

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

August 20, 2024

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**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 AUGUST, 2024.**

BOARD MEMBERS PRESENT AT BOARD OF TRUSTEE MEETING:

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

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
Building Inspector	Joseph Arico
Highway Superintendent	Dominick Alois
Deputy Police Commissioner	John Valentine

OTHERS PRESENT: Kathy Vigiano, Joseph Pinola, Dina Vivian, Brad Spangher, Steve Louro, Nicholas Thatos, Richard Kurlmel, Lorenzo Ardito, Carmelo Ardito

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

**Public Hearing – Stephen & Carolyn Louro – Planting Modification Request – 2 Hunters Way
RESOLUTION # 189-24:**

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to open the Public Hearing at 7:02 p.m. to consider, pursuant to §53 of the
Code of the Village of Nissequogue, the application of Stephen and Carolyn Louro relating
to the installation of erosion control / stabilization measures at 2 Hunters Way (802-4-2-1.5) in
Nissequogue.”

Information was distributed for the applicant by Nicholas Thatos of Coastal Technologies Corp. showing a modified planting plan including use of cutting edge, patented, octagonal marine grade HDPE cliff stabilizers seeded with native flora to extend roots to stabilize the bluff. Mr. Thatos presented a detailed oral report explaining the process. He responded to questions and comments by the Board of Trustees.

Mayor Smith then asked if any members of the Board or public in attendance had any questions, and if Building Inspector Joseph Arico had reviewed and approved of the modification. Mr. Arico said that he had reviewed the plans and stated that the modification had his support.

RESOLUTION # 190-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to close the Public Hearing at 7:21 p.m.”

RESOLUTION # 191-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to re-enter the regular meeting at 7:21 p.m.”

RESOLUTION # 192-24:

**RESOLUTION OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NISSEQUOGUE
REGARDING THE APPLICATION OF
STEPHEN & CAROLYN LOURO**

WHEREAS, STEPHEN & CAROLYN LOURO (“Applicants”) own a residence located at 2 Hunters Way, St. James, New York (“the Property”); and

WHEREAS, Applicants made application to the Planning Board of the Village of Nissequogue (“the Planning Board”) for the installation of a stone revetment and other erosion control/stabilization measures (“the Action”); and

WHEREAS, the Action was found inconsistent with the Village Local Waterfront Revitalization Program (“LWRP”) by the Joint Coastal Management Commission of the Villages of Head-Of-The-Harbor and Nissequogue (“JCMC”) pursuant to a letter from JCMC Chairperson Michael Braaten dated August 4, 2023; and

WHEREAS, pursuant to Section 53-7 of the Code of the Village of Nissequogue (“Village Code”), the recommendation of inconsistency issued by the JCMC was referred to the Board of Trustees of the Village of Nissequogue (“the Board”); and

WHEREAS, a public hearing commenced on October 17, 2023 and was closed on November 21, 2023; and

WHEREAS, Yuliya Viola, Esq., on behalf of the Applicant, presented evidence in support of the position that the Action is consistent with the LWRP and offered proof that the criteria set forth in Section 53-7(J)(1) of the Village Code has been satisfied; and

WHEREAS, at the conclusion of the public hearing on November 21, 2023, the Board overruled the JCMC’s consistency recommendation subject to the following: (i) the Planning Board’s approval of a site plan (based upon the revised drawings dated September 22, 2023 which include the use of coir logs) which approval may be subject to practical and reasonable conditions imposed by the Planning Board pursuant to Section 53-7K of the Village Code; (ii) the Applicant’s compliance with Chapter 64 of the Village Code, including, but not limited to the Village Building Inspector’s receipt of a **written, long-term maintenance plan** (to be referenced in the Certificate of Compliance) which includes specifications for normal maintenance of degradable materials and periodic replacement of removable materials for the life of the structure, which plan must be acceptable to the Village Engineer and Village Building Inspector; (iii) the Village Building Inspector’s receipt of all applicable permits and approvals from other governmental entities; and (iv) Applicant’s reimbursement of the Village of Nissequogue for the cost of professional consultant review services pursuant to Chapter 91 of the Village Code; and

WHEREAS, at the July 16, 2024 meeting, the Applicant made a request to the Board of Trustees to amend the conditions set forth in the Board of Trustees November 21, 2023 resolution to allow the Applicant to amend its planting plan to be able to use octagonal frames (22” x 22”) rather than coir logs to protect the native species for 18 to 24 months; and

WHEREAS, Nicholas Thatos, of Coastal Technologies Corp., presented an alternative Slope Stabilization System Plan; and

WHEREAS, a public hearing regarding this amendment commenced on and was closed on August 20, 2024;

NOW, THEREFORE, be it

RESOLVED that the resolution passed by the Board on November 21, 2023 is amended to allow the use of the system of Costal Technologies Corp., as presented to the Board of Trustees; and

BE IT FURTHER RESOLVED that the implementation of this resolution will be subject to the oversight of the Village Building Inspector and/or Village Engineer and their approval of a modification plan and list of plant species.

Upon motion made by Trustee Meyer and seconded by Trustee Potter, the within Resolution was duly adopted by the Board of Trustees on August 20, 2024.

