INC. VILLAGE OF SANDS POINT
BOARD OF TRUSTEES MEETING
AT THE VILLAGE CLUB OF SANDS POINT
TUESDAY, AUGUST 23, 2022

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

Mayor Forman opened the Public Hearing at 8:09 p.m. to consider a proposed Local Law to Amend Chapter 4, "Boards, Commissions, and Committees of the Code of the Village of Sands Point.

Mayor Forman further announced receipt of the affidavit of publication indicating that the proposed law was published in the *Port Washington News*. He further announced receipt of the affidavit of posting, stating that the proposed law was 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. On motion of Trustee Karabatos and seconded by Trustee Schamis and carried unanimously the Public Hearing on the proposed local law was closed.

The Board upon motion by Trustee Karabatos and seconded by Trustee Schamis and carried unanimously the Board agreed to continue the following public hearings to the Wednesday, September 28, 2022 meeting:

1) Introduction of a Proposed Local Law to Repeal Section 176-48.1, "Signs", and to Create 131 of the Village Code, titled "Signs."
2) Introduction of a Proposed Local Law Creating an Architectural Review Committee
3) Introduction of a Proposed Local Law Amending Chapter 82, "Fees & Deposits" of the Code of the Village of Sands Point

4) Proposed Local Law Amending Chapter 1, "General Provisions" of the Code of the Village of Sands Point
5) Proposed Local Law Amending Chapter 110, "Noise" of the Code of the Village of Sands Point
6) Proposed Local Law Amending Chapter 85, "Filming" of the Code of the Village of Sands Point
7) 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
8) Proposed Local Law Amending Chapter 155, "Telecommunication Sites" and any other related chapters re small cell regulations of the Code of the Village of Sands Point
9) Proposed Local Law Amending Chapter 84, "Filling, Excavation & Grading" of the Code of the Village of Sands Point
10) Proposed Local Law Amending all Chapters of the Village Code relating to Water

Mayor Forman opened the **Organizational Meeting** of the Board of Trustees at 8:12 p.m.

Mayor Forman placed on the table for consideration the following **Appointments** that were tabled from the July 26, 2022 Organizational Meeting:

Title/Role	Candidate Name	Term
Planning Board Member	Patrick Foye	1 year
Planning Board Member	Joshua Milgrim	1 year
Planning Board Alternate Member	Steven Miller	1 year
Purchasing Official	Christian DiMartino	1 year

On motion of Trustee Karabatos and seconded by Trustee Schamis and carried unanimously, the appointments were approved. On roll call:

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

Mayor Forman further announced the following mayoral appointments:

Title/Role	Candidate Name	Term
Deputy Building Commissioner	Rebecca Vitas Schamis	1 year
Deputy Water Commissioner	Rick Sirow	1 year
Roads Commissioner	Elena Karabatos	1 year
Landmarks Chair	Daniel Kohs	1 year

Landmarks Secretary	Joanna Palumbo	1 year
Deputy Police Commissioner	Jeffrey Moslow	1 year
Deputy Police Commissioner	Sloane Ackerman	1 year
Deputy Police Commissioner	Elena Karabatos	1 year
Deputy Police Commissioner	Rebecca Vitas Schamis	1 year

Mayor Forman opened the **Regular Meeting of the Board of Trustees** at 8:15 p.m.

The **Minutes** of the meeting held on July 26, 2022 were reviewed. On motion by Trustee Karabatos, seconded by Trustee Schamis 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 pumpage during July of 2022 was 71,109,000 gallons pumped versus 31,648,000 gallons during July 2021.

The **Treasurer's Report** showing cash balances as of July 31, 2022, was reviewed (copy attached). On motion by Trustee Karabatos, seconded by Mayor Forman and carried unanimously, the Treasurer's Report was accepted and filed.

Claims as presented on **Abstracts** for payment in August were reviewed. On motion of Trustee Karabatos seconded by Trustee Schamis and carried unanimously, the claims as contained on the **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 Sethi, seconded by Trustee Schamis and carried unanimously, the Building Commissioner's recommendations were adopted.

