

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON AUGUST 31, 2013 AT 103 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 9:05 a.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Frank Wolf, Trustee  
Alexander K. Chefetz, Trustee  
Ann Connolly, Trustee  
Mario Posillico, Administrator & Clerk  
Donna Lyudmer, Treasurer  
Dennis Foley, Security Chief  
Joseph Prokop, Village Attorney  
Joseph Harry Baker, Counselor to the Board  
And approximately 110 other attendees

PLEDGE OF ALLEGIANCE

Mayor Cox led those in attendance in a pledge of allegiance to the flag of the United States.

PUBLIC HEARING FOR PROPOSED MODIFICATIONS TO CHAPTER 55 OF THE VILLAGE CODE

Mayor Cox opened the Public hearing and reported that although proper notice had been published for a public hearing for consideration of a local law to modify various sections of Chapter 55 (Zoning) of the Village Code, since the Suffolk County Planning Commission had not as of the meeting issued a letter of local determination, as is required prior to adoption, the proposed draft was therefore not eligible for adoption at the August 31<sup>st</sup> meeting. He stated that the most current draft had been published on the website and had been made available to all in attendance, and he stated that the Board noted objections made by some to the language regarding setbacks on Bay Prom in the Private Club district and would take that into consideration as the final editing of the law continues. Mayor Cox then opened the floor for the questions, comments, and discussion on the proposed changes. After all had a chance to be heard, and there being no other comments, Mayor Cox closed the discussion. Trustee Zaccaro made a motion to close the Public Hearing to consider modifications to Chapter 55. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following vote:

Motion: Trustee Zaccaro

Seconded: Trustee Chefetz

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

Against: None

APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of June 26, 2013 and August 11, 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 Connolly, and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Connolly

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

Against: None

#### CONTINUATION OF DISCUSSION ON PUBLIC PURPOSE AND POSSIBLE CONDEMNATION OF 100 BROADWAY

Mayor Cox stated that a public hearing was commenced on July 13, 2013 to consider the public purpose and importance of the commercial property at 100 Broadway and its possible acquisition by the Village to assure the continued operation of a retail market to serve the needs of the residents. He stated that the Board considered the public opinion on the issue presented at the public hearing and subsequent meetings, and those views presented in writing, and although the record was officially closed, opened the floor for comments and discussion from all in attendance, which included the current owners of the property. After discussion and all having a chance to be heard, Trustee Wolf made the following motion regarding compliance with the State Environmental Quality Review Act regarding proposed action on 100 Broadway.

#### BOARD OF TRUSTEES VILLAGE OF SALTAIRE SEQRA RESOLUTION REGARDING THE ADOPTION OF FINDINGS AND DETERMINATION PURSUANT TO NYS EDPL SECTION 204

WHEREAS the Board of Trustees on July 13, 2013 and July 26, 2013 conducted a public hearing at which the Board of Trustees accepted public comments regarding the potential for an impact on the environment created by the acquisition of the property 100 Broadway, Saltaire pursuant to the New York State Eminent Domain Procedure Law; and

WHEREAS there were no comments or testimony submitted during the public hearing or in any subsequent communication indicating that there would be a significant negative impact on the environment by the acquisition of the property 100 Broadway by the Village of Saltaire; and

WHEREAS the Village of Saltaire has prepared a short form Environmental Assessment Form regarding the acquisition which indicates that the acquisition will not result in a significant negative impact to any aspect of the environment; and

WHEREAS the Board of Trustees of the Village of Saltaire has duly considered the obligations of the Village of Saltaire and the Board of Trustees with regard to SEQRA, it is therefore;

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with regard to the acquisition of the property 100 Broadway, Saltaire, by the Village of Saltaire pursuant to the New York State Eminent Domain Procedure Law; and it is further;

RESOLVED that the Board of Trustees hereby determines that the acquisition of the property 100 Broadway, Saltaire, by the Village of Saltaire pursuant to the New York State Eminent Domain Procedure Law is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees of the Village of Saltaire hereby determines that the acquisition of the property 100 Broadway, Saltaire, by the Village of Saltaire pursuant to the New York State Eminent Domain Procedure 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 or 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 Connolly, and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Connolly

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

Against: None

Trustee Zaccaro then made a motion to present the following findings regarding 100 Broadway and move adoption of the following resolution:

**BOARD OF TRUSTEES  
VILLAGE OF SALTAIRE**

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**In the Matter of the Condemnation**

**of**

**Property in the Village of Saltaire,  
Suffolk County, purported owner  
W. W. F. REALTY, CORP., property  
known as 100 Broadway, Saltaire,  
SCTM No. 503-1-2-35,**

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**FINDINGS AND  
DETERMINATION  
PURSUANT TO  
NYS EDPL SECTION 204**

The property that is the subject of this proceeding is comprised by map Lot Nos. 519 to 526, inclusive, and part of lots 518, 41 and 42, in Block Number 35, on Saltaire Map No, 114, and is more fully described in Schedule A attached hereto (the "Property").

