

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, OCTOBER 24, 2017**

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

Absent:	Marc Silbert	Deputy Mayor
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Mayor Adler opened the Public Hearing at 8:00 p.m. to consider **Proposed Local Law 7 of 2017, "Amending Chapter 70 of the Village Code to Establish a Temporary Moratorium on Issuing Permits for the Construction of Docks, Floats, Piles and Boat Lifts, in order to Conduct a Study Regarding Potential Amendments to the Code."**

The Mayor announced receipt of the affidavit of publication indicating that the proposed law was published in the Port Washington News on October 11, 2017 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 Trustee Najman and seconded by Trustee Ullman, and carried unanimously the Public Hearing on the proposed local law was closed at 8:07 p.m.

Mayor Adler opened the **Regular Meeting of the Board of Trustees** at 8:08 p.m.

The **Minutes** of the meeting held on September 26, 2017 were reviewed. On motion by Trustee Najman, 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.

Commissioner Scheyer announced that water pumpage during September of 2017 was 55,381,900 gallons pumped vs. 65,828,400 gallons pumped during September of 2016.

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

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

Building Permits issued – 6
Building Permit Applications filed – 5
Certificates of Occupancy Issued – 7
Extensions of Building Permits Granted – 20
Tree Removal of Applications Received – 23

The Board received the **Justice Court Report** for the month of September 2017 which showed:

Arraignments – 48
Trials - 0
Total Amount Collected - \$2,042.00

Mayor Adler placed on the table for consideration proposed **Local Law No. 6 of 2017**, 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 10242017-01
LOCAL LAW 6 OF 2017
AMENDMENT OF CHAPTERS 82, 137 AND 168
OF THE VILLAGE CODE
RELATING TO RATES, FEES AND DEPOSITS
REQUIRED FOR CERTAIN VILLAGE SERVICES**

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

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Tibbits Lane, Sands Point, New York, at 8:00 p.m. on September 26, 2017 to hear all interested parties on a proposed Local Law entitled "Local Law 6 of 2017"; and

WHEREAS, notice of said public hearing was duly advertised in the *Port Washington News*, the official newspaper of the Village on September 13, 2017, and posted at Village Hall on September 13, 2017; and

WHEREAS, said public hearing was duly held at the Village Hall at 8:00 p.m. on September 26, 2017 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 6 of 2017, Amendment of Chapters 82, 137 and 168 of the Village Code of the Incorporated Village of Sands Point Relating to Rates, Fees and Deposits Required for Certain Village Services," 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 Trustee Najman. On roll call:

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

Resolution 10242017-01 was duly adopted.

Mayor Adler placed on the table for consideration proposed **Local Law No. 7 of 2017**, 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 10242017-02
PROPOSED LOCAL LAW 7 OF 2017
IMPOSING A SIX-MONTH MORATORIUM ON APPLICATIONS,
APPROVALS, AND/OR CONSTRUCTION OR INSTALLATION OF
DOCKS, FLOATS, PILES AND BOAT LIFTS IN THE VILLAGE

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 Tibbits Lane, Sands Point, New York, at 8:00 p.m. on October 24, 2017 to hear all interested parties on a proposed Local Law entitled "Local Law 7 of 2017"; and

WHEREAS, notice of said public hearing was duly advertised in the *Port Washington News*, the official newspaper of the Village on October 11, 2017, and posted at Village Hall on October 11, 2017; and

WHEREAS, said public hearing was duly held at the Village Hall at 8:00 p.m. on October 24, 2017 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 7 of 2017, A Local Law Imposing a Six-Month Moratorium on Applications, Approvals, and/or Construction or Installation of Docks, Floats, Piles and Boat Lifts in the Village.", 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 Trustee Najman.	On roll call:
Mayor Edward A.K. Adler voting	- aye
Trustee Katharine M. Ullman voting	- aye
Deputy Mayor Marc Silbert voting	- absent
Trustee Lynn R. Najman voting	- aye
Trustee Peter A. Forman voting	- recused

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Resolution 10242017-02 was duly adopted.

Mayor Adler placed on the table for consideration a recommendation from Public Works Superintendent Brian Gunderson to **engage Layne to rehabilitate Well No. 5A.**

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

**RESOLUTION 10242017-03
WELL NO. 5A REHABILITATION
SANDS POINT WATER DEPARTMENT**

WHEREAS, Well No. 5A is in need of maintenance; and

WHEREAS, Water Superintendent Brian Gunderson requested and received a proposal from Layne to rehabilitate the well, a copy of their proposal is appended hereto and made a part of the minutes; and

WHEREAS, the Board has examined the proposal and finds it acceptable,

NOW, THEREFORE BE IT RESOLVED that Layne, 1126 Lincoln Ave, Holbrook, NY 11741 is hereby engaged to rehabilitate Well No. 5A according to their proposal #BGVSP1017 dated October 5, 2017 in an amount not to exceed \$32,120.00.

