

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

April 09, 2024

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 9th DAY OF April, 2024.**

BOARD MEMBERS PRESENT AT BOARD OF TRUSTEE MEETING:

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

ALSO PRESENT:

Village Attorney	Eugene Barnosky
Village Clerk-Treasurer	Patricia Mulderig
Village Deputy Clerk	Laura Winkeler
NQFD Chief	William Howard
NQFD 1 st Assistant Chief	Kenneth Spielman
NQFD 2 nd Assistant Chief	Gregory Tellone
Building Inspector	Joseph Arico
Highway Superintendent	Dominick Alois
Deputy Police Commissioner	John Valentine
ZBA Chairperson	Michael Fazio

OTHERS PRESENT: Shamma Murphy, Jean-Paul Salamanca, Jessica McFaul (Court Reporter, Magna Legal Services)

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

Public Hearing Renewal of Special Use Permit-Silver Oak Stable VII, Inc.:

RESOLUTION # 066-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to enter the Public Hearing at 7:02 p.m. to consider the application for
renewal of the Special Use Permit for Silver Oak Stable VII, Inc.”

After review of the application and concomitant documents, the Mayor asked for any comments, questions, or concerns from the Trustees and attendees.

RESOLUTION # 067-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to close the Public Hearing and re-enter into the regular meeting at 7:04 p.m..”

RESOLUTION # 068-24:

Upon a motion by Trustee Meyer, seconded by Trustee von Frank, the following Resolution was passed 4-0:

**SEQRA RESOLUTION OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NISSEQUOGUE
REGARDING THE APPLICATION BY SILVER OAK STABLE VII, INC.
FOR RENEWAL OF ITS SPECIAL USE PERMIT**

WHEREAS, Silver Oak Stable VII, Inc. (“Silver Oak”) submitted an application for renewal of its Special Use Permit to operate an Equitation Center located at 604 Moriches Road, St. James, NY; and

WHEREAS, the Village Board of Trustees (“the Trustees”) referred the application to the Village Planning Board (“Planning Board”) for a report; and

WHEREAS, the Planning Board issued a report in a memorandum dated April 8, 2024 from the Planning Board of the Village of Nissequogue and Daniel Falasco, P.E., Village Engineer, in which the renewal of the special use permit was found to be Type II Action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and the regulations adopted pursuant thereto by the Department of Environmental Conservation (“the Regulations”).

NOW THEREFORE, BE IT RESOLVED that the renewal of Silver Oak’s Special Use Permit is a Type II Action and no further action pursuant to SEQRA and the Regulations is required.

RESOLUTION # 069-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, the following Resolution was passed 4-0:

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NISSEQUOGUE
REGARDING THE APPLICATION BY SILVER OAK STABLE VII, INC.
FOR RENEWAL OF ITS SPECIAL USE PERMIT**

WHEREAS, Silver Oak Stable VII, Inc. (“Silver Oak”) submitted an application along with the required fee to the Village for renewal of its Special Use Permit to operate an Equitation Center located at 604 Moriches Road, St. James, NY; and

WHEREAS, the Village Board of Trustees (“the Trustees”) referred the application to the Village Planning Board (“Planning Board”) for a report pursuant to Village Code § 128-35; and

WHEREAS, the Planning Board issued a report in a memorandum dated April 8, 2024 in which the Planning Board recommended the renewal of Silver Oak’s Special Use Permit for an additional three-year period subject to certain conditions (“the Report”); and

WHEREAS, the Trustees opened the public hearing on April 9, 2024; and

WHEREAS, at the public hearing all persons present were given the opportunity to be heard; and

WHEREAS, at the conclusion of the public hearing, the Board unanimously voted to close the hearing.

NOW THEREFORE, be it

RESOLVED that the Trustees find that the conditions and standards set forth in Village Code § 128-35 have been met by Silver Oak; and

BE IT FURTHER RESOLVED that the Trustees approve the renewal of Silver Oak’s Special Use Permit to operate an Equitation Center for an additional three-year period so as to expire on March 16, 2027, subject to: (1) the conditions set forth in the Report; and (2) Silver Oak’s reimbursement of the Village for the cost of professional consultant review services pursuant to Chapter 91 of the Village Code.

Public Hearing – 2024-2025 Village of Nissequogue Budget:

RESOLUTION # 070-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to enter the Public Hearing at 7:08 p.m. for discussion of the 2024-2025
Nissequogue Village Budget.”

Mayor Smith announced that there would be a one percent tax increase, raising the tax rate from \$23.36 to \$23.60 per \$100.00 of assessed valuation.

RESOLUTION # 071-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to close the Public Hearing and enter the regular meeting at 7:10 p.m.”

RESOLUTION # 072-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve the 2024-2025 Village Budget.”

The Village Clerk – Treasurer noted that the Constitutional Tax Limit and Tax Cap Reports were filed with the Office of the State Comptroller prior to the adoption of the Budget.

Tax Warrant:

RESOLUTION # 073-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to authorize the Deputy Village Clerk to post and publish the 2024-2025
Tax Warrant.”

