BOARD OF TRUSTEES MEETING
INCORPORATED VILLAGE OF SANDS POINT
TUESDAY, SEPTEMBER 28, 2021 AT 8:00 PM

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

Mayor Forman opened the Public Hearing at 8:00 p.m. to consider the **Establishing of Categories of Membership, Annual Membership Fees, Guest Privileges and Other Fees and Charges Relative to the Use of the Recreational Facilities for The Village Club of Sands Point.**

Mayor Forman announced receipt of the affidavit of publication indicating that the proposed Dues Schedule Hearing was published in the *Port Washington News* and announced receipt of the affidavit of posting, stating the proposed Village Dues Schedule Hearing was posted in the office of the Village Clerk.

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Trustee Sethi and seconded by Trustee Schamis, and carried unanimously the Public Hearing on the proposed dues schedule was closed.

Trustee Schamis opened the Public Hearing to **consider a Local Law Amending Chapter 176 entitled, "Zoning" relating to the placement of Signs and Requirements for Sign Permits."**

The receipt of the affidavit of publication of the proposed law was published in the *Port Washington News* and the affidavit of posting of 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.

All those who wished to be heard, having been heard and there being no further call for discussion, on motion of Trustee Sethi and seconded by Trustee Karabatos, and

carried unanimously the Public Hearing on the proposed local law regulating signs was closed.

Trustee Schamis opened the Public Hearing to **consider the application of NEW YORK SMSA LIMITED PARTNERSHIP d/b/a Verizon Wireless, to construct a 140' monopole, with an additional 10' of telecommunications antennas, to replace an existing Village Water Department communications tower at the Village's Water Department** located at 2 Governors Lane, known on the Nassau County Land & Tax Map as Section 4, Block B, Lot 287.

The receipt of the affidavit of publication noticing the monopole installation application was published in the *Port Washington News* and the affidavit of posting of the 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 monopole installation. 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 Sethi and seconded by Trustee Karabatos, and carried unanimously the Public Hearing on the monopole installation application was closed.

Trustee Sethi opened the Public Hearing to **consider the application of NEW YORK SMSA LIMITED PARTNERSHIP d/b/a Verizon Wireless for installation, maintenance, and operation of small wireless facilities on existing utility poles, and on new poles that Verizon Wireless will install in the Village's rights-of-way.**

The receipt of the affidavit of publication noticing the small wireless facilities installation application was published in the *Port Washington News* and the affidavit of posting of the 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 small wireless facilities installation. 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 Trustee Sethi, and carried unanimously the Public Hearing on the small wireless facilities installation application was closed.

Trustee Schamis opened the Public Hearing to **consider a Local Law Amending Chapter 176 entitled, "Zoning" requiring a rental permit for all residential properties being rented within the Village.**

The receipt of the affidavit of publication of the proposed law was published in the *Port Washington News* and the affidavit of posting of 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.

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 Trustee Sethi, and carried unanimously the Public Hearing on the proposed local law regulating rental properties was closed.

Mayor Forman announced that the **Public Hearing to consider a proposed Local Law Amending Chapter 120 of the Code entitled, "Private Roads maintenance of," will be continued to the October 26, 2021 Board of Trustees meeting.** On motion of Trustee Sethi and seconded by Trustee Schamis and carried unanimously the public hearing on the proposed local law public hearing is to be continued.

The **Minutes** of the meetings held on September 2, 2021 and September 13, 2021 were reviewed. On motion by Trustee Sethi, 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.

Commissioner Karabatos announced that water pumpage during August of 2021 was 52,188,000 gallons pumped versus 53,983,400 gallons during August 2020.

The **Treasurer's Report** showing cash balances as of August 31, 2021 was reviewed (copy attached). On motion by Trustee Sethi, seconded by Trustee Karabatos and carried unanimously, the Treasurer's Report was accepted and filed.

Claims as presented on **Abstracts 4A & 4B** for payment in September were reviewed. On motion of Trustee Sethi, seconded by Trustee Karabatos and carried unanimously, the claims as contained on **Abstracts 4A & 4B** 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 Karabatos, 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 August 2021 which showed:

Building Applications Applied for - 18
Building Permits issued – 11
Extensions of Building Permits Granted – 19
Tree Removal of Applications Received – 29
Certificates of Occupancy Issued – 5

The Board received the **Justice Court Report** for the month of August 2021 which showed:

Arraignments - 40
Trials - 0
Total Amount Collected - $1,036.00

Mayor Forman placed on the table a **Resolution to Consider Approval of the Village Club's 2022 Categories of Membership and Related Fees.**

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

RESOLUTION 09282021-01
RESOLUTION 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, on January 24, 1995, the Board of Trustees of the Incorporated Village of Sands Point (hereinafter "Board of Trustees") adopted a local law establishing The Village Club of Sands Point recreational facility as a self-supporting improvement in accordance with Article 13 of the Village Law of the State of New York; and

WHEREAS, in accordance with Section 6 of said local law, 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; and

WHEREAS, the General Manager of the Village Club has recommended Membership Categories and Dues for 2022 as set forth on the fee schedule appended hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED, that all fees and charges to the use of The Village Club of Sands Point may be revised, from time to time, by resolution of the Board of Trustees, after public hearing held on notice.

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

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

Resolution 09282021-01 was duly adopted.

