BOARD OF TRUSTEES
INC. VILLAGE OF SANDS POINT
TUESDAY, JUNE 20, 2023

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

At 8:50 p.m., Mayor Forman opened the Organizational Meeting to **announce the Appointment of Peter Hirsch as Special Advisor to the Board of Trustees for Fire and Ambulance Services.**

Mayor Forman opened the **Regular Meeting** of the Board of Trustees at 8:51 p.m.

The **Minutes** of the meeting held on May 23, 2023 were reviewed. On motion by Trustee Karabatos, seconded by Deputy Mayor Moslow 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 Commissioner Karabatos announced that the water pumpage during May of 2023 was 52,569,200 gallons pumped versus 34,857,600 gallons during May 2022.

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

Claims as presented for payment in June were reviewed. On motion of Deputy Mayor Moslow, seconded by Trustee Karabatos and carried unanimously, the claims were approved for payment. Abstract of Claims is appended hereto and made a part of the minutes.

The Board received **Recommendations of the Building Commissioner** as to Granting of Building Permit Extensions that are appended hereto and made a part of the

minutes. On motion of Trustee Sethi, seconded by Trustee Karabatos and carried unanimously, the Building Commissioner's recommendations were adopted.

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

Building Permits issued – 16
Certificates of Completion & Occupancy Issued - 16
Extensions of Building Permits Granted – 29
Number of Trees to be Removed – 58
Number of Trees to be Replaced - 156

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

Arraignments – 24
Trials - 1
Total VTL Amount Collected- $1,923.00
Total Village Code Fines Collected: $1,495.00

Mayor Forman placed on the table for consideration for the Board to hold a **public hearing at its Wednesday, July 26, 2023 meeting to consider the following:**

A Local Law Amending Chapter 12, "Ethics, Code of"

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 Wednesday, July 26, 2023 meeting. On vote as follows:

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

Resolution 06202023-01 is duly adopted.

Mayor Forman announced that the consideration of **RS Abrams Annual Contract for Auditing Services will be TABLED to the Wednesday, July 26, 2023 Board of Trustees meeting.**

Mayor Forman placed on the table for consideration **a request from the Manhasset Bay Protection Committee (MBPC) for the Village's annual membership dues for 2023,** a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 06202023-02
ANNUAL MEMBERSHIP DUES 2023
MANHASSET BAY PROTECTION COMMITTEE

WHEREAS, the Village has been a member of the Manhasset Bay Protection Committee for several years; and

WHEREAS, the Committee has been very active in providing information to the member Villages on the Bay; and

WHEREAS, MBPC Executive Director Sarah Deonarine noted in her memorandum that the Committee voted to keep dues at the same levels as 2022,

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continual membership in the Manhasset Bay Protection Committee; and**

BE IT FURTHER RESOLVED that the **Board of Trustees authorizes the payment of $1,800.00 to cover the Village's annual dues for 2023.**

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

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

Resolution 06202023-02 was duly adopted.

Mayor Forman placed on the table for consideration a **request from the Hempstead Harbor Protection Committee for the Village's annual membership dues,** a copy of which is appended hereto and made a part of the minutes.

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

RESOLUTION 06202023-03
ANNUAL MEMBERSHIP DUES 2023

HEMPSTEAD HARBOR PROTECTION COMMITTEE

WHEREAS, the Village has been a member of the Hempstead Harbor Protection Committee for several years; and

WHEREAS, the Committee has been very active in providing information to the member Villages on the Bay; and

WHEREAS, this year the Committee will continue to provide the member Villages with information and credit pertaining to the federally mandated EPA Phase II Storm Water Regulations;

NOW, THEREFORE, BE IT RESOLVED that the **Board of Trustees authorizes continued membership in the Hempstead Harbor Protection Committee; and**

BE IT FURTHER RESOLVED that the **Board of Trustees authorizes the payment of $5,445.00 to cover the Village's 2023 Annual Dues.**

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

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

Resolution 06202023-03 was duly adopted.

Mayor Forman placed on the table for consideration **a recommendation from Christian DiMartino, Water and Public Works Superintendent for the replacement of the gas pump at Village Hall at 26 Tibbits Lane,** a copy of which is appended hereto and made a part of the minutes.

Whereupon Trustee Karabatos proposed the following and moved its adoption:

RESOLUTION 06202023-04
PURCHASE AND INSTALLATION OF NEW GAS PUMP
AT SANDS POINT VILLAGE HALL
GLOBAL FUELING SYSTEMS

WHEREAS, Superintendent of Water and Public Works, Christian DiMartino seeks to replace the gas pump at Village Hall, it currently does not meet State Code and is not working properly and should be replaced; and

WHEREAS, proposals were requested, and two written proposals were received, copies of which are appended hereto and made a part of the minutes; and

WHEREAS, Supt. DiMartino recommends that we engage Global Fueling Systems who submitted lowest responsible bid; and

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

NOW, THEREFORE, BE IT RESOLVED that **Global Fueling Systems, Inc.**, 42 Field Street, West Babylon, NY 11704 **be and hereby is engaged to provide and install a new gas pump with mandatory decommission stage II and hanging hardware in accordance with their proposals dated June 15, 2023 in the amount of $16,715.80.**

BE IT FURTHER RESOLVED that the Board authorizes the Mayor to execute the agreement between Global Fueling Systems and the Village.

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

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

Resolution 06202023-04 was duly adopted.

