

**BOARD OF TRUSTEES & ANNUAL ORGANIZATIONAL MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, JULY 28, 2009**

Present:	Leonard Wurzel	Mayor
	Edward A.K. Adler	Deputy Mayor
	Daniel Scheyer	Trustee
	Katharine M. Ullman	Trustee
	Marc Silbert	Trustee
	Lynn Najman	Treasurer
	Randy Bond	Village Clerk
	Kenneth Auerbach, Esq.	Village Attorney

Mayor Wurzel opened the **Organizational Meeting** of the Board of Trustees at 8:16 p.m.

Mayor Wurzel moved the **appointments of Village Officials**, a copy of which is appended hereto and made a part of the minutes. On motion of Deputy Mayor Adler and seconded by Mayor Wurzel and carried unanimously, the appointments were approved. On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Mayor Wurzel announced his **appointment of Edward A.K. Adler as Deputy Mayor** for a term of one year to expire July 26, 2010.

The Board reviewed the appointees for **Village Consultants**: Village Attorney, Village Engineer, Stenographer Services, Accounting and Auditing Services, Laboratory Services for the Water Department, Surgeon/Medical Director for the Sands Point Police Department and Landscape Maintenance Village Hall and Water Department sites. Copies of their proposals are appended hereto and made a part of the minutes.

Village Attorney & Prosecutor – Sahn, Ward & Baker, PLLC, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye

July 28, 2009

Trustee Marc Silbert voting - aye

Labor Counsel – Sahn, Ward & Baker, PLLC, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved.

On roll call:

Mayor Leonard Wurzel voting - aye
Deputy Mayor Edward A.K. Adler voting - aye
Trustee Daniel Scheyer voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye

Village Engineer/Public Work Matters – Sidney B. Bowne & Son, Inc., on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting - aye
Deputy Mayor Edward A.K. Adler voting - aye
Trustee Daniel Scheyer voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye

Village Engineer/ Water Department Matters – Dvirka & Bartilucci, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting - aye
Deputy Mayor Edward A.K. Adler voting - aye
Trustee Daniel Scheyer voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye

Accounting Services & Auditing Services/Village & Village Club – Coughlin Foundotos Cullen & Danowski, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting - aye
Deputy Mayor Edward A.K. Adler voting - aye
Trustee Daniel Scheyer voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye

Stenographer Services – James F. Gill Reporting, Board of Trustees Meetings, Board of Zoning Appeals and Planning Board, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved.

On roll call:

July 28, 2009

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Laboratory Services/Water Department - H2M Labs, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Sands Point Police Department Surgeon/Medical Director – Dr. Alan A. Katz, on motion by Deputy Mayor Adler and seconded by Trustee Silbert and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Landscape Maintenance Service Village Hall & Water Department Sites – Bonavitacola Landscaping Contractors, on motion by Deputy Mayor Adler and seconded by Deputy Mayor Adler and carried unanimously, the appointment was approved. On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Mayor Wurzel reviewed with the Board the recommendation of the New York State Comptroller pertaining to **depositories of municipal funds** and the Resolutions adopted by the Board of Trustees since January 20, 1994 pertaining to the investment of Village Funds.

Whereupon Mayor Wurzel proposed the following and moved its adoption:

**RESOLUTION 07282009-01
DESIGNATING DEPOSITORIES**

WHEREAS, the Board of Trustees by Resolutions adopted since January 20, 1994 has established an investment policy for Village Funds; and

WHEREAS, the Board has reviewed the proposal of several depositories available for the investment of Village Funds;

NOW, THEREFORE, BE IT RESOLVED that the following institutions be and hereby are designated as depositories for the funds of the Village:

J. P. MORGAN CHASE
MBIA – CLASS
STATE BANK OF L.I.
WACHOVIA
HSBC
CITIBANK
BANK OF AMERICA

BE IT, FURTHER RESOLVED, that the Treasurer be and hereby is authorized to pay for the establishment of third party collateralization of the Village invested funds as follows:

to J.P. MORGAN CHASE for no charge per year with no additional cost per transaction to insure the total of Village funds deposited;

to MBIA-CLASS for no charge per year with no additional cost per transaction;

to STATE BANK OF L.I. for no charge per year with no additional cost per transaction;

to WACHOVIA for no charge per year with no additional cost per transaction;

to HSBC for no charge per year with no additional cost per transaction;

to CITIBANK for no charge per year with no additional cost per transaction;

to BANK OF AMERICA for no charge per year with no additional cost per transaction;

July 28, 2009

AND BE IT FURTHER RESOLVED, that confirmation of placement of collateral covering the total of investments be submitted by the bank, to the Treasurer on a monthly basis.

