

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, AUGUST 28, 2018**

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

Mayor Adler opened the **Regular Meeting** of the Board of Trustees at 8:05 p.m.

The **Minutes** of the meeting held on July 24, 2018 were reviewed. On motion by Trustee Forman, seconded by Trustee Silbert 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.

Water Commissioner Scheyer announced that water pumpage during July of 2018 was 65,971,500 gallons pumped versus 63,439,500 gallons during July 2017.

The **Treasurer's Report** showing cash balances as of July 31, 2018, was reviewed (copy attached). On motion by Trustee Forman, seconded by Trustee Silbert 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 Forman, seconded by Trustee 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 2018, which showed:

Building Permits issued -5

Building Permit Applications filed – 1
Extensions of Building Permits Granted – 15
Tree Removal of Applications Received – 16
Certificates of Occupancy Issued – 7

The Board received the **Justice Court Report for the month of July 2018**, which showed:

Arraignments – 56
Trials - 0
Total Amount Collected - \$5,665.00

Mayor Adler placed on the table for consideration the appointment of **Pace Analytical Laboratory Services for Water Quality Testing for the Water Department**, on motion of Trustee Forman and seconded by Trustee Silbert and carried unanimously, the appointment was approved.

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

Mayor Adler placed on the table for consideration a **recommendation from Water Superintendent Brian Gunderson to consider an amended proposal from Village Engineer D&B Engineers and Architects, P.C. for Engineering Services Associated with renovations to the Water Department building on Governors Lane**, a copy which is appended hereto and made a part of the minutes.

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

RESOLUTION 08282018-01
ADDITIONAL SCOPE AMENDMENT
WATER DEPARTMENT BUILDING RENOVATIONS
D&B ENGINEERS AND ARCHITECTS, P.C

WHEREAS, by Resolution 05222018-06 the Board engaged D&B Engineers and Architects, P.C. to prepare plans, specifications, prepare cost estimate and prepare contracts for bidding for renovations to the 1901 Guggenheim building which houses the Village's Water Department; and

WHEREAS, the additional elements to be included are: rebuilding of existing decorative chimneys, remove and replace existing ACT tile ceiling first floor, replace

existing light fixtures with new LED fixtures, new carpet tile and installation of a new central air system; and

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

NOW, THEREFORE, BE IT RESOLVED, that **D&B Engineers and Architects, P.C., 330 Crossways Park Drive, Woodbury, New York 11797-2015** be and hereby be engaged to prepare plans, specifications, prepare cost estimate and to prepare contracts for bidding in accordance with their proposal **D&B No. 5202 (Revision 01) dated August 28, 2018** in an amount not to exceed \$76,000.

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

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

Resolution 08282018-01 was duly adopted.

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

RESOLUTION 08282018-02
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 Orlando, Florida from October 6, 2018 to October 9, 2018 at a cost not to exceed \$2,500.00, as per the request from Police Chief Richard Lertora dated August 3, 2018, a copy of which is annexed and made part of the minutes.

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

Mayor Edward A.K. Adler voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye
Deputy Mayor Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 08282018-02 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 Ullman proposed the following Resolution and moved its adoption:

**RESOLUTION 08282018-03
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 **2019** season,

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held on Tuesday, September 25, 2018 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 Deputy Mayor Najman. On roll call:

Mayor Edward A.K. Adler voting - aye

Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye
Deputy Mayor Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 08282018-03 was duly adopted.

RESOLVED, that the Board of Trustees does hereby ratify and affirm a decision to **engage Sisto DeNardis Contracting Corp. to perform cart path repairs at the golf course at The Village Club of Sands Point.** The Board is devoted to maintaining the Village Club cart paths in a condition of safety for its members and guests. A copy of the proposal is appended hereto and made a part of the minutes. A motion was made by Trustee Silbert and seconded by Deputy Mayor Najman and then carried unanimously the decision was ratified to approve payment in the amount of \$14,200.00 to Sisto DeNardis Contracting Corp.

On roll call:

Mayor Edward A.K. Adler voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye
Deputy Mayor Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 082892018-04 was duly adopted.

