

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, NOVEMBER 14, 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
	Daniel Scheyer	Water Commissioner
	Michael Sahn, Esq.	Village Attorney
	John P. Christopher, Esq.	Village Attorney

Mayor Adler opened the Regular meeting of the Board at 8:08 p.m.

The **Minutes** of the meeting held on October 24, 2017 and October 31, 2017 were reviewed. On motion by Trustee Najman, seconded by Trustee Ullman and carried unanimously, the minutes of October 24, 2017 and October 31, 2017 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 October of 2017 was 44,334,100 gallons pumped vs. 48,919,000 gallons pumped during October of 2016.

The **Treasurer's Report** showing cash balances as of October 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 6A & 6B** for payment in November were reviewed. On motion of Trustee Forman, seconded by Trustee Najman and carried unanimously, the claims as contained on **Abstracts 6A & 6B** 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 Silbert, seconded by Trustee Forman and carried unanimously, the Building Commissioner's recommendations were adopted.

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

November 14, 2017

Building Permits issued – 7
Building Permit Applications filed – 6
Extensions of Building Permits Granted – 24
Tree Removal Applications Received – 19
Certificates of Occupancy Issued – 6

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

Arraignments – 36
Trials - 0
Total Amount Collected - \$2,083.00

Mayor Adler placed on the table for consideration a **Resolution adopting a Determination of the Hardship Review Request of Michel and Shana Melendez Pursuant to Village Code § 82-12 in Connection with their Application for Site Plan Review for the Premises Located at 14 Woodland Drive.**

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

**RESOLUTION 11142017-01
DETERMINATION OF THE HARDSHIP REVIEW REQUEST OF MICHEL AND
SHANA MELENDEZ PURSUANT TO VILLAGE CODE § 82-12 IN CONNECTION
WITH THEIR APPLICATION FOR SITE PLAN REVIEW FOR THE PREMISES
LOCATED AT 14 WOODLAND DRIVE**

WHEREAS, Michel & Shana Melendez are the owners of the premises located at 14 Woodland Drive, Sands Point, New York (the "Premises"); and

WHEREAS, on or about November 20, 2016, the Premises were destroyed due to an electrical fire; and

WHEREAS, thereafter, Mr. and Mrs. Melendez filed applications with the Village Building Department to demolish the fire damaged ranch style residential dwelling, and to rebuild a new, larger two-story residence, having approximately 5,081 square feet of habitable floor area; and

WHEREAS, the Building Department determined that the Melendez's application required among other things, site plan review, and that a recreation fee of \$25,000 was due in lieu of a dedication of parkland, pursuant to Village Code § 82-3(A)(1)(b) (the "Recreation Fee"); and

November 14, 2017

WHEREAS, the Melendezs' have applied to the Board of Trustees for a Hardship Review pursuant to Village Code 82-12, and have requested a waiver of the Recreation Fee, based on the fact that their current residence was destroyed by the fire, and that their need for Site Plan Review has arisen from circumstances beyond their control; and

WHEREAS, a copy of the Melendezs' letter, dated July 24, 2017, whereby they requested a Hardship Review from the Board is annexed hereto and made a part hereof; and

WHEREAS, the Board held a public hearing on this matter on October 24, 2017; and

WHEREAS, the Melendezs represented at the Public Hearing, that their homeowner's insurance carrier would not pay the full fees required for their applications, professionals and home construction, as the insurance carrier classified the damage to the residence as able to be repaired, rather than demolished and rebuilt, which classification they have disputed; and

WHEREAS, the Melendezs are continuing to dispute this claim with their insurance carrier; and

WHEREAS, the Board of Trustees has reviewed this matter, and finds as follows:

- (i) The Premises were destroyed by fire, requiring the Melendezs to undertake an unanticipated construction project at the Premises;
- (ii) Because the residence as rebuilt at the Premises is much larger and of a different style and character than the fire damaged residence, the Board finds that a full waiver of the Recreational Fee is warranted;
- (iii) To the extent that additional funds are recovered from the insurance company, the Melendezs represented to the Board at the Hearing that they would apply those funds to any amount of the Recreational Fee that the Board may reduce, modify or waive; and
- (iv) The underlying fact of this application present unique circumstances where the destruction of a village residence whereby an act of god was the catalyst for the application for site plan review.

