

**BOARD OF TRUSTEES MEETING  
INC. VILLAGE OF SANDS POINT  
TUESDAY, AUGUST 22, 2017**

Present:	Edward A.K. Adler	Mayor
	Katharine M. Ullman	Trustee
	Marc Silbert	Deputy Mayor
	Lynn R. Najman	Trustee
	Peter A. Forman	Trustee
	Liz Gaynor	Village Clerk
	Michael Sahn, Esq.	Village Attorney
	John Christopher, Esq.	Village Attorney

Mayor Adler opened the **first public hearing at 8:05 p.m. to consider a Cable Franchise Renewal Agreement by and between the Incorporated Village of Sands Point and Verizon New York Inc.**

Mayor Adler called for comments of the Public and discussion of the Board regarding the renewal franchise agreement, a transcript of hearing is appended hereto and made a part of the minutes.

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Trustee Forman and seconded by Trustee Ullman, and carried unanimously the Public Hearing on the proposed local law was closed.

Mayor Adler opened the **second public hearing to consider a proposed local law amending Chapter 168 entitled, "Water" as it relates to water rates.**

Mayor Adler announced that the Board will continue the hearing at its September 26, 2017 meeting. On motion of Trustee Ullman and seconded by Trustee Najman and carried unanimously the Board will continue the matter at its September 26, 2017 meeting.

Mayor Adler opened the **Regular Meeting** of the Board of Trustees at 8:15 p.m.

The **Minutes** of the meeting held on July 26, 2017 were reviewed. On motion by Deputy Mayor Silbert, seconded by Trustee Forman and carried unanimously, the minutes were approved.

The Board received the **Water Commissioner's Report, which** is appended hereto and made a part of the minutes.

Trustee Scheyer announced that water pumpage during July of 2017 was 63,439,500 gallons pumped versus 69,516,800 gallons during July 2016.

The **Treasurer's Report** showing cash balances as of July 31, 2017, was reviewed (copy attached). On motion by Trustee Forman, seconded by Trustee Najman and carried unanimously, the Treasurer's Report was accepted and filed.

Claims as presented on **Abstracts 3A & 3B** for payment in August were reviewed. On motion of Trustee Forman, seconded by Trustee Najman and carried unanimously, the claims as contained on **Abstracts 3A & 3B** were approved for payment. Abstract of Claims is appended hereto and made a part of the minutes.

The Board received **Recommendations of the Building Commissioner** as to Granting of Building Permit Extensions that are appended hereto and made a part of the minutes. On motion of Trustee Najman, seconded by Deputy Mayor Silbert and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of July 2017, which showed:

Building Permits issued -11  
Building Permit Applications filed - 1  
Extensions of Building Permits Granted - 16  
Tree Removal of Applications Received - 17  
Certificates of Occupancy Issued - 7

The Board received the **Justice Court Report** - No Court was held in July

Arraignments (cases considered in person or by mail) - 50  
Trials - 0  
Total Amount Collected - \$1,989.00

Mayor Adler placed on the table for consideration of **Resolution Authorizing Mayor to Execute a Cable Franchise Renewal Agreement by and between The Incorporated Village of Sands Point and Verizon New York Inc.**

Whereupon, Deputy Mayor Silbert proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-01**  
**RESOLUTION AUTHORIZING MAYOR TO EXECUTE A CABLE FRANCHISE**  
**RENEWAL AGREEMENT BY AND BETWEEN THE INCORPORATED VILLAGE**  
**OF SANDS POINT AND VERIZON NEW YORK INC.**

WHEREAS, the Village of Sands Point (hereinafter the "Village") has requisite authority to grant franchises permitting and regulating the use of its streets, rights of way, and public grounds; and

WHEREAS, Verizon New York Inc. (hereinafter the "Franchisee"), having previously secured permission of the Village to use such streets, rights of way, and public grounds under a franchise agreement has petitioned the Village for a renewal of such franchise; and

WHEREAS, the Village has approved, after consideration in a full public proceeding affording due process, the character, financial condition, and technical ability of Franchisee; and

WHEREAS, during said public hearing and proceeding, various proposals of the parties for constructing, maintaining, improving and operating the Communications System described in a previously submitted proposed franchise renewal agreement were considered and found adequate and feasible; and

WHEREAS, a Cable Franchise Agreement in substantially the form annexed hereto as Exhibit A, renewing the cable franchise for a period of five (5) years has been negotiated and found to be acceptable and in the public interest.

