

**BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, MAY 26, 2020
VIA TELECONFERENCE DUE TO COVID-19**

Present:	Edward A. K. Adler	Mayor
	Katharine M. Ullman	Trustee
	Lynn R. Najman	Trustee
	Peter A. Forman	Deputy Mayor
	Jeffrey Moslow	Trustee
	Daniel Scheyer	Water Commissioner
	Liz Gaynor	Village Clerk
	Michael Sahn, Esq.	Village Attorney
	Joshua D. Brookstein	Village Attorney

Mayor Adler opened the **Regular Meeting** of the Board of Trustees at 8:00 p.m.

The **Minutes** of the meetings held on April 28, 2020 were reviewed. On motion by Trustee Najman, seconded by Trustee Ullman and carried unanimously, the minutes of April 28, 2020 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 April of 2020 was 13,521,900 gallons pumped vs. 15,706,500 gallons pumped during April of 2019.

The **Treasurer's Report** showing cash balances as of April 30, 2020 was reviewed (copy attached). On motion by Deputy Mayor Forman, seconded by Trustee Ullman and carried unanimously, the Treasurer's Report was accepted and filed.

Claims as presented on **Abstracts 12A & 12B** for payment in May were reviewed. On motion of Deputy Mayor Forman, seconded by Trustee Ullman and carried unanimously, the claims as contained on **Abstracts 12A & 12B** 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 Deputy Mayor Forman and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of April 2020 which showed:

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Building Permits issued – 6
 Building Permit Applications filed – 8
 Extensions of Building Permits Granted – 15
 Tree Removal of Applications Received – 10
 Certificates of Occupancy Issued – 2

The Board received the **Justice Court Report** for the month of April 2020, which showed:

Arraignments – 20
 Trials - 0
 Total Amount Collected - \$233.00

Mayor Adler placed on the table for consideration the **17th Annual Stormwater Management Report** submitted by Village Engineer James Antonelli, P.E. After the review and upon the motion of Trustee Ullman and seconded by Trustee Najman and carried unanimously the Board approved its submission to the proper entities. On roll call:

Mayor Edward A.K. Adler voting - aye
 Trustee Katharine M. Ullman voting - aye
 Trustee Lynn R. Najman voting - aye
 Deputy Mayor Peter A. Forman voting - aye
 Trustee Jeffrey Moslow voting - aye
 Dated May 26, 2020

Mayor Adler placed on the table for consideration to **change the date of the June 2020 Board of Trustees Meeting from Tuesday, June 16, 2020 to Tuesday, June 23, 2020 at 8:00 p.m. and scheduling the September 2020 Board of Trustees Meeting for Tuesday, September 15, 2020 at 9:00 p.m. following the Village General Election.** A motion was made by Trustee Ullman and seconded by Deputy Mayor Forman and then carried unanimously to change the June 2020 meeting date and setting meeting date for September 2020. The vote was as follows:

Mayor Edward A.K. Adler voting - aye
 Trustee Katharine M. Ullman voting - aye
 Trustee Lynn R. Najman voting - aye
 Deputy Mayor Peter A. Forman voting - aye
 Trustee Jeffrey Moslow voting - aye

Mayor Adler placed on the table for **consideration a Resolution Authorizing the Mayor to Execute the 2020/2021 Fire and EMS Protection Contract with the Port Washington Fire Department for fire and emergency services.**

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

**RESOLUTION 05262020-01
FIRE & EMS SERVICES PROTECTION CONTRACT
PORT WASHINGTON FIRE DEPARTMENT
JUNE 1, 2020– MAY 31, 2021**

WHEREAS, the Board of Trustees desires that residents be provided with firematic and paramedic emergency service; and

WHEREAS, the total cost for service last year was **\$794,628.00**; and

WHEREAS, while the Village continues to find the service charges inequitable and disproportionate to the services provided, the Village is compelled to agree to its terms because the Port Washington Fire Department is the sole provider of such service available to the area of Sands Point.

NOW, THEREFORE, BE IT RESOLVED, that for the period of June 1, 2019 through May 31, 2020, the proposed agreement between the Village of Sands Point and the Port Washington Fire Department with charges for services, as follows:

provide firematic services at a cost of	\$696,814.00
provide emergency medical services at a cost of	<u>\$108,384.00</u>
for a grand total of	\$805,198.00

be and hereby is accepted under protest and objection to fee structure, a copy of which is appended hereto and made a part of the minutes, and.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute said Agreement on behalf of the Village.

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

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Deputy Mayor Peter A. Forman voting	-	aye
Trustee Jeffrey Moslow voting	-	aye

Resolution 05262020-01 was duly adopted.

