

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON APRIL 28, 2013 AT 103 BROADWAY, SALTAIRE, NEW YORK

Mayor Cox called the Board of Trustees meeting to order at 10:23 a.m. and the following were in attendance:

Robert Lynn Cox III, Mayor
John A. Zaccaro Jr, Trustee
Hugh A. O'Brien, Trustee
Frank Wolf, Trustee
Mario Posillico, Administrator & Clerk
Village Attorney Joseph Prokop, Esq.
And 3 other attendees

ZONING DISCUSSIONS

Mayor Cox stated that anyone in attendance was welcome to observe the Board as it worked its way through potential zoning modifications in order to develop a draft local law ready for presentation at the May 27, 2013 public hearing, but that participation in the discussion would be solely restricted to the Board members, Village Administrator and Village Attorney, unless further input is requested by the Mayor, in order to facilitate what was likely to be a very long process. The Board then commenced discussion and possible revisions of Chapter 55 of the Code of the Village of Saltaire.

UNSAFE CONDITIONS AT 100 BROADWAY

Mayor Cox reported that he and the Village Administrator had inspected the buildings at the property of the Saltaire Market located at 100 Broadway with a licensed professional engineer in order to assist the Village in better understanding the zoning, public health and building code implications presented by the current disuse and overall condition of the buildings. After discussion, Trustee O'Brien moved the adoption of the following resolution:

BOARD OF TRUSTEES OF THE VILLAGE OF SALTAIRE
RESOLUTION DETERMINING THE PROPERTY AT 100 BROADWAY
TO BE DANGEROUS AND UNHEALTHFUL PURSUANT TO
SECTION 38-17 AND CHAPTER 18 OF THE SALTAIRE VILLAGE CODE

WHEREAS Section 38-17 of the Saltaire Village Code provides that the Board of Trustees of the Village of Saltaire, on the advice of competent authority, may determine that a dangerous or unhealthful condition exists on the property, due to the accumulation of junk or debris or any other condition which in the opinion of the Board of Trustees shall be deemed to be a menace and danger to the health and well-being of the community or any portion thereof; and

WHEREAS an inspection was performed of the property located at 100 Broadway, Saltaire, SCTM #472805-1-2-35 on April 26, 2013 by the Building Inspector of the Village of Saltaire and a licensed professional engineer, which concluded that in the determination that there

exists a condition that is a menace and danger to the health and well-being of the community, including but not limited to the following:

- Large amounts of debris and junk on the property in close proximity to public walkways and areas.
- Unsafe storage of propane on the premises.
- Unsafe or dangerous conditions and fire safety violations.
- Damage to the structural elements and defective conditions in the structure and structural elements of the premises rendering the structure unsafe for use, occupancy or habitation.
- Unsafe electrical conditions in the premises.

IT IS THEREFORE RESOLVED that the Board of Trustees of the Village of Saltaire hereby determines that, pursuant to Section 38-17 of the Saltaire Village Code, a dangerous and unhealthful condition exists at the property of the Saltaire Market, 100 Broadway, Saltaire, New York, and the Board of Trustees hereby further directs that the owner of the premises, WWF Realty Corp., Saltaire Market, shall be provided notice by the Building Inspector of the Village of Saltaire pursuant to Section 38-17 of the Saltaire Village Code that in the event that certain dangerous and unhealthy conditions are not corrected within seven (7) days of the date of such notice that the Village may in its discretion correct said conditions and that pursuant to Section 38-17 of the Saltaire Village Code the owner of the premises, WWF Realty Corp., shall be liable to the Village of Saltaire for any and all costs to the Village in correcting said conditions, including but not limited to actual costs of the work and materials, and the engineering, legal and administrative costs incurred by the Village of Saltaire, and that the Building Inspector shall serve notice on WWF Realty Corp. pursuant to this resolution adopted pursuant to Section 38-17 of the Saltaire Village Code and Chapter 18 of the Saltaire Village Code directing the correction or elimination of these conditions including but not limited to:

- Erection of a fence or barrier separating and protecting public walks and areas.
- Immediate removal of all propane and propane tanks stored at the premises.
- Immediate termination of electrical service at the property.
- Immediate ending of occupancy by any tenants or occupants of the premises.
- Correction of all dangerous conditions or defects with the structure or structural elements of the property pursuant to a building permit approved by the Building Inspector of the Village of Saltaire

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

Motion: Trustee O'Brien

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee O'Brien
Against: None

NEXT BOARD MEETING & CLOSE OF MEETING

The zoning discussions then continued, and at the conclusion of said discussions, there being no further business before the Board, Trustee O'Brien made a motion to close the meeting at 3:30 p.m., with the next meeting to be held on May 27, 2013, at 9:00 a.m. at 103 or 105 Broadway, Saltaire, New York, said meeting to include a public hearing for the presentation and consideration of a local law for modification to Chapter 55 of the Village Code, to be followed by a Board of Trustees meeting,. The motion was seconded by Trustee Wolf, and on call it was approved according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Against: None