WHEREAS, based on these aforementioned circumstances, the Board has determined that the Melendez's request warrant a modification of the Recreation Fee, pursuant to the Board's authority to modify such fee as set forth in Village Code § 82-

November 14, 2017

12.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby determines in its legislative discretion that the Recreation Fee due and owing in connection with the Melendez's Application for Site Plan Review free shall be modified as follows:

- (i) The Recreation Fee shall be reduced from \$25,000 to \$12,500; and
- (ii) In the event the Melendez's receive any additional funds from their homeowner's insurance carrier, they shall be required to notify the Village of the same and to pay such additional fees to the Village up to the full amount of the Recreational Fee, i.e., \$25,000, based on the Boards review of the circumstances at the time; and

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Building Department to refund to the Melendez's \$12,500 out of the \$25,000 previously paid in connection with their Site Plan Review Application, as the Recreational Fee.

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 Najman voting	-	aye
Trustee Peter Forman voting	-	aye

Resolution 11142017-01 was duly adopted.

Mayor Adler placed on the table for consideration **the 2018 Village Employee Holiday Schedule (Village Office, Water Department and Public Works)**, a copy of which is appended hereto and made a part of the minutes. The motion was moved by Trustee Ullman and seconded by Trustee Najman and carried unanimously the 2018 Employee Holiday Schedule was adopted. 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 placed on the table for consideration a **Resolution Authorizing the Mayor to enter into an Inter-Municipal Agreement with the Manhasset-Lakeville and Port Washington Water Districts for Water Supply**, a copy of the Agreement is

November 14, 2017

appended hereto and made part of the minutes. Upon motion of Trustee Ullman and seconded by Deputy Mayor Silbert and carried unanimously the Board resolved the Mayor be and hereby authorized to enter into an Inter-Municipal agreement, in form acceptable to Village Attorney and as substantially set forth in the attached document, entitled "Inter-Municipal Agreement." On roll call:

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
Resolution 11142017-02 was duly adopted.

Mayor Adler placed on the table a **Resolution to Renew Agreements with Nationwide Retirement Solutions, Nationwide Financial Services, Inc. and Nationwide Trust Company for continuation of the Incorporated Village of Sands Point Deferred Compensation Plan**, copies of which are appended hereto and made a part of the minutes.

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

**RESOLUTION 11142017-03
RENEWAL OF AGREEMENTS WITH NATIONWIDE RETIREMENT SOLUTIONS,
NATIONWIDE FINANCIAL SERVICES INC. AND NATIONWIDE TRUST
COMPANY FOR CONTINUATION OF THE INCORPORATED VILLAGE OF
SANDS POINT DEFERRED COMPENSATION PLAN.**

WHEREAS, by Resolution 06202017-05 the Board of Trustees authorized Village Clerk Liz Gaynor to issue a Request for Proposals for the administration of the Incorporated Village of Sands Point Deferred Compensation Plan; and

WHEREAS, five proposals were received and reviewed; and

WHEREAS, the Incorporated Village of Sands Point Deferred Compensation Plan has been provided administrative services by Nationwide Retirement Solutions, with Nationwide Financial Services Inc. serving as financial organization and Nationwide Trust Company serving as trustee; and

WHEREAS, the Deferred Compensation Board of the Village has chosen to retain Nationwide as their sole provider and renew such agreements for a five (5) year period to expire July 31, 2022 with the option of two one (1) year extensions.

November 14, 2017

NOW, THEREFORE, BE IT RESOLVED, that the Mayor, is authorized to execute the contract renewal for the above referenced agreements with Nationwide Retirement Solutions, Nationwide Financial Services Inc. and Nationwide Trust Company for five (5) years, ending on July 31, 2022 with the option of two one (1) year extensions.

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 11142017-03 was duly adopted.

