BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, NOVEMBER 21, 2023

Present:	Peter A. Forman	Mayor
	Jeffrey Moslow	Deputy Mayor
	Elena Karabatos	Trustee
	Khashayar Khazai	Trustee
	Michael Sahn, Esq.	Village Attorney
	Joshua D. Brookstein, Esq.	Village Attorney
	Liz Gaynor	Village Clerk
Absent:	Sloane Ackerman	Trustee
	Daniel Scheyer	Advisor to the Board

Mayor Forman opened the Public Hearing at 8:32 p.m. to consider a L**ocal Law Amending Chapter 12, "Ethics, Code of"**, of the Code of the Village of Sands Point.

The proposed local law was published in both the *Port Washington News* and *Newsday* and the affidavits of posting of the proposed law were posted at the office of the Village Clerk.

Mayor Forman called for comments of the Public and discussion of the Board regarding the proposed local law. 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 Trustee Karabatos and seconded by Deputy Mayor Moslow, and carried unanimously the Public Hearing on the proposed local law amending the ethics code was closed.

Next, Mayor Forman opened the hearing to consider a **Local Law Amending Chapter 176, "Zoning" of the Code of the Village of Sands Point to provide for the legalization of building construction found to be outside the scope of the zoning code and the approved plans.**

The proposed local law was published in both the *Port Washington News* and *Newsday* and the affidavits of posting of the proposed law were posted at the office of the Village Clerk.

Mayor Forman called for comments of the Public and discussion of the Board regarding the proposed local law. 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 Trustee Karabatos and seconded by Deputy Mayor Moslow, and carried unanimously the Public Hearing on the proposed local law Local Law Amending Chapter 176, "Zoning" was closed.

Mayor Forman then placed on the table for consideration a **Local Law Amending Chapter 176, "Zoning" as it pertains to home offices.**

The proposed local law was published in both the *Port Washington News* and *Newsday* and the affidavits of posting of the proposed law were posted at the office of the Village Clerk.

Mayor Forman called for comments of the Public and discussion of the Board regarding the proposed local law. 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 Trustee Karabatos and seconded by Deputy Mayor Moslow, and carried unanimously the Public Hearing on the proposed local law Local Law Amending Chapter 176, "Zoning" as it pertains to home offices was closed.

The Board upon motion by Trustee Karabatos and seconded by Deputy Mayor Moslow and carried unanimously the Board agreed to **continue the following public hearings to the Monday, December 18, 2023 meeting:**

1) Proposed Local Law Amending Chapter 1, "General Provisions" of the Code of the Village of Sands Point
2) Proposed Local Law Amending Chapter 84, "Filling, Excavation & Grading" of the Code of the Village of Sands Point
3) Proposed Local Law Amending Chapter 131, "Signs" of the Code of the Village of Sands Point
4) Proposed Local Law Amending Chapter 70, "Docks, Floats, Piles and Boat Lifts" of the Code of the Village of Sands Point
5) Proposed Local Law Amending Chapter 157, "Trees" of the Code of the Village of Sands Point
6) Proposed Local Law Amending Chapter 121, "Private Streets, Maintenance of" of the Code of the Village of Sands Point
7) Proposed Local Law Amending Chapter 141, "Streets and Sidewalks" of the Code of the Village of Sands Point

8) Proposed Local Law to Amend Chapter 176, "Zoning" - Article VII, "Administration and Enforcement"
9) Proposed Local Law to Amend Chapter 176, "Zoning" as it pertains to Building Permit Extensions
10) Proposed Local Law to Amend Chapter 82, "Fees & Deposits" as it pertains to Building Permit Extension Fees, and other provisions of Chapter 82, "Fees & Deposits."

Next, Mayor Forman announced **all Organizational meeting items are tabled to the Monday, December 18, 2023 meeting** of the Board.

Mayor Forman opened the **Regular meeting** of the Board at 8:45 p.m.

Mayor Forman then placed on the table for consideration the **ratification of the execution of a License Agreement by and between the Incorporated Village of Sands Point and Friends of Port Rowing, Inc., for the temporary use and occupancy of a a portion of the main area of the tennis building, including locker rooms and bathrooms but excluding offices, showers, grounds, and waterfront areas at the Village Club of Sands Point located at 1 Thayer Lane, Sands Point, New York.**

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

RESOLUTION 11212023-01
APPROVING AND RATIFYING THE EXECUTION OF A LICENSE AGREEMENT BETWEEN THE VILLAGE OF SANDS POINT AND FRIENDS OF PORT ROWING, INC., FOR THE TEMPORARY USE AND OCCUPANCY A PORTION OF THE MAIN AREA OF THE TENNIS BUILDING, INCLUDING LOCKER ROOMS AND BATHROOMS BUT EXCLUDING OFFICES, SHOWERS, GROUNDS, AND WATERFRONT AREAS AT THE VILLAGE CLUB OF SANDS POINT, LOCATED AT 1 THAYER LANE, SANDS POINT, NEW YORK

