

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, OCTOBER 23, 2018**

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

Mayor Adler opened the Public Hearing at 8:10 p.m. to consider **Proposed Local Law 2 of 2018, "Extending the Moratorium on Applications, Approvals, and/or Construction or Installation of Docks, Floats, Piles and Boat Lifts in the Village."**

The Mayor announced receipt of the affidavit of publication indicating that the proposed law was published in the Port Washington News on October 10, 2018 and announced receipt of the affidavit of posting, stating that the proposed law was posted at the office of the Village Clerk.

Mayor Adler called for comments of the Public and discussion of the Board regarding the proposed local law for the Incorporated Village of Sands Point.

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Deputy Mayor Najman and seconded by Trustee Ullman, and carried unanimously the Public Hearing on the proposed local law was closed at 8:13 p.m.

Mayor Adler opened the **Regular Meeting of the Board of Trustees** at 8:14 p.m.

The **Minutes** of the meeting held on September 25, 2018 were reviewed. On motion by Deputy Mayor Najman, seconded by Trustee Ullman 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.

Commissioner Scheyer announced that water pumpage during September of 2018 was 47,119,200 gallons pumped vs. 55,381,900 gallons pumped during September of 2017.

October 23, 2018

Claims as presented on **Abstracts 5A & 5B** for payment in October were reviewed. On motion of Trustee Ullman, seconded by Deputy Mayor Najman and carried unanimously, the claims as contained on **Abstracts 5A & 5B** 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 Ullman, seconded by Deputy Mayor Najman and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of September 2018 which showed:

Building Permits issued – 8
Building Permit Applications filed – 3
Certificates of Occupancy Issued – 12
Extensions of Building Permits Granted – 13
Tree Removal of Applications Received – 8

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

Arraignments – 37
Trials - 0
Total Amount Collected - \$4,838.00

Mayor Adler placed on the table for consideration proposed **Local Law No. 2 of 2018**, 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 10232018-01
PROPOSED LOCAL LAW 2 OF 2018
EXTENDING THE MORATORIUM ON APPLICATIONS,
APPROVALS, AND/OR CONSTRUCTION OR INSTALLATION OF
DOCKS, FLOATS, PILES AND BOAT LIFTS IN THE VILLAGE
FOR SIX MONTHS TILL APRIL 2019

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Sands Point for a public hearing to be held by said Board at Village Hall, 26

October 23, 2018

Tibbits Lane, Sands Point, New York, at 8:00 p.m. on October 23, 2018 to hear all interested parties on a proposed Local Law entitled "Local Law 2 of 2018"; and

WHEREAS, notice of said public hearing was duly advertised in the *Port Washington News*, the official newspaper of the Village on October 10, 2018, and posted at Village Hall on October 10, 2018; and

WHEREAS, said public hearing was duly held at the Village Hall at 8:00 p.m. on October 23, 2018 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to the proposed Local Law, or any part thereof; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA"), it has been determined by the Board of Trustees that the adoption of the proposed Local Law does not constitute an action as defined and could be considered without any further regard to SEQRA; and

WHEREAS, the Board of Trustees of the Village of Sands Point, after due deliberation, finds it in the best interest of the Village to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Sands Point hereby adopts said Local Law as "Local Law 2 of 2018, A Local Law Extending the Moratorium on Applications, Approvals, and/or Construction or Installation of Docks, Floats, Piles and Boat Lifts in the Village for six months till April 2019.", a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she is hereby directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-01 was duly adopted.

Mayor Adler placed on the table for consideration **a fundraiser event request from the Helen Keller National Center for Deaf-Blind Youths and Adults for *Helen's Run/Walk* to be held on Sunday, May 5, 2019**, a copy of the event request is appended hereto and made a part of the minutes. Upon motion by Deputy Mayor Najman and

October 23, 2018

seconded by Trustee Ullman and carried unanimously the Board approved *Helen's Run/Walk* contingent upon proper insurance certificates being filed:

On roll call:

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

Mayor Adler placed on the table for consideration a **Resolution Authorizing to Settle an Article 7 Proceeding on Property owned by Diane Venezia and known as Section 5, Block 102, Lot 205 for tax years 2009/10 through 2011/12**