AYES

Mayor Richard B. Smith
Deputy Mayor Kurt J. Meyer
Trustee Michael T. Grosskopf
Trustee Maureen C. Potter

NAYS

None

Absent: Trustee Russell J. von Frank II

Joseph Pinola – JCMC Decision – Laurel Hill Path Property (802-11-3-34):

Joseph Pinola appeared before the Board to request that they review and advise him as to the best way to move forward with the Sakitt’s application to build on a vacant steep slope property as the JCMC had denied the application. The Board reviewed the plan and made suggestions for significant changes. The Mayor said that the applicant would have to present those changes to the Planning Board. Mr. Pinola thanked the Board for their time and suggestions and said that he would re-site the plans and submit them to the Planning Board as required.

Dina Vivian & Brad Spangher – East Long Beach Unbuildable Parcel:

Dina Vivian and Brad Spangher came before the Board to ask for advice from the Board regarding the possibility of purchasing the strip of land from the owner and the disposition thereafter, if a sale occurs.

Lorenzo Ardito and Carmelo Ardito – Flooding on Long Beach Road @ 538:

Lorenzo Ardito addressed the flooding of Long Beach Road in front of his home and the Knox School. The Mayor said that the Village had a plan to mitigate the flooding with a berm. Mr. Ardito suggested additional storm drains. The Mayor said that the plans for mitigating the flooding would proceed in stages, with the berm being the subsequent step, and thanked Mr. Ardito and his son for coming in to offer advice and assistance.

Richard Kurlmel – Flooding / Drainage on Smith Lane:

Richard Kurlmel addressed the drainage on Smith Lane during the recent storm. The Mayor stated that plans to use rip rap to alleviate the cascade of water and redirect the water were already underway. Mr. Kurlmel thanked the Board for their time and attention.

Department and Committee Reports:

Highway Department – Superintendent Dominick Alois presented both written and extensive oral reports, in the aftermath of the catastrophic storm on August 18th and 19th.

NQFD – Chief Howard presented oral and written reports.

RESOLUTION # 193-24:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was

“**RESOLVED** to appoint for membership Kathleen V. Pfitzer as a probationary member of the Nissequogue Fire Department, having been previously approved by the Fire Department general membership and Fire Department Council, as required.”

RESOLUTION # 194-24:

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

Department and Committee Reports (continued):

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

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

Review & Approval of Minutes:

RESOLUTION # 195-24:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to accept the Minutes of the Regular Monthly Board of Trustees Meeting of July 16, 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 August 20, 2024.

RESOLUTION # 196-24:

Upon a motion by Trustee Potter, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to transfer \$450.00 from the Louro T&A Account and \$100.00 from the Pincus T&A Account, for a total of \$550.00 to the General Fund.”

RESOLUTION # 197-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to accept the underpayment of taxes for Property ID 33200 in the amount of \$129.15.”

RESOLUTION # 198-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to adopt the 2024/2025 Budget Reclassifications as presented.”

ATTACHED HERETO

RESOLUTION # 199-24:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to refund the Greco Trust and Agency Account in the amount of \$3,838.40, based upon the memorandum from Joseph Arico, Building Inspector of the Village of Nissequogue, dated August 08, 2024, requesting the release of funds.”

RESOLUTION # 200-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to accept the 2024/2025 Assessment Adjustment Refunds in the amount of \$196.82 concomitant with the successful tax grievances of two (2) property owners.”

ATTACHED HERETO

ABSTRACTS & INVOICE PAYMENT AUTHORIZATIONS:

RESOLUTION # 201-24:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve Batches # 149, 150, 151, 152, 153, 156, 160, 167, 167, and 171 for payment in the amount of \$111,210.49.”

RESOLUTION # 202-24:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve Batches # 154 and 172 totaling \$18,897.85 to pay invoices that require payment prior to the September 17, 2024 Board of Trustees Meeting.”

RESOLUTION # 203-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize payment of up to \$1,400.00 for the Guardian Disability Insurance, which requires payment prior to the September 17, 2024 Board of Trustees meeting.”

RESOLUTION # 204-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize payment of up to \$4,000.00 to Assured Partners Northeast, LLC for the Cyber Liability Insurance, which requires payment prior to the September 17, 2024 Board of Trustees meeting.”

RESOLUTION # 205-24:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to approve payment of \$128.00 to pay ProClaim Inc. for an invoice received August 20, 2024 which requires payment prior to the September 17, 2024 Board of Trustees meeting.”

Attorney Report:

Eugene Barnosky delivered an oral report in addition to his written July litigation report, as status is unchanged.

Village Clerk:

Village Clerk-Treasurer Patricia Mulderig presented oral and written reports

RESOLUTION # 206-24:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to declare as surplus the 2017 Ford Explorer, formerly known as Police Vehicle N-1, VIN# 1FM5K8AR7HGB16743.”

RESOLUTION # 207-24:

Upon a motion by Trustee Meyer, seconded by Trustee Potter, and passed 4-0, it was
“**RESOLVED** to authorize the Village Clerk-Treasurer / Administrator to list the surplus vehicle referenced in Resolution #206-24 with Auctions International.”

