

MINUTES OF THE PUBLIC HEARING OF THE BOARD OF TRUSTEES TO PRESENT AND CONSIDER THE 2013/14 BUDGET OF THE VILLAGE OF SALTAIRE, HELD ON APRIL 9, 2013 AT 401 SEVENTH AVENUE, EIGHTEENTH FLOOR, NEW YORK, NEW YORK AND VIA VIDEO/AUDIO LINK TO 105 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 6:10 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Hugh A. O'Brien, Trustee  
Frank Wolf, Trustee  
Mario Posillico, Administrator & Clerk  
And approximately 40 other attendees

and the following were in attendance at the Saltaire location

Donna Lyudmer, Treasurer  
And approximately 4 other attendees

PUBLIC PRESENTATION OF THE 2013/14 TENTATIVE BUDGET

Copies of the 2013/14 tentative budget were distributed to all in attendance and had been previously posted on the Village website. Administrator Posillico provided an overview of the projected results of the 2012/13 fiscal year and then the general highlights of the 2013/14 budgeted as presented. He stated that he projected a deficit of approximately \$92,000 for the 2012/13 fiscal year as compared to a surplus of \$137,000 that was budgeted. This will result in reserve levels as of May 31, 2013 of approximately \$900,000. He further stated that the deficit was larger than expected due to the implementation of various disaster restoration projects as a result of Hurricane Sandy, which would eventually be mitigated by anticipated receipt of disaster relief funding from FEMA though not until the 13/14 fiscal year. He then provided an overview of the 2013/14 budget, which carried a 3% tax rate increase and was projected to result in a surplus of approximately \$115,000, inclusive of \$325,00 anticipated disaster and insurance reimbursement receipts. Further detail was provided on the budgeted appropriations, which includes an additional \$300,000 of Sandy related expenses. After discussion amongst the members of the Board and those in attendance, and after all having had a chance to be heard, Trustee Zaccaro made a motion at 6:40 p.m. to close the Public Hearing to present and consider the 2013/14 tentative budget. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following:

Motion: Trustee Zaccaro

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

MINUTES OF THE PUBLIC HEARING TO CONSIDER LOCAL LAW #3 OF 2013 HELD ON APRIL 9, 2013 AT 401 SEVENTH AVENUE, EIGHTEENTH FLOOR, NEW YORK, NEW YORK AND VIA VIDEO/AUDIO LINK TO 105 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 6:40 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Hugh A. O'Brien, Trustee  
Frank Wolf, Trustee  
Mario Posillico, Administrator & Clerk  
Joe W. Prokop, Village Attorney  
And approximately 40 other attendees

and the following were in attendance at the Saltaire location

Donna Lyudmer, Treasurer  
And approximately 4 other attendees

Mayor Cox stated that although the Board had resolved to conduct a public hearing on changes to Chapter 55, Zoning, and had advertised for such a hearing on this date, there was not sufficient progress on the draft modifications that would allow for a productive discussion, and therefore presentation of the modifications would be postponed to a later date. After discussion, and all having a chance to be heard, Trustee Wolf made a motion at 6:50 p.m. to close the public hearing, and to authorize another public hearing to be held on May 27, 2013 to consider the proposed amendments to Chapter 55. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON APRIL 9, 2013 AT 401 SEVENTH AVENUE, EIGHTEENTH FLOOR, NEW YORK, NEW YORK AND VIA VIDEO/AUDIO LINK TO 105 BROADWAY, SALTIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 6:50 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Hugh A. O'Brien, Trustee  
Frank Wolf, Trustee  
Mario Posillico, Administrator & Clerk  
Joe W. Prokop, Village Attorney  
And approximately 40 other attendees

and the following were in attendance at the Saltaire location

Donna Lyudmer, Treasurer  
And approximately 4 other attendees

### APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of March 9, 2013 and April 2, 2013, having been previously presented to the Board and posted in draft form on the Village web site, were presented for adoption. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to adopt the minutes as presented. The motion was seconded by Trustee Zaccaro, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee Zaccaro

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

### ABSTRACT AUDIT

Mayor Cox stated that the following Abstracts was presented for approval by the Village Administrator and the Village Treasurer:

