budget Reclassifications as presented.”

**ATTACHED HERETO**

**RESOLUTION # 176-23:**

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was  
“**RESOLVED** to transfer \$2,050.00 from the Pincus T&A Account to the General Fund.”

**ABSTRACTS & INVOICE PAYMENT AUTHORIZATIONS:**

**RESOLUTION # 177-23:**

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was  
“**RESOLVED** to approve Abstracts #2839 - 2860 for payment in the amount of \$175,688.34.”

**RESOLUTION # 178-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was  
“**RESOLVED** to approve Abstracts# 2861 - 2862 totaling \$31,862.12 to pay invoices that  
require payment prior to the September 19, 2023 Board of Trustees Meeting.”

**RESOLUTION # 179-23:**

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to authorize payment of up to \$1,400.00 for the Guardian Disability Insurance,  
which requires payment prior to the September 19, 2023 Board of Trustees meeting.”

**RESOLUTION # 180-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to authorize payment of up to \$3,500.00 to Assured Partners Northeast, LLC  
for the Cyber Liability Insurance, which requires payment prior to the September 19, 2023  
Board of Trustees meeting.”

**RESOLUTION # 181-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to approve payment to TD Card Services for a charge in the amount of \$72.57,  
for payment to Staples that requires payment prior to the September 19, 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:**

Kyle Lao of Long Island Power Solutions made a presentation on behalf of his client at 663 Horse Race Lane regarding the Architectural Review Board’s denial of their proposal. The Mayor and Trustees reviewed the plans, which were revised subsequent to the presentation on July 18, 2023 by Mikayla Wolf of Long Island Power Solutions, and asked questions. Mayor Smith detailed the steps required to appeal an Architectural Review Board denial to the Board of Trustees and advised that the homeowner’s counsel must strictly adhere to these requirements. It was agreed that the Board of Trustees would schedule a hearing for September 19, 2023.

**Public Hearing – Authorization to Post / Publish:**

**RESOLUTION # 182-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Grosskopf, and unanimously passed, it was  
“**RESOLVED** to authorize the Village Clerk to publish and post a notice of a public hearing to take place on Tuesday, September 19, 2023, at 7:00 p.m. at the Village Hall to consider, pursuant to § 5-10 of the Code of the Village of Nissequogue, the application of Dr. David Pincus relating to the installation of solar panels on the residence at 663 Horse Race Lane in Nissequogue (802-9-1-10) which was denied by the Architectural Review Board of the Village of Nissequogue.”

**Requests by Member of the Public in Attendance (continued):**

Mr. Joseph Neitzel of JMN Architecture P.C. made a presentation on behalf of CPMR Management LLC., the new owner of 523 Long Beach Road, to update the Board of Trustees on the status of the property and advise them of the plans to submit an application for a building permit to re-side, re-roof and weather-proof the residence.

**Village Clerk:**

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

**Planning Board Re-Appointment:**

**RESOLUTION # 183-23:**

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and unanimously passed, it was  
“**RESOLVED** to re-appoint Peter Marullo as Chairman of the Planning Board of the Village of Nissequogue, effective immediately, with a term expiring on July 01, 2024.”

**Joint Coastal Member Re-Appointment:**

**RESOLUTION # 184-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to re-appoint Gregory Lehenbauer as a member of the Joint Coastal Management Commission, effective immediately, with a term expiring on July 07, 2025.”

**Town of Smithtown – Intermunicipal Agreement – Use of Edward Mankuski Fire Training Center:**

**RESOLUTION # 185-23:**

Upon a motion by Mayor Smith, seconded by Trustee von Frank, and unanimously passed, it was  
“**RESOLVED** to re-affirm and approve the Intermunicipal Agreement with the Town of Smithtown for Use of the Edward Mankuski Fire Training Center for the period commencing August 13, 2023 and expiring on August 13, 2024.”

**EMS Cost Recovery:**

Progress with the Proclaim EMS Solutions & Billing cost recovery program was discussed by the Board.

