

MINUTES FOR THE REGULAR MEETING HELD BY THE BOARD OF TRUSTEES ON
FRIDAY, NOVEMBER 18, 2022 AT 4:00 P.M.

PRESENT: Mayor Robert Treuhold, Trustees Kimberley Payne, Ted Necarsulmer and Sally Beatty, Attorney Wayne Bruyn, and Village Clerk Aimee Buhl

ABSENT: Trustee Randy Cardo

OTHERS PRESENT: Police Chief Chris Isola, Fire Chief Mike Nelson, Assistant Fire Chief Dave Schaffauer, Building Inspector Bill Nowak, Karen and Andrew Cirincione, and Irwin Messer

The Mayor invited everyone to join him in the Pledge of Allegiance.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the minutes of the Regular Meeting held on October 21, 2022 are approved.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the Abstract of Audited Vouchers Schedule 11-22, \$1,109,658.72 and Treasurer's Report for the month ended October 31, 2022 are approved as follows:

\$ 94,646.78	Checking Account
\$ 11,704,903.40	Investments
<u>\$ 1,111,215.61</u>	Capital Reserve
\$ 12,910,765.79	Total General Fund 10/31/22

The Clerk gave the report for October 2022 False Burglar and Burglar Alarms.

Fire Billed: \$600 Collected: \$800
Burglar Billed: \$500 Collected: \$225

Fire Chief Mike Nelson gave the October 2022 report for the Fire Department. Building Inspector Bill Nowak gave the October 2022 report for the Building Department. Police Chief Chris Isola gave the October 2022 report for the Police Department.

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried (Ted Necarsulmer abstained), it was RESOLVED, that the Quogue Wildlife Refuge is granted approval to construct a new storage barn on Village property that has been licensed to the Refuge pursuant to a license agreement dated April 15, 2015 and the building permit fees for the storage barn will be waived.

Upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the Village of Quogue Driveway Apron Standards in regard to new and replaced driveway aprons in a public or private right-of-way are approved (see attached).

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the minutes of the Fire Rescue Products bid opening held on November 10, 2022 at 3 P.M. are approved and the bid is awarded to Firematic Supply Co., Inc. in the amount of \$29,864.90 (see attached).

Upon motion made by Sally Beatty, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following transfers are approved:

From A8020445 Planning/Printing Notices to A8010445 Zoning Print Notices \$70
From A3410460 Fire Dept Misc/Equip Testing to A341023 Fire Dept \$5,500
From A3410443 Fire Dept/Bldg-Improvements & Maint to A341023 Fire Dept Equip \$11,400
From A9015800 State Retirement PFRS to A9010800 Employee Benefits/State Retirement ERS \$580
From Unassigned Fund Balance to A5110448 Scrub Oak Road Reno \$20,000

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the following purchase order increases are approved:

16954 Barnwell House of Tires, Inc.	\$10
16955 Barnwell House of Tires, Inc.	\$25

Upon motion made by Sally Beatty, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that a purchase of a 2023 Ford F150 XL from Otis Ford in the amount of \$59,485.69 utilizing the Police Department Capital Reserve Fund is approved, subject to a permissive referendum.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was RESOLVED, that the amended Village of Quogue Investment Policy is approved (see attached).

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was RESOLVED, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on Friday, **December 16, 2022 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A Local Law amending Chapter 168 (Taxation) of the Village Code is amended to add a new Article VII establishing a tax exemption for members of volunteer ambulance services."

LOCAL LAW NO. ____ OF 2022

A LOCAL LAW amending Chapter 168 (Taxation) of the Village Code is amended to add a new Article VII establishing a tax exemption for members of volunteer ambulance services.

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

SECTION 1. Amendment. Chapter 168 (Taxation) of the Village Code is amended to add a new Article VII, Sections 168-32 through 168-37 as follows:

**ARTICLE VII
EXEMPTION FOR MEMBERS OF VOLUNTEER AMBULANCE SERVICES**

§168-32. Exemption established.