General Checking No. 10B in the amount of	\$50.00
General Checking No. 11A in the amount of	\$325,211.69

After discussion and opportunity for questions, Trustee Zaccaro made a motion that General Checking Abstracts 10B and 11A be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following:

Motion: Trustee Zaccaro

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

### RESTORATION UPDATE

Mayor Cox reported on the restoration activities ongoing in the Village. He reported that an outside contractor is simultaneously reconstructing both West and Atlantic Walks, and should be completed by the middle of May. He reported that maintenance staff is near completion of the reconstruction of the northern section of Pacific Walk, and that all three walks are being constructed according to the new design. He also reported that the maintenance staff will shortly begin reconstruction of ocean overpasses, reconstruction of the wagon racks on the dock, restoration of the ball field, and normal boardwalk maintenance.

### VERIZON UPDATE

Mayor Cox reported on Verizon's plan for delivering phone and data service to Fire Island in general and specifically to Saltaire. Verizon plans to provide routine phone service through a system known as Voice-Link™ that is a wireless-based system from the home to the telephone pole. In order to enhance the effectiveness of that system, Verizon will be installing smaller, eighteen-inch antennas at a half-dozen locations around the Village, which will also enhance wireless data service provided by Verizon, which Voice-Link™ currently does not support. Mayor Cox stated that Verizon was not the only alternative for data and internet service, and advised all

residents to shop around for the best combination of service and price. Aesthetic and health issues were raised and discussion ensued about the locations of the new poles and the accompanying small antennas. Mayor Cox stated that the Board will look into the issues raised regarding the pole locations and potential health impacts.

#### ADOPTION OF LL #2 OF 2013 – §18-26 – ELECTRICAL REGULATIONS

Trustee Zaccaro made the following motion as a prelude to adoption of the proposed revisions to §18-26 of the Village Code, in the form presented at the earlier public hearing, to be adopted as Local Law #2 of 2013.

#### RESOLUTION ADOPTING LEAD AGENCY STATUS, TYPING AN ACTION AS AN UNLISTED ACTION AND ADOPTION OF A NEGATIVE DECLARATION FOR PURPOSES OF SEQRA WITH REGARD TO THE POTENTIAL ADOPTION OF A LOCAL LAW

WHEREAS the Village of Saltaire is reviewing the possibility of modifying a section or sections of the Village Code, and;

WHEREAS there is no involved agency in this matter other than the Village of Saltaire, and the Village of Saltaire is required to adopt lead agency status and undertake review of this action for purposes of SEQRA for that reason, it is therefore:

RESOLVED that the Village of Saltaire hereby adopts lead agency status with regard to the adoption of a local law, and it is further;

RESOLVED that the Village of Saltaire hereby determines the adoption of the local law is listed as an Unlisted action, and it is further;

RESOLVED that the Village of Saltaire hereby determines the adoption of the local law will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area, and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant two or more related actions each of which is not significant but when reviewed together are significant, and that it is therefore;

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA, and further,

The Board of Trustees of the Village of Saltaire, having adopted lead agency status for the purposes of SEQRA, having typed the adoption of this Local Law #2 of 2013 as an Unlisted Action, having determined that the adoption of this Local Law #2 of 2013 will not have a

significant effect on one or more aspects of the environment, having adopted a Negative Declaration for purposes of SEQRA, it is therefore,

RESOLVED that the Board of Trustees of the Village of Saltaire hereby ratifies that the adoption of this Local Law #2 of 2013, a local law creating Section 18-26 of the Saltaire Village Code regarding electrical repairs as a Law of Local Necessity; and further

RESOLVED that the Board of Trustees of the Village of Saltaire hereby adopts the proposed Local Law #2 of 2013 as presented and modified, a local law creating Section 18-26 of the Saltaire Village Code regarding electrical repairs.