The Board received the **Building Department Report of Activity** for the month of July 2022 which showed:

Building Permits issued – 12
Certificates of Occupancy Issued - 12
Extensions of Building Permits Granted – 8
Tree Removal of Applications Received – 14
Number of Trees to be Removed – 46
Number of Trees to be Replaced - 21

The Board received the **Justice Court Report** for July 2022 which showed:

Arraignments – 27
Trials - 0
Total VTL Amount Collected- $2,168.00
Total Village Code Fines Collected: $4,250.00

Mayor Forman placed on the table for consideration a **proposed Local Law 18 of 2022, Amending Chapter 4, "Boards, Commissions, and Committees," of the Code of the Village of Sands Point.**

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

RESOLUTION 08232022-01
PROPOSED LOCAL LAW 18 OF 2022
AMENDING SECTION CHAPTER 4,
"BOARDS, COMMISSIONS, AND COMMITTEES"
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 18 of 2022, Amending Chapter 4, "Boards, Commissions, and Committees," 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 Schamis. On roll call:

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

Resolution 08232022-01 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution **Establishing Written Procedures Governing Member and Public Attendance Consistent with Section 103-a of the Public Officers Law, for the use of Videoconferencing at Meetings of a Public Body in the Incorporated Village of Sands Point**

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

RESOLUTION 08232022-02
ESTABLISHING WRITTEN PROCEDURES GOVERNING MEMBER AND PUBLIC ATTENDANCE CONSISTENT WITH SECTION 103-A OF THE PUBLIC OFFICERS LAW, FOR THE USE OF VIDEOCONFERENCING AT MEETINGS OF A PUBLIC BODY IN THE INCORPORATED VILLAGE OF SANDS POINT

WHEREAS, by passing Chapter 56 of the Laws of 2022, the New York State Legislature amended Article 7 of the Public Officers Law by adding Section 103-a; and

WHEREAS, Section 103-a of the Public Officers Law permits the Incorporated Village of Sands Point (the "Village"), by local law, to authorize members of its Public Bodies to attend meetings by videoconference under extraordinary circumstances; and

WHEREAS, pursuant to Local Law 18 of 2022, the Board of Trustees of the Village (the "Board"), authorized members of its Public Bodies to attend meetings by videoconference under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(b) of the Public Officers Law requires that the Board establish written procedures governing member and public attendance for the use of videoconferencing consistent with Section 103-a of the Public Officers Law.

NOW, THEREFORE, BE IT RESOLVED that the following procedures are hereby established to satisfy the requirement of Section 103-a(2)(b) of the Public Officers Law that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations, under extraordinary circumstances, must establish written procedures governing member and public attendance:

1. Members of any Public Body, as that term is defined in Article I of Chapter 4 of the Village Code, shall be physically present at any meeting of the Public Body unless such member is unable to be physically present at the designated meeting location due to extraordinary circumstances.

2. For purposes of these procedures, the term "extraordinary circumstances" includes disability, illness, caregiving responsibilities, inclement weather, travel, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting.

3. If a member is unable to be physically present at the designated public meeting location and wishes to participate remotely by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Village no later than four business days to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Public Body shall update its notice as soon as practicable to include that information.

4. If there is a quorum of members participating at a physical location open to the public, the Public Body may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum of the Public Body but may participate and vote if there is a quorum of members at a physical location open to the public.

5. Except in the case of executive sessions conducted pursuant to Section 105 of the Public Officers Law, the Public Body shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.

6. The minutes of the meeting involving videoconferencing based on extraordinary circumstances pursuant to Section 103-a of the Public Officers Law shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.

7. The public notice of the meetings shall inform the public: (i) that extraordinary circumstances videoconferencing will, or may, be used; (ii) where the public can view and/or participate in such meeting; (iii) where required documents and records will be posted or available; and (iv) the physical location for the meeting where the public can attend.

8. The Public Body shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded. The recordings shall be posted or linked on the Village's website within five business days following the meeting and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request.

9. If members of a Public Body are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Public Body shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Public Body shall ensure that where extraordinary circumstances video conferencing is used, it authorizes the same public participation or testimony as in-person participation or testimony.

10. Open meetings of all Public Bodies of the Village conducted using extraordinary circumstances videoconferencing pursuant to the provisions of Section 103-a of the Public Officers Law shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act, as amended, and corresponding guidelines. For the purposes of this guideline, "disability" shall have the meeting defined in Section 292 of the Executive Law.