WHEREAS, the Incorporated Village of Sands Point is the owner of certain property known on the Land and Tax Map of Nassau County as Section 4, Block B, Lot 146, which premises are known as the Village Club of Sands Point, located at 1 Thayer Lane (the "Premises"); and

WHEREAS, Friends of Port Rowing, Inc. ("Port Rowing"), builds strength and character, teaches sportsmanship and discipline, and instills self-confidence for teens and adults on Long Island through the sport of rowing; and

WHEREAS, Port Rowing proposed a temporary, non-transferable right and revocable license (the "License") to use and occupy a portion of the main area of the

tennis building, including locker rooms and bathrooms but excluding offices, showers, grounds, and waterfront areas (the "Licensed Area"), at the Premises commencing on November 13, 2023, and terminating on March 31, 2024 (the "License Agreement"); and

WHEREAS, the Board finds that Port Rowing's use of the Licensed Area at the Premises is appropriate and that the terms of the License Agreement are reasonable; and

WHEREAS, based on the above, the Board of Trustees desires to confirm the License Agreement and ratify the execution of the License Agreement.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees accepts the recommendation of the Mayor to enter into the License Agreement and confirms and ratifies the Mayor's action executing the License Agreement.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-01 was duly adopted.

Mayor Forman placed on the table a **Resolution Authorizing the Approval of Attendance for Village Club Personnel to Attend the 2024 Annual PGA Merchandise show.**

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

RESOLUTION 11212023-02
AUTHORIZING ATTENDANCE
AT THE 2024 PGA MERCHANDISE SHOW FOR
VILLAGE CLUB DIRECTOR OF GOLF, DIRECTOR OF RACQUET SPORTS,
ASSISTANT GOLF PRO, AND GOLF SHOP MANAGER
JANUARY 23, 2024 THROUGH JANUARY 26, 2024
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 General Manager Mike Severn is requesting attendance for the Director of Golf, Director of Racquet Sports, Assistant Golf Pro, and the Golf Shop Manager at the 2024 PGA Merchandise Show in Orlando, Florida in order to further their knowledge and expertise; and

NOW, THEREFORE BE IT RESOLVED that the Board does hereby authorize the attendance of the Director of Membership, Director of Golf, and the Golf Shop Manager to attend the 2024 PGA MERCHANDISE SHOW in Orlando, Florida from January 24 to January 26, 2024 at a cost not to exceed ±$4,500.00 for all 3 participants.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-02 was duly adopted.

The **Minutes** of the meeting held on October 23, 2023 were reviewed. On motion by Trustee Karabatos, seconded by Deputy Mayor Moslow and carried unanimously, the minutes of October 23, 2023 were approved.

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

Commissioner Karabatos submitted that water pumpage during October of 2023 was 29,634,900 gallons pumped vs. 29,438,300 gallons pumped during October of 2022.

The **Treasurer's Report** showing cash balances as of October 31, 2023 was reviewed (copy attached). On motion by Deputy Mayor Moslow, seconded by Trustee Karabatos and carried unanimously, the Treasurer's Report was accepted and filed.

Claims for payment in November were reviewed. On motion of Deputy Mayor Moslow, seconded by Trustee Karabatos and carried unanimously, the claims 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 Moslow, seconded by Trustee Karabatos and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of October 2023, which showed:

Building Permits issued – 11
Building Permit Applications filed – 11
Certificates of Occupancy Issued – 4
Certificates of Completion Issued – 20
Temporary Certificates of Occupancy Issued – 1
42 Trees to be Removed/Replaced

The Board received the **Justice Court Report** for the month of October 2023 which showed:

Arraignments – 24
Trials - 0
Total VTL Amount Collected- $1,197.00
Total Village Code Fines Collected: $1,450.00
Total VTL & Village Code Fines Collected: $2,647.00

Mayor Forman placed on the table for consideration a **proposed Local Law 12 of 2023, A Local Law Amending Chapter 12, "Ethics" of the Code of the Village of Sands Point.**

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

RESOLUTION 11212023-03
PROPOSED LOCAL LAW 12 OF 2023,
AMENDING CHAPTER 12, "ETHICS"
OF THE CODE OF THE VILLAGE OF SANDS POINT

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Sands Point for a public hearing to be held by said Board at Village Hall, 26 Tibbits Lane, Sands Point, New York; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA"), it has been determined by the Board of Trustees that the adoption of the proposed Local Law does not constitute an action as defined and could be considered without any further regard to SEQRA; and

WHEREAS, the Board of Trustees of the Village of Sands Point, after due deliberation, finds it in the best interest of the Village to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Sands Point hereby adopts said Local Law as "Local Law 12 of 2023 Amending Chapter 12 "Ethics" of the Code of the Village of Sands Point, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she is hereby directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-03 was duly adopted.