FURTHER RESOLVED, that the designated depositories be and they hereby are authorized and directed to accept and act upon oral, telephonic or other teleprocess instructions, to transfer on its books or to any bank or other financial institution or otherwise, for the account of the Incorporated Village of Sands Point any or all portion of the balance of any bank account or accounts of the Village maintained with the Bank and to otherwise honor oral, telephonic or other teleprocess instructions for the transaction of business for or otherwise regarding the Village account; and

FURTHER RESOLVED, that the Board of Trustees of the Village shall from time to time designate to the depository those persons who shall be authorized to give instructions or otherwise agree to specific authentication methods and enter into other agreements with the depository upon which the depository offers its products and services to its customers including, but not limited to, agreements to indemnify the depository and to affix the corporate seal to any such agreements and do such other acts and things as may be necessary or advisable to carry out on the part of the Village the terms and conditions of such agreements; and

FURTHER RESOLVED, that the depository shall be notified in writing by the Village Clerk of any change in these resolutions and, until it has actually received such written notice, the depository is authorized to act in pursuance of these resolutions; and

FURTHER RESOLVED, that the funds may be drawn on checks signed by the Treasurer and in the absence of the Treasurer by the Mayor and any one Trustee or Village Clerk or Deputy Treasurer or by two Trustees jointly or by the Village Clerk and any one Trustee or Deputy Treasurer.

FURTHER RESOLVED, that the Treasurer, the Deputy Treasurer and the Village Clerk shall be authorized to transfer funds within and between the designated depositories for the Village; and

FURTHER RESOLVED, that Resolutions establishing policy of fiscal management and investing as adopted since January 20, 1994 be and hereby are included as part of this Resolution.

The motion was seconded by Trustee	. On roll call:
Mayor Leonard Wurzel voting	- aye
Deputy Mayor Edward A.K. Adler voting	- aye
Trustee Daniel Scheyer voting	- aye
Trustee Katharine M. Ullman voting	- aye

July 28, 2009

Trustee Marc Silbert voting - aye
Resolution 07282009-01 was duly adopted.

Mayor Wurzel presented to the Board the following **policies and procedures** for consideration to be adopted for the Village Official Year beginning July 1, 2009:

POLICIES AND PROCEDURES
2009 - 2010

I. The Board of Trustees shall meet regularly once a month. Meetings will usually be held on the fourth Tuesday of each month or at such time as herewith proposed or as may be changed by the Board of Trustees and duly advertised.

Regular meeting dates will be:	for 2009	August 25 (Tuesday)
		September 29 (Tuesday)
(Meetings will be held at 8:00 p.m.		October 27 (Tuesday)
except for June 15, 2010 when the		November 17 (3 rd Tuesday)
meeting will be held at 9:00 p.m.		December 15 (3 rd Tuesday)
after the Village Election)		

	for 2010	January 26 (Tuesday)
		February 23 (Tuesday)
		March 23 (Tuesday)
		April 27 (Tuesday)
		May 25 (Tuesday)
		June 15 (Tuesday)
		July 20 (Tuesday)

On motion of Mayor Wurzel and seconded by Deputy Mayor Adler and carried unanimously, the meeting dates were approved.

- II. Officials and employees of the Village shall be authorized to attend municipally-related conferences and to have expenditures paid by the Village to expend Village funds up to amounts set aside in the current Budget.
- III. Officials and employees of the Village shall be reimbursed for the use of personal vehicles in attending to official business at the standard federal rate per mile. Reimbursement is to be considered upon presentation of claim voucher to the Village Clerk.
- IV. The Treasurer shall be authorized to pay in advance of audit claims by the Board of Trustees certain recurring expenses including but not limited to public utility

July 28, 2009

services, postage and freight. All such items shall be presented at the next regular meeting for audit by the Board of Trustees.

- V. Budget Procedure; Investment; Vehicle Use, Meal, Refreshment and Travel Reimbursement; Use of Credit Card; Employment Discrimination and Harassment; Violence Prevention Program; Electronic Communications Systems and Cyber Security – Citizens’ Notification Policies are appended hereto and made a part of the minutes.