Mayor Adler placed on the table for consideration a Resolution to **purchase a Turf brush for golf course maintenance at The Village Club of Sands Point.**

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

**RESOLUTION 08282018-05
AUTHORIZING THE PURCHASE OF A
2018 SGM INDUSTRIES TB 200 TURF BRUSH
FINCH SERVICES, INC.
FOR THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, General Manager Dana Cancellaro is recommending purchase of a turf brush for golf course maintenance - daily brushing has shown many benefits to the turfgrass playing surface in terms of better playing quality and improved agronomics; and

WHEREAS, the brush is being purchased through a sole source provider; and

WHEREAS, the Operations Committee has reviewed the proposal and recommends purchase of the turf brush, a copy of their recommendation is appended hereto and made a part of the minutes; and

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

NOW, THEREFORE, BE IT RESOLVED that Club Manager Cancellaro be and hereby is authorized to purchase one (1) SGM TB 200 Turf Brush (001757) through Finch Services, 1127 Littlestown Pike, Westminster, MD 21157, in an amount not to exceed \$6,250.00. per their Quote #17951850 dated August 7, 2018.

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

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

Resolution 08282018-05 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution Authorizing Engagement of Fields of Green, LLC to provide plantings for the upcoming fall/spring planting.**

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

**RESOLUTION 08282018-06
FALL/SPRING PLANTING SEASON
FIELDS OF GREEN, LLC.
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, per Resolution 05222018-15 the Board authorized the engagement of Fields of Green or non-golf course landscaping, planting and maintenance of gardens for various areas at The Village Club of Sands Point as they were the lowest most responsible bidder; and

WHEREAS, the Club in anticipation of upcoming fall/spring planting season would like to engage Fields of Green, LLC to perform the work; and

WHEREAS, the Operations Committee is recommending Fields of Green, LLC because their previous work produced excellent results and was well received by members of the Club; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the engagement of the Fields of Green, LLC., 20 Beltane Drive, Dix Hills, New York 11746 for supply, installation and maintenance planting material for the fall/spring planting season at The Village Club of Sands Point at the Village Club at a cost not to exceed \$18,800.00 as their quote dated August 9, 2018 and which is appended hereto and made a part of the minutes.

AND FUTHERMORE, that Field of Greens, LLC provide all necessary insurance requirements prior to beginning any work.

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

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

Resolution 08282018-06 was duly adopted.

Mayor Adler placed on the table for **consideration a recommendation from Superintendent Brian Gunderson to approve a change order to the approved 2016 Road Improvements Program**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 08282018-07
JOHN MCGOWAN & SONS
CHANGE ORDER
2016 ROAD IMPROVEMENTS PROGRAM**

WHEREAS, by Resolution 05242016-06 the Board awarded a contract to John McGowan & Sons, as the lowest responsible bidder for the 2016 Road Improvements Program; and

WHEREAS, Public Works Superintendent Gunderson is implementing a change order to include the following roads for milling and paving: Barkers Point Road (from Sands Point Road to Cedar Lane); Messenger Lane (from Barkers Point Road to

Soundview Lane); Arden Lane (from Sterling Lane to Tideway); and for drainage improvements only for Dogwood Lane and Middle Road; and

WHEREAS, John McGowan & Sons, Inc. has agreed to perform the additional work for the prices agreed to under the 2016 Road Improvements Program, a copy of their estimate is appended hereto; and

WHEREAS, the Board of Trustees has reviewed and recommends the change order,

NOW, THEREFORE, BE IT RESOLVED, that **John McGowan & Sons, 323 Glen Cove Avenue, Sea Cliff, NY 11579**, be and hereby is engaged to perform the additional road improvements for the aforementioned roads per the same prices agreed to under the approved 2016 Road Improvements Program contract in an amount not to exceed \$495,000.00

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

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

Resolution 08282018-07 was duly adopted.

