BOARD OF TRUSTEES MEETING
INC. VILLAGE OF SANDS POINT
TUESDAY, MAY 23, 2023

Present:	Peter A. Forman	Mayor
	Jeffrey Moslow	Deputy Mayor
	Elena Karabatos	Trustee
	Rebecca Vitas Schamis	Trustee
	Sloane Ackerman	Trustee
	Liz Gaynor	Village Clerk
	Denise de Reyna	Treasurer
	Daniel Scheyer	Advisor to the Mayor
	Michael Sahn, Esq.	Village Attorney
	Joshua D. Brookstein	Village Attorney

Mayor Forman opened the public hearings at 8:01 p.m. and called to continue the Public Hearings for the following proposed local laws to the June 20, 2023 Board 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 85, "Filming" of the Code of the Village of Sands Point
3) Proposed Local Law Amending Chapter 132, "Site Plan Review"; Chapter 145, "Subdivision of Land"; and Chapter 176 entitled, "Zoning" of the Code of the Village of Sands Point
4) Proposed Local Law Amending Chapter 84, "Filling, Excavation & Grading" of the Code of the Village of Sands Point
5) Proposed Local Law Amending Chapter 82, "Fees & Deposits" of the Code of the Village of Sands Point
6) Proposed Local Law Amending Chapter 131, "Signs" of the Code of the Village of Sands Point
7) Proposed Local Law Amending Chapter 101, "Irrigation," Chapter 172, "Wells," and Chapter 168 "Water" of the Code of the Village of Sands Point
8) Proposed Local Law Amending Chapter 176, "Zoning" of the Code of the Village of Sands Point
9) Proposed Local Law Amending Chapter 70, "Docks, Floats, Piles and Boat Lifts" of the Code of the Village of Sands Point
10) Proposed Local Law Amending Chapter 157, "Trees" of the Code of the Village of Sands Point
11) Proposed Local Law Amending Chapter 145, §145-32.4, "Capital Reserve Fund and Repair Reserve Fund"
12) Proposed Local Law Amending Chapter 121, "Private Streets, Maintenance of" of the Code of the Village of Sands Point

13) Proposed Local Law Amending Chapter 141, "Streets and Sidewalks" of the Code of the Village of Sands Point

On motion of Trustee Karabatos and seconded by Deputy Mayor Moslow and carried unanimously, the Board approved to continue the aforementioned local law public hearings to the May 23, 2023 Board meeting.

Mayor Forman opened the **Regular Meeting** of the Board of Trustees at 8:04 p.m.

The **Minutes** of the meetings held on April 17, 2023 and April 25, 2023 were reviewed. On motion by Trustee Karabatos, seconded by Deputy Mayor Moslow and carried unanimously, the minutes of April 17, 2023 and April 25, 2023 were approved.

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

Water Commissioner Karabatos announced that water pumpage during April of 2023 was 19,406,937 gallons pumped vs. 14,622,400 gallons pumped during April of 2022.

The **Treasurer's Report** showing cash balances as of April 30, 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 as presented on **Abstracts** for payment in May were reviewed. On motion of Deputy Mayor Moslow, seconded by Trustee Karabatos and carried unanimously, the claims as contained on **Abstracts** 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 Schamis, seconded by Deputy Mayor Moslow and carried unanimously, the Building Commissioner's recommendations were adopted.

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

Building Permits both Applied for and issued – 13
Certificates of Occupancy Issued – 7
Certificates of Completion Issued - 15
Tree Removal of Applications Received – 14
Number of Trees to be Removed – 32
Number of Trees to be Replaced - 14

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

Arraignments – 14
Trials - 1
Total VTL Fines Collected – $479.00
Total Village (SPC) Fines Collected - $900.00
Total Amount Collected - $1,379.00

Mayor Forman placed on the table for consideration a **Resolution Ratifying the Village Clerk's Execution of the Memorandum of Agreement with the Nassau County Board of Elections to Use the Voting Machines** for the Village Election to be held on June 20, 2023.

