

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON NOVEMBER 16, 2013 AT
105 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 10:06 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 8 other attendees

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of October 6, 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 Chefetz made a motion to adopt the minutes as presented. The motion was seconded by Trustee Wolf, and the motion was carried according to the following vote:

Motion: Trustee Chefetz

Seconded: Trustee Wolf

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

Against: None

ABSTRACT AUDIT

Mayor Cox stated that the following Abstracts, 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. 6A in the amount of	\$340,883.19
Capital Checking No. 6A in the amount of	\$323,089.50

After discussion and opportunity for questions, Trustee Chefetz made a motion that General Checking Abstract 6A and Capital Checking 6A be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Connolly, and the motion was carried according to the following:

Motion: Trustee Chefetz

Seconded: Trustee Connolly

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

Against: None

VILLAGE MARKET

Mayor Cox stated that the Board has been attempting since Sandy to work out an amicable resolution with the Whitney family over the current disposition of the Saltaire Market property. He stated that the Village has exhausted all avenues for an amicable solution without resolution and that the Board had authorized Mayor Cox to proceed with all dispatch to begin the acquisition process of the property through Eminent Domain proceedings. He reported that such proceedings have commenced and that the period to challenge the public purpose determination was set to expire on November 18, 2013. He stated that the Board was still open to consider all options that the Whitney family wanted to present as long as it demonstrated that it included proactive and positive steps toward a permitted restoration of the property for a retail market that serves the needs of the residents of the Village. Discussions ensued amongst the members of the Board and those in attendance, and after all having a chance to be heard, Mayor Cox closed the discussion and said he that he would take under advisement the next steps to take in the process depending upon how the Whitney family responds to the Board's declaration of public purpose.

FIMP UPDATE

Village Administrator Posillico gave a brief update 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). The ACE is planning for implementation of the Fire Island emergency stabilization project in advance of the other more complicated components of the FIMP that will be implemented on the mainland of Long Island. He stated that this strategy might allow for the possibility that beach replenishment can commence later in this upcoming off-season, but that if it does that there will unlikely be enough time before the seasonal windows close for any work be done on community beaches. He stated that some existing houses are currently south of the proposed dune alignment, and those situations will have to be resolved through buy-outs or relocations. The majority of those properties are in the eastern communities with one in Saltaire. He stated that the final dune alignment is still the subject of discussions between the ACE and the NYS DEC, so the exact extent of the acquisition/relocation impact is uncertain. For the rest of the oceanfront, easements will be required for all properties on which any sand will be placed - generally the front row of homes on the ocean. He stated that the specific language for the easements is still being developed.

VERIZON UPDATE

Mayor Cox stated that Verizon has begun its roll-out of the fiber optic network on Fire Island, and in fact they are currently installing the main line in Saltaire. Verizon anticipates that the installation of the primary feeds for all of Fire Island will be complete sometime in January, and once that is completed and tested, they will begin the installation of secondary lines to the individual homes that have preregistered with Verizon. Once those runs are completed, Verizon will be able to install the equipment in those homes that have committed to the service for the 2014 summer season, as early as March of 2014. Verizon is encouraging those who plan to request the service for the summer of 2014 to commit to the service as soon as possible to avoid the May rush. Verizon has not published its rate structure but continues to assure that the double-play price (phone and internet) will be the same as that elsewhere in New York. It is appears unlikely that television service through the fiber optic will be offered this upcoming summer season. Television service would require costly

equipment upgrades in the central station in Ocean Beach, and Verizon indicated that it wants to get a better idea of the voice and data financial model on Fire Island before it makes a commitment to that additional service.

