

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, SEPTEMBER 25, 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
	Kathy Notaro	Treasurer/Deputy Village Clerk
	Michael Sahn	Village Attorney
	John Christopher	Village Attorney
Absent:	Peter A. Forman	Trustee
	Liz Gaynor	Village Clerk

Mayor Adler opened the public hearing to consider the **Establishing of Categories of Membership, Annual Membership Fees, Guest Privileges and Other Fees and Charges Relative to the Use of the Recreational Facilities for The Village Club of Sands Point.**

The Mayor announced receipt of the affidavit of publication indicating that the proposed Dues Schedule Hearing was published in the *Port Washington News* and announced receipt of the affidavit of posting, stating the proposed Village Dues Schedule Hearing was posted in the office of the Village Clerk.

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 Silbert, and carried unanimously the Public Hearing on the proposed dues schedule was closed at 8:02 p.m.

Mayor Adler opened the **Regular Meeting of the Board of Trustees** at 8:03 p.m.

The **Minutes** of the meetings held on August 28, 2018 and September 12, 2018 were reviewed. On motion by Trustee Ullman, seconded by Deputy Mayor Najman 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 August of 2018 was 60,845,700 gallons pumped versus 61,026,900 gallons during August 2017.

The **Treasurer's Report** showing cash balances as of August 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 4A & 4B** for payment in September were reviewed. On motion of Trustee Ullman, seconded by Deputy Mayor Najman and carried unanimously, the claims as contained on **Abstracts 4A & 4B** 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 Deputy Mayor Najman, 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 August 2018 which showed:

Building Permits issued – 9
Building Permit Applications filed – 5
Extensions of Building Permits Granted – 35
Tree Removal of Applications Received – 15
Certificates of Occupancy Issued – 6

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

Arraignments - 54
Trials - 0
Total Amount Collected - \$5,610.00

Mayor Adler placed on the table a **recommendation from Club Manager, Dana Cancellaro to approve categories of membership and related fees for the year 2019**, a copy of which is attached and appended hereto.

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

RESOLUTION 09252018-01
RESOLUTION 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, 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 General Manager of the Village Club has recommended Membership Categories and Dues for 2019 as set forth on the fee schedule appended hereto and made a part hereof.

NOW, THEREFORE, BE IT 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.

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	-	absent

Resolution 09252018-01 was duly adopted.

A written request from the **Port Washington Community Chest to hold the Annual Thanksgiving Day Run on Thursday, November 22, 2018** was reviewed, a copy of which is appended hereto and made a part of the minutes. On motion of Deputy Mayor Najman, seconded by Trustee Silbert and unanimously agreed, the Annual Port Washington Thanksgiving Day Run was approved **pending submission of the proper insurance certificates to the Village and notification by the Community Chest to the participants via signs and traffic cones along Cow Neck Road to warn of potholes.**

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

Mayor Adler placed on the table for consideration an **Insurance Renewal Proposal submitted by Salerno Brokerage Corp. covering the Village of Sands Point**, a copy of which is appended hereto and made a part of the minutes. The total proposed premiums for the period of 10/1/2018 thru 9/30/2019 is \$342,818.94. The total actual premiums for the period of 10/1/2017 thru 9/30/2018 was \$342,993.40.

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

**RESOLUTION 09252018-02
RENEWAL OF INSURANCE POLICIES
OCTOBER 1, 2018 – SEPTEMBER 30, 2019**

WHEREAS, Salerno Brokerage solicited insurance companies for the various policies that the Village requires; and

WHEREAS, Salerno recommends that the Village accept three different carriers for the various policies, a copy of which 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 Salerno Brokerage Corp., 117 Oak Drive, Syosset, New York 11791 be and hereby is retained to provide insurance coverage on all the Village's policies in the amount of \$342,818.94.

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	-	absent

Resolution 09252018-02 is duly adopted.