Mayor Adler placed on the table for consideration towards execution an **Amendment to the Inter-Municipal Solid Waste Agreement between the Town of North Hempstead and the Inc. Village of Sands Point extending the term for another ten (10) years, expiring April 30, 2030.** On motion by Deputy Mayor Forman, seconded by Trustee Ullman and then carried unanimously the Board authorized Mayor Adler to execute the agreement. The vote was as follows:

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Deputy Mayor Peter A. Forman voting	-	aye
Trustee Jeffrey Moslow voting	-	aye

Resolution 05262020-02 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution Ratifying and Affirming a Decision for transfer of funds to cover payment of the principal and interest on Water Department Bonds.**

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

**RESOLUTION 05262020-03
RATIFICATION AND AFFIRMATION
AUTHORIZING THE TRANSFER OF FUNDS
FROM GENERAL FUND TO THE WATER FUND**

WHEREAS, Water Superintendent has requested a transfer of \$150,000.00 from the Village General Fund to the Village Water Fund; and

WHEREAS, the transfers are to cover the principal and interest payment on outstanding water bonds; and

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby ratify and affirms the decision authorizing the transfer of funds to the Water Fund.

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

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

Trustee Jeffrey Moslow voting - aye

Resolution 05262020-03 was duly adopted.

Mayor Adler placed on the table **for consideration a recommendation from Chief Thomas Ruehle of the Sands Point Police Department to purchase one replacement vehicle, 2020 Chevrolet Tahoe Patrol Vehicle, and installation of new police equipment**, copies of which are appended hereto and made a part of the minutes.

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

**RESOLUTION 05262020-04
PURCHASE OF ONE 2020 CHEVROLET TAHOE
POLICE VEHICLE
AND INSTALLATION OF POLICE RELATED EQUIPMENT
SANDS POINT POLICE DEPARTMENT**

WHEREAS, the Sands Point Police Department is utilizing a vehicle replacement program which projects patrol vehicle mileage and provides a timetable for the efficient replacement of police patrol vehicles; and

WHEREAS, one new police vehicle plus emergency equipment was approved for in the budget FYE 2021 to replace police vehicle #SP1 a 2016 Ford Interceptor; and

WHEREAS, furthermore the Police Department's 1989 Humvee vehicle will be traded in; and

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

NOW, THEREFORE, BE IT RESOLVED, that **one 2020 Chevrolet Tahoe AWD vehicle** including extended warranty, required options and delivery **will be purchased from The Cruisers Division, 420 Mount Pleasant Avenue, Mamaroneck, NY 10543 in an amount not to exceed \$49,900.00 under New York State Contract #RFQ-WC-17203.**

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

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

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Trustee Jeffrey Moslow voting - aye
Resolution 05262020-04 was duly adopted.

Mayor Adler placed on the table for consideration the **authorization for the execution of a Land Lease Agreement by and between the Incorporated Village of Sands Point and New York SMSA Limited Partnership d/b/a Verizon Wireless, to provide for the for installation, maintenance and operation of a communications facility for wireless transmitting and receiving equipment and other associated equipment at 2 Governors Lane**, a copy of which is appended hereto.

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

RESOLUTION 05262020-05
AUTHORIZATION FOR THE EXECUTION OF A LAND LEASE AGREEMENT BY AND BETWEEN THE INCORPORATED VILLAGE OF SANDS POINT AND NEW YORK SMSA LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS, TO PROVIDE FOR THE FOR INSTALLATION, MAINTENANCE AND OPERATION OF A COMMUNICATIONS FACILITY FOR WIRELESS TRANSMITTING AND RECEIVING EQUIPMENT AND OTHER ASSOCIATED EQUIPMENT AT THE SANDS POINT WATER DEPARTMENT SITE LOCATED AT 2 GOVERNORS LANE

WHEREAS, the Village of Sands Point is the owner of certain premises known on the Land and Tax Map of Nassau County as Section 4, Block B, Lot 287, commonly known as Sands Point Water Department Headquarters; and

WHEREAS, New York SMSA Limited Partnership, a New York limited partnership, d/b/a Verizon Wireless, whose principal business address is One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920 (“Verizon”) desires to install, maintain and operate communications equipment, including but not limited to the installation, operation and maintenance of a tower/monopole upon the premises at 2 Governors Lane; and

WHEREAS the Village Attorney has prepared a proposed land lease agreement granting Verizon a nonexclusive license for the installation, maintenance and operation of a communications facility by Verizon at 2 Governors Lane, a copy of which is appended hereto and made a part hereof (the “Land Lease Agreement”); and

WHEREAS, the Board of Trustees has reviewed the Land Lease Agreement and has found the same to be acceptable; and

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WHEREAS, the proposed Lease Agreement requires Verizon to submit to the Village for review detailed specifications and plans for the construction and installation of the Licensee's facilities, subject to the review and approval of the Building Department and the Village Engineer; and

NOW THEREFORE BE IT RESOLVED, that authorization is given for Mayor Edward A.K. Adler to execute the License Agreement on behalf of the Village subject to final revision of contract.