ATTACHED HERETO

Landscape Bid Openings:

Mayor Smith opened the sole bid submitted, that of R.J.K. Gardens Inc. The Board reviewed the cost of monthly landscaping services, as well as hourly rates for additional services: labor, bobcat, six and ten-wheel dump truck usage, shoveling/snow blowing, calcium chloride and salt/brine application.

Village Landscaping Contract:

RESOLUTION # 074-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to award the landscaping contract to R.J.K. Gardens Inc.”

Review & Approval of Minutes:

RESOLUTION # 075-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to accept the Minutes of the Regular Monthly Board of Trustees Meeting of
March 19, 2024 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 April 09, 2024.

RESOLUTION # 076-24:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to accept the 2023/2024 Certiorari Assessment Adjustment in the
amount of \$10,943.58.”

ATTACHED HERETO

RESOLUTION # 077-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to refund \$4,125.94 from the Gate Road/Island Builder’s Corp. Trust & Agency account to Cordwood Path LLC. based upon the letter from Building Inspector Joseph Arico dated April 04, 2024 requesting the release of funds.”

RESOLUTION # 078-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to transfer \$1,456.00 from the Pincus T&A Account, \$302.50 from Silver Oak Special Use Permit T&A Account, \$230.50 from the Cox ZBA T&A Account and \$132.50 from the Oblatz ZBA T&A Account for a total of \$2,121.50 to the General Fund.”

RESOLUTION # 079-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to transfer \$15.49 from the TD Money Market American Rescue Plan Act Money Market Account to the TD Bank General Fund Checking Account.”

RESOLUTION # 080-24:

Upon a motion by Trustee von Frank, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to adopt the 2023/2024 Budget Reclassifications as presented.”

ATTACHED HERETO

ABSTRACTS & INVOICE PAYMENT AUTHORIZATIONS:

RESOLUTION # 081-24:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to approve Batches # 51, 55, 56, 58, 60, 61, 62, and 63 for payment in the amount of \$89,568.52.”

RESOLUTION # 082-24:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to approve Batch # 66 totaling \$13,359.63 to pay invoices that require payment prior to the May 21, 2024 Board of Trustees Meeting.”

Attorney Report:

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

Village Clerk:

Village Clerk-Treasurer Patricia Mulderig presented oral and written reports

SCVOA Resolutions:

RESOLUTION # 083-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize payment of seventy-five dollars per person for up to twelve Village personnel to attend the Suffolk County Village Officials Association Spring Municipal Training on May 14, 2024 in Melville, NY.”

RESOLUTION # 084-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to authorize payment of one hundred dollars per person for an additional four attendees to the Suffolk County Village Officials Association Legislative Dinner & Awards Night on April 17, 2024 in Riverhead, NY.”

RESOLUTION # 085-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to authorize payment of \$313.97 to Lowes for sixteen bags of asphalt and two wedge tools, and \$15.99 to Ready Refresh for an additional 5-Gallon bottle of water for the Village Hall for a total of \$329.96 that requires payment prior to the May 21, 2024 Board of Trustees Meeting.”

Silver Oak Stable VII, Inc. Special Use Permit:

RESOLUTION # 086-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize the Village Clerk to mail the report of the Silver Oak Stable VII, Inc. Special Use Permit Decision to the applicant within five days of the decision.”

RESOLUTION # 087-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize the Village Clerk to file the Silver Oak Stable VII, Inc. Special Use Permit Report of Final Action with the Suffolk County Planning Commission within thirty days of the decision.”

VILLAGE ELECTION

Election Inspector:

RESOLUTION # 088-24:

Upon a motion by Trustee von Frank, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to appoint Maureen Wiedersum as Election Inspector for the June 18th Election at a rate of \$20.00 per hour.”

Town of Smithtown – Intermunicipal Agreement – Fire Marshall Inspection and Public Safety Ordinance Services Agreement:

RESOLUTION # 089-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to approve the Intermunicipal Agreement for Fire Marshall and Public Safety Ordinance Services Agreement with the Town of Smithtown, for the period starting January 1, 2024 and expiring on December 31, 2024, and authorize Mayor Richard B. Smith to sign this agreement on behalf of the Village of Nissequogue.”

Department and Committee Reports:

ZBA – Chairman Michael Fazio presented oral and written reports.

RESOLUTION # 090-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve the new Zoning Board of Appeals Application, as amended.

ATTACHED HERETO

Department and Committee Reports (continued):

NQFD – Chief Howard presented oral and written reports.

Nissequogue Fire Department Non-Resident Waiver Request:

RESOLUTION # 091-24:

Upon a motion by Mayor Smith, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to grant a waiver of the residency requirement for one year for William Howard, who resides in St. James, but outside of the Village of Nissequogue, to serve as Chief of the Fire Department. The requirement for a three-fourth affirmative vote from the Fire Department Council for this waiver was met on April 04, 2024.”

Nissequogue Fire Department Waiver Request – Chief’s EMT Requirement:

RESOLUTION # 092-24:

Upon a motion by Mayor Smith, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to grant a waiver for one year for Gregory Tellone to serve as 2nd Assistant Chief of the Fire Department without having successfully completed a New York State EMT course. The requirement for a two thirds affirmative vote from the Fire Department Council for this waiver was met on April 04, 2024.”