AUTHORIZATION TO SEEK PERMITS AND CONTRACT FOR 2014 FIREWORKS

Trustee Zaccaro stated that it is generally agreed that the 2013 fireworks show was a success and very well-received, and there is strong indication that there would again be private financial support for it to continue. After discussion, Trustee Zaccaro made a motion to authorize the Village Administrator to expend up to \$17,500 inclusive of fireworks, permitting, barging and insurance cost for a 2014 summer fireworks show, and to be authorized to contract with the selected vendor for the show. 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 Chefetz and Trustee Connolly

Against: None

SETTING THE DATE AND TIME FOR THE GENERAL ELECTION AND PERSONAL REGISTRATION

Trustee Connolly made the following motions:

WHEREAS, the annual Village election for the Village of Saltaire for the year 2014 will be held on Friday, May 23, 2014 and

WHEREAS, there are by law three positions to be filled at the general Village election, and

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby declare the following positions vacant at the expiration of their respective indicated terms:

Mayor – two years

Trustee - two years

Trustee - two years

AND FURTHER BE IT RESOLVED THAT the next general Village election for one Mayor and two Trustees of the Inc. Village of Saltaire shall be held on May 23, 2014 between the hours of 12 noon and 9 P.M. at the Village Hall, 103 Broadway, Saltaire, New York, and further;

WHEREAS, the next general Village election for one Mayor and two Trustees of the Inc. Village of Saltaire will be held on May 23, 2014 and,

WHEREAS, no person shall be entitled to vote at any Village election whose name does not appear on the register of the Village, and

WHEREAS, it is the duty of the Inspectors of Election to prepare such register of qualified voters;

NOW, THEREFORE, BE IT RESOLVED

1. That the Inspectors of Election shall meet on the 13th day of May, 2014 in the Village Hall to commence the preparation of the register for the forthcoming general election.
2. Personal registration for the Village shall be held on Sunday, May 11, 2014 between the hours of 9 A.M. and 5 P.M. and on Tuesday, May 13, 2014, between the hours of 12 noon and 5 P.M. at the Village Hall, 103 Broadway, Saltaire, New York.
3. Election day for the Village shall be held on Friday, May 23, 2014 between the hours of 12 noon and 9 P.M. at the Village Hall, 103 Broadway, Saltaire, New York.

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

Motion: Trustee Connolly

Seconded: Trustee Chefetz

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

Against: None

2014 MARINA FEES

Administrator Posillico stated that the 2014 Marina applications are scheduled to be sent out to potential applicants in December, and presented a fee schedule that represented a 3% increase for all slip widths and lengths. Trustee Zaccaro stated that he has recommended and would prefer that the fee be based exclusively on boat length regardless of the width of the slip. After discussion, Trustee Connolly made a motion to authorize 2014 Marina fees with a 1.1% increase, which is the current CPI index, above the 2013 Marina fees. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following:

Motion: Trustee Connolly

Seconded: Trustee Chefetz

In Favor: Trustee Wolf, Trustee Chefetz and Trustee Connolly

Against: Trustee Zaccaro

WAIVER OF LAND-USE TRAINING FOR 2013

Trustee Chefetz moved the adoption of the following resolutions regarding land-use training for 2013:

Resolution Waiving Training Requirement for Members Of the Zoning Board of Appeals

WHEREAS Section 7-712 (7) (A) of the Village Law provides that the members of the Zoning Board of Appeals of the Village of Saltaire are required to take four hours of training on an annual basis, and;

WHEREAS Section 7-712(7-c) of the Village law provides that the Board of Trustees may adopt a resolution which waives the training requirement of Section 7-712(7-a) for members of the Zoning Board of Appeals when the Board of Trustees determines that it is in the best interests of the Village to do so, it is therefore;

RESOLVED that the Board of Trustees hereby determines that it is in the best interests of

the Village for the Board of Trustees to adopt this resolution and waive the training requirements of Section 7-712(7-a) of the Village Law, and the Board of Trustees hereby further resolves that the training requirement of Section 7-712(7-c) of the Village Law is hereby waived for the year 2013.

Resolution Waiving Board Member Training Requirements For Members of the
Planning Commission and Board of Trustees

WHEREAS Section 7-718(7-A) of the Village Law provides that the members of the Village Planning Commission and the members of the Village Planning Board are required to take four hours of training on an annual basis, and;

WHEREAS Section 7-718(7-c) of the Village law provides that the Board of Trustees may adopt a resolution which waives the training requirement of Section 7-712(7-a) for members of the Village Planning Commission and the Village Planning Board when the Board of Trustees determines that it is in the best interests of the Village to do so, and;

WHEREAS in the Village of Saltaire the Board of Trustees performs the function of the Village Planning Board and the Trustees are therefore subject to the training requirements for a planning board pursuant to Section 7-718 (7-a) of the Village Law, it is therefore;

RESOLVED that the Board of Trustees hereby determines that it is in the best interests of the Village for the Board of Trustees to adopt this resolution and waive the training requirements of Section 7-712(7-a) of the Village Law, and the Board of Trustees hereby further resolves that the training requirement of Section 7-712(7-c) of the Village Law is hereby waived for 2013.