Mayor Wurzel moved that aforesaid policies and procedures be adopted for the official year beginning July 1, 2009.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

All policies and procedures as hereinbefore stated were duly adopted.

Trustee Ullman moved that the **PORT WASHINGTON NEWS** be designated as the **official newspaper** of the Village. The motion was seconded by Deputy Mayor Adler and carried unanimously the **PORT WASHINGTON NEWS** was designated as the official newspaper for the period July 1, 2009– July 1, 2010.

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

The Board reviewed the requirements of Chapter 413 of the Laws of New York State 1991 which amends Section 103 of the General Municipal Law of the State of New York and adds Section 104(b) thereto:

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

RESOLUTION 07282009 - 02
ADOPTING A PROCUREMENT POLICY PURSUANT TO
SECTION 104(b) of the GENERAL MUNICIPAL LAW

July 28, 2009

WHEREAS, Section 104(b) of the General Municipal Law as amended effective January 1, 1992 requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid; and

WHEREAS, by Resolution 07292008-02 the Board re-adopted the existing Procurement Policy; and

WHEREAS, comments have been solicited from officials involved in the procurement process which has heretofore been followed for the Village of Sands Point; and

WHEREAS, the Board has recommended certain changes be made to the Policy; and

WHEREAS, the Board of Trustees desires to authorize procurement policy which serves the best interest of its citizens and taxpayers and complies with all legal requirements;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby adopt for the Village of Sands Point the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid:

PROCUREMENT POLICY FOR THE VILLAGE OF SANDS POINT

1.

- a) Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.
- b) The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law; **purchase contracts under \$10,000 and public works contracts under \$20,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity.**

July 28, 2009

- c) The decision that a purchase is not subject to competitive bidding will be documented in writing to the Village Clerk by the individual making the purchase. This documentation includes written or verbal quotes from vendors and a memo from the purchaser indicating reasons for the recommendation.
 - d) Where applicable, the following should be documented:
 - 1) a copy of the contract indicating the source which makes the item or service exempt;
 - 2) a memo from the purchaser detailing the circumstances which led to an emergency purchase;
 - 3) any other supporting documentation which the Board of Trustees may deem appropriate.
2. All goods and services will be secured pursuant to competitive bidding requirements under General Municipal Law except in the following circumstances:
- purchase contracts under \$10,000 and public work contracts under \$20,000;
 - goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law;
 - goods purchased from correctional institutions pursuant to Section 186 of the Correction Law;
 - purchases under State contracts pursuant to Section 104 of the General Municipal Law of New York State ;
 - purchases under County contracts pursuant to Section 103 (3) of the General Municipal Law of New York State;
 - purchases pursuant to Subdivision 6 of this Policy
3. The following minimum methods of purchase will be used when required by this policy in order to achieve the highest savings:

July 28, 2009

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$500 - \$2,999	2 verbal quotes
\$3,000 – \$9,999	3 written/fax quotes or written request for proposals
<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$500 - \$2,999	2 verbal quotes
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$19,999	3 written/fax quotes or written request for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the failure to receive the proposals requested by the purchaser be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged.
6. Pursuant to General Municipal Law Section 104 (b) (2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the Board of Trustees, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Sands Point to solicit quotations or document the basis for not accepting the lowest bid:
 - a) Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen

based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines:

- 1) whether the services are subject to State licensing or testing requirements;
- 2) whether substantial formal education or training is a necessary prerequisite to the performance of the services;
- 3) whether the services require a personal relationship between the individual and municipal officials.

Professional or technical services shall include but not be limited to the following:

- services of an attorney; services of a physician;
- technical services of an engineer engaged to prepare plans, maps and estimates;
- securing insurance coverage and/or services of an insurance broker;
- services of a certified public accountant;
- investment management services;
- printing services involving extensive writing, editing, or art work;
- management of municipally owned property;
- computer software or programming services for customized programs, or services involved in substantial modifications and customizing of pre-packaged software

b. **Emergency purchases pursuant to Section 103 (4) of the General Municipal Law.**

Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. **Purchases of surplus and second-hand goods.** If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually

obtained. It is also difficult to attempt to compare prices of used goods, and a lower price may indicate an older product.