Mayor Adler placed on the table for consideration a **Transfer of Village Funds from the 2017-18 Fiscal Year Budget to the 401(A) Qualified Defined Contribution Program Account for Terminal Pay of Police Officer John Nickdow.**

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

RESOLUTION 11142017-04
TRANSFER OF VILLAGE FUNDS FROM THE CONTINGENT ACCOUNT TO
401(A) QUALIFIED DEFINED CONTRIBUTION PROGRAM ACCOUNT FOR THE
TERMINAL PAY
OF POLICE OFFICER JOHN NICKDOW

WHEREAS, pursuant to the 401(a) Plan Agreement by and between the Village of Sands Point and the Sands Point Police Benevolent Association, dated August 25, 2015 (the "Plan Agreement"), the Village authorized implementation and administration of a 401(a) Qualified Defined Contribution Program to be used to deposit accumulated sick and/or vacation leave, terminal retirement pay, or other incentive payments on behalf of the officers of the Village of Sands Point Police Department; and

WHEREAS, under the Plan Agreement, the Village is authorized to fund a retiring officer's 401(a) account with the maximum annual contribution permitted by law for up to three (3) years prior to retirement; and

WHEREAS, the maximum annual contribution to a 401(a) Plan account currently permitted under the law for the calendar year 2018 is \$55,000.00; and

WHEREAS, as a condition precedent to the funding of the 401(a) account, the retiring officer is required to submit to the Village a Notification of Intention to Retire and a Promissory Note for the amount to be pre-funded on the forms approved by the Village; and

WHEREAS, on October 30, 2017, Police Officer John Nickdow of the Sands Point Police Department submitted a Notification to Retire to the Village, setting forth his intention to retire effective January 19, 2018, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, in addition, Police Officer John Nickdow has provided the Village with promissory notes in the aggregate amount of \$162,000.00; and

WHEREAS, including the amounts deposited in Police Officer John Nickdow 401(a) account, he is entitled to termination pay in the total amount of \$74,256.06 (the "Termination Pay"), as set forth on the Retirement Compensation Worksheet annexed hereto and made a part hereof; and

WHEREAS, Police Officer John Nickdow Termination Pay is being paid as follows:

- 1) The Village funded \$53,000.00 to Police Officer John Nickdow's 401(a) account on May 25, 2016;
- 2) The Village funded \$54,000.00 to Police Officer John Nickdow's 401(a) account on April 25, 2017;
- 3) Pursuant to this resolution, the Village is funding an additional \$55,000.00 to Police Officer John Nickdow's 401(a) account; and
- 3) Pursuant to a separate resolution, the Village is making a final payment in the amount of \$74,256.06 to P.O. Nickdow: and

WHEREAS, the Village's Fund Balance Policy states that where expenditures are incurred for a purpose for which amounts are available in multiple fund balance classifications, the expenditure is to be spent from restricted fund balance first, then unrestricted; and

WHEREAS, the current balance in the Restricted Fund-Reserve for Employee Benefits Accrued Liability is only \$86,601.03; and

November 14, 2017

WHEREAS, the Village does not wish to deplete the reserve at this time; and

WHEREAS, the funds for terminal pay are in the 2017/18 Fiscal Year Budget - Contingent Account; and

NOW, THEREFORE, BE IT RESOLVED, that a contribution in the amount of \$55,000.00, constituting a portion of Police Officer John Nickdow's terminal pay, is authorized to be drawn from the 2017-18 fiscal year budget and deposited in the 401(A) Qualified Defined Contribution Program Account for Police Officer John Nickdow; and

FURTHER RESOLVED that the following budgetary transfer be authorized for this payment:

From: A1990.0400	Contingent Account	\$55,000.00
To: A3120.0482	Police/Retirement 401A	\$55,000.00

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 11142017-04 was duly adopted.