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

Resolution 10242017-03 was duly adopted.

Mayor Adler placed on the table for consideration an Amended Resolution to **Engage UIC, Inc. Insurance Consultants** for the Incorporated Village of Sands Point.

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

**RESOLUTION 10242017-04
AMENDMENT TO RESOLUTION 09262017-01
RE ENGAGEMENT OF UIC, INC. SERVICES
INSURANCE CONSULTING**

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WHEREAS, by Resolution 09262017-01 the Board voted unanimously to engage UIC, Inc. to review all property and casualty insurance policies with the Village of Sands Point; and

WHEREAS, omitted from the resolution was the inclusion of The Village Club,

NOW, THEREFORE, BE IT RESOLVED, that UIC will review all property and casualty insurance policies for Village Office, Police, Water Departments and The Village Club.

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

Resolution 10242017-04 was duly adopted.

Mayor Adler placed on the table for consideration to engage Sidney B. Bowne & Son, LLP for **further engineering services in relation to the Pool Area Drainage Project** at The Village Club of Sands Point.

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

**RESOLUTION 10242017-05
ENGAGEMENT OF
SIDNEY B. BOWNE & SON, LLP
ADDITIONAL SURVEY WORK
POOL AREA DRAINAGE PROJECT
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, per Resolutions 07262016-04 & 09272016-07 the Board approved the engagement of Sidney B. Bowne & Son, LLP for topographical surveying of the pool area, parking lot area and the mansion area; and

WHEREAS, further survey work is necessary to comply with NYSDEC requirements; and

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WHEREAS, the Club's Capital Projects Committee Member William Schmergel asked for and received a proposal from Village Engineer Sidney B. Bowne & Son, LLP to provide the additional services, a copy of their proposal is appended hereto and made a part of the minutes; and

WHEREAS, the Club Operations Committee has reviewed the proposal and recommends the engagement of Sidney B. Bowne & Son; and

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

NOW, THEREFORE, BE IT RESOLVED, that Sidney B. Bowne & Son, LLP, 235 East Jericho Turnpike, Mineola, New York 11501 be and hereby is engaged to provide engineering services in an amount not to exceed \$5,350.00.

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

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

Resolution 10242017-05 was duly adopted.

Mayor Adler placed on the table for **consideration authorization to engage Boyle Environmental Services for Asbestos Abatement at the Pool House at The Village Club of Sands Point.**

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

RESOLUTION 10242017-06
ENGAGEMENT OF BOYLE ENVIRONMENTAL SERVICES, INC.
ASBESTOS ABATEMENT - POOL HOUSE
AT THE VILLAGE CLUB OF SANDS POINT

WHEREAS, in considering the forthcoming pool house renovation, it will require the removal of asbestos; and

WHEREAS, an asbestos inspection was performed by Insight Environmental, Inc., a copy of their report is appended hereto and made a part of the minutes; and

WHEREAS, The Village Club asked for and received three proposals for the abatement, copies of which are appended hereto and made a part of the minutes; and

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WHEREAS, The Village Club Operations Committee has reviewed the report and recommends the engagement of Boyle Environmental Services to remove the asbestos who is the lowest bidder and is under New York State Contract; and

WHEREAS, the Board of Trustees has examined the proposal and finds it acceptable,

NOW, THEREFORE BE IT RESOLVED, that the Board authorizes the engagement of Boyle Environmental Services, Inc., 240 Hedges Avenue, East Patchogue, NY 11722 per their proposal dated September 26, 2017 in an amount not to exceed \$11,850.00 for asbestos removal at the Pool House at The Village Club of Sands Point.

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

Resolution 10242017-06 was duly adopted.