- d. **Goods or services under \$500.** The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism. However, goods and services purchased from any one vendor which total \$10,000 or greater over a one-year period may be subject to scrutiny. In addition, attempts should be made whenever possible to bid out items which may be considered "consumables" such as janitorial goods, and paper goods.

This policy shall become effective July 29, 2009 and will be reviewed annually.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-02 was duly adopted.

Mayor Wurzel presented to the Board a list of **Approved Vendors for the Water and Public Works Department** which is appended hereto and made a part of the minutes. The vendor list was submitted for approval by Public Works Superintendent Brian Gunderson and after review by the Board and on motion by Mayor Wurzel, seconded by Trustee Scheyer and carried unanimously, the vendor list was approved.

On roll call:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Mayor Wurzel opened the **Regular Meeting of the Board of Trustees** at 8:31 p.m.

The **Minutes** of the meetings held on June 16, 2009 were reviewed. On motion by Mayor Wurzel, seconded by Trustee Scheyer and carried unanimously, the minutes were approved.

The **Treasurer's Report** showing cash balances as of June 30, 2009 was reviewed (copy attached). On motion by Deputy Mayor Adler, seconded by Trustee Scheyer and carried unanimously, the Treasurer's Report was accepted and filed.

Claims as presented on **Abstracts 2A & 2B** for payment in July were reviewed. On motion of Deputy Mayor Adler seconded by Trustee Scheyer and carried unanimously, the claims as contained on **Abstracts 2A & 2B** 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 Mayor Wurzel and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of June 2009 which showed:

Building Permits issued – 4
Building Permit Applications filed – 4
Extensions of Building Permits Granted – 22
Tree Removal of Applications Received – 11
Certificates of Occupancy Issued – 10

The Board received the **Water Commissioner's Report** which is appended hereto and made a part of the minutes.

Trustee Scheyer announced that water pumpage during June of 2009 was 36,960,000 gallons pumped versus 57,250,000 gallons during June 2008.

The Board received the **Justice Court Report** for the month of June 2009 which showed:

Arraignments – 47
Trials - 0
Total Amount Collected - \$3,695.00

Mayor Wurzel placed on the table a **request to approve attendance at the NYCOM Fall Training School for the Village Clerk Randy Bond**, a copy of which is appended hereto and made part of the minutes.

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

RESOLUTION 07282009-03

July 28, 2009

**APPROVAL OF ATTENDANCE
AT NYCOM FALL TRAINING SCHOOL FOR
CLERK RANDY BOND**

WHEREAS, it is necessary for the Village Clerk to acquire up to date information and maintain certifications; and

WHEREAS, the Fall Training School provides the most comprehensive program of government policy in New York State for municipalities and supplies attendees with critical information; and

WHEREAS, the Board has reviewed the request and finds that the conference is essential.

NOW THEREFORE BE IT RESOLVED, that the Clerk Randy Bond, be allowed to attend the Annual NYCOM Fall Training School from September 21-25, 2009 in Albany, NY at a cost not to exceed \$1,500.00, as per the request from Village Clerk Bond dated July 6, 2009.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-03 was duly adopted.

Mayor Wurzel placed on the table a **request to approve attendance at the Annual Court Clerk Conference for the Court Clerk Bonnie Davison**, a copy of which is appended hereto and made part of the minutes.

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

**RESOLUTION 07282009-04
APPROVAL OF ATTENDANCE AT COURT CLERK CONFERENCE
FOR
COURT CLERK BONNIE DAVISON**

WHEREAS, it is necessary for the Court Clerk to acquire up to date information; and

July 28, 2009

WHEREAS, the Court Clerk Conference provides the most comprehensive program of its kind in New York State for Municipal Courts and supplies attendees with critical information; and

WHEREAS, the Board has reviewed the request and finds that the conference is essential.

NOW THEREFORE BE IT RESOLVED that the Court Clerk Bonnie Davison be allowed to attend the Annual Court Clerk Conference from October 4, 2009 through October 7, 2009, at a cost not to exceed \$950.00, as per the request from Court Clerk Davison dated July 16, 2009.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-04 was duly adopted.

Mayor Wurzel placed on the table for consideration a **request from the Manhasset Bay Protection Committee for the Village's annual membership dues**, a copy of which is appended hereto and made a part of the minutes.