NQFD Election of Chiefs & Officers:

RESOLUTION # 093-23:

Upon a motion by Mayor Smith, seconded by Trustee von Frank, and passed 4-0, it was
“**RESOLVED** to approve the April 04, 2024 NQFD election of Chief William Howard as 4-5-30, 1st Assistant Chief Kenneth Spielman as 4-5-31, 2nd Assistant Chief Gregory Tellone, the Officers of Company 2, Company 3, and Company 6, as well as the Department Secretary, Treasurer, Wardens, and Audit Committee Members.”

ATTACHED HERETO

Mayor Smith and the Board congratulated Chief Howard, 1st Assistant Chief Spielman, and 2nd Assistant Chief Gregory Tellone on their recent elections.

EMS Billing:

The Board discussed the status of the cost recovery program.

Department and Committee Reports (continued):

- NVPD – Deputy Police Commissioner John Valentine presented an oral report.
- Highway Department – Superintendent Dominick Alois presented oral as well as a written report.
- ARB – The Board reviewed the minutes of the March 25, 2024 ARB meeting.
- Building Department – Building Inspector Joseph Arico presented oral and written reports.
- JCMC – The Board reviewed Chairman Michael Braaten’s written report of April 04, 2024.
- Planning Board – The Board reviewed the minutes of the March 04, 2024 Planning Board meeting.
- Safety Committee – The Board reviewed the minutes of the January 25, 2024 Safety Committee meeting.

Executive Session:

RESOLUTION # 094-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 8:17 p.m. for the purpose of discussing matters leading to the appointment of a particular person and to seek legal advice from the Village Attorney.”

RESOLUTION # 095-24:

Upon a motion by Trustee von Frank, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to exit Executive Session at 8:30 p.m. and re-enter the regular meeting.”

Adjournment:

Upon a motion by Trustee Meyer, seconded by Mayor Smith, and passed 4-0, it was
“**RESOLVED** to adjourn at 8:30 p.m.”

Respectfully submitted,

Laura K. Winkeler
Deputy Village Clerk

TAX WARRANT

To Patricia Mulderig, Clerk-Treasurer of the Village of Nissequogue
You are hereby commanded to receive and collect from the several persons named in the assessment roll, hereunto annexed, the several sums named in the last column thereof opposite their respective names, for the following purposes:

	DOLLARS/CENTS
For the General Fund	\$2,509,968
Being for all purposes a total amount of	\$2,509,968
Non-real estate revenue	\$ 760,687
Total Real Estate Tax	\$1,749,281

Upon the receipt of the roll and warrant by you, and on or before the first day of May, you shall cause to be published in the official paper of the Village, once a week for two consecutive weeks, a notice that such tax roll and warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from June 4th to and including June 27th from ten o'clock in the morning until 4 o'clock in the afternoon, Tuesday and Thursday; for said period of time you will receive all taxes paid to you without additional charge. Taxes may also be postmarked through July 1, 2024.

On all such taxes remaining unpaid after July 1st, interest of five percent shall be added for the month of July and an additional one percent for each month and fraction thereof thereafter until paid.

You shall attend at the time and place specified in said notice for the purpose of receiving said taxes;

After the first day of July, you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for that purpose you are possessed of all powers of a village tax collector.

All interest collected shall belong to the Village.

You are to make a return of this warrant on or before the first day of February after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid, with the receipt of the Village Treasurer for all taxes paid to him/her, and shall file the roll and warrant in the office of the Village Clerk.

And for so doing this shall be your sufficient warrant.

IN WITNESS WHEREOF, The Board of Trustees of said Village of Nissequogue has caused this warrant to be signed by its Mayor and Deputy Village Clerk of the said Village and the seal of the Village is hereunto affixed, this 9th day of April 2024.