Mayor Adler placed on the table for consideration a **Transfer of Village Funds for Terminal Payout for Police Officer John Nickdow.**

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

**RESOLUTION 11142017-05
TRANSFER OF VILLAGE FUNDS
FOR THE TERMINAL PAY OF
POLICE OFFICER JOHN NICKDOW**

WHEREAS, the Village's Fund balance policy states that where expenditures are incurred for a purpose for which amounts are available in multiple fund balance classifications, the expenditure is to be spent from restricted fund balance first then unrestricted; and

WHEREAS, P.O. John Nickdow of the Sands Point Police Department is retiring from service; and

November 14, 2017

WHEREAS, P.O. Nickdow is entitled to termination pay in the amount of \$236,256.06 (the "Termination Pay"), which is paid as follows:

- 1) The Village funded \$53,000.00 to Police Officer John Nickdow's 401(a) account on May 24, 2016;
- 2) The Village funded \$54,000.00 to Police Officer John Nickdow's 401(a) account on April 27, 2017;
- 3) Pursuant to a separate resolution, the Village is funding an additional \$55,000.00 to Police Officer John Nickdow's 401(a) account; and
- 3) Pursuant to this resolution, the Village is making a final payment in the amount of \$74,256.06 to Police Officer Nickdow; and

WHEREAS, the Village maintains a Restricted Fund – Reserve for Employee Benefits Accrued Liability for terminal payouts; and

WHEREAS, the current balance in the Restricted Fund-Reserve for Employee Benefits Accrued Liability is only \$86,601.03; and

WHEREAS, the Village does not wish to deplete the reserve at this time; and

THEREFORE, BE IT RESOLVED that terminal payout in the amount of \$74,256.06 for Police Officer John Nickdow is authorized to be drawn from the 2017/18 fiscal year budget; and

BE IT FURTHER RESOLVED that the following budgetary transfer be authorized for this payment:

From: A1990.0400	Contingent Account	\$ 74,256.06
To: A3120.0100	Police Salaries	\$ 74,256.06

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 11142017-05 was duly adopted.

November 14, 2017

Mayor Adler placed on the table a request to **approve attendance at a meeting from Clerk Liz Gaynor**, a copy of which is attached and appended hereto.

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

**RESOLUTION 11142017-06
APPROVAL OF ATTENDANCE AT
INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS
(IIMC) ANNUAL MEETING
MAY 19, 2018 THROUGH MAY 23, 2018
FOR VILLAGE CLERK LIZ GAYNOR**

WHEREAS, it is necessary for Village Clerks to acquire up to date information and educational credits to maintain certifications; and

WHEREAS, Clerk Gaynor is currently in her 3rd year obtaining the certification of Masters Certified Municipal Clerk and, therefore, she is required to attend various educational seminars to complete her certification:

WHEREAS, Clerk Gaynor is an active member of the IIMC and currently volunteers on two IIMC committees, Continuing Education and the Membership Committee, and

WHEREAS, the International Institute of Municipal Clerks is holding its annual conference on May 19, 2018 through May 23, 2018 (Saturday – Wednesday) in Norfolk, Virginia; and

WHEREAS, the Board of Trustees has reviewed Clerk Gaynor’s request and found the meeting to be essential in order to maintain the highest level of service for the Village government.

NOW, THEREFORE BE IT RESOLVED that Clerk Gaynor be and hereby is authorized to attend the International Institute of Municipal Clerks Annual Meeting in Norfolk, Virginia on May 19 – 23, 2018 at a cost not to exceed \$2500.

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

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

Resolution 11142017-06 was duly adopted.

Mayor Adler placed on the table **Refunding Bond Resolution 11142017-07 adopted November 14, 2017, "Authorizing the Refunding of Certain Outstanding Serial Bonds of said Village, stating the Plans of Refunding, Appropriating an amount not to exceed \$3,300,000 for such purpose, Authorizing the Issuance of Refunding Bonds in the Principal Amount not to exceed \$3,300,000 to Finance said Appropriation and making Certain Other Determinations Relative thereto,"** a copy of which is appended hereto and made a part of the minutes. Upon the motion of Trustee Najman and seconded by Trustee Silbert and carried unanimously the Board adopted the resolution. 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 11142017-07 was duly adopted.