Mayor Forman placed on the table for consideration **proposed Resolution Authorizing the Proposed License of Village Property for Construction of a Telecommunications Facility.**

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

RESOLUTION 09282021-02
AUTHORIZING THE PROPOSED LICENSE OF VILLAGE PROPERTY LOCATED AT 2 GOVERNORS LANE FOR THE PURPOSE OF ALLOWING THE CONSTRUCTION OF A TELECOMMUNICATIONS FACILITY, ADOPTING A DETERMINIATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), AND EXEMPTING SAME FROM COMPLIANCE WITH THE VILLAGE'S ZONING LAWS

WHEREAS, the Incorporated Village of Sands Point (the "Village") is a duly incorporated municipality of the State of New York; and

WHEREAS, the Village's territory encompasses approximately 5.2 square miles of area, including 4.2 square miles in upland area, located in northern Nassau County, within the Town of North Hempstead; and

WHEREAS, the Village exclusively contains residential zoning districts and is characterized primarily as a community of single-family residential dwellings on large lots, generally between one and five acres; and

WHEREAS, the current Village population is approximately 2,712 persons; and

WHEREAS, the Village is also home to a limited number of institutional and recreational uses (e.g., The Village Club of Sands Point, Sands Point Park and Preserve, Sands Point Golf Club, Helen Keller National Center for Deaf-Blind Youths and Adults, and Village Hall) and some religious uses; and

WHEREAS, the Village owns certain real property located at 2 Governors Lane, Sands Point, New York, and further identified as Section 4, Block B, Lot 287 on the Land and Tax Map of Nassau County (the "Subject Property" or the "Site"); and

WHEREAS, the Subject Property is approximately 3.8 acres in area and is occupied by facilities of the Village Water Department (the "Water Department"), including, but not limited to various components of the Village's potable water supply system (the "Village Water System") – e.g., a 280,000-gallon, 28-foot above grade level ("agl") tall ground storage tank (the "Water Tank"), two water supply wells, a well building, a two-bay public works garage, and an office building; and

WHEREAS, the Subject Property also currently contains an existing telecommunications pole (the "Existing Pole") at a height of approximately 90 feet agl, topped by an eight-foot-tall whip antenna, which is a critical component of the Water Department's Supervisory Control and Data Acquisition ("SCADA") system; and

WHEREAS, the Village Board of Trustees (the "Board of Trustees" or the "Board") has negotiated an agreement (the "Agreement") with New York SMSA Limited Partnership d/b/a Verizon Wireless to allow the latter party to license a portion of the Subject Property (the "Project Site") for the installation and operation of a telecommunications facility (the "Facility"), which includes replacement of the Existing Pole and associated equipment for the Water Department's SCADA system, along with equipment for Verizon Wireless' own telecommunications purposes; and

WHEREAS, the Facility, including the replacement pole, would be installed by Verizon Wireless at no cost to the Village, and would also generate monthly license payments to the Village for the use of the Subject Property for Verizon Wireless' equipment; and

WHEREAS, the Facility is described in plans prepared by KMB Design Group, as revised 10/22/2019 (the "Project Plans"), and includes: a 140-foot agl concealment monopole (the "Monopole"), with a total height of 150 feet agl to the tip of the pole-top

whip antenna that will serve the Water Department's SCADA system; a 10-foot by 20-foot equipment compound (the "Equipment Compound") on a new concrete slab surrounded by a chain-link fence, located to the north of the Monopole, containing an equipment cabinet, battery cabinet, utility cabinet, remote radio head units, and emergency backup generator; a telco enclosure, transformer and multi-meter frame located between the Monopole and the Equipment Compound; a propane tank to fuel the emergency backup generator; and underground electrical and telco conduits connecting to an existing electrical enclosure on the Subject Property; and

WHEREAS, the Project Site is bounded by Middle Neck Road to the south, with the Sands Point Golf Club further to the south, by Helen Keller National Center for Deaf-Blind Youths and Adults to the east, by the northerly portion of the Subject Property, including the existing Water Tank and buildings on the Site, to the north, with residential properties further to the north, and by residential properties to the west; and

WHEREAS, the Facility is proposed for installation on the southerly portion of the Subject Property, to the south of the Water Tank and the on-Site buildings; and

WHEREAS, for zoning purposes, the Project Site is located in the Village's Residence C zoning district, which permits no more than one single-family residence, for each five acres of lot area; and

WHEREAS, proposed Facility is a permitted use in the Residence C zoning district because "Village of Sands Point municipal uses and purposes, except incinerator and sewage disposal plants" are permitted in such zoning district as a matter of right (*see*, Village Code §176-33.3.D), and the Facility would include a replacement telecommunications monopole and associated equipment serving the Water Department; and

WHEREAS, if the Village's zoning laws were applied, the proposed Facility would be subject to site plan approval by the Village Zoning Board of Appeals (the "Board of Appeals") pursuant to Village Code §132-3, in addition to the aforementioned approval from the Board of Trustees for the Agreement and the SEQRA determination of significance; and

WHEREAS, pursuant to the ruling of the New York State Court of Appeals in the *Matter of Monroe County v. City of Rochester*, 72 N.Y.2d 338 (1988), the Board of Trustees has the power to exempt the proposed Facility from compliance with the Village's zoning laws if, after engaging in a "balancing of public interests" test, the Board determines that such exemption is warranted; and

WHEREAS, the "balancing of public interests" test requires the Board of Trustees to consider the following factors in determining whether to exempt the proposed Facility from the Village's zoning laws:

1. The nature and scope of the instrumentality seeking immunity,

2. The encroaching government's legislative grant of authority,

3. The kind of function or land use involved,

4. The effect local land use regulation would have upon the enterprise concerned,

5. Alternative locations for the facility in less restrictive zoning areas,

6. The impact on legitimate local interests,

7. Alternative methods of providing the proposed improvement,

8. The extent of the public interests to be served by the public improvements, and

9. Intergovernmental participation in the project development process and an opportunity to be heard; and

WHEREAS, according to the Court of Appeals, "[r]ealistically, one factor in the calculus could be more influential than another or may 'be so significant as to completely overshadow all others', but no element should be 'thought of as ritualistically required or controlling.'" *County of Monroe*, 72 N.Y.2d at 343; and