The Property is approximately fourteen thousand six hundred and eighty-four (14,684) square feet in area. The Property is improved by three attached wood frame buildings with a total lot footprint of about five thousand (5,000) square feet of interior space. There are also appurtenant accessory structures on the Property including sheds, decks and ramps.

The southerly attached building is a small one and one half story house that was most recently used as a residence.

The center attached building is a commercial structure that was most recently used as a liquor store.

The northerly building is a mixed commercial and residential use. The first floor of the northerly building is used as a retail food and convenience market (the "market") and there is a residential unit on the second floor above the market.

The Village of Saltaire is a small seasonal community that is located on the western end of Fire Island, between the communities of Kismet to the west, and Fair Harbor to the east. Saltaire has 441 homes, two churches, a Village Hall and several other municipal buildings, a firehouse, a yacht club, a sports field and tennis courts, a marina and ferry terminal, and bay and ocean beaches. Saltaire has a summer population of about two thousand five hundred (2,500) residents and a year round population of about fifty (50) residents, many of whom are employees of the Village.

The Village of Saltaire can be accessed by motor vehicles in the winter only by those few full time residents who have one of the limited driving permits that are issued by the Village and the Federal Government for that purpose. Other residents and visitors in the winter, and all residents and visitors in the spring, summer and fall, can only access the village by walking or biking two miles from Robert Moses Park, or by taking the Fire Island Ferry from Bay Shore. No motor vehicle traffic is permitted in the village except for the few residents, utility companies, government departments and contractors that have obtained the necessary permits.

The market in recent years has only been open from late May until early September, and on a limited basis only at the beginning and the end of each summer season.

Other than the adjoining liquor store, the market is the only commercial establishment in the Village of Saltaire and the village is nearly fully developed. The Property is the only property in the village that is zoned for commercial use, and there is no other property in the village where a commercial use could be established. The zoning of the subject property limits the use of the property to a store at which goods and commodities are sold at retail or such other similar use as may be deemed to provide a necessary service to the residents of the village in support of community living by special permit of the Board of Trustees.

The market performs an essential function in the village because the market is the only place in the village where the public can shop to purchase prepared and unprepared food and supplies, and necessary household, personal and sundry items. While it is possible to transport some staple groceries and other needed items by the ferry from Bay Shore, residents who stay in the village for long periods of time cannot procure perishable items for those long periods except from a local market.

While residents could technically bicycle or walk the long distances to neighboring communities to purchase food and necessary supplies, or could carry materials and supplies to their Saltaire homes on the ferry from Bay Shore, that would be a potential hardship for any residents whose mobility is limited, but most especially for the village's older or disabled residents or those residents with small children, and the many young children who normally bike or walk to the market.

The market is also a significant location for personal gatherings and interactions between the residents within the community and fills a number of essential needs for the Saltaire community, functions which cannot be performed by markets in neighboring communities, mainland retail outlets and other Saltaire institutions.

So essential is having a fully functioning market open both to year round and seasonal residents from April through October that the Village administration has stated that it is prepared to devote resources to acquire and operate the market, through a concessionaire, if need be.

The current owners have been trying unsuccessfully to sell the market for a number of years. However at present there are two interested private party purchasers ready and eager to negotiate for a purchase, but the owners have broken off discussions with them. Prior to these interested parties, the market has languished on the market for years with no serious offers being made.

The flood waters of Superstorm Sandy overran the village on October 29, 2012, and caused severe damage to most of the village. The market property was also damaged by the flood waters, however the market property also suffered from decades of deferred maintenance and poor upkeep. The property owner was insured and received a settlement on its claim from their insurance company but has been unwilling to reopen the market, and the market was not open for the 2013 summer season. Despite statements committing that they would be attempting to renovate, there have been no detailed renovation plans submitted to the Village Building Inspector by the owner for the reconstruction of the market. The owner has elected not to respond to the request by the Building Inspector and the Village Board to sit down and permit the Village to assist them in preparing a renovation plan. At present, almost a full year after the storm, the structure stands derelict and abandoned and blights the most central location of the village and the gateway to the village.

