

**BOARD OF TRUSTEES
INC. VILLAGE OF SANDS POINT
TUESDAY, JUNE 19, 2018**

Present:	Edward A.K. Adler	Mayor
	Katharine M. Ullman	Trustee
	Lynn R. Najman	Trustee
	Peter A. Forman	Trustee
	Daniel Scheyer	Water Commissioner
	Liz Gaynor	Village Clerk
	Michael Sahn, Esq.	Village Attorney
	John Christopher, Esq.	Village Attorney
Absent:	Marc Silbert	Deputy Mayor

At 9:13 p.m. the Board reviewed the **Canvass of Votes** taken at the General Village Election held on this date and recorded by the Inspectors of Election.

Mayor Adler read the following results:

FOR TRUSTEES:

Lynn R. Najman	47
Peter A. Forman	55

A copy of the Canvass of Votes is appended hereto and made a part of the minutes.

Mayor Adler opened the Public Hearing at 9:15 p.m. to consider **Proposed Local Law 2 of 2018, "A Local Law to Authorize a Charitable Gifts Reserve Fund Tax Credit pursuant to New York Real Property Tax Law §980-a"**

The Mayor announced receipt of the affidavit of publication indicating that the proposed law was published in the Port Washington News on June 6, 2018 and announced receipt of the affidavit of posting, stating that the proposed law was posted at the office of the Village Clerk.

Mayor Adler called for comments of the Public and discussion of the Board regarding the proposed local law for the Incorporated Village of Sands Point. A copy of the transcript is appended hereto and made a part of the minutes.

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Mayor Adler and seconded by Trustee Najman and carried unanimously the Public Hearing on the proposed local law was closed.

June 19, 2018

Mayor Adler opened the Regular Meeting of the Board at 9:25 p.m.

The **Minutes** of the meeting held on May 22, 2018 were reviewed. On motion by Trustee Ullman, seconded by Trustee Forman and carried unanimously, the minutes were approved.

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

Water Commissioner Scheyer announced that water pumpage during May of 2018 was 33,492,000 gallons pumped versus 35,642,400 gallons during May 2017.

The **Treasurer's Report** showing cash balances as of May 31, 2018 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 1A & 1B** for payment in June were reviewed. On motion of Trustee Forman, seconded by Trustee Najman and carried unanimously, the claims as contained on **Abstracts 1A & 1B** were approved for payment. Abstract of Claims is appended hereto and made a part of the minutes.

The Board received **Recommendations of the Building Commissioner** as to Granting of Building Permit Extensions that are appended hereto and made a part of the minutes. On motion of Trustee Najman, seconded by Trustee Forman and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of May 2018 which showed:

Building Permits issued – 22
Building Permit Applications filed – 3
Extensions of Building Permits Granted – 27
Tree Removal of Applications Received – 14
Certificates of Occupancy Issued – 7

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

Arraignments – 36
Trials - 0
Total Amount Collected- \$2,674.00

Placed on the table for consideration towards adoption was a proposed local law, **“to Authorize a Charitable Gifts Reserve Fund Tax Credit pursuant to New York Real Property Tax Law §980-a.”** After careful consideration and discussion and upon motion by Mayor Adler, seconded by Trustee Najman and carried unanimously the matter was tabled to the July 24, 2018 Board of Trustees’ meeting, on vote as follows:

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

Mayor Adler placed on the table for consideration a **request from the Manhasset Bay Protection Committee (MBPC) for the Village’s annual membership dues for 2018**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 06192018-01
ANNUAL MEMBERSHIP DUES 2018
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

WHEREAS, MBPC Executive Director Sarah Deonarine noted in her memorandum dated February 15, 2018 that the dues are to remain the same as the previous year,

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 for 2018.**

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

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye

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Deputy Mayor Marc Silbert voting - absent
Trustee Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 06192018-01 was duly adopted.

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

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

**RESOLUTION 06192018-02
ANNUAL MEMBERSHIP DUES
HEMPSTEAD HARBOR PROTECTION COMMITTEE**

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

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

WHEREAS, this year the Committee will continue to provide the member Villages with information and credit pertaining to the federally mandated EPA Phase II Storm Water Regulations;

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continued membership in the Hempstead Harbor Protection Committee; and**

BE IT FURTHER RESOLVED that the **Board of Trustees authorizes the payment of \$5,445.00 cover the Village's 2018 Annual Dues.**

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

Mayor Edward A.K. Adler voting - aye
Trustee Katharine M. Ullman voting - aye
Deputy Mayor Marc Silbert voting - absent
Trustee Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 06192018-02 was duly adopted.