Mayor Adler placed on the table for consideration towards adoption a proposed **Resolution for providing continued health insurance coverage for Village employee Bonnie A. Davison.**

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

**RESOLUTION 08282018-08
HEALTH INSURANCE COVERAGE
RETIREMENT OF BONNIE A. DAVISON
ACCOUNTS RECEIVABLE AND COURT CLERK
SANDS POINT VILLAGE OFFICE**

WHEREAS, Ms. Davison will retire from full-time employment in the first quarter of 2019 after 20.5 years of service; and

WHEREAS, the Board of Trustees by Resolution adopted December 2, 1982 contributes at least ninety percent to the cost of health insurance for retirees,

WHEREAS, a request was made by Ms. Davison to be considered for 100% medical coverage, a copy of her request is appended hereto and made a part of the minutes; and

NOW, THEREFORE, BE IT RESOLVED that the Village will contribute one hundred percent (100%) of the cost of premiums toward the health insurance coverage; and

BE IT FURTHER RESOLVED that contribution and coverage by the Village pursuant to this Resolution will continue to be provided as part of any health insurance benefit which may be provided by the Village to retirees, to be withdrawn upon either request of Ms. Davison or upon her demise.

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

Mayor Edward A.K. Adler voting - aye

Trustee Katharine M. Ullman voting - aye

Trustee Marc Silbert voting - aye

Deputy Mayor Lynn R. Najman voting - aye

Trustee Peter A. Forman voting - aye

Resolution 08282018-08 was duly adopted.

Mayor Adler placed on the table for **consideration a request for half refund of a Building Application Permit fee; return of remaining balance of a BZA deposit and return of Recreational Fee to resident Matthew Klein, 19 West Creek Farm Road, Sands Point, New York 11050 re BP#2017-00063.**

Whereupon, Deputy Mayor Najman proposed the following resolution and moved its adoption:

**RESOLUTION 08282018-09
HALF REFUND OF BUILDING PERMIT FEE#2017-00063
RETURN OF BALANCE OF BOARD OF ZONING APPEALS DEPOSIT
FULL REFUND OF RECREATIONAL FEE
MATTHEW KLEIN
19 WEST CREEK FARMS ROAD
SANDS POINT, NY**

WHEREAS, Matthew Klein, 19 West Creek Farms Road had submitted Building Permit Application #2017-00063 which required an application fee of \$6,635.00; and

WHEREAS, Mr. Klein has decided to withdraw the application; and

WHEREAS, Mr. Klein is requesting a refund of the original building permit fee in the amount of \$3,317.50 which represents one-half the original building permit fee and a full refund of the certificate of occupancy fee; and

WHEREAS, the §176-60 of the Code of the Village of Sands Point states:

“The applicant for a building permit may apply to the Board of Trustees for a withdrawal of the application for or cancellation of a building permit, as the case may be, and a refund of the building permit fee and certificate of occupancy or certificate of completion fee. The Board of Trustees, in its discretion, may grant said application for a withdrawal of the application for or the cancellation of the building permit, provided that said application is made within nine months of the date of the issuance of the permit or within nine months of the date of the application for said permit, as the case may be, and may order a refund of:

(1) Not more than 1/2 of the building permit fee paid, provided that the actual cost to the Village shall not exceed 1/2 of the fee paid, whereupon a refund may only be granted for the difference between the amount of fee paid and the actual cost to the Village.

(2) Any fee paid in connection with a certificate of occupancy or a certificate of completion.; and

WHEREAS, furthermore Mr. Klein is requesting the return of the balance remaining in his Board of Zoning Appeals deposit account and a refund of the \$25,000.00 Recreational Fee that was paid; and

WHEREAS, after review of the request for refund Building Commissioner Najman recommended that it be referred to the Board of Trustees; and

NOW, THEREFORE BE IT RESOLVED, that Matthew Klein, 19 West Creek Farms Road will be reimbursed for Building Permit #2017-00063 in the amount of \$3,317.50; the remaining balance in his BZA deposit and refund of the \$25,000.00 Recreational Fee.

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

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

Resolution 08282018-09 was duly adopted.

Mayor Adler announced the **next meeting of the Board of Trustees is scheduled for Tuesday, September 25, 2018.**

There being no further business to come before the Board, on motion of Deputy Mayor Najman, seconded by Trustee Silbert and carried unanimously, the meeting was adjourned at 8:40 p.m.



Liz Gaynor, Village Clerk