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

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Deputy Mayor Peter A. Forman voting	-	aye
Trustee Jeffrey Moslow voting	-	aye

Resolution 05262020-05 was duly adopted.

Mayor Adler placed on the table for consideration a **Resolution Amending Resolution 04282020-01 re tax levy and total assessed valuation** for the Incorporated Village of Sands Point for the fiscal year beginning June 1, 2020.

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

**RESOLUTION 05262020-06
AMENDING RESOLUTION 04282020-01
RE TAX LEVY RATE AND TOTAL ASSESSED VALUATION
FOR FISCAL YEAR JUNE 1, 2020 – MAY 31, 2021
FOR THE INCORPORATED VILLAGE OF SANDS POINT**

WHEREAS, per Resolution 04282020-01 the Board resolved to adopt the Tax Levy for the fiscal year June 1, 2020 to May 31, 2021, said levy to be at a rate of 164.37 per \$100 of assessed valuation to be levied on a total assessed valuation of the Incorporated Village of Sands Point of \$590,857; and

NOW THEREFORE, BE IT RESOLVED, to amend the Tax Levy for the fiscal year June 1, 2020 to May 31, 2021, said levy to be at a rate of 152.44 per \$100 of assessed valuation to be levied on a total assessed valuation of the Incorporated Village of Sands Point of \$637,093.

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

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Deputy Mayor Peter A. Forman voting	-	aye
Trustee Jeffrey Moslow voting	-	aye

Resolution 05262020-06 was duly adopted.

Mayor Adler placed on the table for consideration the **adoption of Higher Fines for Violations of the No Parking Regulation Contained in Chapter 163 of the Village Code**, a copy of which is appended hereto and made part of these minutes.

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

RESOLUTION 05262020-07
RESOLUTION TO ADOPT HIGHER FINES FOR VIOLATIONS
OF THE NO PARKING REGULATION CONTAINED IN
CHAPTER 163 OF THE VILLAGE CODE

WHEREAS, pursuant to Section 163-6(A) of Chapter 163 of the Village Code of the Village of Sands Point, known as "Vehicle and Traffic", parking of vehicles on any Village street is generally prohibited, unless previously authorized; and

WHEREAS, pursuant to Section 163-12(B) of Chapter 163 of the Village Code of the Village of Sands Point, known as "Vehicle and Traffic", mandates a fine for any violation of Chapter 163, except Section 163-3, in an amount not to exceed Five Hundred and 001/100 Dollars (\$500.00); and

WHEREAS, the Board of Trustees finds it is appropriate and in the best interest of the Village, in order to serve and protect the health, safety and welfare of the Village residents, and based upon the passage of time and the current amounts charged by neighboring municipalities for parking fines, to set the amount of parking fines in the Village consistent with Section 163-12(B) of the Village Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby resolves to institute a fine of \$65.00 for violations of Section 163-6(B) on any Village Street except Lighthouse Road, Half Moon Lane, Hoffstot Lane, Plum Beach Point Road, Pelham Avenue, Beach Road, Seacoast Lane, Soundview Lane, and Shepherd's Lane.

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NOW, BE IT FURTHER RESOLVED, that the Board of Trustees resolves to institute a fine of \$65.00 for violations of Section 163-6(B) on Lighthouse Road, Half Moon Lane, Hoffstot Lane, Plum Beach Point Road, Pelham Avenue, Beach Road, Seacoast Lane, Soundview Lane, and Shepherd's Lane

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

Mayor Edward A.K. Adler voting	-	aye
Trustee Katharine M. Ullman voting	-	aye
Trustee Lynn R. Najman voting	-	aye
Deputy Mayor Peter Forman voting	-	aye
Trustee Jeffrey Moslow voting	-	aye

Resolution 05262020-07 was duly adopted.

Mayor Adler placed on the table for consideration the **recommendation for promotion to Sergeant**, a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 05262020-08
RECOMMENDATION FOR PROMOTION FOR
POLICE OFFICER DANIEL ZITH TO SERGEANT

WHEREAS, due to the untimely passing of Police Sergeant, Joseph Spinosa on April 15, 2020, a vacancy was created in the position of Sergeant; and

WHEREAS, Trustee and Police Commissioner Peter Forman recommends that Police Officer Daniel Zith be promoted to the position of Sergeant; and

NOW, THEREFORE, BE IT RESOLVED that the Board be and hereby accepts the **recommendation of Trustee and Police Commissioner Peter Forman for the promotion of Police Officer Daniel Zith to the position of Sergeant of the Sands Point Police Department effective June 4, 2020.**

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

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

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Deputy Mayor Peter Forman voting - aye
Trustee Jeffrey Moslow voting - aye

Resolution 05262020-08 was duly adopted.

Mayor Adler announced the next Board of Trustees meeting will be Tuesday, June 23, 2020 at 8:00 p.m. via teleconference due to the ongoing COVID-19 pandemic.

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 8:26 p.m.



Liz Gaynor,
Village Clerk