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

RESOLUTION 05232023-01
RATIFYING AND AFFIRMING
THE VILLAGE CLERK'S EXECUTION OF
THE MEMORANDUM OF AGREEMENT WITH THE
NASSAU COUNTY BOARD OF ELECTIONS FOR USE OF
VOTING MACHINES FOR THE VILLAGE ELECTION
TO BE HELD ON JUNE 20, 2023

WHEREAS, the Village will hold its annual election June 20, 2023; and

WHEREAS, in order for the Village to conduct the election and use the voting machines owned by the Nassau County Board of Elections, the Nassau County Board of Elections requested that the Village enter into a Memorandum of Agreement with the Board of Elections, in customary form; and

WHEREAS, the Village Clerk signed the Memorandum of Agreement to assure that the voting machines were delivered timely; and

WHEREAS, the Board wishes to ratify and affirm the execution of the Memorandum of Agreement by the Village Clerk, as appropriate.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby ratifies and affirms the execution of the Memorandum of Agreement by the Village Clerk between the Village and Nassau County Board of Elections.

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 Rebecca Vitas Schamis voting	-	aye
Trustee Sloane Ackerman voting	-	aye

Resolution 05232023-01 was duly adopted.

Mayor Forman placed on the table for **consideration a Resolution Authorizing the Mayor to Execute the 2023/2024 Fire and EMS Protection Contract with the Port Washington Fire Department for fire and emergency services.**

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

RESOLUTION 05232023-02
FIRE PROTECTION & EMS SERVICES CONTRACT
PORT WASHINGTON FIRE DEPARTMENT
JUNE 1, 2023– MAY 31, 2024

WHEREAS, the Board of Trustees desires that residents be provided with fire protection and paramedic emergency services; and

WHEREAS, the total cost for service last year was **$839,727.00**; 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, 2023 through May 31, 2024, the proposed agreement between the Village of Sands Point and the Port Washington Fire Department with charges for firematic and emergency medical services for a total of $867,693.00, as follows:

provide firematic services at a cost of	**$747,071.00**
provide emergency medical services at a cost of	**$120,622.00**
for a grand total of	**$867,693.00**

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 Trustee Ackerman. On roll call:

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

Resolution 05232023-02 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution for a **Transfer of Village Funds from One Account to Another in the General Fund** for the Year Ending May 31, 2023.

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

RESOLUTION 05232023-03
TRANSFER OF VILLAGE FUNDS FROM ONE ACCOUNT TO ANOTHER ACCOUNT IN THE GENERAL FUND FOR THE YEAR ENDING MAY 31, 2023

WHEREAS, the Villages' certified public accountants and auditors, Cullen & Danowski have recommended to the Board of Trustees that they authorize budget revisions, as needed, in order to provide for sufficient appropriations in the Village budget; and

WHEREAS, during the course of the fiscal year several transfers of Village funds from one account to another account in the general fund have been authorized by the Board,

NOW THEREFORE, BE IT RESOLVED that the following transfers be completed in the 2022/2023 Village Budget:

Transfer to:		
A.1110.0402	Court-Court Reporter	$2,100.00
A.1410.0441	Clerk-Info Storage	$2,000.00
A.1410.0460	Clerk-Material/Supplies	$2,100.00
A.1410.0463	Clerk–Postage	$3,000.00
A.1410.0465	Clerk- Legal Notice	$2,000.00
A.1420.0410	Attorney- Contractual	$40,000.00
A.1420.0475	Attorney- Litigation	$45,000.00
A.3120.0426	Police- Gas/Oil	$2,200.00
A.3120.0482	Police- Retirement	$5,000.00

A.5110.0440	Roads – Street Signs	$600.00
A.8510.0401	Community Beautification	$8,300.00
		$112,300.00
Transfer From:		
A.1990.0400	Contingency	$112,300.00

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 Rebecca Vitas Schamis voting	-	aye
Trustee Sloane Ackerman voting	-	aye

Resolution 05232023-03 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution for a Small Claims Assessment Adjustment to the Village's 2021-2022 Assessment Roll that was filed by Maidenbaum Property Tax Reduction Group, LLC.**

