

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, SEPTEMBER 29, 2009**

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

Mayor Wurzel opened the **Public Hearing** of the Board of Trustees at 8:10 p.m. to consider **Establishing 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.**

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Deputy Mayor Adler and seconded by Trustee Scheyer, and carried unanimously the Public Hearing on the proposed dues schedule was closed at 8:25 p.m.

Mayor Wurzel opened the **Regular Meeting of the Board of Trustees** at 8:27 p.m.

The **Minutes** of the meetings held on August 25, 2009 and September 3, 2009 were reviewed. On motion by Deputy Mayor Adler, seconded by Mayor Wurzel and carried unanimously, the minutes were approved.

The **Treasurer's Report** showing cash balances as of August 31, 2009 was reviewed (copy attached). On motion by Deputy Mayor Adler, seconded by Trustee Ullman 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 Deputy Mayor Adler, seconded by Trustee Silbert 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 Trustee Silbert, seconded by Deputy Mayor Adler and carried unanimously, the Building Commissioner's recommendations were adopted.

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

Building Permits issued – 3
Building Permit Applications filed – 2
Extensions of Building Permits Granted – 23
Tree Removal of Applications Received – 10
Certificates of Occupancy Issued – 11

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 2009 was 57,280,000 gallons pumped versus 64,980,000 gallons during August 2008.

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

Arraignments	-	33
Trials	-	1
Total Amount Collected	-	\$1,470.00

Mayor Wurzel placed on the table a **recommendation from Club Manager, Ed Ronan to approved categories of membership for the year 2010 at the Village Club of Sands Point**, a copy of which is attached and appended hereto.

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

RESOLUTION 09292009-01
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 anticipation of this formal adoption of membership categories and fee schedules and in order to fund necessary expenses, memberships were offered and fees collected consistent herewith; 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.

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

1. Resident Membership (fee schedule appended hereto)
2. Non-resident Membership (fee schedule appended hereto)
3. Former Resident-Parent/Child Resident 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.

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 09292009-01 was duly adopted.

Mayor Wurzel placed on the table a recommendation to **revise the recommended sum of money to be required in lieu of the donation of land to be deposited into the Recreational Facility Trust.**

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

**RESOLUTION 09292009-02
RESOLUTION AMENDING THE
RECREATIONAL FACILITY TRUST FUND FEE**

WHEREAS, the residents of the Village of Sands Point approved the acquisition of the, then, 208± acre IBM Country Club in order to meet the active and passive recreational needs of current village residents and to provide for the needs which will be created by future residential development, and

WHEREAS, the Village Club of Sands Point property contains a vast first class recreational facility with sufficient space for further capital improvement to meet the future needs of the Village, and

WHEREAS, Sections 7-730 and 7-725a(6) of the Village Law provide for the reservation of land for park, playground or other recreational facilities or the payment of a sum of money in lieu thereof in conjunction with subdivision and site plan review, respectively, and

WHEREAS, Section 145-12 of the Code of the Incorporated Village of Sands Point specifically authorizes the Planning Board to require a minimum of 3% of the entire holding within a subdivision be donated for parks, playgrounds or other recreational uses, and

WHEREAS, upon a full assessment and review of all practical factors, the acquisition and improvement of the Village Club of Sands Point property is found to be best located and most suitable to meet all current and potential future Village needs to the exclusion of all other potential suitable facilities for which land could be required to be donated, and

WHEREAS, a recreational facility trust fund was created in 1994 to allow all pending and future subdivision and site plan review applicants to contribute to the acquisition of land for recreational facilities and for capital improvements in furtherance of these public purposes, and

WHEREAS, The Board of Trustees finds that is in the interest of the Village to have the Planning Board require all such applicants contribute money in lieu of land for these purposes, and

WHEREAS, The Board established a \$15,000 per lot recreational fee by Resolution 72694-09 regarding value of undeveloped and/or underdeveloped parcels in Sands Point; and

WHEREAS, the value of undeveloped land has significantly increased since 1994, supporting a measured increase to \$25,000 per lot, but applicable only as to subdivisions.

NOW, THEREFORE, BE IT RESOLVED that:

1. A recreational facility trust fund as established in accordance with the provisions of Section 7-725a of the Village Law as to individual site plan review applicants and Section 7-730(4) of the Village Law as to subdivision applicants be and is hereby continued.

2. Upon review and assessment of all practical factors, it is hereby found that the Village Club of Sands Point facility is the most properly located and suitable site for recreational purposes, and improvements for both current residents and future residential development to the exclusion of other sites.
3. This Board expresses its strongest recommendation to the Planning Board, as the authorized Board to review and approve subdivisions and site plans, to require the payment of money in lieu of land for park, playground or recreational facilities based upon the IBM Country Club facility being found to be the most suitable site for current and future village residents and development.
4. This Board fixes and recommends that the sum of \$25,000 per lot created be charged as the sum of money to be required in lieu of the donation of land as being reasonably related and roughly proportional to the amount of land which could be required from an applicant for park, playground or other recreational purposes.
5. The Board restates that the sum of \$15,000.00 be maintained pursuant to Village Code for Site Plan Review §82-3A(1)(b).