Mayor Adler placed on the table for consideration a request to **renew the Village's Workers Compensation Coverage.**

June 19, 2018

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

**RESOLUTION 06192018-03
RENEWAL OF WORKERS COMPENSATION COVERAGE
with THE STATE INSURANCE FUND GROUP 90
EFFECTIVE JULY 1, 2018 to JUNE 30, 2019**

WHEREAS, to provide security to employees injured on the job and to comply with the Workers Compensation Law that states that all employers are required to insure their employees against on-the-job accidents, regardless of responsibility or fault; and

WHEREAS, the Village's Workers Compensation Coverage is now due for renewal; and

WHEREAS, Nicole Morton of Salerno Brokerage Corp., the Village's insurance broker reviewed the programs available for Public Entities and has made recommendation to renew with State Insurance Group 90, a copy of her recommendation is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed the recommendation and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED, that the renewal of the Village's Workers Compensation Coverage will be with State Insurance Fund Group 90 for a total cost of \$146,574.31 effective July 1, 2018 through June 30, 2019.

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

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

Resolution 06192018-03 was duly adopted.

Mayor Adler placed on the table for consideration the **authorization for the execution of an AquaHawk, "Software-As-A-Service" Managed Services Agreement with American Conservation & Billing Solutions, Inc.**, a copy of which is appended hereto and made part of these minutes.

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

June 19, 2018

RESOLUTION 06192018-04
**AUTHORIZATION FOR THE EXECUTION OF AN AQUAHAWK, "SOFTWARE-
AS-A-SERVICE" MANAGED SERVICES AGREEMENT WITH AMERICAN
CONSERVATION & BILLING SOLUTIONS, INC.**

WHEREAS, the Village requires software to provide a customer portal to Village residents that will be used for billing and the review of water meter data from the Neptune fixed base Advanced Metering Infrastructure (AMI), that were recently installed by the water department throughout the Village; and

WHEREAS, American Conservation & Billing Solutions, Inc. ("AmCoBi") is a privately-held software development and billing company founded in 2008 and based in Colorado Springs, Colorado; and

WHEREAS, AmCoBi has developed an application called "AquaHawk", which is a hosted customer portal solution that enables utilities to present water consumption data to their clients in a secure website; and

WHEREAS, the AquaHawk application allows water customers gain access to their current usage, past usage, and other useful comparisons; and

WHEREAS, AmCoBi currently provides the AquaHawk application to 65 municipal utilities and manages more than 650,000 accounts in the AquaHawk system; and

WHEREAS, pursuant to a AquaHawk, "Software-As-A-Service" Managed Services Agreement, by and between AmCoBi and the Village, AmCoBi will provide the AquaHawk application to Village residents (the "Agreement), a copy of which is annexed hereto; and

WHEREAS, the Agreement requires a one-time setup fee of \$7,500.00, and thereafter a monthly fee of \$685.00 (the cost of the first year of services was included in the purchase of the Neptune water meters); and

WHEREAS, Board of Trustees has reviewed the Agreement and has found the Agreement to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that authorization is given for the Mayor to execute the **AquaHawk, "Software-As-A-Service" Managed Services Agreement** with American Conservation & Billing Solutions, Inc., having a mailing address at P.O. Box 51356, Colorado Springs, CO 80949.

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

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

Resolution 06192018-04 was duly adopted.

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 T-Mobile Northeast LLC, as successor in interest to Omnipoint Communications, Inc., at Village Hall in Connection with its Cellular Telephone System.**

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

RESOLUTION 06192018-05

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 T-MOBILE NORTHEAST LLC, AS SUCCESSOR IN INTEREST TO OMNIPOINT COMMUNICATIONS INC., AT VILLAGE HALL IN CONNECTION WITH ITS CELLULAR TELEPHONE SYSTEM

WHEREAS, by License Agreement, dated October 28, 1997 as amended by that certain Amendment No. 1 to license Agreement dated June 20, 2003 as amended by that certain Amendment No. 2 to License Agreement dated January 6, 2012, by and between the Incorporated Village of Sands Point (“Licensor”) and T-Mobile Northeast LLC, as successor in interest to Omnipoint Communications, Inc. (“T-Mobile”) to use a portion of 26 Tibbits Lane, i.e., Village Hall, and Village Hall Water Tower for 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 the License Agreement the Village agreed that T-Mobile would be permitted to certain facilities upgrades from time to time; and

WHEREAS, Pursuant to a letter of consent, by Highlander Consultants, Inc., dated June 1, 2018, a copy of which is annexed hereto and made a part hereof, T-Mobile requested the following facility and site upgrades at the Village Hall site, specifically as follows:

- (i) Swap three (3) antennas for three (3) antennas of like kind;
- (ii) Add three (3) antennas on existing water tank;
- (iii) Add one (1) Tower Mounter Amplifier behind proposed antennas;
- (iv) Add five (5) remote radio units behind proposed antenna & re-route two (2) coax cables, (1) hybrid fiber cable to new antennas as per the enclosed Construction Drawings completed by Infinigy Engineers, dated March 2, 2018 – Exhibit A; and
- (v) Add one (1) emergency diesel generator as shown on Exhibit B.