Mayor Adler announced the **Bid Opening results for the Interim Repairs of South Road and Nassau County Preserve Elevated Water Storage Tanks**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 09252018-03
AWARD OF CONTRACT
INTERIM REPAIRS OF SOUTH ROAD
AND NASSAU COUNTY PRESERVE
ELEVATED WATER STORAGE TANKS**

WHEREAS, three bids were received pursuant to Resolution 05222018-05 of May 22, 2018; and

WHEREAS, the Village Engineer has reviewed those bids and recommends that the contract be awarded to the lowest responsible bidder, Alpine Painting & Sandblasting Contractors, and

WHEREAS, the Board has reviewed those bids and concurs with the Village Engineers recommendation;

NOW, THEREFORE, BE IT RESOLVED, that **Alpine Painting & Sandblasting Contractors, 17 Florida Avenue, Paterson, NJ 07503** be and hereby is awarded the **rehabilitation contract for the South Road and Nassau County Preserve Water Storage Tanks project at a price of \$239,000.00** and, be it further

RESOLVED, that the Board of Trustees authorizes Mayor Adler to execute the bid contracts.

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

Resolution 09252018-03 was duly adopted.

Mayor Adler placed on the table for consideration a recommendation from **Chief Richard Lertora to purchase an 8 Channel Verint Media Recorder System for the Sands Point Police Department**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 09252018-04
PURCHASE OF 8 CHANNEL VERINT MEDIA RECORDER
FROM MAYDAY COMMUNICATIONS INC.
SANDS POINT POLICE DEPARTMENT**

WHEREAS, the existing telephone and radio recording system requires updating to bring the system up to an acceptable operating level and to meet the growing needs of the Police to fulfill the requirement of recording all telephone, 911 and radio transmission; and

WHEREAS, Chief Lertora has considered several systems and found that the Verint Media Recorder would best suit the department's needs; and

WHEREAS, the Village will be purchasing the Verint media recorder through Mayday Communications, Inc. which is covered under U.S. General Services Administration ("GSA") Contract number GS35F-066IT; and

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

WHEREAS, this expenditure is included in the FYE 2019 budget,

NOW, THEREFORE, BE IT RESOLVED that **the Board accepts the proposal from Mayday Communications, Inc., 19 Gazza Blvd, Farmingdale, NY 11735 in accordance with their proposal dated September 20, 2018 in the amount of \$12,150.00 which includes one year of free maintenance.**

The motion was seconded by Trustee 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	-	absent

Resolution 09252018-04 was duly adopted.

Mayor Adler placed on the table for **consideration a recommendation from Chief Richard Lertora for the purchase of replacement modems for four License Plate Readers that were installed in 2009, a copy of which is appended hereto and made a part of the minutes.**

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

**RESOLUTION 09252018-05
AUTHORIZATION TO PURCHASE
4G DIGI TRANSPORT- WR21 MODEMS
FOR EXISTING LICENSE PLATE READERS
SANDS POINT POLICE DEPARTMENT**

WHEREAS, four of the seven license plate readers currently installed throughout the Village need their modems replaced; the modems were installed in 2009;

WHEREAS, modems need replacing at the following locations:

- 1) Middle Neck Road
- 2) Cow Neck Road
- 3) Cornwall Lane
- 4) Sands Point Road

WHEREAS, it is the recommendation of Chief Lertora to engage Major Police Supply to supply the modems; and

WHEREAS, the Board has reviewed the Chief's recommendation and finds it acceptable; and

NOW, THEREFORE, BE IT RESOLVED that Major Police Supply, 47 N. Dell Avenue, Kenvil, NJ 07847 be engaged to supply (4) four 4G DIGI Transport Modems-WR21 in an amount not to exceed \$5,078.08.

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	-	absent

Resolution 09252018-05 was duly adopted.

Mayor Adler placed on the table for a consideration to hold a **public hearing to consider a proposed local law for a further extension of the dock moratorium**. On motion of Trustee Silbert and seconded by Deputy Mayor Najman and carried unanimously the Board resolved to hold a Public Hearing at their **Tuesday, October 23, 2018 meeting**. On vote as follows:

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	-	absent

Mayor Adler placed on the table for consideration a **Resolution Adopting and Approving the Settlement Agreements in the Raymond Lall Action and the Alex Lall Action**.