WHEREAS, the decision by the Board of Trustees to execute the Agreement, allow construction of the Facility to proceed, and exempt same from compliance with the Village's zoning laws pursuant to the "balancing of public interests" test (collectively, the "Proposed Action") is subject to the requirements of the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Board of Trustees is the only involved agency for the Proposed Action and, therefore, is also the lead agency under SEQRA for the review of the Proposed Action; and

WHEREAS, pursuant to SEQRA, Part 1 of a Full Environmental Assessment Form ("EAF-Part 1") was completed by VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. ("VHB"), the Village's environmental planning consultant, to describe

the Proposed Action and assist in evaluating the potential environmental impacts associated with same; and

WHEREAS, in addition to the EAF-Part 1, relevant information describing the Proposed Action is contained in the Project Plans and the proposed Agreement, as well as photographic simulations prepared by KMB Design Group, dated 11/22/2019, depicting the proposed Monopole from various vantage points in the area around the Subject Property (the "Photo-Simulations"); and

WHEREAS, based on the information contained in the aforementioned documents describing the Proposed Action, VHB prepared draft Parts 2 and 3 of the Full EAF ("EAF-Parts 2-3") pursuant to SEQRA, which assessed the potential environmental impacts of the Proposed Action, for consideration by the Board of Trustees; and

WHEREAS, the Proposed Action, including the question of whether to exempt same from compliance with the Village's zoning laws pursuant to the "balancing of public interests" test, was the subject of a duly noticed public hearing before the Board of Trustees on September 28, 2021 (the "Public Hearing"); and

WHEREAS, at the Public Hearing, Robert Montelone, made a presentation on the Proposed Action to the Board of Trustees and the public; and

WHEREAS, all parties present at the Public Hearing who wished to be heard on the Proposed Action were given the opportunity to do so; and

WHEREAS, the Board of Trustees has reviewed and analyzed the information and documents submitted into the record, and the testimony at the Public Hearing, and has considered same in its deliberations on the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees, in consideration of the analysis of potential environmental impacts set forth in the EAF-Parts 2-3, hereby adopts a Negative Declaration pursuant to SEQRA, finding that the Proposed Action does not pose the potential for significant environmental impacts.

BE IT FURTHER RESOLVED that the Board of Trustees, applying the *Monroe County* "balancing of public interests" test, hereby finds as follows:

1. The nature and scope of the instrumentality seeking immunity. The instrumentality seeking immunity is the Board of Trustees, which is responsible for ensuring the proper operations of Village-owned infrastructure, including the Village

Water System, which is administered by the Water Department. The Proposed Action would result in the replacement and upgrade of the telecommunications pole, at no cost to the Village, a contribution towards the purchase of new water equipment, and would also generate monthly income to the Village for the use of the Subject Property for Verizon Wireless' telecommunications equipment. Accordingly, the Board finds that this factor weighs heavily in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

2. The encroaching government's legislative grant of authority. The Board of Trustees is seeking immunity from the Village's zoning laws with respect to the Proposed Action. Since the Proposed Action is a Village project, involving the replacement and upgrade of Village equipment, there is no "encroaching government." The Water Department's legislative grant of authority is set forth in Article 11 of the New York State Village Law. Pursuant to Village Law §11-1108, the Water Department, as overseen by the Board of Trustees, is responsible for, among other things, keeping the Village Water System "in repair and may, from time to time, extend the mains or distributing pipes within the village, replace obsolete, inadequate, damages, destroyed or worn-out apparatus and equipment, improve or reconstruct existing facilities and appurtenances and acquire or construct or additional facilities." Thus, pursuant to Village Code §11-1108, the Water Department has a direct grant of legislative authority from New York State to construct necessary improvements to the Village Water System. The Board finds that this factor weighs heavily in favor of exempting the proposed Facility from compliance with the Village's zoning laws.

3. The kind of function or land use involved. The existing land use on the Subject Property is a municipal water supply and distribution facility operated by the Water Department, including a telecommunications facility for the Water Department's SCADA system which is served by the Existing Pole and associated equipment. These uses will continue as the primary use of the Subject Property under the Proposed Action, with the SCADA system being enhanced with the new Monopole and associated equipment to improve critical monitoring and management functions for the operation of the Village Water System. This proposed Facility is a municipal use which is permitted in the Village's Residence C zoning district. The Board finds that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

4. The effect local land use regulation would have upon the enterprise concerned. If the Board of Trustees were required to comply with the Village's zoning laws, application would have to be made to, and approval obtained from, the Board of Appeals for site plan approval. Applying for and obtaining this zoning approval would delay the implementation of the Proposed Action. The Board finds that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

5. Alternative locations for the facility in less restrictive zoning areas. The entire Village is zoned for single-family residential use. Although the Subject Property is zoned Residence C, which is the Village's most restrictive zoning district (with a five-acre minimum lot size), it presently contains active non-residential (i.e., municipal) uses – i.e., the facilities for Village Water System, including the Existing Pole and associated equipment, which would be replaced and upgraded under the Proposed Action. Like the Existing Pole, the proposed Monopole must be co-located with the Water Department's operations facilities – i.e., on the Subject Property – because of logistical requirements. Furthermore, even if it were practical, the use of any other alternative location would introduce a telecommunications facility, including the Monopole, as a new use to the given site, while still retaining the Village Water System function at the Subject Property. The Board of Trustees believes that co-locating multiple municipal facilities functions at a single site, as is contemplated under the Proposed Action and is consistent with existing conditions, is preferable to dispersing these uses throughout the community. Accordingly, the Board finds that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