11. The in-person participation requirements of Section 103-a(2)(c) of the Public Officers Law shall not apply during a state disaster emergency declared by the governor pursuant to Section 28 of the Executive Law, or to a local state of emergency proclaimed by the chief executive of a county, city, village, or town pursuant to Section 24 of the Executive Law, if the Public Body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Public Body to hold an in-person meeting.

12. These procedures shall be conspicuously posted on the Village's website.

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

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

Resolution 08232022-02 was duly adopted.

Mayor Forman placed on the table for consideration the **Resolution Adopting a Determination of Significance Pursuant to the State Environmental Quality Review Act in Connection with the Construction of Village Water Supply Well #9 on the Site of The Village Club of Sands Point.**

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

RESOLUTION 08232022-03
RESOLUTION ADOPTING A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR IMPROVEMENTS TO THE VILLAGE WATER SYSTEM TO BE FINANCED PURSUANT TO THE ISSUANCE OF VILLAGE BONDS

WHEREAS, the Board of Trustees (the "Board") of the Incorporated Village of Sands Point (the "Village"), has determined that it is in the public interest to evaluate the public benefit to improve its water supply system by constructing a new water well, well building, and related work including, but not limited to, the installation of chemical treatment equipment and new distribution pipes (the "Project") on the south side of the Village Club of Sands Point, located at 1 Thayer Lane, Sands Point, New York, known and designated as Section 4, Block B, Lot 146 on the Nassau County Land and Tax Map; and

WHEREAS, the Project is subject to review under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Superintendent of Public Works for the Village completed Part 1 of an expanded Full Environmental Assessment Form (the "EAF") in connection with the Project; and

WHEREAS, the Board's water engineering consultant, D&B Engineers and Architects ("D&B"), assisted in preparing and has reviewed the EAF; and

WHEREAS, in accordance with SEQRA, and a coordinated review process, the Board, by Resolution dated July 26, 2022, declared its intent to serve as Lead Agency to conduct an environmental review of the Project; and

WHEREAS, the Board has determined that the Project is a Type I Action as defined under SEQRA; and

WHEREAS, pursuant to 6 NYCRR §617.6(b)(3), coordinated review was undertaken by the Board; and

WHEREAS, during the lead agency coordination period no objection to the Board assuming lead agency status was received from any other potentially involved agency; and

WHEREAS, based on the information contained in the aforementioned documents describing the Project, D&B prepared Parts 2 and 3 of the EAF pursuant to SEQRA, which assessed the potential environmental impacts of the Project, for consideration by the Board; and

WHEREAS, the Board, as lead agency, has reviewed and given due consideration to the Project, the EAF, and related documents, as well as D&B's review; and

WHEREAS, Part 3 of the EAF, Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance, states the reasons supporting a Negative Declaration incorporating all appropriate mitigation measures.

NOW, THEREFORE, BE IT RESOLVED, that the Board, in consideration of the analysis of potential adverse environmental impacts set forth in the EAF, hereby adopts a Negative Declaration pursuant to SEQRA, finding that the Project does not pose the potential for significant adverse environmental impacts, and that no environmental impact statement need be prepared.

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

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

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

Resolution 08232022-03 was duly adopted.

Mayor Forman placed on the table for consideration the **Authorization for a Type II Designation under the State Environmental Quality Review Act for Certain Improvements to the Village Water System to be Financed Pursuant to the Issuance of Village Bonds,** copies of which are appended hereto and made a part of the minutes.