The closure of the market for the 2013 season has placed a great hardship on the residents of the village due to the fact that the two thousand five hundred summer residents have been unable to obtain the food and supplies that they require except under the onerous conditions previously described. In addition to the personal hardship that the residents have endured, the closure of the market has resulted in significant economic losses in property values and rentals in the village.

Due to the complexity of the process of obtaining the necessary approvals and permits that are required in order to complete the renovations and repairs that are necessary to reopen the market, the application and planning process should have started in the spring of 2013 in order for the market to be open for the 2014 season. The current owners of the market have not taken any substantive action to obtain the approvals and permits to undertake the necessary renovations in order to reopen the market for the 2014 summer season.

The Village presently operates the Village government from a building that is located at 103 Broadway, across the public walkway from the market. The Village government is tightly squeezed into a few small rooms on the second floor of the 103 Broadway building. The Village Hall building will require a substantial investment in renovations and repairs in order to keep functioning. The Village is in need of additional or new space for the location of the Village offices.

The southerly and center buildings of the subject structure are ideal for a future location of the Village offices as they are also located on Broadway, the central thoroughfare of the village and are also proximately located to the current Village offices, the Village firehouse, the ferry terminal and the center area of the village.

#### **Prior Proceedings in this Matter**

The Board of Trustees of the Village of Saltaire voted at the May 27, 2013 meeting of the Board of Trustees to conduct a public hearing to consider the acquisition of the market property by the Village and the public purpose and potential for impact to the environment of a condemnation of the market property and further discussions on July 13, 2013. The public hearing to consider the consideration and adoption of findings and determinations with respect to the Property was published in five (5) successive editions of Newsday, a newspaper of general circulation, and by the service of a copy of the notice of the hearing on the record owner as required by the New York State Eminent Domain Procedure Law ("NYS EDPL").

The public hearing was duly held as scheduled with about seventy-five (75) residents of the village and the current owners of the market property in attendance. The purpose and proposed location of the public project and other pertinent information was outlined, and thereafter all persons in attendance were given a reasonable opportunity to present oral or written statements, or to submit other documentation regarding the public project, and a record of the hearing was made.

The Board of Trustees then duly voted to keep the record of the hearing open to accept written comments and to adjourn the hearing until July 26, 2013 for further public comment.

The Board of Trustees continued the adjourned public hearing on July 26, 2013 with about forty (40) residents and the owners of the subject property in attendance. All persons in attendance were given a reasonable opportunity to present oral or written statements and a record of the hearing was made. The Board of Trustees at the conclusion of the public comments and discussion on July 26, 2013 voted to close the public hearing.

The Board of Trustees have determined that they should make a determination that among other things, the acquisition of the Property is a "public project" pursuant to NYS EDPL Section 103(G).

**Compliance with New York State  
Environmental Quality Review Act and  
6 NYCRR Part 617**

The Board of Trustees has made an initial determination that the action is an Unlisted Action for purposes of SEQRA and an initial determination that there would not be a significant negative impact on the environment if the application was to be granted, a short form EAF was prepared by the Village. The Board of Trustees reviewed the short form EAF and discussed the potential for impact on the environment, a separate SEQRA resolution was adopted which determined that there would not be a significant negative impact on the environment and adopted a negative declaration for purposes of SEQRA.

**Findings and Determinations**

1. The property 100 Broadway, Saltaire, described in Schedule A hereto, shall be acquired by the Village of Saltaire by the exercise of eminent domain for the purpose of assuring the operation of the market for the benefit of the residents of the Village and for the availability of the center and southerly structures on the premises for future expansion or location of the Village offices or for other municipal purposes.

2. The operation of the market is essential to the personal wellbeing of the residents and the economic viability of the village and its property owners. It is not realistic or feasible for the residents of the village to rely on the stores that are in other communities or the transportation by the Bay Shore ferry for the supply of their food and necessary supplies. The absence of the market will not only be a severe hardship for village residents but will have a detrimental impact upon property values in the village. If the property owners and visitors to the village are forced to travel the long distance for their essential items, it will undoubtedly make property in the village less valuable relative to other properties on Fire Island that have access to a local market.

3. The property to be acquired shall be used for proper public municipal purposes. The subject property is required for the operation of the market for the benefit of the residents of the village which is a proper public purpose.

4. The acquisition is also for a proper public purpose pursuant to NYS EDPL 103(G) because the subject property is necessary for the relocation or expansion of the Village offices and for other proper municipal purposes as it is the only property that is suitable for that purpose that is located in the downtown or Broadway central area of the village, and is proximately located to the ferry terminal, the fire department and other Village functions. Most residents and visitors to the village leave the ferry terminal and stop at the Village offices to conduct official business with the Village before walking back to their homes, and the location of the Village offices is important for that reason also.