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

RESOLUTION 07282009-05
ANNUAL MEMBERSHIP DUES
MANHASSET BAY PROTECTION COMMITTEE

WHEREAS, the Village has been a member of the Manhasset Bay Protection Committee for several years; and

WHEREAS, the Committee has been very active in providing information to the member Villages on the Bay; and

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continual membership in the Manhasset Bay Protection Committee; and**

BE IT FURTHER RESOLVED that the **Board of Trustees authorizes the payment of \$1,500.00 to cover the Village's annual dues.**

July 28, 2009

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-05 was duly adopted.

Placed on the table for consideration towards adoption was proposed **Local Law No. 3 of 2009 entitled, "A Local Law Repealing Chapter 94 of the Village Code of Sands Point and Replacing it by Adopting a New Chapter 94, entitled Flood Damage Prevention Law of the Village of Sands Point as authorized by Article IX, Section 2 of the New York State Constitution and Article 36 of the Environmental Conservation Law."** A copy of the local law is appended hereto and made a part of the minutes. Whereupon Mayor Wurzel moved the adoption of the aforesaid local law, seconded by Deputy Mayor Adler and on vote as follows:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Local Law No. 3 of 2009 was duly adopted.

Mayor Wurzel placed on the table the following **Resolution for Small Claims Assessment Adjustment to the Village's 2007-2008 Assessment Roll that was filed by the firm of Forchelli Curto etal.**

Whereupon Trustee Scheyer proposed the following Resolution and moved its adoption:

**RESOLUTION 07282009-06
INC. VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
SMALL CLAIMS ASSESSMENT ADJUSTMENTS
TO ASSESSMENT ROLL FYE 2007/2008**

WHEREAS, petitions for Small Claims Assessment Review pursuant to Section 730 Real Property Tax Law of the State of New York has been filed by the following property owners requesting that the Assessed Valuation be reduced and applied to the Final Assessment Roll of the Village of Sands Point for the fiscal year ending May 31, 2008;

July 28, 2009

WHEREAS, Small Claims Assessment Review hearings held pursuant to Real Property Tax Law of the State of New York against the Board of Assessors of the County of Nassau reduced the assessed values of the following residential properties; and

WHEREAS, the Board of Trustees has reviewed the documents pertaining to these applications;

NOW THEREFORE, BE IT RESOLVED THAT in accordance with the Nassau County reduction, the Village Treasurer be and hereby is directed to make refund payment to property owners' representatives Forchelli, Curto, Crowe, Deegan, Schwartz, Mineo, & Cohn, LLP, 330 Old Country Road, P.O. Box 31, Mineola, New York 111501 in the following amounts:

Property Owner	Section	Block	Lot	Original Assessment	Reduction	New Tax Assessment	Amount to be Refunded
Monroe	4	A	77, 78	8,151	201	7,950	\$244.22
Chhabra	4	B	436	14,225	1,920	12,305	\$2,332.80
Tepper	4	E	266	7,500	750	6,750	\$911.25
Fratello	4	B	320	7,627	612	7,015	\$743.58

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

Mayor Leonard Wurzel voting - aye
 Deputy Mayor Edward A.K. Adler voting - aye
 Trustee Daniel Scheyer voting - aye
 Trustee Katharine M. Ullman voting - aye
 Trustee Marc Silbert voting - aye

Resolution 07282009-06 was duly adopted.

Mayor Wurzel placed on the table the following **Resolution for Small Claims Assessment Adjustment to the Village's 2006-2007 Assessment Roll** that was filed by the firm of Forchelli Curto et al.

Whereupon Trustee Scheyer proposed the following Resolution and moved its adoption:

**RESOLUTION 07282009-07
 INC. VILLAGE OF SANDS POINT
 BOARD OF TRUSTEES
 SMALL CLAIMS ASSESSMENT ADJUSTMENT
 TO ASSESSMENT ROLL FYE 2006/2007**

July 28, 2009

WHEREAS, a petition for Small Claims Assessment Review pursuant to Section 730 Real Property Tax Law of the State of New York has been filed by the following property owner requesting that the Assessed Valuation be reduced and applied to the Final Assessment Roll of the Village of Sands Point for the fiscal year ending May 31, 2007;

WHEREAS, a Small Claims Assessment Review hearing held pursuant to Real Property Tax Law of the State of New York against the Board of Assessors of the County of Nassau reduced the assessed value of the following residential property; and