NOW, THEREFORE, BE IT RESOLVED, That the Mayor of The Village of Sands Point be and hereby is authorized to grant and execute a franchise renewal agreement with Verizon New York Inc. on behalf of said Village in form substantially consistent with the Cable Franchise Renewal Agreement annexed hereto as Exhibit "A", subject to final revisions by the Village Attorney.

The motion was seconded by Trustee Najman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 08222017-01 was duly adopted.

On motion of Trustee Ullman and seconded by Trustee Forman and carried unanimously the Board resolved to **continue the Public Hearing at their Tuesday, September 26, 2017 meeting to consider for adoption a proposed local law amending Chapter 168, entitled "Water" as it relates to water rates.**

On vote as follows:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye

Trustee Peter A. Forman voting - aye

Mayor Adler placed on the table a request to approve **attendance at the International Association of Chiefs of Police Annual Conference for Police Chief Richard Lertora**, a copy of which is appended hereto and made part of the minutes.

Whereupon, Trustee Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-02**  
**APPROVAL OF ATTENDANCE AT INTERNATIONAL ASSOCIATION OF**  
**CHIEFS OF POLICE ANNUAL CONFERENCE FOR**  
**POLICE CHIEF RICHARD LERTORA**

WHEREAS, it is necessary for the Police Chief to acquire up to date information; and

WHEREAS, the International Association of Chiefs of Police Annual Conference provides a comprehensive program of police matters in the United States and supplies attendees with critical information; and

WHEREAS, the Board has reviewed the request and finds that the conference is essential.

NOW, THEREFORE BE IT RESOLVED that the Clerk Chief Richard Lertora be allowed to attend the Annual International Association of Chiefs of Police Annual Conference in Philadelphia from October 21, 2017 to October 24, 2017 at a cost not to exceed \$2,500.00, as per the request from Police Chief Richard Lertora dated August 10, 2017, a copy of which is annexed and made part of the minutes.

The motion was seconded by Deputy Mayor Silbert. On roll call:

Mayor Edward A.K. Adler voting - aye

Trustee Katharine M. Ullman voting - aye

Deputy Mayor Marc Silbert voting - aye

Trustee Lynn R. Najman voting - aye

Trustee Peter A. Forman voting - aye

Resolution 08222017- 02 was duly adopted.

Mayor Adler placed on the table for consideration **a recommendation from Brian Gunderson, Water and Public Works Superintendent for the Conversion of the Village Hall heating system from Oil to Gas**, a copy of which is appended hereto and made a part of the minutes.

Whereupon, Deputy Mayor Silbert proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-03  
CONVERSION FROM OIL TO GAS  
PURCHASE AND INSTALLATION OF A NEW BOILER  
AND PROVISION OF GAS LINE TO EXISTING GENERATOR  
LOCATED AT VILLAGE HALL**

WHEREAS, Superintendent of Water and Public Works, Brian Gunderson has determined that the boiler at Village Hall is unsafe and not working properly and should be replaced; and

WHEREAS, Supt. Gunderson further recommends conversion from oil to gas which would also allow a new gas line to service the existing generator at Village Hall; and

WHEREAS, proposals were requested from three vendors and three written proposals were received, copies of which are attached and appended hereto; and

WHEREAS, Supt. Gunderson recommends that we engage Plumbing Pro who submitted the lowest proposal; and

WHEREAS, the Board has reviewed the proposal and finds it acceptable;

NOW, THEREFORE, BE IT RESOLVED that **Plumbing Pro, 38 Sintsink Drive East, Port Washington, NY 11050 be and hereby is engaged to convert existing heating system from oil to gas, remove existing oil tanks and provide natural gas service to the existing generator in accordance with their proposal in the amount of \$21,950.00.**

BE IT FURTHER RESOLVED that the Board authorizes the Mayor to execute the agreement between Plumbing Pro and the Village.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 08222017-03 was duly adopted.