Pursuant to the authorization set forth in §466-c of the Real Property Tax Law:

A. Real property owned by an enrolled member of an incorporated volunteer ambulance service that serves the Village of Quogue or such enrolled member and spouse shall be exempt from taxation to the extent of 10% of the assessed value of such property for Village purposes, exclusive of special assessments. Such exemption shall not be granted to an enrolled member unless:

- (1) The applicant resides in the Village;
- (2) The property is the primary residence of the applicant;
- (3) The property is used exclusively for residential purposes; provided, however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to such exemption; and
- (4) The applicant has been certified by the authority having jurisdiction for the incorporated volunteer ambulance service that serves the Village of Quogue as an enrolled member for at least five years.

B. Any enrolled volunteer member of an incorporated volunteer ambulance service that serves the Village of Quogue who accrues more than 20 years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer ambulance service that serves the Village of Quogue shall be granted the 10% exemption as authorized above for the remainder of his or her life as long as his or her primary residence is located within the Village.

C. If the owner receives an exemption provided under Article IV (Exemption for Members of the Fire Department) of this Chapter, the owner shall not be eligible to receive the exemption under this section.

§168-33. Exemption continued.

Pursuant to the authorization set forth in §466-f and §466-h of the Real Property Tax Law:

A. Where an enrolled member of an incorporated volunteer ambulance service that serves the Village of Quogue is killed in the line of duty, such deceased enrolled member's unremarried spouse may continue to claim an exemption obtained under §168-32; provided, however, that:

- (1) Such unremarried spouse is certified by the authority having jurisdiction for the incorporated volunteer ambulance service that serves the Village of Quogue as an unremarried spouse of an enrolled member who was killed in the line of duty; and
- (2) Such deceased volunteer had been an enrolled member for at least five years; and
- (3) Such deceased volunteer had been receiving the exemption prior to his or her death.

B. Where an enrolled member of an incorporated volunteer ambulance service that serves the Village of Quogue dies for any reason, such deceased enrolled member's unremarried spouse may continue to claim an exemption or reinstate an exemption obtained under §168-32; provided, however, that:

- (1) Such unremarried spouse is certified by the authority having jurisdiction for the incorporated volunteer ambulance service that serves the Village of Quogue Village as an unremarried spouse of a deceased enrolled member; and
- (2) Such deceased volunteer had been an enrolled member for at least twenty years; and
- (3) Such deceased volunteer and unremarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

§168-34. Application for exemption.

Application for such exemption must be made annually by the owner, or all of the owners, of the property on a form prescribed by the State Board. The owner or owners shall file the completed form in the Village Clerk's office on or before the appropriate taxable status date.

§168-35. Property held in trust.

Notwithstanding any other provision of law to the contrary, the provisions of this article shall apply to any real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption, pursuant to this article, were such person or persons the owner or owners of such real property.

§168-36 Penalties for offenses.

Any conviction of having made any willful false statement in the application for such exemption shall be subject to the penalties prescribed in the Penal Law.

§168-37. When effective.

With respect to the Village assessment roll based on the taxable status date of January 1, 2023, and notwithstanding Subsection C of §168-32, application for the exemption provided for in §168-32 may be filed after the taxable status date of January 1, 2023, provided that such application is filed on or before January 31, 2023.

SECTION 2. Authority. The proposed local law is enacted pursuant to §466-C of the NYS Real Property Tax Law and the Municipal Home Rule Law §10(1)(ii)(a)(8), §10(1)(ii)(e)(1) and §10(2).

SECTION 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED, that the Village Clerk is hereby authorized and directed to publish the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Board of Trustees of the Village of Quogue hereby directs that a public hearing shall be held on Friday, **December 16, 2022 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A Local Law amending Chapter 168 (Taxation) of the Village Code is amended to add a new Article VII establishing a tax exemption for members of volunteer ambulance services."

Copies of the adopted law are on file in the Village Hall and may be reviewed during normal business hours.

**BY ORDER OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF QUOGUE
AIMEE BUHL, VILLAGE CLERK**

Upon motion made by Kimberley Payne, seconded by Sally Beatty and unanimously carried, it was RESOLVED, that the Board of Trustees of the Village of Village of Quogue hereby directs that a public hearing shall be held on **Friday, December 16, 2022 at 4:00 p.m.** prevailing time, at the Village Hall, Jessup Avenue, Quogue, New York, to hear any and all persons either for or against a local law entitled: "A Local Law amending §174-42 of the Village Vehicle and Traffic Law to add stop signs at the intersection of Lamb Avenue and Midland Street."