Mayor Adler placed on the table a proposal for the **Lease of miscellaneous gas and electric utility vehicles** for The Village Club of Sands Point.

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

RESOLUTION 11142107-08
LEASE OF SIXTY (60) NEW 2018 CLUB PRECEDENT EFI GAS POWERED CARS,
TWO (2) NEW 2018 CLUB CAR PRECEDENT I2 ELECTRIC POWERED GOLF
CARS, SEVEN (7) 2010 CLUB CAR CARRYALL TURF 2 AND TWO (2) VILLAGER 8
GAS POWERED TRANSPORTATION VEHICLES
FOR
THE VILLAGE CLUB OF SANDS POINT
THROUGH FAIRWAY GOLF CAR
WITH FINANCING THROUGH WELLS FARGO FINANCIAL LEASING, INC.

WHEREAS, the lease of miscellaneous gas and electric utility vehicles for the Village Club per Resolution 05192014-03 is due to expire;

WHEREAS, the Club requested and received a proposal from Fairway Golf Car for new golf cars and quality used utility vehicles, a copy of which proposal is appended hereto and made a part of the minutes; and

WHEREAS, the new proposal if approved and if the Club takes delivery of the new fleet of golf cars before the end of 2017 will save the Club a total of \$24,981.08 off the old lease; and

WHEREAS, additional highlights of the proposal are outlined in a memo dated Monday, October 30, 2017 from Chris Sanders of Club Car, LLC to Jody Graham of KemperSports, a copy of which is appended hereto and made a part of the minutes; and

WHEREAS, Fairway Golf Car will supply the vehicles and (a to be determined leasing company) will provide financing for the following:

- Sixty (60) 2018 Club Car Precedent EFI Gas w/Visage;
- Two (2) 2018 Club Car Precedent I2 Electric;
- Seven (7) 2010 Club Car Carryall Turf 2;
- Two (2) 2008 Club Car Villager 8;

for a monthly rate of \$5,956.29 for 48 months;

WHEREAS, the Village Club Operations Committee has reviewed the proposals submitted by Fairway Golf and recommends the lease; and

WHEREAS, these expenditures are included in the 2018 budget;

WHEREAS, the Board reviewed the proposal and found it acceptable,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and hereby is directed to lease the miscellaneous golf carts from Fairway Golf Car; Commercial Blvd; Medford, NY 11763 in accordance with their proposal; and

BE IT FURTHER RESOLVED that the leasing of the carts will be from Wells Fargo Financial Leasing, Inc., Attn: Braydn Weber, MAC# N0005-044, 800 Walnut Street, Des Moines, IA 50309; and be it

FURTHER RESOLVED, that the Board of Trustees authorizes the Mayor of the Village to negotiate, execute and enter into a contract(s) and Leases on behalf of the Village with Fairway Golf Car and/Wells Fargo Financial Leasing, Inc., for the price specified in the proposal.

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 11142017-08 was duly adopted.

Mayor Adler placed on the table for consideration a **proposal to engage Fairway Golf Club Company to provide maintenance services on the Golf Carts**, 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 11142017-09
MAINTENANCE AGREEMENT ON GOLF CARTS
FAIRWAY GOLF CAR COMPANY
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, by Resolution 01262016-10 the Board authorized an agreement with Fairway Golf Car Company to maintain and service sixty (60) Gas Golf Carts; and

WHEREAS, the service agreement will expire on March 31, 2018; and

WHEREAS, Fairway Golf Car is the only car franchise on Long Island approved for warranty work and has provided satisfactory service in past years; and

WHEREAS, the Board has reviewed the proposal and found it acceptable, and

NOW, THEREFORE, BE IT RESOLVED that Fairway Golf Company, 8 Commercial Blvd., Medford, NY 11763 be and hereby is engaged to provide maintenance on the golf carts in accordance with their proposal in the amount of \$6,000.00 (payments of \$2,000 will be payable -April 1st, May 1st and June 1st) for the year 2018.

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

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

Resolution 11142017-09 was duly adopted.

Mayor Adler placed on the table for consideration of **an amendment to the acoustical design for the Mansion Courtyard at The Village Club of Sands Point**.