WHEREAS, the Board of Trustees has reviewed the documents pertaining to this application;

NOW THEREFORE, BE IT RESOLVED THAT in accordance with the Nassau County reduction, the Village Treasurer be and hereby is directed to make refund payment to property owner's representatives Forchelli, Curto, Crowe, Deegan, Schwartz, Mineo, & Cohn, LLP, 330 Old Country Road, P.O. Box 31, Mineola, New York 111501 in the following amount:

Property Owner Sec/Blk/Lot	Original Assessment	Reduction	New Tax Assessment	Amount to be Refunded
Yedid (4/56/47)	\$20,733	\$1,183	\$19,550	\$405.67

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

Mayor Leonard Wurzel voting - aye
 Deputy Mayor Edward A.K. Adler voting - aye
 Trustee Daniel Scheyer voting - aye
 Trustee Katharine M. Ullman voting - aye
 Trustee Marc Silbert voting - aye

Resolution 07282009-07 was duly adopted.

Mayor Wurzel placed on the table the following **Resolution for Small Claims Assessment Adjustment to the Village's 2008-2009 Assessment Roll that was filed by the firm of Bernard Horak.**

Whereupon Trustee Scheyer proposed the following Resolution and moved its adoption:

July 28, 2009

RESOLUTION 07282009-08
INC. VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
SMALL CLAIMS ASSESSMENT ADJUSTMENT
TO ASSESSMENT ROLL FYE 2008/2009

WHEREAS, a petition for Small Claims Assessment Review pursuant to Section 730 Real Property Tax Law of the State of New York has been filed by the following property owner requesting that the Assessed Valuation be reduced and applied to the Final Assessment Roll of the Village of Sands Point for the fiscal year ending May 31, 2009;

WHEREAS, a Small Claims Assessment Review hearing held pursuant to Real Property Tax Law of the State of New York against the Board of Assessors of the County of Nassau reduced the assessed value of the following residential property; and

WHEREAS, the Board of Trustees has reviewed the documents pertaining to the application;

NOW THEREFORE, BE IT RESOLVED THAT in accordance with the Nassau County reduction, the Village Treasurer be and hereby is directed to make refund payment to property owner's representative Bernard Horak, 505 Northern Blvd., Great Neck, NY 11021 in the following amount:

Property Owner	Section	Block	Lot	Original Assessment	Reduction	New Tax Assessment	Tax Refund
Sims	04	E	103	5,729	602	5,127	\$724.81

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

Mayor Leonard Wurzel voting - aye
 Deputy Mayor Edward A.K. Adler voting - aye
 Trustee Daniel Scheyer voting - aye
 Trustee Katharine M. Ullman voting - aye
 Trustee Marc Silbert voting - aye

Resolution 07282009-08 was duly adopted.

Mayor Wurzel placed on the table a recommendation from Club Manager Ed Ronan to **pay the CBS Whitcom for the repair and replacement of equipment damaged by lightning**, a copy of which is attached and appended hereto.

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

RESOLUTION 07282009-09

July 28, 2009

**AUTHORIZATION TO PAY CBS WHITCOM TECHNOLOGIES
FOR EMERGENCY REPAIR AND
REPLACEMENT OF EQUIPMENT AT THE
VILLAGE CLUB OF SANDS POINT**

WHEREAS, there was a lightning strike which damaged the phone system at the Village Club of Sands Point; and

WHEREAS, CBS Whitcom, the company that initially installed the phone equipment was contacted and responded immediately; and

WHEREAS, the work performed was emergency in nature and therefore exempt from Village Procurement Policy; and

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

NOW THEREFORE BE IT RESOLVED that CBS Whitcom, 2990 Express Dr. South, Islandia, NY 11749 be and hereby is approved to receive \$5,277.50 for services rendered as per their invoice dated 7/14/2009.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-09 was duly adopted.

Mayor Wurzel placed on the table a recommendation from Club Manager Ed Ronan to **pay the Chaikin Pools for the repair the pools**, a copy of which is attached and appended hereto.