Upon motion of Trustees Zaccaro, seconded by Trustee O'Brien, these Resolutions to adopt the proposed Local Law #2 are carried as follows:

Motion: Trustee Zaccaro

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### EXTENSION OF CONSTRUCTION SEASON

The Village Administrator presented to the Board of Trustees his written recommendations for 2013 construction deadline variances for those homeowners still undertaking renovations and repairs due to the impacts of Hurricane Sandy pursuant to the authority granted to the Building Inspector in §18-12 of the Village Code. After discussion and recommended changes suggested by the Board, Trustee Wolf made a motion to ratify Administrator Posillico's recommended extension of the construction season as presented and modified. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### AUTHORIZATION TO PURCHASE NEW FIRE VEHICLE

Trustee Wolf stated that the Fire Company has approved the acquisition of a smaller, all-terrain rescue vehicle to supplement the ambulance in order to provide better coverage to locations where access is limited, for responses to the oceanfront, and as a back-up in case the ambulance is out on another call. Trustee Wolf stated that the Village has on behalf of the Fire Company solicited an initial round of bids for the vehicle based on the SVFC's preferred specifications, which have resulted in quotes of approximately \$40,000. He also stated that since there is a possible 3-month lead time for delivery, the Fire Company would like to place the order as soon as possible to have it in service for the 2013 summer. Chief James Rieger was present at the meeting and answered questions about the vehicle and its potential uses in the Village and mutual aid districts. After discussion, Trustee Wolf made a motion to authorize the Village Administrator to solicit public bids pursuant to the Village's procurement policies, and upon conclusion of that process to purchase on behalf of the Fire Company the requested vehicle from the lowest responsible bidder based on the specifications developed by the Fire Company, with the Fire Company's contribution toward the purchase of the vehicle to be \$20,000, which shall be withheld from the 2013 annual

contract payment, and the Village's contribution to come from the Fire Company capital reserve account, projected to be approximately \$20,000 at the conclusion of the 2013 calendar year. The motion was seconded by Trustee Chefetz, and on call was approved according to the following vote.

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Wolf, Trustee Zaccaro, Trustee Chefetz

Recused due to being a member of the Fire Company: Trustee O'Brien

Against: None

#### CLAM POND COVE STUDY

Administrator Posillico reported that in order to restore habitat for various wildlife species and to mitigate the flooding in and through Clam Pond Cove that has been noticeably increasing over time with the erosion of the peninsula that once extended into Clam Pond Cove from the east end of the bayfront, he has solicited initial guidance on the possibility of restoring that peninsula. He stated that certain environmental field work will be necessary in order to determine the feasibility of the peninsula reclamation, and that he has obtained a proposal for that field work and for assistance in making an application to the relevant agencies having jurisdiction if the project is determined to be environmentally feasible. After discussion amongst the Board and those in attendance, Trustee O'Brien made a motion to accept the proposal of Land Use Environmental as presented for a fee not to exceed \$7,040 to conduct environmental studies in Clam Pond Cove to help determine the environmental and regulatory feasibility of reclamation of the Clam Pond Cove peninsula. The motion was seconded by Trustee Zaccaro, and on call it was approved according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Zaccaro

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### INSPECTORS OF ELECTION

Trustee Chefetz made a motion to appoint the following Saltaire residents as Inspectors of Election for the 2013 Saltaire election:

Nancy Henriksen	Chairperson
Liv Hempel	Inspector
Roseanne Larson	Inspector
Georgine Posillico	Alternate Inspector

The motion was seconded by Trustee Wolf, and on call it was approved according to the following action:

Motion: Trustee Chefetz

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### AUTHORIZATION TO EXECUTE THE 2013 MEDICAL CONTRACT

Trustee O'Brien made a motion to authorize Mayor Cox to negotiate and execute the medical services contract with Dr. Robert Furey for the 2013 season for a fee of \$3,500 in the form presented and reviewed by the Village Attorney. The motion was seconded by Trustee Zaccaro, and on call it was approved according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Zaccaro

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### AUTHORIZATION TO EXECUTE POST-SANDY ELECTRICAL INSPECTION CONTRACT

Trustee Zaccaro made a motion to authorize Administrator Posillico to negotiate and execute the service contract with Electrical Inspection Services Inc. for their work performed after Hurricane Sandy as an emergency protective measure to mitigate the risk of electrical fires, for a fee not to exceed \$6,600 in the form presented and reviewed by the Village Attorney. The motion was seconded by Trustee Chefetz, and on call it was approved according to the following action:

Motion: Trustee Zaccaro

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### SALTAIRE CLEAN-UP DAY

Mayor Cox reported that Village resident Ann Azzinaro has arranged for a Village clean-up day on April 13, 2013, with a rain date of April 14, 2013. The purpose of the volunteer effort, which is being sponsored by the Keep Islip Clean organization, is to clear the Village of the smaller debris items, such as paper, bottles, cans, etc. left behind in the wake of Hurricane Sandy. Mayor Cox encouraged all to volunteer for this worthwhile effort if possible, and thanked Ms. Azzinaro for spearheading the effort.