5. In so far as the Property is the only commercially zoned property in the village there is no other suitable location in the village where the public purpose could be located or conducted.

6. The Board of Trustees acquires lead agency status for purposes of SEQRA.

7. The Board of Trustees hereby determines that the adoption of these findings and determinations and the acquisition of the Property is an unlisted action for purposes of SEQRA.

8. The Village of Saltaire has completed a short form EAF which has been reviewed in conjunction with these findings and determinations.

9. The Board of Trustees hereby determines that the adoption of these findings and determinations and the acquisition by eminent domain of the subject property, 100 Broadway, will not have a significant negative impact on any aspect of the environment, 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; 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; will not result in the creation of a material conflict with a community's current plans or goals; will not result in the creation of a hazard to human health, will not result in a substantial change in land use; will not encourage or attract an additional large number of people to a place for more than a few days; 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 or two or more related actions each of which is not significant but when reviewed together are significant, and a Negative Declaration is hereby adopted for purposes of SEQRA.

10. That the proposed acquisition will have a significant beneficial and positive impact on the residents of the village and Saltaire community and will not have any significant negative impact on the environment.

11. The acquisition of the Property is an acquisition of property for a public use benefit or purpose and therefore constitutes a "public project" within the meaning of Section 103(G) of the NYS EDPL.

12. The funding for the acquisition of the Property shall be obtained from either surplus or reserve funds or by the issuance of long term bonds, subject to further proceedings.

NOW THEREFORE be it

RESOLVED that the Board of Trustees of the Village of Saltaire hereby adopts the within Findings and Determinations pursuant to Section 204 of the New York State Eminent Domain Procedure Law; and it is further

RESOLVED that the Board of Trustees hereby authorizes the Mayor to take such steps as may be necessary to carry out the intent of this resolution and to publish such findings in accordance with Section 204 of the New York State Eminent Domain Procedure Law; and it is further

RESOLVED that copies of the record of the public hearing on the project shall be available for examination without cost and for copying upon payment for the cost thereof, during normal business hours at the office of the Village Clerk, 103 Broadway, Saltaire, New York, and at the Office of the Suffolk County Clerk, 300 Center Drive, Riverhead, New York 11901, for examination at no cost and for copying upon payment of the cost thereof during business hours.

Dated: August 31, 2013

Board of Trustees  
Village of Saltaire  
Suffolk County, New York

#### **Schedule A**

All that certain plot, place or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Incorporated Village of Saltaire, Town of Islip, County of Suffolk and State of New York, known as and by Lots 519, 520, 521, 522, 523, 524, 525, and 526 and also the portion of Lots 41, 42, and 518 all as shown in Block 35 on a certain map entitled "Map of Fire Island Beach Development Company known as Saltaire", which map was filed in the office of the Clerk of the County of Suffolk on March

29, 1911, as Map No. 114, the said lots and portions of lots 41, 42, and 518 are more particularly described and bounded as follows;

BEGINNING at a point on the westerly side of Broadway at a stake distant 105.33 feet southerly from the corner formed by the intersection of the westerly side of Broadway and the southerly side of Bay Promenade, and from said point of beginning;

RUNNING THENCE along the westerly side of Broadway South 19° 38' 00" East a distance of 172.76 feet to a stake and the northeast corner of Lot 527 on said map;

RUNNING THENCE South 70° 22' 00" West Along the northerly boundary of said Lot 527 a distance of 85.00 feet to a stake and the southeast corner of Lot 511 on said map;

RUNNING THENCE North 19° 38' 00" West a distance of 172.76 feet to a stake in the boundary between Lots 40 and 41 on said map;

THENCE North 70° 22' 00" East a distance of 85.00 feet to the westerly side of Broadway to the stake at the point or place of BEGINNING.

The above described property being and intended to be the same described in a deed dated March 4, 1988 and recorded on March 23, 1988 from Saltaire Market, Inc., as grantor, to W.W.F. Realty Corp., as grantee, recorded at liber of deeds 10571 at page 499.