Mayor Adler placed on the table for consideration the **authorization for Village Funds to be transferred from the Village General Fund to the Operating Account of the Village Club of Sands Point.**

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

RESOLUTION 10242017-07
AUTHORIZATION FOR VILLAGE FUNDS TO BE TRANSFERRED FROM THE
VILLAGE GENERAL FUND TO THE OPERATING ACCOUNT OF
THE VILLAGE CLUB OF SANDS POINT

WHEREAS, the Incorporated Village of Sands Point (the "Village") is the owner of a recreational facility known as the Village Club of Sands Point located at 1 Thayer Lane, Sands Point, New York 11050 (the "Village Club"); and

WHEREAS, due to budgetary reasons, and in order to address the short term operating requirements of the Village Club, it is necessary for the Village to transfer the sum of \$620,000 from the Village General Fund to the Village Club Operating Account on a short term and interim basis (the "Temporary Transfer"); and

WHEREAS, said funds will be transferred back from the Village Club Operating Account to the Village General Fund by the March 1, 2018; and

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WHEREAS, the Board of Trustees has reviewed this matter and has found that it will be in the best interests of the Village to authorize the Temporary Transfer.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby authorizes the Village to transfer the sum of \$620,000 from the Village General Fund to the Village Club Operating Account on a short term and interim basis.

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

Resolution 10242017-07 was duly adopted.

Placed on the table for consideration towards adoption was a Resolution Authorizing Payment to Wilson Elser, Esq. in Representing KemperSports as Insurance Counsel. After careful consideration and discussion, the matter was **tabled to the November 14, 2017 meeting**, on vote as follows:

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

Mayor Adler placed on the table for consideration a Resolution to Engage **VHB Engineering for Environmental and Planning Consulting Services to Perform a Moratorium Study for Review of Docks, Floats, Piles and Boat Lifts**

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

RESOLUTION 10242017-08
ENGAGEMENT OF VHB ENGINEERING
ENVIRONMENTAL & PLANNING CONSULTING
MORATORIUM STUDY ON CHAPTER 70 OF VILLAGE CODE
RELATING TO DOCKS, FLOATS, PILES AND BOAT LIFTS
INC. VILLAGE OF SANDS POINT

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WHEREAS, Village Attorney John Christopher, Esq. has recommended the engagement of VHB Engineering to provide technical assistance for a moratorium study for review of Chapter 70 of the Village Code entitled, "Docks, Floats Piles and Boat Lifts," and to determine whether amendments are advisable; and

WHEREAS, the scope of services to be provided outlined in their proposal, a copy of which is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed VHB's proposal and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED, that VHB Engineering, 100 Motor Parkway, Suite 135, Hauppauge, New York 11788 be and hereby is engaged to provide environmental and planning services in relation to a moratorium study for review of Chapter 70 of the Village Code per their proposal Ref.# 83705.17 dated October 19, 2017 in an amount not to exceed \$20,000.00.; and

BE IT FURTHER RESOLVED, that authorization is given for Mayor Edward A.K. Adler to execute the Agreement on behalf of the Village, a copy of which is attached and appended hereto.

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

Resolution 10242017-08 was duly adopted.

Placed on the table for consideration towards adoption was a Resolution Authorizing Improvements to the AT&T Facilities at the Village Club. After careful consideration and discussion, the matter was **tabled to the November 14, 2017 meeting**, on vote as follows:

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

Mayor Adler placed on the table for consideration **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 Ullman and seconded by

Trustee Najman and carried unanimously the Board approved the following event requests:

2018 Events

Sunday, May 22nd – Wedding – Judy Studin

Sunday, June 17th – Wedding – Adler/Fefer

Saturday, September 15th – Wedding – Paula Jozwik

Saturday, December 1st – Wedding – Hilary DiSilvio

On roll call:

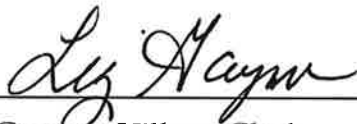
Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Deputy Mayor Marc Silbert voting	-	absent
Trustee Lynn R. Najman voting	-	aye
Trustee Peter A. Forman voting	-	aye

Mayor Adler announced the receipt of a **letter from Deena Katz, President of the Community Synagogue thanking the Police Staff for their assistance during the high holidays.**

Mayor Adler announced receipt of a letter from **Michel & Shana Melendez of 14 Woodland Drive seeking a waiver of the Recreational Trust Fee** in relation to Site Plan Review. After a brief discussion, the Board decided to discuss the matter further and then have a response at the November 14, 2017 Board meeting.

Mayor Adler announced that the **next Board meeting will be held Tuesday, November 14, 2017 and the December Board meeting will be held on Monday, December 11, 2017.**

There being no further business to come before the Board, on motion of Trustee Ullman, seconded by Trustee Najman and carried unanimously, the meeting ended at 8:50 p.m.



Liz Gaynor, Village Clerk