Mayor Adler placed on the table for consideration a **resolution authorizing the Port Washington Water District to use the Village's South Road Water Tank during the demolition and reconstruction of Port Washington Water District's Beacon Hill Water Tank** located adjacent to the Village's tank.

Whereupon, Trustee Forman proposed the following resolution and moved its adoption:

**RESOLUTION 08222017-03**

**AUTHORIZING THE PORT WASHINGTON WATER DISTRICT TO USE THE VILLAGE'S SOUTH ROAD WATER TANK DURING THE DEMOLITION AND RECONSTRUCTION OF PORT WASHINGTON WATER DISTRICT'S BEACON HILL WATER TANK LOCATED ADJACENT TO THE VILLAGE'S TANK**

WHEREAS, the Port Washington Water District ("PWWD") is undertaking a project at its Beacon Hill Water Tank, whereby it will dismantle and remove the existing tank and construct a new water tank (the "Project"); and

WHEREAS, the estimated completion date of the Project is May 2018; and

WHEREAS, the Beacon Hill Water Tank is adjacent to the Village's South Road Water Tank; and

WHEREAS, the PWWD has requested permission to utilize the Village Water Department's South Road tank for the duration of the Project via an existing interconnection pipe; and

WHEREAS, in a similar previous circumstance, PWWD had permitted the Village to operate its wells using the Beacon Hill Water Tank and controls during a period when the Village was rehabilitating the South Road Water Tank in or around 1997-1998; and

WHEREAS, the Superintendent of the Village Water Department has recommended that the Village permit PWWD to utilize the South Road Tank as requested during the Project as set forth in the memorandum annexed hereto and made a part hereof; and

WHEREAS, the Board of Trustees has reviewed the recommendations of the Superintendent of the Water Department has found the same to be acceptable; and

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes the Port Washington Water District to utilize the South Road Water Tank during the

duration of this project, until in or around May 2018 as recommended by the Superintendent of the Water Department.

The motion was seconded by Trustee Najman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 08222017-04 was duly adopted.

Mayor Adler placed on the table for consideration a Resolution **to hold a Public Hearing to Consider Establishing Categories of Membership, Annual Membership Fees, Guest Privileges and Other Fees and Charges and the Club Budget Relative to the Use of the Recreational Facilities at the Village Club of Sands Point.**

Whereupon, Trustee Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-05  
SETTING DATE FOR A PUBLIC HEARING  
TO CONSIDER ESTABLISHING CATEGORIES OF MEMBERSHIP, ANNUAL  
MEMBERSHIP FEES, GUEST PRIVILEGES  
AND OTHER FEES AND CHARGES RELATIVE TO THE USE OF THE  
RECREATIONAL FACILITIES  
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, the Board of Trustees is authorized and empowered to establish categories of membership, annual membership fees, guest privileges and all other fees and charges relative to the use of the recreational facilities at The Village Club of Sands Point in accordance with Chapter 33, Section 33-6 of the Code of the Incorporated Village of Sands Point; and

WHEREAS, categories of membership, annual membership fees, guest privileges and all other fees and charges must be established for the **2018** season,

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held on Tuesday, September 26, 2017 at 8:00 p.m. to establish fees, rules and regulations relative to the use of the recreational facilities at The Village Club of Sands Point.

The motion was seconded by Trustee Forman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
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Trustee Katharine M. Ullman voting - aye  
Deputy Mayor Marc Silbert voting - aye  
Trustee Lynn R. Najman voting - aye  
Trustee Peter A. Forman voting - aye  
Resolution 08222017-05 was duly adopted.