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

**RESOLUTION 11142017-10
ADDITIONAL ACOUSTICAL WORK TO THE
THE MANSION COURTYARD
AT THE VILLAGE CLUB OF SANDS POINT
RIEDEL AUDIO & ACOUSTICS, LLC
THE PATRIOT ORGANIZATION, INC.**

WHEREAS, the Club's Capital Projects Manager Bill Schmergel has consulted with the Village's Historic Landmarks Preservation Commission regarding the types and placements of the acoustic wall treatments for both the east and west elevations of the Mansion Courtyard at the Village Club; and

WHEREAS, per recommendation of Landmark Preservation Consultant Daniel Kohs a minor redesign is recommended; and

WHEREAS, Riedel Audio & Acoustics, LLC was authorized to provide the acoustical and design services for the courtyard per a prior resolution and will do the redesign at an additional fee not to exceed \$50.00 for their design and drafting time, copies of the proposed redesign to the east and west elevations are appended hereto and made a part of the minutes; and

WHEREAS, The Patriot Organization, Inc. per a prior resolution was awarded the contract for the supply and installation of the acoustical materials for the Mansion Courtyard and will now do the same for the requested redesign at a cost not to \$2,000.00; and

WHEREAS, the Board of Trustees has received and reviewed the acoustical amendments and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED that Riedel Audio & Acoustics, LLC, 43, Potter Blvd, Brightwaters, NY 11718 be and hereby engaged to do the minor redesign in an amount not to exceed \$500.00 and be it,

FURTHER RESOLVED that The Patriot Organization, Inc., 44 West Jefryn Blvd, Unit D, Deer Park, NY 11729 be and hereby engage to supply and install the acoustical materials for the redesign in an amount not to exceed \$2,000.00.

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

November 14, 2017

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 11142017-10 was duly adopted.

Mayor Adler placed on the table for **consideration authorization to engage Insight Environmental Inc. to provide Asbestos Air Monitoring Services at the Pool House at The Village Club of Sands Point.**

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

**RESOLUTION 11142017-11
ENGAGEMENT OF INSIGHT ENVIRONMENTAL, INC.
ASBESTOS AIR MONITORING - POOL HOUSE
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, per prior Resolution 10242017-06 the Board approved the engagement of Boyle Environmental Services for the asbestos abatement at the Pool House at The Village Club of Sands Point; and

WHEREAS, it is now necessary to conduct environmental samplings during the course of the asbestos abatement activities, and

WHEREAS, Jay Morales of the Village Club requested and received a proposal for the monitoring services from Insight Environment which did the initial inspection asbestos report, a copy of their proposal is appended hereto and made a part of the minutes; and

WHEREAS, The Village Club Operations Committee has reviewed the proposal and recommends the engagement of Insight Environmental Inc., 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 Insight Environmental Inc., 74 East Main Street, Suite #1, Patchogue, NY per their proposal dated November 9, 2017 in an amount not to exceed \$3,222.00 for asbestos air monitoring.

The motion was seconded by Trustee Silbert. On roll call:
November 14, 2017

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 11142017-11 was duly adopted.

Mayor Adler placed on the table a **recommendation from KemperSports to approve two (2) new categories of membership and related fees for the year 2018**, a copy of which is attached and appended hereto.

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

**RESOLUTION 11142017-12
RESOLUTION ESTABLISHING TWO ADDITIONAL
CATEGORIES OF MEMBERSHIP & ASSOCIATED FEES
RELATIVE TO THE USE OF THE RECREATIONAL FACILITIES
AT THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, on January 24, 1995, the Board of Trustees of the Incorporated Village of Sands Point (hereinafter "Board of Trustees") adopted a local law establishing The Village Club of Sands Point recreational facility as a self-supporting improvement in accordance with Article 13 of the Village Law of the State of New York; and

WHEREAS, in accordance with Section 6 of said local law, 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; and

WHEREAS, the Village Club Operations Committee approved and has recommended two (2) new Membership Categories and Dues for 2018; and

NOW, THEREFORE, BE IT RESOLVED, that the Village shall offer the following categories of membership to The Village Club of Sands Point:

1. Discovery Membership (fee schedule appended hereto)
2. Former Resident/Alumni Membership (fee schedule appended hereto)

FURTHER RESOLVED, that all fees and charges to the use of The Village Club of Sands Point may be revised, from time to time, by resolution of the Board of Trustees, after public hearing held on notice.