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

RESOLUTION 05232023-04
INC. VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
SMALL CLAIMS ASSESSMENT ADJUSTMENT
TO ASSESSMENT ROLL FYE 2021/2022

WHEREAS, upon notice and return of refund from Meyer, Suozzi, English & Klein, P.C. it was noted that Resolution 03282023-12 incorrectly directed the Village Treasurer to make a refund payment to Meyer, Suozzi, English & Klein, P.C. for a petition filed on behalf of the Jordan Residence, 151 Harbor Acres Road (Section 5, Block 102 Lots 9 & 210); and

WHEREAS, the Hearing Officer's Decision directed the refund payment be made to Maidenbaum Property Tax Reduction Group, LLC, the firm which filed the successful petition.

NOW THEREFORE, BE IT RESOLVED THAT, in accordance with the Hearing Officer's Decision, the Village Treasurer be and hereby is directed to make refund payment to **Maidenbaum Property Tax Reduction Group, LLC, 483 Chestnut Street, Cedarhurst, NY 11516,** in the following amount:

Property Owner	Sec	Blk	Lot	Original Assessment	Reduction	New Tax Assessment	Amount to be Refunded
Jordan	5	102	9, 210	238	222	216	$749.95

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 Rebecca Vitas Schamis voting - aye
Trustee Sloane Ackerman voting - aye

Resolution 05232023-04 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution for a Small Claims Assessment Adjustment to the Village's 2021-2022 Assessment Roll that was filed by Maidenbaum Property Tax Reduction Group, LLC.**

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

RESOLUTION 05232023-05
INC. VILLAGE OF SANDS POINT
BOARD OF TRUSTEES
SMALL CLAIMS ASSESSMENT ADJUSTMENT
TO ASSESSMENT ROLL FYE 2021/2022

WHEREAS, upon notice and return of refund from P.T.R.C., Inc. it was noted that Resolution 03282023-09 incorrectly directed the Village Treasurer to make a refund payment to P.T.R.C., Inc. for petitions filed on behalf of the O'Connell Residence, 8 Backus Farm Lane (Section 4, Block 94, Lot 2250) and for the Slote Residence, 24 Cow Neck Road (4/108/1); and

WHEREAS, the Hearing Officer's Decision directed the refund payment be made to Maidenbaum Property Tax Reduction Group, LLC, the firm which filed the successful petitions.

NOW THEREFORE, BE IT RESOLVED THAT, in accordance with the Hearing Officer's Decision, the Village Treasurer be and hereby is directed to make refund payment to **Maidenbaum Property Tax Reduction Group, LLC, 483 Chestnut Street, Cedarhurst, NY 11516,** in the following amounts:

Property Owner	Sec	Blk	Lot	Original Assessment	Reduction	New Tax Assessment	Amount to be Refunded
O'Connell	4	94	2250	325	6.79	318.21	$222.20
Slote	4	108	1	257	56.57	200.43	$1,881.25

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 Rebecca Vitas Schamis voting - aye
Trustee Sloane Ackerman voting - aye

Resolution 05232023-05 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution **Amending a Resolution Approving the Retention of VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., for Planning Advisory and Consultant Services in Connection with the Review of an Application submitted by Ashima Narula to Construct a Dock at 3 Half Moon Lane, and of an application submitted by AE & LY Realty LLC, to Construct a Dock at 24 Hicks Lane, in the Village of Sands Point.**

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

RESOLUTION 05232023-06

AMENDMENT OF RESOLUTION 07262022-14 WHICH APPROVED THE RETENTION OF VHB ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTURE AND GEOLOGY, P.C. ("VHB"), FOR PLANNING ADVISORY AND CONSULTANT SERVICES IN CONNECTION WITH THE REVIEW OF AN APPLICATION SUBMITTED BY ASHIMA NARULA TO CONSTRUCT A DOCK AT 3 HALF MOON LANE, SANDS POINT, NEW YORK, AND OF AN APPLICATION SUBMITTED BY AE & LY REALTY LLC, TO CONSTRUCT A DOCK AT 24 HICKS LANE, SANDS POINT, NEW YORK