Mayor Forman placed on the table for consideration a **proposed Local Law 13 of 2023, A Local Law Amending Chapter 176 "Zoning" of the Code of the Village of Sands Point.**

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

RESOLUTION 11212023-04
PROPOSED LOCAL LAW 13 OF 2023,
AMENDING CHAPTER 176 "ZONING"
TO REGULATE UNAUTHORIZED CONDITIONS
OF THE CODE OF THE VILLAGE OF SANDS POINT

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Sands Point for a public hearing to be held by said Board at Village Hall, 26 Tibbits Lane, Sands Point, New York; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA"), it has been determined by the Board of Trustees that the adoption of the proposed Local Law does not

constitute an action as defined and could be considered without any further regard to SEQRA; and

WHEREAS, the Board of Trustees of the Village of Sands Point, after due deliberation, finds it in the best interest of the Village to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Sands Point hereby adopts said Local Law as "Local Law 13 of 2023 Amending Chapter 176, "Zoning" to Regulate Unauthorized Conditions of the Code of the Village of Sands Point, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she is hereby directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-04 was duly adopted.

Mayor Forman placed on the table for consideration a **proposed Local Law 14 of 2023, A Local Law Amending Chapter 176 "Zoning" of the Code of the Village of Sands Point.**

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

RESOLUTION 11212023-05
PROPOSED LOCAL LAW 14 OF 2023,
AMENDING CHAPTER 176 "ZONING"
RE HOME OCCUPATIONS
OF THE CODE OF THE VILLAGE OF SANDS POINT

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Sands Point for a public hearing to be held by said Board at Village Hall, 26 Tibbits Lane, Sands Point, New York; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) ("SEQRA"), it has been determined by the Board of Trustees that the adoption of the proposed Local Law does not constitute an action as defined and could be considered without any further regard to SEQRA; and

WHEREAS, the Board of Trustees of the Village of Sands Point, after due deliberation, finds it in the best interest of the Village to adopt said Local Law;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Sands Point hereby adopts said Local Law as "Local Law 14 of 2023 Amending Chapter 176, "Zoning" re Home Occupations of the Code of the Village of Sands Point, a copy of which is attached hereto and made a part hereof, and the Village Clerk be and she is hereby directed to enter said Local Law in the minutes of this meeting and to enter said Local Law in the Local Law Book of the Village, and to give due notice of the adoption of said Local Law to the Secretary of State.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-05 was duly adopted.

Mayor Forman placed on the table for consideration for the Board to hold a **public hearing at its Monday, December 18, 2023 meeting to consider the following:**

a) Proposed Local Law to Amend Chapter 176, "Zoning" & Chapter 132, "Site Plan Review" as it pertains to driveways
b) Proposed Local Law to Amend Chapter 176, "Zoning" as it pertains to formal entrance to Dwelling
c) Proposed Local Law Amending §132-4(5), "Site Plan Review" re activities requiring site plan review

On motion of Deputy Mayor Moslow and seconded by Trustee Karabatos and voted on as follows, the Board resolved to hold a Public Hearing at their Monday, December 18, 2023 meeting. On vote as follows:

Mayor Peter A. Forman voting	-	aye

Deputy Mayor Jeffrey Moslow voting - aye
Trustee Elena Karabatos voting - aye
Trustee Sloane Ackerman voting - absent
Trustee Khashayar Khazai voting - aye

Resolution 11212023-06 was duly adopted.

Mayor Forman placed on the table for **consideration a request from Public Works Superintendent Christian DiMartino to engage John McGowan & Sons for paving & repairs on Governors Lane and at the Governor's Lane DPW Facility.**

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

RESOLUTION 11212023-07
APPROVING ENGAGEMENT OF JOHN MCGOWAN & SONS, INC.
FOR PAVING & REPAIRS
GOVERNOR'S LANE & GOVERNOR'S LANE DPW FACILITY

WHEREAS, paving repairs are necessary to stop further deterioration of Governor's Lane, which is the main thoroughfare to the Village's DPW Facility and additional paving is needed on DPW grounds; and

WHEREAS, Superintendent of Public Works Christian DiMartino has requested and received two proposals for said improvements, a copy of which proposals are appended hereto and made a part of the minutes; and

WHEREAS, John McGowan & Sons, Inc. has submitted the lowest proposal; and

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

NOW, THEREFORE, BE IT RESOLVED that **the Board authorizes that John McGowan & Sons, Inc., 323 Glen Cove Ave, Sea Cliff, NY 11579, be and hereby is engaged for paving and repairs in the amount of ±$23,500.00.**

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

Mayor Peter A. Forman voting - aye
Deputy Mayor Jeffrey Moslow voting - aye
Trustee Elena Karabatos voting - aye
Trustee Sloane Ackerman voting - absent

Trustee Khashayar Khazai voting - aye

Resolution 11212023-07 was duly adopted.

