

UNAPPROVED DRAFT

MINUTES OF THE PUBLIC HEARING TO INFORM THE PUBLIC, TO REVIEW THE PUBLIC USE TO BE SERVED, AND TO ASSESS THE POTENTIAL IMPACT UPON THE ENVIRONMENT AND SURROUNDING PROPERTIES, OF THE CONDEMNATION OF THE PROPERTY LOCATED AT 100 BROADWAY, SALTAIRE, NEW YORK HELD ON JULY 13, 2013 AT 103 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 9:03 a.m. and the following were in attendance:

Robert Lynn Cox III, Mayor
John A. Zaccaro Jr, Trustee
Alexander K. Chefetz, Trustee
Frank Wolf, Trustee
Ann Connolly, Trustee
Mario Posillico, Administrator & Clerk
Joseph Harry Baker, Counselor to the Board
Joseph Prokop, Village Attorney
And approximately 100 other attendees

SWEARING IN OF ACTING VILLAGE JUSTICE

Mayor Cox reported that at the previous Board meeting, the Board approved the appointment of Hillary Richard as Acting Village Justice. Village Administrator/Clerk Posillico administered the Oath of Office to Hillary Richard, and all in attendance offered a round of applause for the appointment.

PUBLIC HEARING REGARDING 100 BROADWAY

Mayor Cox stated that the Board was conducting a public hearing on a proposed condemnation of the Saltaire Market property, owner WWF Realty Corp., 100 Broadway, Saltaire under the Eminent Domain Procedure Law of the State of New York, and was being held pursuant to proper public notice. He stated that the Board's intent for commencing the legal proceeding was to place the Village in a position to be able to act in a timely manner to control the property for public use to assure that there is a store open for business and serving the Village residents for the 2014 summer season in the event that a private solution does not come to pass in the near future. Trustee Zaccaro reemphasized the importance of scheduling and timing in this deliberation since he feels that a plan for development must be in place by the end of the summer for there to be a realistic chance of having an operating market by Memorial Day weekend 2014. Mayor Cox stated that the Board's strong preference is for a private buyer to purchase, renovate and/or rebuild the structure, and to operate a viable market; but failing that, the Village must be prepared to take control of the property, which would proceed first through a negotiation with the current owners, and then only through a condemnation proceeding as a last resort if all else were to fail. After his introduction of the background about the proceeding, Mayor Cox asked for comments from the members of the Board and then opened the floor for comments and discussion from all in attendance, which included the current owners of the property. After all had a chance to be heard,

Trustee Wolf made a motion to adjourn the meeting at 10:39 a.m. but with discussion to be continued at future meetings and that a record of the hearing will be kept on file by the Village. The motion was seconded by Trustee Zaccaro, and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Zaccaro

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee Connolly

Against: None

ACCEPTANCE OF BID FOR BEACH SCRAPING PROJECT

Trustee Zaccaro moved adoption of the following resolution:

RESOLUTION ADOPTING LEAD AGENCY STATUS, TYPING A PROJECT AS AN UNLISTED ACTION AND ADOPTION OF A NEGATIVE DECLARATION FOR PURPOSES OF SEQRA WITH REGARD TO THE POTENTIAL AWARDDING OF CONTRACT FOR BEACH SCRAPING

WHEREAS the Village of Saltaire is reviewing the possibility awarding a public works contract for BEACH SCRAPING, and;

WHEREAS the awarding of the public works contract by the Village of Saltaire is an Action as defined by the regulations adopted in Part 6 NYCRR 617 under Article 8 of the Environmental Conservation Law of State of New York, and;

WHEREAS the awarding of the public works contract is not listed as a Type I action under 6 NYCRR 617.4 or as a Type II action under 6 NYCRR 617.5, and is therefore an unlisted action for purposes of SEQRA, and;

WHEREAS the Village of Saltaire is required to complete a short form EAF pursuant to 6 NYCRR 617.6(a)(3), and;

WHEREAS the Village of Saltaire has completed a short form EAF and the short form EAF indicates that there will be no significant negative impact to the environment that will be created by the awarding of the public works contract, 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 awarding of the public works contract , and it is further;

RESOLVED that the Village of Saltaire hereby determines that the awarding of the public works contract is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Village of Saltaire hereby determines that awarding of the public works contract will not have a significant negative impact on the environment in the action;

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.

The motion was seconded by Trustee Wolf, and the motion was carried according to the following vote:

Motion: Trustee Zaccaro

Seconded: Trustee Connolly

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee Connolly

Against: None

Trustee Zaccaro then made a motion to adopt the following resolution:

Whereas the Village of Saltaire solicited bids according to the laws of the State of New York for public works and according to the plans and specifications therein, for the purpose of beach scraping, and

Whereas sealed bids were publicly opened at 11:00 a.m. EST on July 3, 2013, and Green Room Industries was the certified low bidder as specified and met all the requirements stipulated in the bid;

THEREFORE,

Be it resolved that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Green Room Industries as the certified low bidder for 2013 Beach Scraping and to notify Green Room Industries of its status as low bidder, and further

Be it resolved that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary contract documents with Green Room Industries for 2013 Beach Scraping according to the plans and specifications of the bid documents for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, subject to meeting the requisite permit conditions for performing the project, for a projected total contract amount of \$38,000, and further,

Be it resolved that the funding for the project shall initially be made from the general reserves.

The motion was seconded by Trustee Connolly, and the motion was carried according to the following vote:

Motion: Trustee Zaccaro
Seconded: Trustee Connolly
In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee Connolly
Against: None

APPOINTMENT TO THE ARCHITECTURAL REVIEW COMMITTEE

Mayor Cox stated that Martin Semel's term as Chairman of the Zoning Board of Appeals (ZBA), expired May 31, 2013 and has indicated that he would not want to be reappointed. Mayor Cox stated that he feels that Jeff Murphy's experience as a member of the Architectural Review Committee and as a design professional would bring a valuable perspective to the ZBA, and therefore appoints Jeff Murphy to the Saltaire ZBA, and further appoints current member John Lindsey as the chairman of the ZBA. Trustee Wolf made a motion to affirm Mayor Cox's appointments as presented. The motion was seconded by Trustee Connolly, and the motion was carried according to the following:

Motion: Trustee Wolf
Seconded: Trustee Connolly
In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee Connolly
Against: None

AUTHORIZATION TO OPT OUT OF THE COOPERATION AGREEMENT WITH THE TOWN OF ISLIP

Village Administrator Posillico stated that the contract that the Village of Saltaire last executed with the Town of Islip in July 2010, which enables the Town to qualify for Metropolitan City status and eligible for HUD grant funds, is up for renewal for the 2014 – 2016 qualification period. While the Village continues in the cooperation agreement with the Town of Islip, the Village would not be eligible to apply for grants under the New York State Community Development Block Development Grant (CDBG) program, which is the program under which much of New York's share of Sandy Relief will be administered. Administrator Posillico and Village Attorney Prokop stated that remaining under the Town's oversight of the CDBG program would not likely be in the best interest of the Village. After discussion, Trustee Chefetz made a motion to authorize Mayor Cox to exercise the Village's contractual right to opt out of the agreement effective August 1, 2013. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Chefetz
Seconded: Trustee Wolf
In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee Connolly
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 Zaccaro made a motion to close the meeting at 10:51 a.m. 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 Chefetz and Trustee Connolly
Against: None