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

RESOLUTION 09252018-06
ADOPTING AND APPROVING THE SETTLEMENT AGREEMENTS
IN THE RAYMOND LALL ACTION AND THE ALEX LALL ACTION

WHEREAS, Raymond Lall is former employee of KemperSports Management ("KSM") at the Village Club of Sands Point (the "Village Club"); and

WHEREAS, Alex and Andrew Lall are former employees of KSM at the Village Club, and are the sons of Raymond Lall; and

WHEREAS, on or about March 2, 2017, Raymond Lall served KSM with a Summons and Complaint entitled, "Raymond Lall, Individually and on Behalf of Others Similarly Situated v. Kemper Sports Mgmt., Inc., et al.," bearing Queens County Index No. 700853/2017 (the "Raymond Lall Action"), which proffers claims against KSM and the Village Club of Sands Points arising from his alleged employment; and

WHEREAS, on or about October 31, 2017, Alex Lall and Andrew Lall served KSM with a Summons and Complaint entitled, "Alex Lall and Andrew Lall v. Kemper Sports Management, Inc. and The Village Club of Sands Point," bearing Queens County Index

No.: 715118/2017 (the "Alex Lall Action"), which proffers claims against KSM and the Village Club of Sands Points arising from their alleged employment; and

WHEREAS, the Raymond Lall Action and the Alex Lall Action shall collectively be referred to herein as the "Actions"; and Raymond Lall, Alex Lall and Andrew Lall shall be collectively referred to herein as the "Plaintiffs"; and

WHEREAS, the Incorporated Village of Sands Point was never named as a defendant in either of the Actions and none of the plaintiffs were ever Village employees; and

WHEREAS, the Plaintiffs have agreed to settle the Actions pursuant to written settlement agreements (the "Settlement Agreements"); and

WHEREAS, the proposed settlements will resolve all issues between the parties without the need for additional litigation; and

WHEREAS, the Village is not required to pay any sums to Plaintiffs, to KSM or to Philadelphia Insurance Companies as a result of these settlements; and

WHEREAS, the Board has reviewed the Settlement Agreements, is in agreement with the terms and conditions therein, and has determined that the proposed settlements are in the best interest of the Village; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby adopt, and approve the Settlement Agreements in both the Raymond Lall Action and the Alex Lall Action, the terms of which have been reviewed and considered by the Board of Trustees; and

BE IT FURTHER RESOLVED, that the Mayor Edward A.K. Adler be, and hereby is, authorized to execute the Settlement Agreements on behalf of the Village in the Raymond Lall Action and in the Alex Lall Action.

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	-	absent

Resolution 09252018-06 was duly adopted.

Mayor Adler placed on the table for consideration a **recommendation from Water Commissioner Scheyer for an adjustment to the August 2018 water bill for the Scotto residence at 43 Sterling Lane**, a copy of the Commissioner’s recommendation is appended hereto and made a part of the minutes. A motion was made by Trustee Ullman and seconded by Trustee Silbert and carried unanimously the Board resolved to approve reduction from \$4,089.90 to \$2,044.95, with an abatement for late payment, conditioned on payment in full of the adjusted amount within 30 days of notification of the decision. The vote was as follows:

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	-	absent

Mayor Adler placed on the table for consideration **2018 and 2019 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 Silbert and seconded by Deputy Mayor Najman and carried unanimously the Board approved the following event requests:

2018

Sunday, November 25th – Wedding – Kuncman

2019

Saturday, March 23rd – Bat Mitzvah – Lisa Caslow

Saturday, June 1st – 50th Wedding Anniversary – Jacobacci

Friday, August 8th & Saturday, August 9th – Wedding – Manisha Subraj

Saturday, August 31st – Wedding – Alexandra Siwec

Saturday, November 9th – Wedding – Christina Murgolo

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	-	absent

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.**

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

**RESOLUTION 09252018-07
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: Thayer Lane, Mansion Road, and Mansion Driveway; and

WHEREAS, John McGowan & Sons, Inc. has agreed to perform the additional work for the prices agreed to under the 2016 Road Improvements Program;

WHEREAS, Dvirka and Bartilucci has prepared an estimated cost for this work of \$175,000.00, a copy of their estimate is appended hereto; and

WHEREAS, the Board of Trustees recommends the performance of this work and the execution of the change work order to include these additional roads.

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 \$200,000.00; and, be it further,


RESOLVED, that Superintendent of Public Works, Brian Gunderson, is authorized to execute a change work order on behalf of the Village with John McGowan & Sons to perform this additional work.

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 - absent
Resolution 09252018-07 was duly adopted.

Mayor Adler announced that the **next Board of Trustees meeting will be held on Tuesday, October 23, 2018** at 8:00 p.m.

There being no further business to come before the Board, on motion of Trustee Silbert, seconded by Deputy Mayor Najman and carried unanimously, the meeting was adjourned at 8:29 p.m.



Kathleen Notaro,
Treasurer/Deputy Village Clerk