RESOLUTION # 208-24:

Upon a motion by Trustee Meyer, seconded by Trustee Grosskopf, and passed 4-0, it was
“**RESOLVED** to authorize Mayor Richard B. Smith to sign the Cyber Liability Response Questionnaire on behalf of the Village of Nissequogue.”

Department and Committee Reports (continued):

Community Beautification – Significant progress regarding Willow Pond was discussed.

ARB – The Board reviewed the minutes of the July 29, 2024 ARB meeting.

JCMC – The Board reviewed the JCMC written report of August 01, 2024.

JCMC Co-Chairperson Appointment:

RESOLUTION # 209-24:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to appoint Louise Grober as Co-Chairperson of the Joint Coastal Commission of the Village of Nissequogue, for a one-year term, effective immediately, with a term expiring on July 01, 2025.”

Department and Committee Reports (continued):

Planning Board – The Board reviewed the minutes of the August 05, 2024 Planning Board meeting.

Safety Committee – The Board reviewed the minutes of the July 30, 2024 Safety Committee meeting.

ZBA – The Board reviewed Chairman Michael Fazio’s written report dated August 20, 2024.

Suffolk County Stewardship Agreement:

The Board discussed a Stewardship Agreement with Suffolk County for properties acquired by Suffolk County. The Board of Trustees was not interested in entering into this agreement at this time.

Executive Session:

RESOLUTION # 210-24:

Upon a motion by Trustee Potter, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to leave the Regular Meeting and enter into Executive Session at 9:44 p.m. for the purpose of discussing the employment history of a particular person and to seek legal advice from the Village Attorney.”

RESOLUTION # 211-24:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to exit Executive Session at 9:50 p.m. and re-enter the regular meeting.”

Nissequogue Police Department:

RESOLUTION # 212-24:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to accept with thanks for his years of service, the resignation of part-time police officer Jonathan Senese effective September 01, 2024.”

RESOLUTION # 213-24:

Upon a motion by Trustee Grosskopf, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to authorize Mayor Smith to sign memos regarding employee proposed rate changes.”

Adjournment:

Upon a motion by Mayor Smith, seconded by Trustee Meyer, and passed 4-0, it was
“**RESOLVED** to adjourn at 9:56 p.m.”

Respectfully submitted,

Laura K. Winkeler
Deputy Village Clerk

VILLAGE OF NISSEQUOGUE
2024-2025

20-Aug-24

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT TITLE</u>	<u>BUDGET</u>	<u>BUDGET ADJUSTMENT</u>	<u>MODIFIED BUDGET</u>
AA0899.000	RESERVE- NQFD RENOVATION	(\$80,921.95)	(\$16,434.29)	(\$97,356.24)
AA1620.450	BUILDING RENOVATIONS - NQFD	\$80,921.95	\$16,434.29	\$97,356.24
AA1620.443	BUILDINGS ONT SVCS - SECURITY	\$400.00	\$2,200.00	\$2,600.00
AA3410.530	FIRE DEPT - AMBULANCE BILLING	\$0.00	\$4,000.00	\$4,000.00
AA8040.460	LWRP - MISCELLANEOUS	\$500.00	\$10,000.00	\$10,500.00
AA8540.000	DRAINAGE	\$10,000.00	\$6,360.00	\$16,360.00
A1990.000	CONTINGENT ACCOUNT	84,418.00	(22,560.00)	61,858.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$95,318.00</u>	<u>\$0.00</u>	<u>\$95,318.00</u>

VILLAGE OF NISSEQUOQUE
2024/2025 ASSESSMENT ADJUSTMENTS

SECTION BLOCK/LOT	HOMEOWNER	Address	PROPERTY ID	ASSESSOR LETTER	DATE CHANGED	ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	TAXABLE DIFFERENCE
1-2-5.18	Joseph & Danielle Descovich	15 Pheasant Run	2100	19-Jun-24	14-Jun-24	11,350	10,875	475	112.10
3-3-19	Philip & Alicia DeBlasio	24 Stillwater Road	16100	19-Jun-24	14-Jun-24	19,695	17,400	2,295	541.62
4-2-1.4	Stephen & Robin Hagendorf	1 Hunter's Way	21203	19-Jun-24	14-Jun-24	39,530	29,648	9,882	2,332.15

ASSESSMENT ADJUSTMENTS APPROVED 6/25/2024

2-1-5.4	Ryan & Jiana Lombardo	693 Short Beach Rd	3200	9-Aug-24	9-Aug-24	11,950	11,528	422	99.59
12-1-1.2	John & Olga Prufeta	335 Old Mill Road	63400	9-Aug-24	9-Aug-24	11,200	10,788	412	97.23

ASSESSMENT ADJUSTMENTS APPROVED 8/20/2024

								834	\$196.82
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TOTAL 2024/2025 ASSESSMENT ADJUSTMENTS
ASSESSMENT ADJUSTMENTS APPROVED 6/25/2024
ASSESSMENT ADJUSTMENTS APPROVED 8/20/2024

\$3,182.70
(\$2,985.87)
(\$196.82)

BALANCE DUE

0

0

\$0.00