Attest: Laura K. Winkeler
Deputy Village Clerk

Richard B. Smith
Mayor

VILLAGE OF NISSEQUOQUE
2023/2024 CERTIORARI ASSESSMENT ADJUSTMENTS

SECTION BLOCK/LOT	HOMEOWNER	Address	PROPERTY ID	Certiorari Date	Village Date	ASSESSOR LETTER	DATE CHANGED	ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	TAXABLE DIFFERENCE
9-2-1.22	Jorge Gomez & Theresa Greco	6 Equine Lane	39200	2020	2021	16-Feb-24	6-Oct-22	13,440	11,500	1,940	444.26
9-2-1.22	Jorge Gomez & Theresa Greco	6 Equine Lane	39200	2021	2022	16-Feb-24	6-Oct-22	13,440	11,500	1,940	444.26
9-2-1.22	Jorge Gomez & Theresa Greco	6 Equine Lane	39200	2022	2023	16-Feb-24	6-Oct-22	13,440	11,500	1,940	453.18
										5,820	\$1,341.70
10-3-6.06	Robert & Louise Grober	27 Woodcrest Drive	50700	2021	2022	16-Feb-24	16-Dec-22	57,880	44,240	13,640	3,123.56
10-3-6.06	Robert & Louise Grober	27 Woodcrest Drive	50700	2022	2023	16-Feb-24	16-Dec-22	57,880	44,240	13,640	3,186.30
										27,280	6,309.86
10-4-9.5	Andrew & Maria Georgakopoulos	5 Swan Place	53400	2020	2021	16-Feb-24	6-Oct-22	19,200	16,675	2,525	578.23
10-4-9.5	Andrew & Maria Georgakopoulos	5 Swan Place	53400	2021	2022	16-Feb-24	6-Oct-22	19,200	16,675	2,525	578.23
10-4-9.5	Andrew & Maria Georgakopoulos	5 Swan Place	53400	2022	2023	16-Feb-24	6-Oct-22	19,200	16,675	2,525	589.84
										7,575	\$1,746.29
12-1-6	Pamela Krauth	43 Branglebrink	64500	2020	2021	16-Feb-24	6-Oct-22	8,615	7,475	1,140	261.06
12-1-6	Pamela Krauth	43 Branglebrink	64500	2021	2022	16-Feb-24	6-Oct-22	8,615	7,475	1,140	261.06
12-1-6	Pamela Krauth	43 Branglebrink	64500	2022	2023	16-Feb-24	6-Oct-22	8,615	7,475	1,140	266.30
										3,420	\$788.42
13-1-18	Alvin & Rona Heller	3 Tide Mill Lane	69500	2020	2021	16-Feb-24	6-Oct-22	10,180	9,085	1,095	250.76
13-1-18	Alvin & Rona Heller	3 Tide Mill Lane	69500	2021	2022	16-Feb-24	6-Oct-22	10,180	9,085	1,095	250.76
13-1-18	Alvin & Rona Heller	3 Tide Mill Lane	69500	2022	2023	16-Feb-24	6-Oct-22	10,180	9,085	1,095	255.79
										3,285	\$757.30
											\$10,943.58

ASSESSMENT ADJUSTMENTS APPROVED 2/20/2024-GROBER

ASSESSMENT ADJUSTMENTS APPROVED 2/20/2024- GEORGAKOPOULOS

ASSESSMENT ADJUSTMENTS APPROVED 2/20/2024- KRAUTH

ASSESSMENT ADJUSTMENTS APPROVED 2/20/2024- HELLER

TOTAL CERTIORARI ADJUSTMENTS

3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2011	2012	16-Feb-24	1-Jun-23	97,945	70,490	27,455	5,128.59
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2012	2013	16-Feb-24	1-Jun-23	97,945	72,610	25,335	4,958.06
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2013	2014	16-Feb-24	1-Jun-23	97,945	72,610	25,335	5,599.04
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2014	2015	16-Feb-24	1-Jun-23	97,945	72,610	25,335	5,599.04
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2015	2016	16-Feb-24	1-Jun-23	97,945	73,450	24,495	5,467.28
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2019	2020	16-Feb-24	1-Jun-23	73,450	57,450	16,000	3,592.00
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2020	2021	16-Feb-24	1-Jun-23	73,450	56,450	17,000	3,893.00
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2021	2022	16-Feb-24	1-Jun-23	73,450	55,450	18,000	4,122.00
3-5-27.6	Nissequoque Golf Club	21 Golf Club Rd	84203	2022	2023	16-Feb-24	1-Jun-23	73,450	53,450	20,000	4,672.00