6. The impact on legitimate local interests. As set forth in the EAF-Parts 2-3 and accompanying Negative Declaration issued under SEQRA, the Proposed Action will not have any significant adverse impacts on the environment. Accordingly, the Proposed Action will not have significant impacts on any legitimate local interests. Moreover, the Proposed Action mitigates potential visual impacts to the degree practicable, as shown in the Photo-Simulations, which depict the Monopole as viewed from various locations in the surrounding area. This visual mitigation is achieved primarily by using a "concealment" or "stealth" design, whereby antennas and associated equipment would be contained within the pole, except for the slender whip antenna serving the Water Department's SCADA system to be placed atop the Monopole, similar to the whip antenna present on the Existing Pole. The Monopole will have a narrow profile and an exterior coloration that will help it to blend in with the sky and other elements in the existing visual horizon. Furthermore, the Existing Pole is a component of the current viewshed; and although somewhat wider and taller than the Existing Pole, the Monopole would not create a new element in the visual setting at the Site. Based on these considerations, the Board of Trustees finds that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

7. Alternative methods of providing the proposed improvement. There is no feasible alternative method of providing for upgraded SCADA communications for the Water Department that would be less impactful than the proposed Facility. Potential alternatives with exterior-mounted antennas would be more highly visible and, therefore, would result in a greater impact; and, in fact, the design of the proposed Facility was modified from an original proposal for exposed antennas to

the current stealth configuration for the specific purpose of minimizing visibility to the maximum degree practicable. The proposed Monopole is at the lowest height that serves the telecommunications objectives of the Proposed Action; and, thus, although a lower height would marginally reduce the Monopole's visibility, it would not serve the intended purpose and need for the Proposed Action. Therefore, given the lack of a feasible alternative method of providing the proposed improvement, the Board of Trustees finds that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

8. The extent of the public interests to be served by the public improvements. As discussed previously, the public interest to be served by the Proposed Action is improvement of the critical SCADA (i.e., data monitoring and management) functions for the operation of the Village Water System, while also addressing a deficiency in telecommunications signal coverage in the area of the Subject Property. In addition to these benefits, the Proposed Action will render revenues to the Village in the form of monthly lease payments from Verizon Wireless. The Board finds that these considerations are a significant public interest, and that this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

9. Intergovernmental participation in the project development process and an opportunity to be heard. The Board of Trustees is the only involved agency in the Proposed Action pursuant to SEQRA. Additionally, the Board held a duly noticed public hearing on the Proposed Action on September 28, 2021, at which all interested persons who wished to do so were given an opportunity to comment on same. No persons expressed any interest in the Proposed Action at the public hearing. Thus, this factor weighs in favor of exempting construction of the proposed Facility from compliance with the Village's zoning laws.

BE IT FURTHER RESOLVED, that, based on the foregoing "balancing of public interests" analysis, the Board of Trustees finds that the public interest in exempting the proposed Facility from compliance with the Village's zoning laws outweighs the public interest in the Village complying with its zoning laws by applying for and obtaining site plan approval for the Proposed Action. Accordingly, the Board of Trustees hereby finds that the proposed Facility is exempt from compliance with the Village's zoning laws.

BE IT FURTHER RESOLVED, that, on behalf of the Village, the Mayor is hereby authorized to execute the Agreement with Verizon Wireless, as recommended for approval by the Village Attorney, Sahn Ward Braff Koblenz PLLC.

BE IT FURTHER RESOLVED, that upon execution of the Agreement by the Mayor, Verizon Wireless is hereby authorized to proceed with construction of the

Facility, in coordination with the Water Department, pursuant to the approved Agreement.

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

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

Resolution 09282021-02 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Adopt a SEQRA Negative Declaration re Verizon Wireless for installation, maintenance, and operation of six small wireless facilities.**

Whereupon Trustee Sethi proposed the following Resolution and moved its adoption:

RESOLUTION 09282021-03
ADOPTION OF A STATE ENVIRONMENTAL QUAILTY REVIEW ACT
NEGATIVE DECLARATION –
DETERMINATION OF NON-SIGNIFICANCE
FOR APPLICATIONS OF VERIZON LAG
FOR SIX (6) SMALL WIRELESS FACILITIES

WHEREAS, the Incorporated Village of Sands Point Board of Trustees (the "Board of Trustees") has received a series of applications for the installation of six (6) small cell wireless telecommunications facilities at locations throughout the Village (the "proposed action"); and

WHEREAS, the installation of Small Wireless Facilities is regulated within the Incorporated Village of Sands Point by the provisions of Chapter 155 of the Village Code, Telecommunications Sites, and each of the six (6) proposed facilities meets the definition for Small Wireless Facilities set forth at §155-3 of the Village Code; and

WHEREAS, the six (6) proposed facilities include five (5) Small Wireless Facilities to be mounted upon existing utility poles within rights-of-way of the Incorporated Village of Sands Point near 19 and 39 Hoffstot Lane, 53-33 Lighthouse and 58-98 Lighthouse Road, and 207 Middle Neck Road; and

WHEREAS, the six (6) proposed facilities also include one Small Wireless Facility to be mounted upon a new utility pole within a right-of-way of the Incorporated Village of Sands Point near 4 Seacoast Lane, together with the necessary utility connections; and

WHEREAS, the Board of Trustees has reviewed the various application materials for each of the six (6) proposed facilities, including engineering drawings, structural analyses, radio frequency (RF) analyses, photographic representations of the proposed equipment, and other materials describing the details of the proposed facilities; and