#### ADOPTION OF THE 2013/14 BUDGET

Trustee O'Brien made the following motion:

WHEREAS, the tentative budget for the fiscal year 2013-2014 has been duly presented to the Board by the Village Administrator, and a duly advertised public hearing has been held thereon, and

WHEREAS, the final assessment role for the Village of Saltaire for the fiscal year 2013-2014 has been duly filed with the Village Clerk,

NOW THEREFORE BE IT RESOLVED, pursuant to the Village Law §5-508(4), that the said tentative budget reflecting a tax rate of \$5.35 per thousand of assessed value, be and hereby is adopted as the budget of the Village of Saltaire, New York, for the fiscal year 2013-2014, and

BE IT FURTHER RESOLVED, pursuant to §1420 of the Real Property Tax Law, that the Board of Trustees levy Real Estate Tax in the amount of \$2,087,312 against all properties listed in the 2013/14 assessment roll of the Village of Saltaire, and

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the Warrant for Collection of Taxes pursuant to §1246 of the Real Property Tax Law, and authorize the Village Treasurer to pay the annual salaries or pro-rated part thereof, on a semi-monthly basis, for the full-time employees of the Village of Saltaire as reflected in the budget, and to pay the seasonal and hourly employees on a semi-monthly basis to be hired as needed to fill the needs anticipated and reflected in the budget.

The motion was seconded by Trustee Chefetz , and on call it was approved according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Chefetz made a motion at 8:49 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract and personnel issues. The motion was seconded by Trustee O'Brien , and on call it was approved according to the following action:

Motion: Trustee Chefetz

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Zaccaro made a motion to re-adjourn into public session at 10:44 p.m. The motion was seconded by Trustee O'Brien , and on call it was approved according to the following action:

Motion: Trustee Zaccaro

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

The public meeting was called back into session by Mayor Cox at 10:44 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Hugh A. O'Brien, Trustee  
Frank Wolf, Trustee  
Mario Posillico, Administrator & Clerk  
Joe W. Prokop, Village Attorney  
And 0 other attendees

and the following were in attendance at the Saltaire location

0 other attendees

#### **PUBLIC HEALTH RESOLUTION – TICK CONTROL PROGRAM**

Administrator Posillico reported that he was in the process of obtaining regulatory approvals for the redeployment of the 4-Poster tick control device. He stated that it was the only program available for the effective control of ticks, and that early indications point to an active tick season, with an increasing number of tick-borne diseases causing a serious risk to public health. After discussion, Trustee Wolf made a motion to declare that tick-borne and mosquito-borne diseases are serious public health concerns for the residents of the Village of Saltaire, and that the Mayor be authorized to take all actions necessary within his discretion to mitigate the threat of tick-borne and mosquito-borne diseases in the Village of Saltaire. The motion was seconded by Trustee Chefetz , and on call it was approved according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None

#### **NEXT BOARD MEETING & CLOSE OF MEETING**

After all having had a chance to be heard, and there being no further business before the Board, Trustee Wolf made a motion at 10:48 p.m. to close the meeting, with a Zoning Modification Workshop to be held at 10:00 a.m. on April 28, 2013, at 103 or 105 Broadway, Saltaire, New York, for the purpose of working on proposed zoning modifications and any other such matters that may properly come before the Board, which will be followed by the next regularly scheduled meeting to be held on May 27, 2013, at 9:00 a.m. at 103 or 105 Broadway, Saltaire, New York. The motion was seconded by Trustee O'Brien, and on call it was approved according to the following action:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien and Trustee Chefetz

Against: None