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

**RESOLUTION 10232018-02
INCORPORATED VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
ACTING AS THE BOARD OF ASSESSORS
AUTHORIZATION TO SETTLE THE ARTICLE 7 PROCEEDINGS
PENDING IN NASSAU COUNTY SUPREME COURT REGARDING THE
REAL PROPERTY OWNED BY DIANE VENEZIA, DESIGNATED ON THE LAND
AND TAX MAP OF THE COUNTY OF NASSAU
AS SECTION 5, BLOCK 102, LOT 205
FOR TAX YEARS 2009/10 THROUGH 2011/12**

WHEREAS, Article 7 proceedings are pending in the Supreme Court of Nassau County on behalf of Diane Venezia (the "Petitioner"), against the Incorporated Village of Sands Point Board of Assessors (the "Village"), with respect to real property identified as Section 5, Block 102, Lot 205 (the "Subject Property") for tax years 2009/10 through 2011/12; and

WHEREAS, the Village Attorneys have negotiated a proposed settlement of the Petitioners' claims against the Village for tax years 2009/10 through 2011/12 resulting in the payment to the Petitioner in the amount of \$2,000.00 payable on or before December 31, 2018, with no interest; and

WHEREAS, the Board finds that it is in the best interest of the Village to settle the outstanding proceedings for the years 2009/10 through 2011/12 upon the terms and conditions as set forth herein; and

October 23, 2018

NOW, THEREFORE, BE IT RESOLVED, that the Village Attorneys, be and hereby are authorized to settle the subject proceedings as set forth herein; and upon completion of the settlement documents, the Village Mayor is authorized to sign the Stipulation of Settlement and Stipulation of Discontinuance with Prejudice and the Village Treasurer is authorized to issue a refund payment to Meyer, Suozzi, English & Klein, P.C., as attorneys for Diane Venezia, pursuant to this Resolution, and the Stipulation of Settlement in the amount of \$2,000.00.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-02 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution Authorizing to Settle an Article 7 Proceeding on Property owned by Gregory Murphy and known as Section 4, Block A, Lots 73, 74 & 413 for tax years 2011/12 through 2017/18.**

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

**RESOLUTION 10232018-03
INCORPORATED VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
ACTING AS THE BOARD OF ASSESSORS
AUTHORIZATION TO SETTLE THE ARTICLE 7 PROCEEDINGS
PENDING IN NASSAU COUNTY SUPREME COURT REGARDING THE
REAL PROPERTY OWNED BY GREGORY MURPHY, DESIGNATED ON THE
LAND AND TAX MAP OF THE COUNTY OF NASSAU
AS SECTION 4, BLOCK A, LOTS 73, 74, and 413
FOR TAX YEARS 2011/12 THROUGH 2017/18**

WHEREAS, Article 7 proceedings are pending in the Supreme Court of Nassau County on behalf of Gregory Murphy (the "Petitioner"), against the Incorporated Village of Sands Point Board of Assessors (the "Village"), with respect to real property identified as Section 4, Block A, Lots 73, 74, and 413 (the "Subject Property") for tax years 2011/12 through 2017/18; and

October 23, 2018

WHEREAS, the Village Attorneys have negotiated a proposed settlement of the Petitioners' claims against the Village for tax years 2011/12 through 2017/18 resulting in the payment to the Petitioner in the amount of \$3,000.00 payable on or before December 31, 2018, with no interest; and

WHEREAS, the Board finds that it is in the best interest of the Village to settle the outstanding proceedings for the years 2011/12 through 2017/18 upon the terms and conditions as set forth herein; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Attorneys, be and hereby are authorized to settle the subject proceedings as set forth herein; and upon completion of the settlement documents, the Village Mayor is authorized to sign the Stipulation of Settlement and Stipulation of Discontinuance with Prejudice and the Village Treasurer is authorized to issue a refund payment to Farrell Fritz, P.C., as attorneys for Gregory Murphy, pursuant to this Resolution, and the Stipulation of Settlement in the amount of \$3,000.00.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-03 was duly adopted.

Mayor Adler presented to the Board the following **Sexual Harassment Policy** for consideration to be adopted the Village of Sands Point

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

RESOLUTION 10232018-04
SEXUAL HARASSMENT POLICY

WHEREAS, Chapter 57 of the New York Laws of 2018 mandates the Village of Sands Point to the review and adoption of a separate sexual harassment prevention policy and the provision for annual sexual harassment training; and

WHEREAS, the Village is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All

October 23, 2018

employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of Inc. Village of Sands Point commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with Inc. Village of Sands Point; and

WHEREAS, the Village must distribute adopted policy to all employees (Village Office, Water Department and Police Department), in writing and

WHEREAS, all vendors, contractors and bidders are to certify compliance with the policy issuance and training requirements.