WHEREAS, pursuant to the implementing regulations of the State Environmental Quality Review Act (SEQRA), specifically those set forth at 6 NYCRR §617.4 and §617.5, the Board of Trustees reviewed the proposed action and preliminarily determined that same is an Unlisted Action, and does not meet the definition of either a Type I or Type II Action; and

WHEREAS, pursuant to 6 NYCRR §617.6(b)(4), coordinated review of an Unlisted Action is optional, and was not undertaken by the Board of Trustees; and

WHEREAS, the Board of Trustees, as lead agency, has caused VHB Engineering, Surveying, Landscape Architecture and Geology, P.C., the Village's environmental planning consultant, to prepare Parts 1, 2 and 3 of a Short Environmental Assessment Form (EAF) and various Attachments thereto, to evaluate the potential for the proposed action to result in a significant adverse environmental impact; and

WHEREAS, in completing the Part 2 EAF, no potential moderate or large impacts were identified, as all potential impacts would be localized and would occur within existing rights-of-way and/or on existing utility poles; and

WHEREAS, although no moderate to large impacts were identified in the Part 2 EAF, the Board of Trustees chose to prepare a Part 3 EAF to discuss potential impacts upon land use and zoning; community character; historic, archaeological, architectural and aesthetic resources; natural resources; erosion, flooding and drainage; and impacts to human health, which determined that the anticipated impacts of the proposed action would not be significant, given its setting, duration, geographic scope and magnitude, and other factors described in the Part 3 EAF; and

WHEREAS, the Board of Trustees has reviewed Parts 1, 2 and 3 of the aforesaid EAF prepared for the proposed action, and agrees with the contents thereof,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees for the action contemplated herein, after review of the proposed action, 6 NYCRR Part 617, and the

EAF, hereby determines that the installation of the above-described Small Wireless Facilities constitutes an Unlisted Action; and

BE IT FURTHER RESOLVED, based on the information contained in the EAF and other relevant information before the Board of Trustees, the Board of Trustees, as lead agency for the action contemplated herein, and after due deliberation and analysis, hereby determines that the Proposed Action will not result in a significant adverse impact to the environment for the reasons described in the EAF, and hereby adopts a Negative Declaration pursuant to the implementing regulations of SEQRA at 6 NYCRR Part 617.

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

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

Resolution 09282021-03 was duly adopted.

Mayor Forman placed on the table for consideration proposed **Local Law re Regulation of Signs,** a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 09282021-04
PROPOSED LOCAL LAW 6 OF 2021
AMENDING CHAPTER 176, "ZONING"
RELATING TO THE PLACEMENT OF SIGNS AND REQUIREMENTS
FOR SIGN PERMITS WITHIN THE
INCORPORATED 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 6 of 2021, A Local Law amending Section 176, "Zoning", relating to the placement of signs and requirements for sign permits within the Village, 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 Rita Sethi voting	-	nay
Trustee Elena Karabatos voting	-	aye
Trustee Rebecca Vitas Schamis voting	-	aye

Resolution 09282021-04 was duly adopted.

Mayor Forman placed on the table for consideration proposed **Local Law re Regulation of Rental Properties,** a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 09282021-05
PROPOSED LOCAL LAW 7 OF 2021
AMENDING CHAPTER 176, "ZONING"
REQUIRING A RENTAL PERMIT FOR ALL RESIDENTIAL PROPERTIES
BEING RENTED WITHIN THE
INCORPORATED 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 7 of 2021, A Local Law amending Section 176, "Zoning", Requiring a Rental Permit for all Residential Properties within the Village, 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 Sethi. On roll call:

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

Resolution 09282021-05 was duly adopted.

The Board reviewed the requirements of Chapter 413 of the Laws of New York State 1991 which amends Section 103 of the General Municipal Law of the State of New York and adds Section 104(b) thereto:

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

RESOLUTION 09282021-06
ADOPTING A PROCUREMENT POLICY PURSUANT TO
SECTION 104(b) of the GENERAL MUNICIPAL LAW

WHEREAS, Section 104(b) of the General Municipal Law as amended effective January 1, 1992 requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid; and

WHEREAS, by Resolution 08252020-02A the Board re-adopted the existing Procurement Policy; and

WHEREAS, comments have been solicited from officials involved in the procurement process which has heretofore been followed for the Village of Sands Point; and

WHEREAS, the Board has recommended certain changes be made to the Policy; and

WHEREAS, the Board of Trustees desires to authorize a procurement policy which serves the best interest of its citizens and taxpayers and complies with all legal requirements;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby adopt for the Village of Sands Point the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid:

PROCUREMENT POLICY FOR THE VILLAGE OF SANDS POINT

1.

a) Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year.

b) The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law; **purchase contracts under $20,000 and public works contracts under $35,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity.**

c) The decision that a purchase is not subject to competitive bidding will be documented in writing to the Village Clerk by the individual making the purchase. This documentation includes written or verbal quotes from vendors and a memo from the purchaser indicating reasons for the recommendation.

d) Where applicable, the following should be documented:

1) a copy of the contract indicating the source which makes the item or service exempt;

2) a memo from the purchaser detailing the circumstances which led to an emergency purchase;

3) any other supporting documentation which the Board of Trustees may deem appropriate.