WHEREAS, per Resolution 07262022-14 the Board approved a proposal from "VHB" for Planning Advisory and Consultant Services in connection with the review of an application submitted by Ashima Narula to construct a dock at 3 Half Moon Lane and of an application submitted by AE & LY Realty, LLC to construct a dock at 24 Hicks Lane; and

WHEREAS, that Proposal for consultant services in connection with the review of the 2022 Dock Applications, was for a total fee not to exceed $12,500.00 per application; and

WHEREAS, invoices submitted on behalf of "VHB" have exceeded the cap amount; and

WHEREAS, after review and advisement, it is necessary to increase the cap amounts for each application; and

NOW, THEREFORE, BE IT RESOLVED that increased cap amounts will be as follows:

1. Narula Dock Application - fee not to exceed $25,000.00, which will be reimbursed by the applicant pursuant to Chapter 82 of the Village Code.

2. AE & LY Realty, LLC Dock Application – fee not to exceed $17,500.00, which will be reimbursed by the applicant pursuant to Chapter 82 of the Village Code.

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 Rebecca Vitas Schamis voting	-	aye
Trustee Sloane Ackerman voting	-	aye

Resolution 05232032-06 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution Authorizing the Engagement of D&B Engineers and Architects, P.C. for Engineering Services for the Resubmission of Applications.**

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

RESOLUTION 05232023-07
AUTHORIZING ENGAGEMENT OF
D&B ENGINEERS AND ARCHITECTS, P.C. ("D&B")
FOR THE RESUBMISSION OF APPLICATIONS FOR FUNDING
AND ENGINEERING REPORT REVISIONS

THROUGH THE ENVIRONMENTAL FACILITIES CORPORATION ("EFC")
AND THE DRINKING WATER STATE REVOLVING FUND ("DWSRF")
FOR CONSTRUCTION OF WELL 9
AND FOR
PFAS TREATMENT AT WELLS 3 AND 4
SANDS POINT WATER DEPARMENT

WHEREAS, in 2022, D&B (on behalf of the Village) submitted applications for Bipartisan Infrastructure Law (BIL) and Water Infrastructure Improvement Act (WIIA) funding for the above-referenced projects. Neither project was selected to receive funding through either program. Both projects are now listed on the DWSRF Intended Use Plan (IUP) and are eligible for resubmission; and

WHEREAS, Water Superintendent Christian DiMartino recommends the engagement of "D&B" for the resubmission, a copy of their proposal is appended hereto and made a part of the minutes; and

NOW, THEREFORE, BE IT RESOLVED that:

3. The Board of Trustees accepts the Proposal for professional consultant services in connection with the preparation of the Grant Applications, for a total fee not to exceed $7,000.00.

4. The Mayor is authorized to sign the Proposal 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 Rebecca Vitas Schamis voting	-	aye
Trustee Sloane Ackerman voting	-	aye

Resolution 05232023-07 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Authorize the Preparation and Solicitation of Bids for the Installation of Light Poles on the Tennis Courts at The Village Club of Sands Point.**

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

RESOLUTION 05232023-08
AUTHORIZATION TO PREPARE BID SPECIFICATIONS
AND TO SOLICIT BIDS FOR LIGHT POLES AT THE TENNIS COURTS
THE VILLAGE CLUB OF SANDS POINT

WHEREAS, General Manager Jeff Shepard has requested authorization to solicit proposals for light poles at the tennis courts; and

WHEREAS, the Board concurs with the General Manager's recommendation,

NOW, THEREFORE, BE IT RESOLVED, that the **Village Clerk be and hereby is authorized to arrange the preparation of bid specifications and to solicit bids to be presented to the Board of Trustees for review and award of contract following receipt of bids.**

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

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

Resolution 05232023-08 was duly adopted.

Mayor Forman announced that the **next Board meeting will be held June 20, 2023** and the Annual Village Election will be held on June 20, 2023 from noon to 9:00 p.m.

On motion of Deputy Mayor Moslow, seconded by Trustee Karabatos, at 8:23 p.m. the meeting was adjourned.

Liz Gaynor

Liz Gaynor,
Village Clerk