Mayor Forman placed on the table for consideration a request to **renew the Village's Workers Compensation Coverage.**

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

RESOLUTION 06202023-05
RENEWAL OF WORKERS COMPENSATION COVERAGE
NEW YORK STATE PUBLIC ENTITIES SAFETY GROUP 497
EFFECTIVE JULY 1, 2023 to JULY 1, 2024

WHEREAS, to provide security to employees injured on the job and to comply with the Workers Compensation Law that states that all employers are required to insure their employees against on–the–job accidents, regardless of responsibility or fault; and

WHEREAS, the Village's Workers Compensation Coverage is now due for renewal; and

WHERES, Nicole Morton of Salerno Brokerage Corp., the Village's insurance broker reviewed the programs available for Public Entities and has made recommendation to renew with New York State Public Entities Safety Group 497, a copy of her recommendation is appended hereto and made a part of the minutes; and

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

NOW, THEREFORE, BE IT RESOLVED, that the renewal of the Village's Workers Compensation Coverage will be with New York State for a total premium of $148,026.00 effective July 1, 2023 through July 1, 2024.

BE IT FURTHER RESOLVED the renewal is approved subject to further review by Mayor Forman.

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

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

Resolution 06202023-05 was duly adopted.

Mayor Forman placed on the table for consideration a **Transfer of Village Funds from the 2023/24 Fiscal Year Budget to the 401(A) Qualified Defined Contribution Program Account for Terminal Pay of Lieutenant Donald Tag.**

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

RESOLUTION 06202023-06
TRANSFER OF VILLAGE FUNDS FROM THE CONTINGENT ACCOUNT TO 401(A) QUALIFIED DEFINED CONTRIBUTION PROGRAM ACCOUNT FOR THE TERMINAL PAY OF LIEUTENANT DONALD TAG

WHEREAS, pursuant to the 401(a) Plan Agreement by and between the Village of Sands Point and the Sands Point Police Benevolent Association, dated August 25, 2015 (the "Plan Agreement"), the Village authorized implementation and administration of a 401(a) Qualified Defined Contribution Program to be used to deposit accumulated sick and/or vacation leave, terminal retirement pay, or other incentive payments on behalf of the officers of the Village of Sands Point Police Department; and

WHEREAS, under the Plan Agreement, the Village is authorized to fund a retiring officer's 401(a) account with the maximum annual contribution permitted by law for up to three (3) years prior to retirement; and

WHEREAS, the maximum annual contribution to a 401(a) Plan account currently permitted under the law for 2023 is $66,000.00; and

WHEREAS, as a condition precedent to the funding of the 401(a) account, the retiring officer is required to submit to the Village a Notification of Intention to Retire and a Promissory Note for the amount to be pre-funded on the forms approved by the Village; and

WHEREAS, on December 7, 2021, Lt. Tag of the Sands Point Police Department submitted a Notification to Retire to the Village, setting forth his intention to retire effective December 7, 2024, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, The Village funded $58,000.00 to Lt. Tag's 401(a) account on December 22, 2021;

WHEREAS, The Village funded $61,000.00 to Lt. Tag's 401(a) account on June 21, 2022;

WHEREAS, Lt. Tag has provided the Village with promissory notes in the aggregate amount of $66,000; and

WHEREAS, the Village's Fund Balance Policy states that where expenditures are incurred for a purpose for which amounts are available in multiple fund balance classifications, the expenditure is to be spent from restricted fund balance first, then unrestricted; and

WHEREAS, the current balance in the Restricted Fund-Reserve for Employee Benefits Accrued Liability is only $90,819.44; and

WHEREAS, the Village does not wish to deplete the reserve at this time; and

WHEREAS, the funds for terminal pay are in the 2023/24 Fiscal Year Budget - Contingent Account; and

NOW, THEREFORE, BE IT RESOLVED, that a contribution in the amount of $66,000.00, constituting a portion of Lt. Tag terminal pay, is authorized to be drawn from the 2023/24 fiscal year budget and deposited in the 401(A) Qualified Defined Contribution Program Account for Lt. Tag; and

FURTHER RESOLVED that the following budgetary transfer be authorized for this payment:

From:	A1990.0400	Contingent Account	$66,000.00
To:	A3120.0482	Police/Retirement 401A	$66,000.00

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

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

Resolution 06202023-06 was duly adopted.

Mayor Forman announced that the consideration for **Replacement of the Irrigation Pump House at The Village Club of Sands Point will be TABLED to the Wednesday, July 26, 2023 Board of Trustees meeting.**

Mayor Forman placed on the table for consideration **August 2023 Public Event requests from the Sands Point Preserve Conservancy;** copies of the pending requests are appended hereto and made as a part of the minutes. Upon motion by Trustee Karabatos and seconded by Deputy Mayor Moslow and carried unanimously the Board approved the following public event requests:

Public Events:

- Tuesday, August 1, 2023 – Summer Gala/Garden Gala
- Tuesday Nights, 8/8, 8/15, 8/22, & 8/29 – Music on the Lawn

On roll call:

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

Trustee Sloane Ackerman voting - aye

The Board reviewed the **Canvass of Votes** taken at the General Village Election held on this date and recorded by the Inspectors of Election.

Mayor Forman read the following results:

FOR MAYOR:
Peter A. Forman - 252
FOR TRUSTEES:
Jeffrey Moslow – 238
Elena Karabatos - 233

Mayor Forman announced that the next Board meeting & Annual Organizational Meeting will be held on Wednesday, July 26, 2023 at 8:00 p.m.

There being no further business to come before the Board, on motion of Trustee Karabatos, seconded by Deputy Mayor Moslow and carried unanimously, the meeting was adjourned at 9:55 p.m.

Liz Gaynor

Liz Gaynor, Village Clerk