ASSESSMENT ADJUSTMENTS APPROVED 2/20/2024- NISSEQUOGUE GOLF CLUB

198,955
\$43,031.01

TOTAL CERTIORARI ASSESSMENT ADJUSTMENTS

246,335
\$53,974.59

VILLAGE OF NISSEQUOGUE
2023-2024

09-Apr-24

ACCOUNT NUMBER	ACCOUNT TITLE	BUDGET	BUDGET ADJUSTMENT	MODIFIED BUDGET
A1410.443	CLERK- CONT SVCS SOFTWARE SUPPORT	\$11,400.00	\$2,600.00	\$14,000.00
A1410.460	CLERK- MISCELLANEOUS	\$400.00	\$400.00	\$800.00
A1620.446	BUILDINGS - CONT SVCS WATER & COFFEE	\$400.00	\$250.00	\$650.00
AA1620.447	BUILDINGS - CONT SVCS REPAIRS & MAINT	\$9,400.00	(\$250.00)	\$9,150.00
AA1930.00	JUDGEMENTS & CLAIMS	\$15,000.00	\$11,000.00	\$26,000.00
AA3120.480	POLICE - POLICE DEPT OPERATIONS	\$8,100.00	(\$500.00)	\$7,600.00
AA3120.481	POLICE - OPERATIONS - CONTRACT SVCS	\$3,900.00	\$500.00	\$4,400.00
AA3410.250	FIRE DEPARTMENT OTHER EQUIPMENT	\$0.00	\$5,200.00	\$5,200.00
AA3410.251	FIRE DEPARTMENT - PERS PROTECTION EQUIP	\$59,000.00	\$4,000.00	\$63,000.00
AA3410.411	FIRE DEPARTMENT - VEHICLE REPAIRS & MAINT	\$31,070.00	(\$5,000.00)	\$26,070.00
AA3410.412	FIRE DEPARTMENT - EMERGENCY TOOLS	\$17,600.00	(\$1,200.00)	\$16,400.00
AA3410.413	FIRE DEPARTMENT - FIRE & EMS TRAINING	\$25,800.00	(\$1,200.00)	\$24,600.00
AA3410.414	FIRE DEPARTMENT- AMBULANCE & EMS	\$11,500.00	(\$1,200.00)	\$10,300.00
AA3410.416	FIRE DEPARTMENT -OPEN HOUSE/ PARADE	\$3,350.00	(\$3,100.00)	\$250.00
A3410.418	FIRE DEPARTMENT -CPR TRAINING	\$500.00	\$750.00	\$1,250.00
AA3410.431	FIRE DEPARTMENT - COMMUNICATIONS	\$11,250.00	\$500.00	\$11,750.00
A3410.441	FIRE DEPARTMENT- SUPPLIES & EQUIPMENT	\$3,500.00	\$1,000.00	\$4,500.00
A3410.444	FIRE DEPARTMENT - BLDG REPAIRS & MAINT	\$450.00	\$1,600.00	\$2,050.00
A3410.460	FIRE DEPARTMENT - MISCELLANEOUS	\$100.00	\$250.00	\$350.00
A3410.462	FIRE DEPARTMENT CHIEFS COUNCIL	\$900.00	(\$500.00)	\$400.00
AA3410.510	FIRE DEPARTMENT - GASOLINE	\$9,500.00	(\$1,800.00)	\$7,700.00
AA3410.530	FIRE DEPARTMENT - AMBULANCE BILLING	\$500.00	\$700.00	\$1,200.00
A5110.442	MAINT OF ROADS - TREE REMOVAL	\$7,000.00	\$3,000.00	\$10,000.00
A5142.440	SNOW REMOVAL CONT SERVICE	\$43,300.00	(\$3,000.00)	\$40,300.00
A8010.46	ZONING MISCELLANEOUS	\$2,100.00	\$150.00	\$2,250.00
A8030.100	ARCHITECTURAL REVIEW- PERSONAL SVC	\$3,133.00	\$450.00	\$3,583.00
AA8030.460	ARCHITECTURAL REVIEW- MISCELLANEOUS	\$500.00	(\$450.00)	\$50.00
A1990.0	CONTINGENT ACCOUNT	28,134.00	(14,150.00)	13,984.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$307,787.00</u>	<u>\$0.00</u>	<u>\$307,787.00</u>



**VILLAGE OF NISSEQUOGUE
631 MORICHES ROAD
ST. JAMES, N.Y. 11780**

Zoning Board of Appeals

Application

A Public Hearing will be scheduled only after a completed application is accepted by the ZBA

Village of Nissequoque
Zoning Board of Appeals

INSTRUCTIONS FOR APPLICATION TO THE BOARD OF APPEALS

Please carefully read the entire application. All sections must be answered (or if not applicable, so indicate). Incomplete applications or missing items will delay the matter being placed on the hearing calendar.

1. The application must be signed by the Property Owner (the “Owner”) or the Owner’s duly designated representative. If the Owner is an entity, a corporate officer or other person authorized to sign on the entity’s behalf must sign the application and set forth his/her title. If the Owner has designated a representative to complete and submit this application, the “Designation of Representative” form must be properly filled in and submitted with the application. If there is more than one Owner, all Owners must sign.
2. The name of the Owner(s) must follow the words, “In the Matter of the Application of.” If the property is owned by an entity, the name of the entity must be used.
3. There must be six (6) copies of the application (including six (6) copies of all attachments) submitted, signed and notarized.

ZBA Survey Requirements (see also No. 4 below):

- Appropriate scale, not smaller than 1" = 30' (plans required to be submitted on standard plan size of 24" x 36")
- All (6) copies must be stamped and signed and guaranteed to Owner
- Key map and/or distance to the nearest cross street
- Name of the subdivision or filed map. If appropriate, include file number and date
- SCTM, district, section, block and lot
- Surveyor’s name, address, phone number and date of survey.
- Owner(s)’ names and adjacent property owners’ names.
- North arrow
- Bearing and distance of all property lines
- Road names abutting the property with width of ROW and pavement edges
- Topo, contour elevations at 2' intervals, and percentage of slope if greater than 25% pursuant to the Local Waterfront Revitalization Program, and 30% pursuant to the Code of the Village of Nissequoque (“Village Code”)
- Area of lot
- All existing structures and their use, *i.e.*: residence, deck, pool, patio, fences, walls, gates, entry piers, *etc.*
- Elevations of all principal and accessory structures
- Driveway location, curbing, surface material, and percentage of slope.
- Drainage structures and calculations based on a 3" rainfall
- Septic system, well or water supply line with offsets as required by Suffolk County Department of Health Services
- Underground utilities
- Building envelope, in accordance with the Village’s Zoning requirements (Chapter 128 of the Village Code) or filed map
- Building line width 250' as required by the Village Code
- Buffer zone, 25'- 0" no clearing or disturbance of flora and fauna

- All recorded easements and ROW
- Indicate clearing as required by Village Code § 111-6(A)
- Bluffs, ponds, wetlands, mean high water line, DEC and LWRP setbacks
- Test hole data
- United States coast and geodetic survey datum
- If in a flood zone, indicate such, and refer all grades to mean high tides and all elective and mechanical above elevation 12' above M.H.T.