LOCAL LAW NO. ____ OF 2022

A LOCAL LAW amending §174-42 of the Village Vehicle and Traffic Law to add stop signs at the intersection of Lamb Avenue and Midland Street."

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

SECTION 1. Amendment. Section §174-42 (Schedule VIII: Stop Intersections) of the Village Vehicle and Traffic Law is amended by adding underlined words in alphabetical order in the schedule as follows:

§174-42. Schedule VIII: Stop Intersections.

In accordance with the provisions of §174-11, the following described intersections are hereby designated as stop intersections, and stop sign shall be installed as follows:

Stop Sign on	Direction of Travel	At Intersection of
<u>Lamb Avenue</u>	<u>North/South</u>	<u>Midland Street</u>

SECTION 2. Authority. The proposed local law is enacted pursuant to §1603 and §1682 of the NYS Vehicle and Traffic Law and the Municipal Home Rule Law §10(1)(ii)(a)(5) and §10(2).

SECTION 3. Severability. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. Effective Date. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.

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Copies of the adopted law are on file in the Village Hall and may be reviewed during normal business hours.

**BY ORDER OF THE BOARD OF TRUSTEES
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The Mayor stated that he didn't have any new information regarding FIMP and easements. He anticipates applicable property owners will be contacted in January regarding the easement process.

With now other business to discuss and upon motion made by Ted Necarsulmer, seconded by Sally Beatty and unanimously carried, the meeting was adjourned at 4:35 P.M.

Aimee Buhl, Village Clerk

INVESTMENT POLICY FOR THE INCORPORATED VILLAGE OF QUOGUE

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The objectives of the Village of Quogue's investment activities are, in priority order:

- To conform with all applicable federal, state and other legal requirements (legal);
- To adequately safeguard principal (safety);
- To provide sufficient liquidity to meet all operating requirements (liquidity); and
- To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Village Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and level of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Quogue to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Quogue to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Village of Quogue for all moneys collected by any officer or employee of the Village to transfer those funds to the Treasurer within two days of deposit, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies are:

Signature Bank

M & T Bank

New York Cooperative Liquid Assets Securities System (NYCLASS)

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Section 10, all deposits of the Village of Quogue, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML, Section 10, equal to the aggregate amount of the Village's deposits.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank (other than the bank with the deposits) in favor of the Village for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository bank and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure Village deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events of default which will enable the Village to exercise its rights against the pledged securities.

In the event that the securities are not registered or inscribed in the name of the Village, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Quogue or its custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the local government in the securities (or the pro rata portion of a pool of eligible securities) as set forth in the security agreement.

The custodial agreement shall provide that pledged securities held by the bank or trust company, or agent of and custodian for, the Village of Quogue, will be kept separate and apart from the general assets of the custodial or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the collateral. The agreement shall also provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Village of Quogue with a perfected security interest in the eligible securities and to otherwise secure the Village of Quogue's interest in the collateral.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Village of Quogue authorizes the Village Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- ❖ Special time deposit accounts;
- ❖ Certificates of deposit;
- ❖ Money market accounts;
- ❖ Obligations of the United States of America.

All investment obligations shall be payable or redeemable at the option of the Village of Quogue within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Quogue within two years of the date of purchase.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Village of Quogue authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the Village of Quogue within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Quogue shall maintain a list of financial institutions and dealers approved for investment purposes.

XII. PURCHASE OF INVESTMENTS

The Village Treasurer is authorized to contract for the purchase of investments:

1. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No.88-46, and the specific program has been authorized by the governing board.
2. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the Village, shall be purchased through, delivered to and held in the custodial bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Quogue by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Section 10(3)(a). The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the Village of Quogue, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Village of Quogue a perfected interest in the securities.

XIII. COURIER SERVICE

The Village Treasurer may use a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the Village of Quogue and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest rating category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service. The Village of Quogue may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the Village of Quogue in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may be subject to such terms, conditions and limitations as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the Department of Financial Services or other federal or State authority.

XIV. ANNUAL REVIEW AND AMENDMENTS

The Village of Quogue shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV. DEFINITIONS

The terms “public funds,” “public deposits,” “bank,” “trust company,” “eligible securities,” “eligible surety bond,” and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law, Section 10.