Mayor Adler placed on the table for consideration a recommendation from the Operations Committee for the **purchase additional outdoor furniture for the new grille patio at The Village Club of Sands Point**, a copy of which is appended hereto and made a part of the minutes.

Whereupon, Deputy Mayor Silbert proposed the following Resolution and moved its adoption:

**RESOLUTION 008222017-06  
RATIFYING DECISION TO PURCHASE  
OUTDOOR FURNITURE AND BAR  
FOR THE GOLF LOUNGE AREA  
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, the Operations Committee of The Village Club of Sands Point made recommendation to purchase outdoor furniture and a bar for the golf lounge area at The Village Club of Sands Point, a copy of which is appended hereto and made a part of the minutes; and

WHEREAS, this purchase would create a social hub for the golfers without having to go to the Grille for a quick drink or to relax; and

WHEREAS, the Board at its June 20, 2017 approved the \$7,500.00 amount to be sent and agreed to ratify the purchases at a later meeting; and

WHEREAS, the Operations Committee's recommendation and breakdown of purchases are appended hereto and made a part of the minutes; and

NOW, THEREFORE, BE IT RESOLVED that the Board ratifies the purchases.

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting - aye  
Trustee Katharine M. Ullman voting - aye  
Deputy Mayor Marc Silbert voting - aye  
Trustee Lynn R. Najman voting - aye  
Trustee Peter A. Forman voting - aye  
Resolution 08222017-06 was duly adopted.



Mayor Adler placed on the table a Resolution to **Authorize an Expenditure to Hydro Seed various locations at The Village Club of Sands Point.**

Whereupon, Trustee Najman proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-07  
AUTHORIZATION OF AN EXENDITURE  
TO ENGAGE ALL PRO HORTICULTURE  
FOR HYDRO SEEDING OF VARIOUS LOCATIONS  
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, to maintain the golf course, recommendation was made to hydro seed various locations as a quicker and more efficient alternative; and

WHEREAS, the Club requested and received three (3) quotes for the hydro seed, copies of which are appended hereto and made a part of the minutes; and

WHEREAS, the Operations Committee has reviewed the proposals and recommends All Pro Horticulture, Inc. who submitted the lowest proposal; and

WHEREAS, this expense will be paid through the Club's Capital account; and

WHEREAS, the Board of Trustees has reviewed the recommendation and finds it acceptable; and

NOW, THEREFORE BE IT RESOLVED that All Pro Horticulture, Inc., 80 East Gates Avenue, Lindenhurst, New York 11757 be and hereby is engaged to hydro seed per their proposal in amount not to exceed \$15,280.00, a copy of which is appended hereto and made a part of the minutes,

The motion was seconded by Trustee Ullman. On roll call:

Mayor Edward A.K. Adler voting - aye

Trustee Katharine M. Ullman voting - aye

Deputy Mayor Marc Silbert voting - aye

Trustee Lynn R. Najman voting - aye

Trustee Peter A. Forman voting - aye

Resolution 08222017-07 was duly adopted.

Mayor Adler placed on the table for consideration the **authorization for funds from the Village Club Money Market Account to be transferred to the Village Club's Operating Account.**

Whereupon, Deputy Mayor Silbert proposed the following Resolution and moved its adoption:

**RESOLUTION 08222017-08  
AUTHORIZATION FOR FUNDS  
FROM THE VILLAGE CLUB MONEY MARKET ACCOUNT  
TO BE TRANSFERRED TO  
THE VILLAGE CLUB'S OPERATING ACCOUNT**

WHEREAS, by Resolution 05262015-03 the Board authorized the deposit of Cell Site License Fees for the Village Club into the Village Club Money Market Account; and

WHEREAS, it was further resolved that no funds may be withdrawn from the Village Club Money Market Account except by resolution of the Board of Trustees; and

WHEREAS, the Operations Committee has requested a transfer of \$53,000.00 from the Village Club Money Market Account to the Village Club's Operating Account; and

WHEREAS, the Board has reviewed the request and authorizes the transfer.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes Treasurer Kathleen Notaro to transfer \$53,000.00 from the Village Club Money Market Account to the Village Club's Operating Account.