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 09292009-02 was duly adopted.

Mayor Wurzel placed on the table for consideration a **proposal from Innovative Mailing and Shipping Systems for the rental of a new IM 460 Automatic Feed Mail System**, 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 09292009-03
RENTAL AGREEMENT FOR A HASLER IM460 DIGITAL MAIL SYSTEM-
DIGITAL INK JET PRINTING
10 LB. INTERGRATED SCALE
FOR THE VILLAGE OFFICE,
TIBBITS LANE, SANDS POINT

WHEREAS, the current rental agreement covering a Hasler **WJ150** Automatic Feed Mail System and 10 Lb. Electronic interfaced scale for the Village Office expired on August 17, 2009; and

WHEREAS, the Hasler IM460 Digital Mail system is compliant with U.S. Post Office regulations; and

WHEREAS, the Hasler equipment is under state contract PC61727; and

WHEREAS, the Board has reviewed the proposal, a copy of which is appended hereto and made a part of the minutes,

NOW, THEREFORE, BE IT RESOLVED that the Mayor be and hereby is directed to enter into a 51 month rental/lease/maintenance agreement with Innovative Mailing & Shipping Systems, 395 Moreland Road, Hauppauge, New York 11788-3910 for a Hasler IM460 Mail System with Digital Ink Jet Printing and a 10 lb. Integrated Scale in the amount of \$306.00 per month (51 month lease).

The motion was seconded by Mayor Wurzel. 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 09292009-03 was duly adopted.

Mayor Wurzel placed on the table a request approved by the Village Club Commission **for Club Manager Ed Ronan to attend a club management conference**; 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 09292009-04
APPROVAL OF ATTENDANCE AT CONFERENCE
FOR CLUB MANAGER ED RONAN OF THE
VILLAGE CLUB OF SANDS POINT**

WHEREAS, it is necessary for golf industry personnel to acquire up to date information on club management, products, and maintenance; and

WHEREAS, Club Manager, Ed Ronan has researched various conferences and has requested that he be allowed to attend the World Conference on Club Management and Golf Industry Show in order to further his knowledge and expertise; and

WHEREAS, the Board has reviewed his request and finds that the conference is essential in order to maintain the Village Club at the highest possible level,

NOW THEREFORE BE IT RESOLVED that Club Manager, Ed Ronan be and hereby are authorized to attend the CMAA World Conference on Club Management and Golf Industry Show, February 8 – 13, in San Diego, CA in an amount no greater than \$5,000.00 in accordance with his request a copy of which is appended hereto and made a part of the minutes.

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 09292009-04 was duly adopted.

Mayor Wurzel placed on the table a recommendation from Club Manager, Ed Ronan to **purchase turf fungicide from Matrix Turf Solutions, LLC** Specialists, a copy of which is attached and appended hereto.

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

**RESOLUTION 09292009-05
AUTHORIZATION TO PURCHASE FUNGICIDE
FROM MATRIX TURF SOLUTIONS, LLC
FOR THE
VILLAGE CLUB OF SANDS POINT**

WHEREAS, Ed Ronan and Phil Anderson, in an ongoing effort to maintain the grounds at the Village Club of Sands Point finds that there is a need to purchase fungicide; and

WHEREAS, Matrix Turf Solutions, LLC is a sole source provider of the fungicide selected and is therefore exempt from the Villages purchasing policy; and

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

NOW, THEREFORE BE IT RESOLVED that Matrix Turf Solutions, LLC 6551 Pottery Road, Warners, NY 13164 be engaged to provide fungicide in accordance with its invoices dated August 10, 2009 and August 11, 2009 in the amount of \$5,460.00.

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

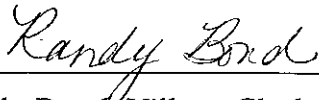
Mayor Leonard Wurzel voting	-	aye
Deputy Mayor Edward A.K. Adler voting	-	aye
Trustee Daniel Scheyer voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Marc Silbert voting	-	aye

Resolution 09292009-05 was duly adopted.

Dr. Louis Potters, a Sands Point resident, addressed the Board re an attack on his dog by another resident's dog (Mr. & Mrs. Sackman). He stated that his dog was seriously injured and expressed concerns that the dog has remained unleashed on its owner's property and that Village had not acted properly. Resident Deena Katz who was also present and whose dog was also attacked was troubled that there was no clear procedure as to which authority labels a dog as "vicious."

The Board in addressing the residents' concerns stated that the Sands Point Police Department has now instituted a new protocol on the handling of vicious dog complaints. Additionally the Sackmans have responded and will be removing their dog from their property on October 9, 2009.

There being no further business to come before the Board, on motion of Deputy Mayor Adler, seconded by Trustee Silbert and carried unanimously, the meeting ended at 9:05 p.m.



Randy Bond, Village Clerk