NOW, THEREFORE, BE IT RESOLVED, that approval is given for the distribution of the Sexual Harassment Policy to all employees of the Village of Sands Point and the annual training scheduled.

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	-	absent
Deputy Mayor Lynn Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 010232018-04 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution to Confirm a List of Roads as Village Owned and Maintained.**

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

RESOLUTION 10232018-05
CONFIRMATION OF VILLAGE OWNED AND MAINTAINED ROADS
RE THE 2018 NYSDOT HIGHWAY INVENTORY LIST

WHEREAS, the New York State Department of Transportation (“NYDOT”) sends annually to the Village an inventory of Village roads and mileage; and

WHEREAS, the 2018 Inventory list removed 13 Village owned roads and listed them as private; and

October 23, 2018

WHEREAS, Public Works Superintendent Brian J. Gunderson has confirmed that the roads in question are Village owned and have been maintained by the Village for over 20 years,

NOW THEREFORE BE IT RESOLVED that the Village confirms that the following roads are Village owned and maintained: Arden Lane, Ariel Court, Backus Farm Lane, Elm Court, Fox Hollow, Harriman Drive, March Lane, Orama Drive, Pond Lane, Sands Lane, Southeast Road, Sterling Lane and Tideway.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-05 was duly adopted.

Mayor Adler placed on the table for consideration a **recommendation from to authorize the expense of no greater than \$5,628.00 for advertising services**, 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 10232018-06
ADVERTISING EXPENSE - WEDDINGWIRE, INC.
RENEWAL OF SUBSCRIPTION
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, the Village Club has determined there is a need to advertise the Village Club wedding services in various media outlets; and

WHEREAS, advertising on Wedding Sites and Services has brought in additional banquet business to the Club; and

WHEREAS, the cost to advertise will not exceed \$5,628.00 and is outlined in the Club's operating budget; and

October 23, 2018

WHEREAS, the Board has reviewed the renewal proposal submitted and approves the expenditure.

NOW, THEREFORE, BE IT RESOLVED, that the Village Club is authorized to spend no greater than \$5,628.00 to advertise the club on WeddingWire, Inc., 2 Wisconsin Circle, Floor 3, Chevy Chase, MD 20815 as per their proposal, a copy of which is attached and appended hereto.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-06 was duly adopted.

Mayor Adler placed on the table for consideration a Resolution **Authorizing the Village Clerk to place a legal notice for the solicitation of bids for purchase of chemicals used for Golf Course Maintenance** at The Village Club of Sands Point.

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

**RESOLUTION 10232018-07
AUTHORIZING THE SOLICITATION OF BIDS
TO PURCHASE CHEMICALS
FOR GOLF COURSE MAINTENANCE FOR THE 2019 SEASON
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, it has been determined by Grounds Superintendent Ethan Johnson that the golf course must be maintained at the highest level; and

WHEREAS, Superintendent Johnson has determined that various chemicals will be needed for the 2019 golf season; and

WHEREAS, in accordance with the Village's Procurement Policy, this purchase must be competitively bid,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the Village Clerk to place a legal notice to solicit bids for purchase of golf course and

October 23, 2018

ground maintenance chemicals, which bids will be presented to the Board for review and award as soon after the bid openings as possible;

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-07 was duly adopted.

Mayor Adler placed on the table for consideration **2018 event request(s) from the Sands Point Preserve Conservancy**; a copy of the pending request is appended hereto and made a part of the minutes. Upon motion by Deputy Mayor Najman and seconded by Trustee Ullman and carried unanimously the Board approved the following event request(s):

2018

Saturday, December 15th – Holiday Party – Port Washington Fire Department

On roll call:

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

October 23, 2018

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

**RESOLUTION 101232018-08
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 \$200,000.00 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 \$200,000.00 from the Village Club Money Market Account to the Village Club's Operating Account.

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	-	absent
Deputy Mayor Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	absent

Resolution 10232018-08 was duly adopted.

Mayor Adler announced the last two Board of Trustees meetings for 2018 will be held on Tuesday, November 20, 2018 and December 18, 2018.

There being no further business to come before the Board, on motion of Trustee Ullman, seconded by Deputy Mayor Najman and carried unanimously, the meeting adjourned at 8:30 p.m.



Liz Gaynor, Village Clerk