November 14, 2017

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 11142017-12 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**, 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 placed on the table for consideration the authorization for **the Mayor to Execute a Letter of Consent Permitting Site Work and Equipment Upgrades Pursuant to License Agreement by and Between the Incorporated Village of Sands Point and New Cingular Wireless PPCS, LLC, at the Village Club in Connection with its Cellular Telephone System.**

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

RESOLUTION 11142017-13

AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF CONSENT PERMITTING SITE WORK AND EQUIPMENT UPGRADES PURSUANT TO LICENSE AGREEMENT BY AND BETWEEN THE INCORPORATED VILLAGE OF SANDS POINT AND NEW CINGULAR WIRELESS PCS, LLC, AT THE VILLAGE CLUB IN CONNECTION WITH ITS CELLULAR TELEPHONE SYSTEM

WHEREAS, by License Agreement, dated September 30, 2013, the Village authorized AT&T / New Cingular Wireless PCS, LLC ("AT&T") to use a portion of the Village Club for the construction of a monopole and the installation, maintenance, and operation of radio transmitting and receiving equipment, antennas and other associated equipment in connection with its cellular telephone system (the "License Agreement"); and

WHEREAS, pursuant to paragraph 2 of the License Agreement the Village agreed that AT&T would be permitted to certain facilities upgrades from time to time; and

WHEREAS, Pursuant to a letter of consent, by Black & Veatch Corporation, dated November 13, 2017, AT&T has requested a facilities upgrade at the Village Club, specifically, to install a natural gas generator behind AT&T's existing shelter, along with a 5'x10' concrete pad as detailed on the construction drawings (Rev 5), dated September 26, 2017; and

WHEREAS, pursuant to a resolution dated May 28, 2013, the Board determined that the execution of the license agreement for the proposed construction is an "Unlisted Action" under SEQRA and will not have a significant adverse effect upon the environment and that a DEIS does not need to be prepared; and

WHEREAS, the proposed site upgrades were contemplated and authorized under the License Agreement and Negative Declaration pursuant to SEQRA, and thus shall not have any have a significant adverse impact upon the environment; and

WHEREAS, the Board of Trustees has reviewed the proposed facility upgrades and are agreeable to the same, pursuant to the conditions in the resolution below.

NOW, THEREFORE, BE IT RESOLVED that the Mayor be and is hereby authorized to execute and enter into Letter of Consent annexed hereto subject to the following conditions:

1. AT&T shall install compressor blankets to baffle the sound currently emanating from the existing HV/AC unit at its facilities; and
2. The new generator shall cycle on the off hours of the Village Club, as directed by the Village.

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

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

Resolution 11142017-13 was duly adopted.

Mayor Adler placed on the table for consideration **2017 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

November 14, 2017

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

2017 Event

Saturday, November 25th – Bar Mitzvah – Mara & Baron Silverstein

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 Jody Graham, KemperSports for the **purchase of a 2015 Turfco Conveyor Belt from BrightView Golf Maintenance, Inc.** The purchase is necessary for the new golf course sand bunkers, a copy of the recommendation is appended hereto and made a part of the minutes. After review by the Board and upon motion by Deputy Mayor Silbert and seconded by Trustee Najman and carried unanimously the Board authorized the purchase of the Turfco Conveyor Belt, Serial #U00714 from Brightview Golf Maintenance, Inc., 24151 Ventura Blvd, Calabasas, CA 91302 in the amount of \$2,500.00.

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 11142017-14 was duly adopted.

Mayor Adler announced the **next Board of Trustees 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 was adjourned at 9:00 p.m.



Liz Gaynor, Village Clerk