The motion was seconded by Trustee Forman. On roll call:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Resolution 08222017-08 was duly adopted.

Mayor Adler placed on the table for consideration an **Amendment to the Professional Services Agreement dated as of January 29, 2014, by and between The Incorporated Village of Sands Point (the "Owner") and Kemper Sports Management, Inc. ("KSM") as to management of The Village Club of Sands Point**, a copy of which amended agreement is appended hereto and made a part of the minutes. On motion by Deputy Mayor Silbert and seconded by Trustee Ullman and carried unanimously the Board authorized the Mayor to execute the amended agreement. On roll call as follows:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye

Deputy Mayor Marc Silbert voting - aye  
 Trustee Lynn R. Najman voting - aye  
 Trustee Peter A. Forman voting - aye  
 Resolution 08222017-09 was duly adopted.

Mayor Adler placed on the table for consideration **2017 and 2018 event requests from the Sands Point Preserve Conservancy**; copies of the pending requests are appended hereto and made a part of the minutes. Upon motion by Trustee and seconded by Trustee and carried unanimously the Board approved the following event requests:

**2017 Requests**

Sunday, September 17<sup>th</sup> – Bar Mitzvah – Ostad  
 Sunday, October 15<sup>th</sup> – Baby Shower – Khurana

**2018 Events**

Sunday, June 3<sup>rd</sup> – Wedding – Mirek Zak  
 Sunday, June 24<sup>th</sup> – Wedding – Taylor Cusumano  
 Saturday, July 14<sup>th</sup> – Wedding – Judy Lin  
 Saturday, July 28<sup>th</sup> – Wedding – Suskind/Popper  
 Saturday, August 4<sup>th</sup> – Wedding – Michael Simione  
 Sunday, August 26<sup>th</sup> – Wedding – Nicole Sample  
 Monday, December 31<sup>st</sup> – Wedding – Marissa Bollet

On roll call:

Mayor Edward A.K. Adler voting - aye  
 Trustee Katharine M. Ullman voting - aye  
 Deputy Mayor Marc Silbert voting - aye  
 Trustee Lynn R. Najman voting - aye  
 Trustee Peter A. Forman voting - aye

Mayor Adler placed on the table for consideration **a recommendation from Trustee Forman to engage United Insurance Consultants, an insurance risk management firm to assist in review KemperSports Management’s insurance policies re the Village Club**. The Board agreed to ratify the resolution at its next Board meeting.

On roll call:

Mayor Edward A.K. Adler voting - aye  
 Trustee Katharine M. Ullman voting - aye  
 Deputy Mayor Marc Silbert voting - aye  
 Trustee Lynn R. Najman voting - aye  
 Trustee Peter A. Forman voting - aye

Mayor Adler announced a public hearing to consider the following proposed local laws:

**A Local Law Amending Chapter 137 of the Incorporated Village of Sands Point entitled, “Sprinkler Systems”**

&  
**A Local Law Amending Chapter 82 of the Incorporated Village of Sands  
Point, entitled, Fees & Deposits**

On motion of Deputy Mayor Silbert and seconded by Trustee Forman and carried unanimously the Board resolved to hold a Public Hearing at their Tuesday, September 26, 2017 meeting to consider adoption of the proposed local laws. On vote as follows:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Mayor Adler announced that the **next Board meeting will be held on Tuesday, August 26, 2017.**

There being no further business to come before the Board, on motion of Deputy Mayor Silbert, seconded by Trustee Ullman and carried unanimously, the meeting was adjourned at 8:45 p.m.



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Liz Gaynor, Village Clerk