Mayor Forman placed on the table for consideration a recommendation from Public Works Superintendent Christian DiMartino to **authorize and approve the removal and replacement of fencing, and installation of additional fencing at the Governor's Lane DPW Facility,** a copy of which recommendation is appended hereto and made a part of the minutes.

Whereupon, Deputy Mayor Moslow proposed the following resolution and moved its adoption:

RESOLUTION 11212023-08
AUTHORIZING AND APPROVING
THE REMOVAL AND REPLACEMENT OF OLD FENCING
AND INSTALLATION OF ADDITIONAL FENCING
AT THE VILLAGE DPW FACILITY LOCATED AT 2 GOVERNOR'S LANE

WHEREAS, Public Works Superintendent Christian DiMartino has recommended the removal and replacement of old fencing and the addition of new fencing and gate at the Village's DPW facility; and

WHEREAS, Superintendent DiMartino requested and received two proposals from fencing contractors for the work requested, copies of which proposals are appended hereto and made a part of the minutes; and

WHEREAS, The Fence Factory has submitted the lowest proposal; and

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

NOW, THEREFORE, BE IT RESOLVED that **the Board authorizes that The Fence Factory, 645 Broadway, Amityville, NY 11701, be and hereby is engaged to provide the fencing and installation at the Governor's Lane DPW Facility r in the amount of ±$11,300.00.**

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

Mayor Peter A. Forman voting - aye
Deputy Mayor Jeffrey Moslow voting - aye
Trustee Elena Karabatos voting - aye

Trustee Sloane Ackerman voting - absent
Trustee Khashayar Khazai voting - aye

Resolution 11212023-08 was duly adopted.

Mayor Forman placed on the table for consideration, a **Resolution ratifying and authorizing the Mayor to sign, a retainer agreement with Collins Gann McCloskey & Barry PLLC's to serve as special counsel to the Board of Trustees of the Incorporated Village of Sands Point for certain litigation matters**.

Whereupon, Deputy Mayor Moslow proposed the following resolution and moved its adoption:

RESOLUTION 11212023-09
RESOLUTION RATIFYING AND AUTHORIZING THE MAYOR TO SIGN, A RETAINER AGREEMENT WITH COLLINS GANN MCCLOSKEY & BARRY PLLC TO SERVE AS SPECIAL COUNSEL TO THE BOARD OF TRUSTEES OF THE INCORPORATED VILLAGE OF SANDS POINT FOR CERTAIN LITIGATION MATTERS

WHEREAS, the Board of Trustees (the "Village Board") of the Incorporated Village of Sands Point (the "Village"), deems it in the best interest of the Village to retain special counsel in connection with certain litigation matters; and

WHEREAS, the Village has received a proposed retainer agreement from Collins Gann McCloskey & Barry PLLC, dated April 1, 2023 (the "Retainer") for legal services in connection with certain litigation matters; and

WHEREAS, Collins Gann McCloskey & Barry PLLC, has the requisite expertise, knowledge, and experience to advise the Village Board concerning certain litigation matters; and

WHEREAS, the Village Board finds that the Retainer submitted by Collins Gann McCloskey & Barry PLLC, is reasonable and appropriate.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Village Board approves retaining Collins Gann McCloskey & Barry PLLC, to advise the Village Board on certain litigation matters; and

2. The Mayor is authorized to sign the Retainer on behalf of the Village.

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-09 was duly adopted.

Mayor Forman placed on the table for consideration to **change date of the December 2023 Board of Trustees Meeting from Tuesday, December 19, 2023 to Monday, December 18, 2023 at 8:00 p.m.** A motion was made by Deputy Mayor Moslow and seconded by Trustee Karabatos and then carried unanimously to change the December 2023 meeting date. The vote was as follows:

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Elena Karabatos voting	-	aye
Trustee Sloane Ackerman voting	-	absent
Trustee Khashayar Khazai voting	-	aye

Resolution 11212023-10 was duly adopted.

There being no further business to come before the Board, on motion of Deputy Mayor Moslow, seconded by Trustee Karabatos and carried unanimously, the meeting was adjourned at 9:18 p.m.

At 9:20 p.m. upon motion of Deputy Mayor Moslow and seconded by Trustee Karabatos the Board entered into Executive Session.

Liz Gaynor

Liz Gaynor,
Village Clerk