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

RESOLUTION 08232022-04
AUTHORIZATION FOR A TYPE II DESIGNATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR IMPROVEMENTS TO THE VILLAGE WATER SYSTEM TO BE FINANCED PURSUANT TO THE ISSUANCE OF VILLAGE BONDS

WHEREAS, the Water Commissioner, the Superintendent of the Water Department and the Village's Water Engineer, D&B Engineers and Architects ("D&B") have advised that certain improvements to the Village water system, consisting of the construction of improvements to the Village water system including improvements at Wells #3 and #4 (the "Project"), to be financed pursuant to the issuance of serial bonds of the Village are necessary, warranted, and appropriate; and

WHEREAS, the Village has prepared a separate Short Environmental Assessment Form ("SEAF") for purposes of reviewing the funding and completion of the Project as it relates to the proposed improvements at Wells #3 and #4, under the State Environmental Quality Review Act ("SEQRA"), copies of which are annexed hereto and made a part hereof; and

WHEREAS, the Board of Trustees has determined that the Project as it relates to the improvements at Wells #3 and #4 and the financing of the same constitute Type II actions under Part 617 of the implementing regulations pertaining to Article 8 of SEQRA; and

WHEREAS, in accordance with 6 NYCRR Part 617.6, the Village Board of Trustees is the only agency required to approve the proposed action.

NOW, THEREFORE, BE IT RESOLVED that the Village Board of Trustees hereby determines that the Project relating to improvements at Wells #3 and #4 and the financing of the same constitute Type II actions under Part 617 of the implementing regulations pertaining to Article 8 of SEQRA.

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

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

Resolution 08232022-04 was duly adopted.

Mayor Forman placed on the table **Bond Resolution 08232022-05, "Authorizing Improvements to the Village Water System, stating the Estimated Maximum Cost thereof is $16,000,000, Appropriating said Amount for such purpose, and Authorizing the Issuance of Bonds in the Principal Amount of not to Exceed $16,000,000 to Finance said Appropriation," a** copy of which is appended hereto and made a part of the minutes. Upon the motion of Trustee Karabatos and seconded by Trustee Schamis and carried unanimously the Board adopted the resolution. On roll call as follows:

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

Resolution 08232022-05 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution **to hold a Public Hearing to Consider Establishing Categories of Membership, Annual Membership Fees, Guest Privileges and Other Fees and Charges and the Club Budget Relative to the Use of the Recreational Facilities at the Village Club of Sands Point.**

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

RESOLUTION 08232022-06
SETTING DATE FOR A PUBLIC HEARING
TO CONSIDER 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, 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 in accordance with Chapter 33, Section 33-6 of the Code of the Incorporated Village of Sands Point; and

WHEREAS, categories of membership, annual membership fees, guest privileges and all other fees and charges must be established for the **2023** season,

NOW, THEREFORE, BE IT RESOLVED that a public hearing will be held on Wednesday, September 28, 2022 at 8:00 p.m. to establish fees, rules, and regulations relative to the use of the recreational facilities at The Village Club of Sands Point.

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

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

Resolution 08232022-06 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Authorize Purchase of two Toro mowers for the Golf Course at The Village Club** of Sands Point.

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

RESOLUTION 08232022-07
AUTHORIZING THE PURCHASE OF
TWO TORO PRO FORCE TURBINE BLOWERS
STORR TRACTOR COMPANY
FOR THE VILLAGE CLUB OF SANDS POINT

WHEREAS, Club Grounds Superintendent Ethan Johnson has requested the purchase of two new turbine blowers for The Village Club of Sands Point; and

WHEREAS, the equipment is necessary in order to maintain the golf course at the highest level; and

WHEREAS, the mowers are being purchased through Storr Tractor Company, a preferred vendor, a copy of the purchase proposal is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed the proposal and finds it acceptable;

NOW, THEREFORE, BE IT RESOLVED that Club Manager be and hereby is authorized to purchase two Toro Pro Force Turbine Blowers from Storr Tractor Company, 175 13th Avenue, Ronkonkoma, NY 11779 per their proposal dated August 3, 2022 in the amount of $19,210.48 ($9,605.24 per blower) which price is subject to further negotiation.

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

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

Resolution 08232022-07 was duly adopted.

Mayor Forman placed on the table for consideration to **change the date of the September 2022 Board of Trustees Meeting from Tuesday, September 27, 2022 to Wednesday, September 28, 2022 at 8:00 p.m.** A motion was made by Trustee Karabatos and seconded by Trustee Schamis and then carried unanimously to change the September 2022 meeting date. The vote was as follows:

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

There being no further business to come before the Board, on motion of Trustee Karabatos, seconded by Trustee Ackerman and carried unanimously, the meeting was adjourned at 9:30 p.m.

Liz Gaynor

Liz Gaynor, Village Clerk