2. All goods and services will be secured pursuant to competitive bidding requirements under General Municipal Law except in the following circumstances:

- purchase contracts under $20,000 and public work contracts under $35,000;
- goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law;
- goods purchased from correctional institutions pursuant to Section 186 of the Correction Law;
- purchases under State contracts pursuant to Section 104 of the General Municipal Law of New York State ;
- purchases under County contracts pursuant to Section 103 (3) of the General Municipal Law of New York State;
- purchases pursuant to Subdivision 6 of this Policy
- purchases through the use of contracts let by the United States or federal agencies, and any state or any other political subdivision therein that have been made use by other governmental entities pursuant to Section 103(b) of the General Municipal Law of New York State

3. Requests for Proposals (RFP)

When competitive bidding is not required, a municipality can opt to use an RFP to solicit offers. An RFP is typically used when procuring goods or services in situations where a municipality can select a vendor based on factors other than price and when the award will be based on a combination of factors, such as when a municipality is using the best value standard. An RFP differs from a bid in the sense that the specifications in a bid are mandatory and the bid is evaluated as to

how it complies with the specifications. With an RFP, the bidder offers through its proposal a solution to the objectives specified in the RFP and describes how it intends to meet the RFP requirements. A municipality can use a contract other than a fixed-price type, conduct oral or written discussions with offerors concerning their proposals, give the offerors the opportunity to revise their proposals and award a contract in which a price and responsibility are not the only determining factors. An RFP is used for professional service for amounts $12,000 and over.

4. The following minimum methods of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Contract	**Method**
$3,000 - $9,999	**1 written quote**
$10,000 - $19,999	**2 written quotes**

Estimated Amount of Public Works Contract	**Method**
$3,000 - $9,999	**1 written quote**
$10,000 - $24,999	**2 written quotes**
$25,000 - $34,999	**3 written quotes**

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the failure to receive the proposals requested by the purchaser be a bar to the procurement.

5. Documentation is required of each action taken in connection with each procurement.

6. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged.

7. Pursuant to General Municipal Law Section 104 (b) (2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the Board of Trustees, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Sands Point to solicit quotations or document the basis for not accepting the lowest bid:

a) **Professional services or services requiring special or technical skill, training or expertise**. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines:

1) whether the services are subject to State licensing or testing requirements;

2) whether substantial formal education or training is a necessary prerequisite to the performance of the services;

3) whether the services require a personal relationship between the individual and municipal officials.

Professional or technical services shall include but not be limited to the following:

- services of an attorney; services of a physician;
- technical services of an engineer engaged to prepare plans, maps and estimates;
- securing insurance coverage and/or services of an insurance broker;
- services of a certified public accountant;
- investment management services;
- printing services involving extensive writing, editing, or art work;
- management of municipally owned property;
- computer software or programming services for customized programs, or services involved in substantial modifications and customizing of pre-packaged software

b. **Emergency purchases pursuant to Section 103 (4) of the General Municipal Law**. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.

c. **Purchases of surplus and second-hand goods**. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to attempt to compare prices of used goods, and a lower price may indicate an older product.

d. **Goods or services under $1,000**. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minims contracts would be awarded based on favoritism. However, goods and services purchased from any one vendor which total $20,000 or greater over a one-year period may be subject to scrutiny. In addition, attempts should be made whenever possible to bid out items which may be considered "consumables" such as janitorial goods, and paper goods.

8. All purchase requisitions in the amount of $12,000 or more by any department or division of the Village of Sands Point shall require approval by the Board of Trustees before a purchase order can be placed.

9. This policy shall become effective immediately and will be reviewed annually.

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

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

Resolution 09282021-06 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution re **Insurance Renewal covering the Village of Sands Point for the period of 10/1/2021 through 9/30/2022**.

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

RESOLUTION 09282021-07
RENEWAL OF INSURANCE POLICIES
OCTOBER 1, 2021– SEPTEMBER 30, 2022

WHEREAS, a competitive bid process was performed; and

WHEREAS, Salerno Brokerage solicited insurance companies for the various policies that the Village requires; and

WHEREAS, Robert Weinberg of UICI the Village's Insurance Consultant provided an executive summary of the proposals, a copy of his summary is appended hereto and made a part of the minutes; and

WHEREAS, Mr. Weinberg recommends renewal through Salerno Brokerage with Glatfelter Public Practice (National Union AIG) - proposed premiums for the period of 10/1/2021 thru 9/30/2022 is $354,496.00 (total premiums with Zurich for the period of 10/1/2020 thru 9/30/2021 was $301,980.69); and

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

NOW, THEREFORE, BE IT RESOLVED, that Salerno Brokerage Corp., 117 Oak Drive, Syosset, New York 11791 be and hereby is retained to provide insurance coverage on all the Village's policies in the amount of $354,496.00.

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

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

Resolution 09282021-07 was duly adopted

Mayor Forman placed on the table for consideration a **Resolution Authorizing the Engagement of H2M architects and engineers for GIS (Geographical Information System).**

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

RESOLUTION 09282021-08

AUTHORIZING ENGAGEMENT OF
H2M ARCHITECTS & ENGINEERS
TO PROVIDE
GEOGRAPHICAL INFORMATION SYSTEM ("GIS") SUPPORT SERVICES

WHEREAS, the Village has determined the need to implement a GIS System. GIS is a computer system capable of capturing, storing, analyzing, and displaying geographically referenced information; that is, data identified according to location; and

WHEREAS, a GIS provides many benefits such as improvements in communication, decision-making, efficiency, information management and mapping and much more; and

WHEREAS, Superintendent of Public Works Brian Gunderson has asked for and received a proposal from **H2M architects & engineers,** a copy of which is attached and made a part of the minutes; and

WHEREAS, Superintendent Gunderson feels the proposal is reasonable and necessary; and

WHEREAS, the Village has utilized the services of H2M in the past for laboratory services and engineering work and has been satisfied with their performance; and

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

NOW, THEREFORE, BE IT RESOLVED, that **H2M architects & engineers**, 538 Broad Hollow Road, 4th Floor East, Melville, NY 11747 be and hereby is engaged **to provide GIS Support services** in accordance with their proposal dated September 24, 2021 in the amount of $13,900.00; and be it further

RESOLVED, that the Board authorizes the Mayor to execute the approved agreement.

