

REGULAR MEETING OF THE BOARD OF TRUSTEES
INCORPORATED VILLAGE OF NISSEQUOGUE

December 19, 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 19th DAY OF DECEMBER, 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	Eugene Barnosky
Village Attorney	Lindsay Crocker
Village Clerk-Treasurer	Patricia Mulderig
Village Deputy Clerk	Laura Winkeler
NQFD 1 st Assistant Chief	William Howard
NQFD 2 nd Assistant Chief	Kenneth Spielman
Building Inspector	Joseph Arico
Deputy Police Commissioner	John Valentine
ZBA Member	Desmond Murphy
ZBA Member	Ron Rothman

OTHERS PRESENT: James Gallo, Douglas Kronenberg

At 7:02 p.m. the Mayor opened the meeting with the Pledge of Allegiance.

NQFD Renovation – Opening of Bids:

Mayor Smith opened three bids. The first bid opened was from GEC Contracting Inc. The total price to perform all work in its entirety as set forth in the specifications, drawings and other contract documents was \$165,213.00. The second bid opened was from JR’S Solutions, LLC. The total price to perform all work in its entirety as set forth in the specifications, drawings and other contract documents was \$303,446.22. The final bid was from KJB Industries, Inc. The total price to perform all work in its entirety as set forth in the specifications, drawings and other contract documents was \$279,972.00.

NQFD Renovation - Bid Award:

RESOLUTION # 250-23:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and unanimously passed, it was
“**RESOLVED** to award the contract for the Fire Department Renovation Project to
GEC Contracting, Inc.”

NQFD Pumper Bid:

The two bids opened at the November 21st Board of Trustees meeting were extensively reviewed by the NQFD Fire Chiefs and Truck Committee, as well as the Fire Commissioner, to assure that all requirements were met and acceptable. Upon review, the Pierce Manufacturing, Inc. (Firematic Supply) bid was found to be non-responsive and deficient as it was not compliant with all material aspects of the bid specification.

Review & Approval of Minutes:

RESOLUTION # 251-23:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to accept the Minutes of the Regular Monthly Board of Trustees Meeting of November 21, 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 December 19, 2023.

RESOLUTION # 252-23:

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

ATTACHED HERETO

RESOLUTION # 253-23:

Upon a motion by Trustee Potter, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to return \$5,028.77 from the Wieboldt Trust & Agency account based upon the letter from Building Inspector Joseph Arico dated December 07, 2023 requesting the return of funds as the project has been completed.”

RESOLUTION # 254-23:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to accept and acknowledge that the Village of Nissequogue Annual Audit Report for the year ending May 31, 2023, was completed by R.S. Abrams on November 15, 2023.”

RESOLUTION # 255-23:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to accept and acknowledge that the Annual Court ‘Agreed Upon Procedures’ Required by Section 2019-a of the Uniform Justice Court Act for the Village of Nissequogue Justice Court for the year ending May 31, 2023, was completed by R.S. Abrams on November 15, 2023.”

Mayor Smith commented that both the Village Annual Audit Report as well as the Village Justice Court Annual Audit Report for May 31, 2023 contained no audit comments from R.S. Abrams.

RESOLUTION # 256-23:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to transfer \$900.00 from the Louro T&A Account and \$250.00 from the Pincus T&A Account for a total of \$1,150.00 to the General Fund.”

ABSTRACTS & INVOICE PAYMENT AUTHORIZATIONS:

RESOLUTION # 257-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to approve Abstracts #2905 - 2916 for payment in the amount of \$95,830.82.”

RESOLUTION # 258-23:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to approve Abstracts# 2917 - 2918 totaling \$8,405.41 to pay invoices that
require payment prior to the January 16, 2024 Board of Trustees Meeting.”

Attorney Report:

Eugene Barnosky delivered an oral report in addition to his written litigation report.

Comments by Members of the Public:

James Gallo asked the Mayor and the Board to please look further into remediating the effects of the stormwater that he claims comes from Long Beach Road resulting in flooding on Short Path. Douglas Kronenburg stated his concerns with regard to the flooding on Frog Hollow and requested that the Board further examine the situation and possible remediation.

Local Law / Village Code Section 128-27D re: Fences:

ZBA Members Desmond Murphy and Ron Rothman asked the Board some questions about the proposed local law regarding fencing setbacks.

Village Clerk:

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

EMS Cost Recovery:

Progress status and next steps were discussed.

Department and Committee Reports:

NQFD – 1st Assistant Chief Howard and 2nd Assistant Chief Spielman presented oral and written reports.