**Department and Committee Reports:**

**Highway Department** – Highway Superintendent Dominick Alois presented oral and written reports.

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

**NQFD** – Chief Gavaris presented oral and written reports.

**NVPD** – Deputy Police Commissioner John Valentine presented an oral report telephonically.

**Nissequogue Police Department:**

**RESOLUTION # 186-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was  
“**RESOLVED** to accept with respect and regret, the resignation of Part-Time Police Officer Robert Cafiero effective June 01, 2023.”

**Department and Committee Reports (continued):**

**Community Beautification Committee** – The Mayor noted progress with the plans for Willow Pond.

**JCMC** – The Board reviewed Chairman Michael Braaten’s written report of July 06, 2023.

**ARB** – The Board reviewed the minutes of the July 31, 2023 ARB meeting.

**Planning Board** – The Board reviewed the minutes of the July 10, 2023 Planning Board meeting.

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

**Executive Session:**

**RESOLUTION #187-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was  
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 8:42 p.m.  
to seek legal advice from the Village Attorney.”

**RESOLUTION # 188-23:**

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to exit Executive Session at 9:12 p.m. and re-enter the regular meeting.”

**Adjournment:**

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and unanimously passed, it was  
“**RESOLVED** to adjourn at 9:12 p.m.”

Respectfully submitted,

Laura K. Winkeler  
Deputy Village Clerk

VILLAGE OF NISSEQUOGUE  
2022-2023

31-May-23

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>2022-2023 BUDGET</u>	<u>BUDGET ADJUSTMENT</u>	<u>2022-2023 MODIFIED BUDGET</u>
A1410.412	CLERK MAILINGS	\$1,750.00	\$100.00	\$1,850.00
A1620.411	BUILDINGS SUPPLIES - VILLAGE HALL	\$1,500.00	\$900.00	\$2,400.00
A1620.422	VILLAGE HALL UTILITIES SCWA	\$1,500.00	\$150.00	\$1,650.00
A3120.25	POLICE - OTHER EQUIPMENT	\$19,500.00	\$9,200.00	\$28,700.00
A3410.412	FIRE DEPARTMENT - EMERGENCY TOOLS	\$8,092.00	\$500.00	\$8,592.00
A3410.415	FIRE DEPARTMENT - UNIFORMS	\$5,709.00	\$900.00	\$6,609.00
A1990	CONTINGENCY	\$17,307.34	(\$11,750.00)	\$5,557.34
		<u>\$55,358.34</u>	<u>\$0.00</u>	<u>\$55,358.34</u>

VILLAGE OF NISSEQUOGUE  
2023-2024

15-Aug-23

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>BUDGET ADJUSTMENT</u>	<u>MODIFIED BUDGET</u>
A1620.448	BUILDINGS CONT SVCS- IT MANAGED SVCS	\$0.00	\$7,200.00	\$7,200.00
A3120.25	POLICE -OTHER EQUIPMENT	\$0.00	\$1,360.00	\$1,360.00
A3410.14	PERSONAL SVCS FIRE DEPT P/T	\$0.00	\$6,800.00	\$6,800.00
A3410.23	FIRE DEPARTMENT MOTOR VEHICLE	\$0.00	\$71,432.73	\$71,432.73
A3410.46	FIRE DEPARTMENT - MISCELLANEOUS	\$0.00	\$100.00	\$100.00
A3410.50	FIRE DEPARTMENT - TRAVEL	\$3,000.00	(\$100.00)	\$2,900.00
A8540.0	DRAINAGE	\$1,500.00	\$16,100.00	\$17,600.00
A0599.0	APPROPRIATED SURPLUS	\$210,000.00	(\$71,432.73)	\$138,567.27
A1990.0	CONTINGENT ACCOUNT	93,944.00	(31,460.00)	62,484.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$308,444.00</u>	<u>\$0.00</u>	<u>\$308,444.00</u>