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

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

Resolution 09282021-08 was duly adopted.

RESOLVED, that the Board of Trustees does hereby **ratify and affirm approval of a fireworks display held on Saturday, September 18, 2021 for Resident Jay Goffman at 248 Middle Neck Road by Fireworks by Grucci, Inc.** A copy of event details is appended hereto and made a part of the minutes. A motion was made by Trustee Moslow and seconded by Trustee Karabatos and then carried unanimously the decision was ratified and affirmed for said event.

On roll call:

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

Resolution 09282021-09 was duly adopted.

Mayor Forman placed on the table for **consideration a recommendation from Chief Thomas Ruehle to purchase two law enforcement radar kits for the Police Department.**

Whereupon Trustee Moslow proposed the following Resolution and moved its adoption:

RESOLUTION 09282021-10
AUTHORIZATION OF PURCHASE OF
LAW ENFORCEMENT RADAR KITS
JAMAR TECHNOLOGIES INC.
SANDS POINT POLICE DEPARTMENT

WHEREAS, it has been determined that it is necessary for the Village to purchase law enforcement radar kits for traffic studies and safety throughout the Village; and

WHEREAS, Police Chief Thomas Ruehle recommends the purchase of two radar kits (one with STARnext traffic analysis and reporting software & the one kit without) from JAMAR Technologies, Inc. at a total cost of $7,843.00, a copy of the proposal is appended hereto and made a part of the minutes; and

WHEREAS, the Board has reviewed the proposal; and

WHEREAS, the Board accepts the proposal and further agrees to purchase if a cellular option is available,

NOW, THEREFORE, BE IT RESOLVED that the **Police Chief be and hereby is authorized to purchase the law enforcement radar kits from JAMAR Technologies, Inc., 1500 Industry Road, Suite C, Hatfield, PA 19440.**

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

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

Resolution 09282021-10 was duly adopted.

Mayor Forman placed on the table for consideration **Authorization to hire CM Bookz Inc. to provide part time administrative assistant services to the Village** at the direction and supervision of the Mayor and Village Clerk.

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

RESOLUTION 09282021-11
AUTHORIZATION TO HIRE CM BOOKZ INC.
TO PROVIDE PART TIME ADMINISTRATIVE ASSISTANT SERVICES
TO THE VILLAGE
AT THE DIRECTION AND SUPERVISION OF
THE MAYOR AND THE VILLAGE CLERK

WHEREAS, Mayor Forman has recommended that the Village hire CM Bookz, Inc. to provide part time administrative assistant services to the Village at the direction and supervision of the Mayor and the Village Clerk; and

WHEREAS, Correne S. Martinez, the principal of CM Bookz, Inc., will be responsible to perform the services to be provided; and

WHEREAS, CM Bookz, Inc. has provided a written proposal for the provision of such services dated September 1, 2021, at the rate of $45.00; and

WHEREAS, the Board finds that CM Bookz, Inc. is qualified to provide such services by Correne S. Martinez and the Village has need for those services; and

WHEREAS, based on the recommendation of the Mayor, the Board of Trustees desires to hire CM Bookz, Inc, whose principal, Correne S. Martinez, will be responsible

to provide part time administrative assistant services to the Village, for a term of one year commencing as of September 1, 2021, the date of the proposal submitted to the Village, terminable at will by the Village, based on the terms and conditions of the proposal attached to the Resolution; and

NOW, THEREFORE, BE IT RESOLVED, that authorization is approved to hire CM Bookz, Inc., 15 Huckleberry Lane, Oyster Bay, New York 11771, to provide part time administrative assistant services.

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

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

Resolution 09282021-11 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution **Authorizing the Village Clerk to place a legal notice for the solicitation of bids for purchase of chemicals used for Golf Course Maintenance** at The Village Club of Sands Point.

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

RESOLUTION 09282021-12
AUTHORIZING THE SOLICITATION OF BIDS
TO PURCHASE CHEMICALS
FOR GOLF COURSE MAINTENANCE FOR THE 2022 SEASON
AT THE VILLAGE CLUB OF SANDS POINT

WHEREAS, it has been determined by Grounds Superintendent Ethan Johnson that the golf course must be maintained at the highest level; and

WHEREAS, Superintendent Johnson has determined that various chemicals will be needed for the 2022 golf season; and

WHEREAS, in accordance with the Village's Procurement Policy, this purchase must be competitively bid,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the Village Clerk to place a legal notice to solicit bids for purchase of golf course and

ground maintenance chemicals, which bids will be presented to the Board for review and award as soon after the bid openings as possible;

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

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

Resolution 09282021-12 was duly adopted.

Mayor Forman placed on the table for consideration for the Board to hold a **public hearing at its October 26, 2021 meeting to consider a Proposed Local Law Amending Chapter 137 of the Code of the Incorporated Village of Sands Point entitled, "Sprinkler Systems."**

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 Tuesday, October 26, 2021 meeting. On vote as follows:

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

Resolution 09282021-13 was duly adopted.