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

Motion: Trustee Zaccaro

Seconded: Trustee Chefetz

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

Against: None

#### VERIZON UPDATE

Mayor Cox reported that the Public Service Commission (PSC) continues to evaluate Verizon's request to allow them to meet their obligation to provide telephone service to Fire Island through their wireless Voicelink service instead of through traditional copper landlines, and that the Village attended the public forum organized by Senator Phil Boyle on August 13<sup>th</sup> and the formal hearing conducted by the PSC on August 24<sup>th</sup>. The PSC appears to be taking the public comments seriously, and the opportunity for comment has been extended to September 13, 2013. Mayor Cox urged those who felt compelled to comment on Verizon's application to send all comments to [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) or to call 1-800-335-2120 to leave a voicemail comment. Mayor Cox stated that thus far he has been very disappointed that Verizon views Voicelink as the sole solution to its obligations and not as one part of a long term plan to meet all of the communication needs of Fire Island, including voice, fax, data, point of sale, medical transmissions, home alarm systems and more. After all having a chance to be heard, Mayor Cox closed the discussion.

#### FIMP UPDATE

Mayor Cox reported on progress made toward the implementation of the Army Corps of Engineers' (ACE) Fire Island phase of the Fire Island to Montauk Point Reformulation Project (FIMP). He stated that both New York State and Suffolk County have published their willingness to sign onto the project as the non-federal and local sponsors respectively. There also appears to be a willingness by the many regulatory agencies to allow the ACE to begin implementation of the Fire Island portion in advance of the other more complicated components of the FIMP that will be implemented on the mainland of Long Island. He stated that these developments represent a huge step forward for the FIMP, in terms of both the feasibility and timing of the Fire Island component, but that there were still many hurdles still to cross, including the execution of easements by all oceanfront property owners on whose property any sand will be placed. He also reported that the Board has authorized a beach-scraping project to augment the existing dune and better fortify the TrapBag system for the winter in order to provide a measure of protection until the FIMP can commence in Saltaire, but that the beach profiles as of yet have not met the minimum elevations required.

#### APPROVAL OF FIRE COMPANY OFFICERS AND NEW MEMBERS

Trustee Wolf reported on the election of the following officers by the Saltaire Volunteer Fire Company, and made a motion to approve all of them as elected:

Chief	J.R. Rieger
1 <sup>st</sup> Asst Chief	Jim McDonald
2 <sup>nd</sup> Asst Chief	Josh Raeben
3 <sup>rd</sup> Asst Chief	Joseph H. Baker
President	Catherine O'Brien
Secretary	Hugh O'Brien
Treasurer	Andres Delgado

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 Chefetz and Trustee Connolly

Against: None

Trustee Wolf reported on the acceptance of the following new members of the Saltaire Volunteer Fire Company, and made a motion to approve them for membership:

Michael Kaufman	Fire-Medic
Johna Harvey	Fire-Medic

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 Chefetz and Trustee Connolly

Against: None

#### APPROVING FIRE COMPANY PURCHASES

Trustee Wolf made a motion to approve expenditures requested by the Fire Company of up to \$9,500 for reimbursement of the cost of the course for Paramedic certification by member Patrick Smith, and up to \$7,000 to be taken from the 2% Fund for service recognition awards for all 20 year members of the Fire Company. 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

#### ABSTRACT AUDIT

Mayor Cox stated that the following Abstract, having been distributed to all in attendance and posted on the Village website, was presented for approval by the Village Administrator and the Village Treasurer:

General Checking No. 3A in the amount of                      \$124,693.08

After discussion and opportunity for questions, Trustee Wolf made a motion that General Checking Abstract 3A be approved as presented and that the Mayor be authorized to execute the warrants. 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 Chefetz and Trustee Connolly

Against: None

#### ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Wolf made a motion at 11:18 a.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract and personnel issues. The motion was seconded by Trustee Connolly, and on call it was approved according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Connolly

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

Against: None

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjourn into public session at 12:51 p.m. The motion was seconded by Trustee Connolly, and on call it was approved according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Connolly

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

Against: None

The public meeting was called back into session by Mayor Cox at 12:51 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Alexander K. Chefetz, Trustee  
Ann Connolly, Trustee  
Mario Posillico, Administrator & Clerk  
Joseph Prokop, Village Attorney  
And 0 other attendees

#### 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 Chefetz made a motion at 12:55 pm to close the meeting and to hold a Board of Trustees meeting inclusive of a public hearing at 10:00 a.m. on October 6, 2013 to consider the adoption of modifications to Chapter 55, Zoning of the Village Code to be advertised as Local Law #6 of 2013, located in the Village of Saltaire at either 103 or 105 Broadway. The motion was seconded by Trustee Connolly and on call it was approved according to the following action:

Motion: Trustee Chefetz

Seconded: Trustee Connolly

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

Against: None