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

**RESOLUTION 07282009-10
AUTHORIZATION TO PAY CHAIKIN POOLS
FOR EMERGENCY REPAIR OF THE POOLS AT THE
VILLAGE CLUB OF SANDS POINT**

July 28, 2009

WHEREAS, it was determined that the surface of the "kiddy" pool had become rough and could cause injury to swimmers and the main pool required replacement of the sand filter; and

WHEREAS, the Club has engaged Chaikin many times over the past years and they have always provided outstanding service at reasonable prices; and

WHEREAS, Chaikin was engaged to immediately repair the two pools; and

WHEREAS, the work performed was emergency in nature and therefore exempt from Village Procurement Policy; and

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

NOW THEREFORE BE IT RESOLVED that Chaikin Pools, 45 Gazza Blvd., Farmingdale, NY 11735 be and hereby is approved to receive \$7,845.00 for services rendered as per their invoices dated 7/14/2009.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-10 was duly adopted.

Mayor Wurzel placed on the table for consideration a recommendation for a **change order to the Tennis Pavilion Project by the Club Manager Ed Ronan**, a copy of which is appended hereto and made a part of the minutes.

Whereupon Mayor Wurzel proposed the following Resolution and moved its adoption:

**RESOLUTION 07282009-11
CHANGE ORDER #6
AT THE TENNIS HOUSE
VILLAGE CLUB OF SANDS POINT**

WHEREAS, by Resolution 11182008-02 the Board awarded the General Construction bid to Torlina Construction, Inc. for general construction services to renovate the Tennis House located at the Village Club of Sands Point in the amount of \$282,500.00; and

July 28, 2009

WHEREAS, several changes were done; and

WHEREAS, Ed Ronan has reviewed the change order and recommends that it be approved, a copy of which is appended hereto and made a part of the minutes; and

NOW, THEREFORE, BE IT RESOLVED, that the **Board authorizes payment to Torlina Construction, 11 Rose Avenue, Harrison, NY 10528, for the change order as per their letter dated July 20, 2009 in the amount of \$17,100.00.**

BE IT FURTHER RESOLVED that the Board authorizes the Mayor to execute the change order.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 077282009-11 was duly adopted.

Mayor Wurzel placed on the table for **consideration the purchase of License Plate Reader and Video Surveillance System**, a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 07282009-12
PURCHASE OF A
LICENSE PLATE READER AND VIDEO SURVEILLANCE SYSTEM
FOR THE VILLAGE OF SANDS POINT
GENERAL SALES ADMINISTRATION

WHEREAS, the Police Department was asked by the Board of Trustees to research License Plate Readers and Surveillance Systems to determine if they could effectively deter and detect criminal activity in the Village of Sands Point; and

WHEREAS, Lt. Robert Follo has investigated several systems and presented a written report to the Board of Trustees regarding the technology; and

July 28, 2009

WHEREAS, Lt. Follo has recommended the system from Federal System's Pips Technology as they are a proven vendor with a long track record and history with this technology; and

WHEREAS, the system is available through General Sales Administration under New York State Contract Group #38232, Award 19745; Contract Number PC63041 and therefore exempt from competitive bidding as per our procurement policy;

WHEREAS, the total purchase amount for the system is \$77,585.50; and

NOW, THEREFORE, BE IT RESOLVED that General Sales Administration, 47 N. Dell Avenue, Kenil, NJ 07847 be engaged to provide goods and services in accordance with their proposal dated July 9, 2009, copies of which are attached and appended hereto in the amount of \$73,086.00; and be it further

RESOLVED, that General Sales Administration be engaged to provide maintenance services in accordance with their proposal dated July 9, 2009 in the amount of \$4,499.50; and be it further

RESOLVED, that Hawkey, LLC a licensed electrician, approved by LIPA be engaged to provide installation services for the Surveillance Cameras on the LIPA poles in the amount of \$9,450.00 as per its proposal dated July 17, 2009; and be it further

RESOLVED, that LIPA be engaged to run an additional line in an amount not to exceed \$2,000.00; and be it further

RESOLVED, that Verizon Wireless be engaged to enable wireless communication devices at the current monthly cost of \$250.00 per month; and be it further

RESOLVED, that DIGI International be engaged to provide miscellaneous communication equipment in the amount of \$4,222.75, as per its proposal dated July 16, 2009; and be it further

RESOLVED, that the Mayor is authorized to execute the agreements with General Sales Administration, Verizon, and LIPA on behalf of the Village; and be it further

RESOLVED, that as this project is unfunded, a budget transfer in the amount of \$94,258.25 be made from Account A.000.0909. Unreserved Fund Balance to A.3120.0220.000 Police Equipment Purchases in Fiscal Year Ending May 31, 2010.