ZBA Site Plan Requirements:

All of the above requirements as outlined for the survey, plus:

- Complete set of Floor Plans. All six (6) copies must be stamped and signed, and guaranteed to Owner.
 - Proposed structures and improvements and their offset to the property line
 - Total square footage of house and garage, based on lot size
 - Number of stories of improvement and total height of structure
 - Existing & proposed contour lines at 2'0" intervals, and spot elevations at each corner of proposed structure
 - Verification that all existing, and proposed, driveway water run-off is directed to a storm drain
 - All trees 8" and larger in diameter. Any trees or flora totaling more than 25% of the total growth of trees or flora on the Property that are to be removed must be indicated pursuant to Village Code § 111-6(A)(1).
 - FIRM map data, and elevations in the flood zone areas
 - Landscaping plans
 - List of names of all owners of property within 100 foot radius of Owner(s)' property lines
 - Elevations of all proposed structures
 - Proposed utilities and location
 - Lot width at setback line from street
 - Anything to be removed must be indicated with dotted lines
 - F.A.R. to be included pursuant to Village Code § 128-24(B)(10)
 - All structures within 100 foot radius of property lines
-

4. Each copy of the six applications must have a certified survey containing a seal and must show the following:

- a. **Compass Direction**
- b. **Scale**
- c. **Location and length of property lines**
- d. **Locations of all existing and proposed structures (to scale)**
- e. **Front, rear and side yard setbacks**
- f. **Building Envelope**

The distances from all existing structures and proposed structures to streets, right of ways, property lines and, if applicable, the mean high water line.

- g. **Location of all existing structures situated on neighboring properties that are within 100' of the property line**

- h. **If no existing structures are situated within 100' of the property line, the survey must note that there are no structures on the neighboring parcel**
 - i. **Must include current topographical survey signed and sealed**
5. The applicant must submit with the application a certified copy of any and all Deeds (including all Declaration of Covenants and Restrictions), contracts, court orders, wills or other papers and documents having a date of April 23, 1927 or later, bearing on the ownership of the property for which the variance is requested and all neighboring properties.
 6. The applicant must submit copies of the Certificates of Occupancy for all structures on the property requiring same.
 7. The applicant must inform the neighbors within 200 feet of the applicant's property, including any Road Association (R.A.) or Homeowners Association (H.O.A.) of the public hearing by sending a copy of the Public Notice to those neighbors by CERTIFIED MAIL, RETURN RECEIPT REQUESTED. The mailing must be completed 21 days prior to the public hearing and each returned receipt must be given to the Board of Appeals' secretary two (2) business days prior to the hearing. The applicant must submit a fully executed Affidavit Regarding Review of Tax Rolls.
 8. The applicant must submit a completed Statement of Disclosure of Interest (in the ZBA application).
 9. A check in the amount of **\$ 500.00*** made payable to the Village of Nissequogue must accompany the application which is to be submitted to:

Susan Cimino McGarrigal
ZBA Secretary
Zoning Board of Appeals
c/o Village of Nissequogue
631 Moriches Road
Nissequogue, NY 11780

Telephone: 631-862-7400
Fax: 631-862-7401

Email: NissequogueZBA@optonline.net

***If work was commenced without ZBA approval, the fee is doubled and a check in the amount of \$1000.00 made payable to the Village of Nissequogue must accompany the application.**

10. Notice of hearing will be prepared by the ZBA and will be published in a local newspaper, be posted on Village notice boards and appear on Village website.
11. Your property will most likely be visited by members of the ZBA prior to the date of the hearing.
12. Your presentation should be guided by § 128-58 of the Village Code (the text of § 128-58 is set forth below).

Village of Nissequoque

§ 128-58. Variances

Where the strict application of any of the requirements of this chapter to the case of an exceptionally irregular, narrow, shallow or steep lot or other exceptional physical condition would result in practical difficulty or unnecessary hardship which would deprive the owner of the reasonable use of the land or the building involved, the Board of Appeals shall have the power, upon appeal, to vary or adjust the strict application of the regulations or provisions of this chapter.

A. Use variances.

(1) The Board of Appeals, on appeal from the decision or determination of the administrative officer charged with the enforcement of such local law, shall have the power to grant use variances, as defined herein.

(2) No such use variance shall be granted by a Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship, the applicant shall demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

(a) The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

(b) That the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood;

(c) That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

(d) That the alleged hardship has not been self-created.

B. Area variances.

(1) The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such local law, to grant area variances as defined herein.

(2) In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider a) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; b) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; c) whether the requested area variance is substantial; d) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and e) whether the alleged difficulty was self created, which consideration shall be relevant to the decision of the Board of Appeals but shall not necessarily preclude the granting of the area variance.

(3) The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

C. Imposition of conditions. The Board of Appeals shall, in the granting of both use variances and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of the zoning local law and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

Village of Nissequoque

Application to the Zoning Board of Appeals

In the MATTER of the Application of (name all of the property owner(s) below)

Address of the property seeking variance in the Incorporated Village of Nissequoque

SCTM# _____

Phone # AM _____

Phone # PM _____

E-Mail _____

1. Location of property (indicate distance to nearest intersection)

 - a. Dimension of property _____
 - b. Acreage of property _____

2. Zoning District as shown on Zoning Map (SCTM) Circle One R1 R2
3. Is property located on a Village road? YES NO
 - a. If not a Village road, who is the owner: _____
 - b. Is the road governed by a R.A. or H.O.A.: YES NO
If yes, state name of R.A. or H.O.A. including any and all Declaration of Covenants and Restrictions of R.A. or H.O.A.
 - c. Width of the road: _____
 - d. Is access to the property by Right of Way? YES NO
 - e. If yes, attach a copy of the easement.
4. Is the property in separate ownership from all adjoining properties? YES NO
 - a. If yes, list exact date property separated *? _____
 - b. If no, what adjoining property is held by the same owner?