WHEREAS, pursuant to its prior resolution, 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 and site upgrades and are agreeable to the same, pursuant to the conditions in the resolution below.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute and enter into the Letter of Consent annexed hereto; and be it further,

June 19, 2018

RESOLVED, Brian Gunderson and Stephen Rusnack, be and are hereby authorized to execute and enter into Letter of Consent annexed hereto, subject to their technical review of the plans and approval of the same.

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

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

Resolution 06192018-05 was duly adopted.

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 T-Mobile Northeast LLC, as successor in interest to Omnipoint Facilities Network 2, LLC, at the Village Club in Connection with its Cellular Telephone System.**

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

RESOLUTION 06192018-06

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 T-MOBILE NORTHEAST LLC, AS SUCCESSOR IN INTEREST TO OMNIPOINT FACILITIES NETWORK 2, LLC, AT THE VILLAGE CLUB IN CONNECTION WITH ITS CELLULAR TELEPHONE SYSTEM

WHEREAS, by License Agreement, dated December 5th, 2003 by and between the Incorporated Village of Sands Point ("Licensor") and T-Mobile Northeast LLC, as successor in interest to Omnipoint Facilities Network 2, LLC ("T-Mobile") 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 the License Agreement the Village agreed that T-Mobile would be permitted to certain facilities upgrades from time to time; and

June 19, 2018

WHEREAS, Pursuant to a letter of consent, by Highlander Consultants, Inc., dated June 1, 2018, a copy of which is annexed hereto and made a part hereof, T-Mobile requested the addition of one (1) emergency diesel generator as shown in the enclosed drawings completed by Infinigy Engineers dated May 24, 2018; and

WHEREAS, the emergency generator will be installed on the existing concrete pad and no additional ground space will be disturbed for this installation; and

WHEREAS, pursuant to its prior resolution, 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 and site upgrades and are agreeable to the same, pursuant to the conditions in the resolution below.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute and enter into the Letter of Consent annexed hereto, subject to T-Mobile's agreement that the new generator shall cycle on the off hours of the Village Club, as directed by the Village; and be it further,

RESOLVED, Brian Gunderson and Stephen Rusnack, be and are hereby authorized to execute and enter into Letter of Consent annexed hereto, subject to their technical review of the plans and approval of the same.

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

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

Resolution 06192018-06 was duly adopted.

Mayor Adler placed on the table for consideration a **recommendation from Club Manager, Dana Cancellaro for the purchase of a Range Picker Utility Vehicle for The Village Club of Sands Point**, a copy of which is appended hereto and made a part of the minutes.

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

**RESOLUTION 06192018-07
AUTHORIZATION OF PURCHASE
2018 CLUB CAR CARRYALL 300 EFI GAS UTILITY
WITH DRIVING RANGE ENCLOSURE PACKAGE
FOR
THE VILLAGE CLUB OF SANDS POINT**

WHEREAS, the current range picker for the golf course is no longer working and beyond repair; and

WHEREAS, a range picker is an essential machine for the operation of a golf course; and

WHEREAS, the vehicle is sole source through Club Car, LLC; and

WHEREAS, the Club is receiving a 20% discount due to KemperSports relationship with Club Car; and

WHEREAS, two quotes were received, copies of which are appended hereto and made a part of the minutes; and

WHEREAS, Club Car, LLC, 72 Graysbridge Road, Brookfield, CT 06804 submitted the lowest quote at \$10,800.00; and

WHEREAS, the Club's Operations Committee recommends the purchase of the range picker vehicle through Club Car, LLC of Brookfield, CT; and

WHEREAS, the Board has reviewed the recommendation and finds it acceptable,

NOW, THEREFORE, BE IT RESOLVED, that be and hereby the Board approves the purchase of one 2018 Club Car Carryall 300 with Drive Range Package through Club Car, LLC, 72 Graysbridge Road, Brookfield, CT 06804 per their quote dated June 6, 2018 in an amount not to exceed \$10,800.00

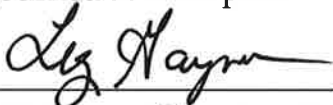
The motion was seconded by Trustee Ullman. On roll call:

June 19, 2018

Mayor Edward Adler voting - aye
Trustee Katharine M. Ullman voting - aye
Deputy Mayor Marc Silbert voting - absent
Trustee Lynn R. Najman voting - aye
Trustee Peter A. Forman voting - aye
Resolution 06192018-07 was duly adopted.

Mayor Adler announced that the next Board meeting & Annual Organizational Meeting will be held on Tuesday, July 24, 2018 at 8:00 p.m.

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 10:05 p.m.


Liz Gaynor, Village Clerk