The motion was seconded by Mayor Wurzel. On roll call:

July 28, 2009

Mayor Leonard Wurzel voting - aye
Trustee Edward A.K. Adler voting - aye
Trustee Daniel Scheyer voting - aye
Trustee Katharine M. Ullman voting - aye
Trustee Marc Silbert voting - aye
Resolution 07282009-12 was duly adopted.

Mayor Wurzel placed on the table a recommendation from Chief Mark Mandel to **consider a proposal from Total Computer Systems and Extreme Lighting to install computer equipment in two Police vehicles for a total of \$19,076.40**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 07282009-13
AUTHORIZING PURCHASE AGREEMENT
COMPUTER SOFTWARE, HARDWARE, NETWORK INTEGRATION, AND
INSTALLATION FOR TWO
POLICE DEPARTMENT VEHICLES
TOTAL COMPUTER SYSTEMS
EXTREME LIGHTING**

WHEREAS, Chief Mark Mandel has requested that Police vehicles have the ability to remotely connect with the Records Management Server in headquarters; and

WHEREAS, the Police Department has engaged Total Computer Systems (hardware, training, maintenance, support, etc.) for over twenty years and have been extremely satisfied with the services of the company; and

WHEREAS, the Police plan on continuing to utilize the "Total Enforcement" program that has been purchased from Total Computer over the years; and

WHEREAS, Total Computer Services has been awarded NYS Contract CMS370A for Systems Management, Information Security, Local Area Network Services, and On-Going Technical service; and

WHEREAS, the selected Brite Rugged Tablet computers has been awarded NYS Contract PT55645; and

WHEREAS, Extreme Lighting will be retrofitting each Police vehicle to accommodate the computer configuration while remaining air-bag compliant; and

July 28, 2009

WHEREAS, Extreme Lighting will provide their services under a contract with Nassau County,

NOW, THEREFORE BE IT RESOLVED, that Total Computer Group, 1895 Walt Whitman Road; Melville, NY 11747 be engaged to provide, hardware, software and network integration service to the Village of Sands Point as per Quote 14808 dated March 3, 2009 in the amount of \$12,454.00; and be it further

RESOLVED, that Extreme Lighting, 24 Weman Court, Plainview, NY 11803 be engaged to retrofit two Police vehicles as per their quote dated April 8, 2009 in the amount of \$6,622.40.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-13 was duly adopted.

Mayor Wurzel placed on the table for consideration a **recommendation from Superintendent of Public Works, Brian Gunderson to authorize the Village Clerk to place a legal notice for a Request for Proposals to design a landscaping plan for the newly renovated Village Hall**, a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 07282009-14
AUTHORIZATION TO PLACE A LEGAL NOTICE FOR A
REQUEST FOR PROPOSALS
TO DESIGN A LANDSCAPING PLAN
FOR THE NEWLY RENOVATED
VILLAGE HALL

WHEREAS, the Village Hall has been enlarged and renovated; and

WHEREAS, Superintendent of Public Works and Water has observed that the existing Village Hall landscaping is inadequate and was damaged during the renovation; and

July 28, 2009

WHEREAS, Superintendent Brian Gunderson has requested authorization to request proposals to provide design services to provide a landscaping plan for the newly renovated Village Hall; and

WHEREAS, the cost of these goods and services should be approximately \$20,000.00; and

NOW, THEREFORE BE IT RESOLVED that the Village Clerk is authorized to place a legal notice for a Request for Proposals to provide a landscaping plan for the Village Hall.

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

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 07282009-14 was duly adopted.

Mayor Wurzel introduced a proposed Local Law re **Removal and Storage of Vehicles – Authority to Impound Vehicles**. On motion of Deputy Mayor Adler and seconded by Trustee Scheyer and carried unanimously the Board resolved to **hold a Public Hearing at their August 25, 2009 meeting to consider adoption of the aforementioned proposed local law**. On vote as follows:

Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Mayor Wurzel thanked all those who had given service to the Village in the past year. **A special thank you was made to Treasurer Lynn Najman for her service as Treasurer for the last six years.**

There being no further business to come before the Board, on motion of Deputy Mayor Adler, seconded by Trustee Scheyer and carried unanimously, the meeting was adjourned at 8:52 p.m.



Randy Bond, Village Clerk

July 28, 2009