Village of Nissequoque

***NOTE:** Single and separate ownership is not the date that you acquired title to the property. It is the date that your parcel was separated from a larger parcel, such as a filing of a sub-division map or the forming of three two-acre parcels from an original six-acre parcel. It is the date that your parcel was no longer a part of a larger parcel.

5. Type of Application

- Interpretation of the Zoning Ordinance or Zoning Map
- Special Exception under the Zoning Ordinance
- Variance of Zoning Ordinance

6. Reason for Application: (complete relevant sections)

- a. INTERPRETATION OF THE ZONING ORDINANCE is requested to determine whether _____

A SPECIAL EXCEPTION UNDER THE ZONING ORDINANCE is requested pursuant to _____ Section _____ Subsection _____ of the Zoning Ordinance for the purpose of _____

- c. A VARIANCE of Section _____ Subsection _____ (Area or Use) of the Zoning Ordinance is requested in order to _____

Set forth the reasons for request of the VARIANCE on a separate page entitled "Reasons for request of the variance." Please reference Village Code § 128-58 To ensure you address the necessary considerations.

7. Would the granting of this application be in conformity to neighboring properties? Explain: _____

8. Is this property **presently** the subject of an application to the Village Planning Board, Joint Village Coastal Management Commission, NY State Department of Environmental Conservation or any other Village, State or federal agency? If so, please list board/agency and status of application.

9. Pursuant to Chapter 91 of the Village Code, in addition to the application filing fees, if a Trust & Agency account has not already been established and funded, applicant is responsible to pay the sums deemed necessary by the ZBA to fund a Trust & Agency account established to reimburse the Village for the cost of Professional Consultant review services (including, but not limited to services of the Village Attorney and Village Engineer).

Village of Nissequoque

10. Have you been denied a Building Permit? YES NO
11. Has any previous owner(s) applied for any variances on this property?
YES NO
12. Name(s) of previous owner(s) and date(s) of any and all previous ZBA applications and or ZBA Public Hearings for the property seeking variance.

Date(s) _____

13. Have you previously applied for a similar variance before filling out this application?
YES NO

Date of previous application _____

14. The applicant is responsible for the entire stenographer's fee, which includes the current rate per page, the stenographer's appearance fee, and digital copy of transcripts. This fee must be paid in full prior to receiving the ZBA decision.
15. Applicant must inform all neighbors within a 200' radius of the applicant's property. This must be done by sending the Public Notice provided to said neighbors and Road Association (R.A.)/H.O.A. (if applicable) by ***Certified Mail, Return Receipt Requested***. Mailing must be completed a minimum of 21 days prior to scheduled hearing.

All U.S.P.S. Certified Mail and Returned Receipt Requested (green postcard) receipts must be presented to the ZBA secretary two (2) business days prior to the ZBA Public hearing. Be sure to allow ample time to finish the process. The secretary will provide the Public Notice to the applicant.

All neighboring property owners within 200' radius of applicant's property are as follows:

Please include all the names and addresses of neighboring property owners (if applicable include R.A. and/or H.O.A.). Applicant will obtain the names and addresses by reviewing the Tax Rolls, by completing the Affidavit, and by requesting and completing a F.O.I.L. form. If more space is needed, please indicate and provide on a separate page.

16. Applicant must submit the Application for a Building Permit showing "DENIAL" by the Village Building Inspector, along with the denial letter from the Village Building Inspector. If a denial is not required by applicable law, provide the applicable information with the citation to applicable law.

Village of Nissequogue

SUPPLEMENTAL QUESTIONNAIRE

Is the subject property within a distance of 500 feet of:

	YES	NO
A. The boundary of any village or town;	_____	_____
B. The boundary of any existing or proposed County, state or federal park or other recreation areas;	_____	_____
C. The right-of-way of any existing or proposed County or state parkway, thruway, expressway, road or highway;	_____	_____
D. The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;	_____	_____
E. The existing or proposed boundary of any other County, state or federally owned land held or to be held for governmental use; or	_____	_____
F. The Atlantic Ocean, Long Island Sound, any bay in Suffolk County or estuary of any of the foregoing bodies of water; or	_____	_____
G. The boundary of a farm operation located in an Agricultural district, as defined by Article 25-AA of the New York Agriculture and Markets Law	_____	_____

Dated: _____, 20 _____

STATE OF NEW YORK)
 : SS.:
COUNTY OF SUFFOLK)

....., being duly sworn, deposes and says that all statements made in this Application are true to the best of his/her/our knowledge and belief, except as to the matter therein stated to be alleged on information and belief and as the matters he/she/we believes the same to be true.