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

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

ARB – The Board reviewed the minutes of the October 30, 2023 ARB meeting.

Highway Department – The Board reviewed Highway Superintendent Dominick Alois’ written report.

JCMC – The Board reviewed Chairman Michael Braaten’s written report of December 07, 2023.

Planning Board – The Board reviewed the minutes of the November 06, 2023 Planning Board meeting.

Safety Committee: The Board reviewed the minutes of the September 05, 2023 Safety Meeting.

ZBA – The Board reviewed the minutes of the December 16, 2023 ZBA meeting.

Executive Session:

RESOLUTION # 259-23:

Upon a motion by Trustee von Frank, seconded by Trustee Grosskopf, and unanimously passed, it was
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 8:43 p.m.
for the purpose of discussing the employment history of a particular person and to seek
legal advice from the Village Attorney.”

RESOLUTION # 260-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and unanimously passed, it was
“**RESOLVED** to exit Executive Session at 9:38 p.m. and re-enter the regular meeting.”

Nissequoque Highway Department:

RESOLUTION # 261-23:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to appoint Jeffrey Boyle as a Part-Time Highway Laborer at an hourly
rate of \$23.58/hour, effective December 19, 2023.”

RESOLUTION # 262-23:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** that

WHEREAS, the Board has been notified that the primary attorneys representing the Village are leaving Lamb & Barnosky, LLP. to join Bond, Schoeneck and King, PLLC.

NOW THEREFORE, BE IT RESOLVED that the Village hereby terminates its relationship with Lamb & Barnosky, LLP. effective close of business on December 31, 2023; and

BE IT FURTHER RESOLVED, that the Village hereby retains Bond, Schoeneck and King, PLLC. effective January 01, 2024 on the same terms and condition and authorizes the Mayor to execute a retainer agreement with Bond, Schoeneck and King, PLLC.

RESOLUTION # 063-23:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and unanimously passed, it was
“**RESOLVED** to accept Part Time Police Officer Richard Senese’s resignation, effective January 08, 2024.”

Adjournment:

Upon a motion by Trustee von Frank, seconded by Trustee Potter, and unanimously passed, it was
“**RESOLVED** to adjourn at 9:50 p.m.”

Reopening of Meeting:

RESOLUTION # 063-23:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and passed 3-0, it was
“**RESOLVED** to rescind the prior resolution adjourning the meeting and reopen the regular meeting at 10:03 p.m. to address a matter inadvertently not addressed but requiring action prior to the January 16, 2024 Board of Trustees meeting.”

Bid Award – NQFD Pumper:

RESOLUTION # 064-23:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 3-0, it was
“**RESOLVED** to award the contract for the 1500 GPM SM Pumper to Hendrickson Fire Rescue as the lowest responsive bidder complying with the bid specifications.”

Adjournment:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, and passed 3-0, it was
“**RESOLVED** to adjourn at 10:04 p.m.”

Respectfully submitted,

Laura K. Winkeler
Deputy Village Clerk

VILLAGE OF NISSEQUOGUE
2023-2024

19-Dec-23

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	BUDGET ADJUSTMENT	MODIFIED BUDGET
A1450.46	ELECTIONS - MISCELLANEOUS	\$1,850.00	\$100.00	\$1,950.00
A1620.443	BUILDINGS- CONT SERVICES - SECURITY	\$300.00	\$200.00	\$500.00
A1910.00	UNALLOCATED INSURANCE	\$90,500.00	\$2,500.00	\$93,000.00
A3120.48	POLICE DEPT - OPERATIONS	\$10,000.00	(\$900.00)	\$9,100.00
A3120.481	POLICE - DEPT - CONTRACT SERVICES	\$2,000.00	\$900.00	\$2,900.00
A3410.23	FIRE DEPARTMENT - MOTOR VEHICLE EQUIP	\$75,932.73	\$4,800.00	\$80,732.73
A3410.411	FIRE DEPARTMENT - VEHICLE REPAIR & MAINT	\$39,670.00	(\$4,800.00)	\$34,870.00
A3410.417	FIRE DEPARTMENT - OPERATIONS	\$900.00	\$1,300.00	\$2,200.00
A3410.444	FIRE DEPARTMENT- REPAIRS & MAINT	\$5,900.00	(\$1,300.00)	\$4,600.00
A8010.10	ZONING BOARD PERSONAL SVC	\$3,880.00	\$1,000.00	\$4,880.00
A1990.0	CONTINGENT ACCOUNT	50,534.00	(3,800.00)	46,734.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$281,466.73</u>	<u>\$0.00</u>	<u>\$281,466.73</u>