Mayor Forman placed on the table for consideration **October 2021 through December 201 private event requests from the Sands Point Preserve Conservancy;** copies of the pending requests are appended hereto and made a part of the minutes. Upon motion by Trustee Karabatos and seconded by Deputy Mayor Moslow and carried unanimously the Board approved the following private event requests:

October 2021 through December 2021

- Ali/Stang Wedding – Saturday, October 2nd
- Li/Min Wedding – Sunday, October 3rd
- Murtagh/Noris Wedding – Friday, October 8th
- Gnessin/Koschitz Wedding – Saturday, October 9th
- Kim/Girelli Wedding – Saturday, October 16th
- Gavin/Offer Wedding – Friday, October 29th
- DiDomenico/Krois Wedding – Saturday, October 30th

- Cook/Hu Wedding – Saturday, November 6th
- Durso/Radochia Wedding – Saturday, November 13th
- Deacetis 80th Birthday Party – Saturday, December 11th
- Phelan/LaFrance Wedding – Friday, December 31st

On roll call:

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

Mayor Forman placed on the table for consideration **October 2021 public event requests from the Sands Point Preserve Conservancy;** copies of the pending requests are appended hereto and made a part of the minutes. Upon motion by Deputy Mayor Moslow and seconded by Trustee Karabatos and carried unanimously the Board approved the following public event requests:

October 2021

- Four Seasons in Music Concert – Sunday, October 10th
- Autumn Outdoor Fes – Sunday, October 17th (Rain Date: October 24)
- Halloween Haunt – Fri, Oct 22, Sat, Oct 23, Thurs, Oct 28, Fri, Oct 29 & Sun Oct 31

On roll call:

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

Mayor Forman placed on the table for consideration for the Board to hold a **public hearing at its October 26, 2021 meeting to consider a Proposed Local Law Amending Chapter 82 of the Code of the Incorporated Village of Sands Point entitled, "Fees & Deposits".**

On motion of Trustee Karabatos and seconded by Deputy Mayor Moslow and voted on as follows, the Board resolved to hold a Public Hearing at their Tuesday, October 26, 2021 meeting. On vote as follows:

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

Trustee Rebecca Vitas Schamis voting - aye

Resolution 09282021-14 was duly adopted.

Mayor Forman placed on the table for consideration a Resolution **pertaining to emergency asphalt repairs at The Village Club of Sands Point.**

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

RESOLUTION 09282021-15
EMERGENCY ASPHALT REPAIRS
ROADWAY TO POOL AND CART PATHS BETWEEN HOLES 13 AND 14
DAMAGED FROM HURRICANE IDA
FRANK SUPPA LANDSCAPING

WHEREAS, Hurricane Ida hit the New York area causing a great deal of damage to the Village Club; and

WHEREAS, a roadway and cart paths were severely damaged and are in need of immediate repair; and

WHEREAS, the work to be performed is emergency in nature and therefore exempt from Village Procurement Policy; and

WHEREAS, Club Grounds Superintendent Ethan Johnson recommends the engagement of Frank Suppa Landscaping Corp. to perform the repairs, a copy of their proposal is appended hereto and made a part of the minutes; and

WHEREAS, the Club has engaged Frank Suppa Landscaping Corp. many times over the past years, and they have always provided reliable and reasonable service; and

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

NOW, THEREFORE BE IT RESOLVED, that **the Board be and hereby authorizes the Club to engage Frank Suppa Landscaping Corp., 100 Frank Road, Hicksville, NY 11801 for the emergency repair in the amount of $34,100.00 per their proposal dated September 27, 2021.**

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

Mayor Peter A. Forman voting	-	aye
Deputy Mayor Jeffrey Moslow voting	-	aye
Trustee Rita Sethi voting	-	aye

Trustee Elena Karabatos voting	-	aye
Trustee Rebecca Vitas Schamis voting	-	aye

Resolution 09282021-15 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Authorize the Preparation and Solicitation of Bids for the Electrification of the Golf Cart Barn at The Village Club of Sands Point.**

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

RESOLUTION 09282021-16
AUTHORIZATION TO PREPARE BID SPECIFICATIONS
AND TO SOLICIT BIDS FOR
CONVERSION OF GOLF CART BARN TO ELECTRIC
THE VILLAGE CLUB OF SANDS POINT

WHEREAS, General Manager Jeff Shepard has requested authorization to solicit proposals to convert the existing golf cart storage barn to electric in preparation the 2022 season where the Club will be using electric golf carts; 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 Sethi. On roll call:

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

Resolution 09282021-16 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Authorize the Preparation and Solicitation of Bids for Running a 3-Phase Electrical Service from Mansion to Pool at The Village Club of Sands Point.**

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

RESOLUTION 09282021-17
AUTHORIZATION TO PREPARE BID SPECIFICATIONS
AND TO SOLICIT BIDS FOR
INSTALLATION OF A 3 PHASE ELECTRICAL SERVICE
FROM MANSION TO POOL
THE VILLAGE CLUB OF SANDS POINT

WHEREAS, General Manager Jeff Shepard has requested authorization to solicit proposals to run a 3-phase electrical service from Mansion to Pool; 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 Schamis. On roll call:

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

Resolution 09282021-17 was duly adopted.

Mayor Forman placed on the table for consideration a **Resolution to Authorize the Preparation and Solicitation of Bids for Renovation of the Pool Pump Room at The Village Club of Sands Point.**

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

RESOLUTION 09282021-18
AUTHORIZATION TO PREPARE BID SPECIFICATIONS
AND TO SOLICIT BIDS FOR
RENOVATION OF POOL PUMP ROOM
THE VILLAGE CLUB OF SANDS POINT

WHEREAS, General Manager Jeff Shepard has requested authorization to solicit proposals for complete renovation of the pool pump room which houses all of the pool's equipment; 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 Sethi. On roll call:

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

Resolution 09282021-18 was duly adopted.

Mayor Forman announced that the next Board meeting will be held on October 26, 2021.

There being no further business to come before the Board, on motion of Deputy Mayor Moslow, seconded by Trustee Schamis and carried unanimously, the meeting ended at 9:15 p.m.

Liz Gaynor

Liz Gaynor, Village Clerk