X _____
Signature of Property Owner(s) or Designated Representative(s)

X _____
Signature of Property Owner(s) or Designated Representative(s)

X _____
Title of Signatory if Owner is an Entity or Organization

Sworn to before me this _____ day of _____, 20 _____

NOTARY PUBLIC

Village of Nissequogue

AFFIDAVIT REGARDING REVIEW OF TAX ROLLS

Pursuant to Paragraph 7 of the Instructions THIS AFFIDAVIT MUST ACCOMPANY APPLICATION TO THE BOARD OF APPEALS.

STATE OF NEW YORK }
 : SS.:
COUNTY OF SUFFOLK }

I, _____, being duly sworn, depose and say:

That I examined the tax rolls of the Village of Nissequogue, located at the Village Hall, and represent that the neighboring property owners listed in the application are all the property owners within 200 feet of the subject parcel as indicated on said tax rolls.

X _____
Signature of Property Owner

X _____
Signature of Property Owner or
Designated Representative

X _____
Title of Signatory if Owner is an Entity or
Organization

Sworn to before me this
_____ day of _____, 20 ____

NOTARY PUBLIC

Village of Nissequogue

Note: If the land is vacant, still indicate ownership. If the direction is a street, give neighbor across the street.

DESIGNATION OF REPRESENTATIVE

STATE OF NEW YORK }
 : SS.:
COUNTY OF SUFFOLK }

I, _____, being duly sworn, deposes and says that he/she/they/it is the Owner of _____ (“the Property”) and hereby authorizes _____ to take all actions on the Owners behalf that are necessary to make the attached application dated _____ to the Village of Nissequogue Zoning Board of Appeals and to represent the Owner at the Board of Appeals hearing.

X _____
Signature of Property Owner

X _____
Signature of Property Owner

X _____
Title of Signatory if Owner is an Entity or Organization

Sworn to before me this

_____ day of _____, 20 ____

NOTARY PUBLIC

Village of Nissequoque

STATEMENT OF DISCLOSURE OF INTEREST

_____ states as follow:

- 1. I (we) reside at _____
- 2. Do any of the following individuals have an interest as defined below, in the Owner or Applicant:
 - A. Any New York officer; or
 - B. Any officer or employee of the Village; or
 - C. Any officer or employee of the Town of Smithtown; or
 - D. Any officer or employee of Suffolk County.

*For the purpose of this disclosure, an officer or employee is deemed to have an interest in the Owner or Applicant when the officer or employee, his/her spouse, or their brothers, sisters, parents, children, grandchildren, or the spouse of any of them: (a) is the applicant or owner; or (b) is an officer, director, partner, or employee of the applicant or owner; or (c) legally or beneficially owns or controls stock of a corporate applicant or owner; or (d) is a party to an agreement with such an applicant or owner, expressed or implied, whereby he may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application.

A person who knowingly and intentionally fails to make such disclosure shall be guilty of misdemeanor as provided in General Municipal Law § 809.

Yes No

If "YES" state the name and nature and extent of the interest of such individual.

_____ (name) _____ (residence)

_____ (extent of interest)

X _____
Signature of Property Owner

X _____
Signature of Property Owner

Title of signatory if Owner is an Entity or Organization

Sworn to before me this
_____ day of _____, 20 ____

NOTARY PUBLIC

Village of Nissequogue
RE M I N D E R

NOTICE TO ALL BOARD OF APPEALS APPLICANTS

AS EXPLAINED TO YOU WHEN YOU FILED YOUR APPLICATION AT THE OFFICE OF THE ZONING BOARD OF APPEALS, YOU MUST BE PREPARED TO PROVE YOUR APPLICATION AT THE PUBLIC HEARING USING APPLICABLE CRITERIA SET FORTH IN VILLAGE CODE § 128-58.

ANY EXHIBITS PRESENTED TO THE BOARD (PICTURES, LETTERS AND / OR PETITIONS) MUST BE IDENTIFIED WITH NAME OF THE APPLICATION AND DATE OF HEARING.

DECISIONS PERTAINING TO YOUR APPLICATION WILL NOT BE RENDERED AT THE PUBLIC HEARING. YOU WILL BE NOTIFIED BY MAIL OF THE DECISION AFTER THE ZBA BOARD IS IN RECEIPT OF THE TRANSCRIPT PAYMENT IN FULL FROM THE APPLICANT.

**Susan Cimino McGarrigal
ZBA Secretary
Village of Nissequogue**

NISSEQUOGUE



FIRE DEPARTMENT

**643 MORICHES ROAD
NISSEQUOGUE, NY 11780**

**Nissequogue Fire Department Election Results
April 4, 2024**

4-5-30 William Howard
4-5-31 Ken Spielman
4-5-32 Greg Tellone

Company 2:

Captain Paul Vigliante
Lieutenant Diamond Armello
Warden(new) George Gavaris
Warden: Greg Lehenbauer

Company 3:

Captain Dennis Ferreri
Lieutenant Al Raschdorf
Warden(new) Tommy Glenn
Warden: Andy Trivigno

Ambulance Company:

Captain Cindy Marsh
Lieutenant Buket Celikoyar
Warden(new) Laura Winkeler
Warden: Jodi Christophides

Secretary Linda Howard
Treasurer Gordon Siess
Audit Laura Winkeler
Tom Winkeler
Chris Knott