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

Motion: Trustee Chefetz

Seconded: Trustee Connolly

In Favor: Trustee Wolf, Trustee Chefetz and Trustee Connolly

Against: Trustee Zaccaro

PUBLIC BID FOR RAISING 106 NEPTUNE

Administrator Posillico reported that pursuant to a public bid process, one bid was received on November 15, 2013 to elevate and repost 106 Neptune Walk for a total cost of \$189,525. After discussion about this cost being significantly above the projected budget for the project, and there being only one bidder, Trustee Zaccaro made a motion to reject all bids. 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 Chefetz and Trustee Connolly

Against: None

SURPLUS EQUIPMENT

Administrator Posillico reported that the Saltaire Volunteer Fire Company has advised the Village that it has identified approximately 17 pair of Fire Protective Turnout Gear that are surplus to their need, and since the Village has no alternate uses for the gear, it is also surplus to the Village needs.

Trustee Zaccaro made a motion to adopt the following resolution:

WHEREAS, the Village of Saltaire owns and is in possession of the following equipment:

- Approximately 17 pair of Fire Protection Gear

WHEREAS, the aforementioned equipment is surplus to the Village municipal needs and the Village is desirous of selling such property that is surplus to its needs,

NOW, THEREFORE, BE IT RESOLVED that the Village hereby declares the aforementioned equipment no longer of use to the Village for municipal purposes and declared as surplus to the Village municipal needs, and it is further;

RESOLVED that the Village Administrator is authorized to sell the surplus equipment utilizing any reasonable method to realize the fair market value for the property, or to donate or otherwise dispose of it if unsold.

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 Chefetz and Trustee Connolly

Against: None

AUTHORIZATION TO SEEK PUBLIC BIDS FOR BOARDWALK RECONSTRUCTION

Administrator Posillico presented to the Board his plan and schedule for completing the reconstruction of the Village boardwalks that were damaged as a result of Hurricane Sandy. Phase 3 which will begin September 15, 2014 will have approximately 5,250 feet of boardwalk reconstructed, and the remainder will be approximately 3,600 feet of boardwalk which will begin in the 2015 offseason, or sooner if the schedule allows. After discussion, Trustee Zaccaro made the following motion:

WHEREAS, the Village of Saltaire had nearly all of its boardwalk system substantially damaged as a result of Hurricane Sandy, and

WHEREAS, the Village of Saltaire has received Public Assistant funding FEMA for the reconstruction of those damaged walks, which grant funds have certain time limits for completion,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the reconstruction of the entirety of the boardwalks damaged by Sandy, in phases and in a schedule that in his best judgment in consultation with the Mayor can be most efficiently, expeditiously and safely implemented, and further,

BE IT RESOLVED, that the Village Administrator be authorized to seeks bids for the entirety of the boardwalks damaged by Sandy pursuant to the design parameters that had been established and adopted in 2011 by the Village as the new design standard for all boardwalks, and as may need to be modified and adjusted to meet any unique conditions of any particular walk section.

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

Motion: Trustee Zaccaro

Seconded: Trustee Connolly

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

Against: None

AUTHORIZATION TO SEEK PUBLIC BIDS FOR BALL FIELD REPAIR

Administrator Posillico and the Board discussed the plans and specification drafted by RMS Engineering for repair of the Saltaire ball field. Issues with elevation, pitch, drainage and seeding and/or sod still need to be addressed, but the plans were very close to completion for bidding purposes. After discussion, Trustee Chefetz made the following motion:

WHEREAS, the Village of Saltaire's ball was substantially damaged as a result of Hurricane Sandy, and

WHEREAS, the Village of Saltaire has received Public Assistant funding FEMA for the reconstruction of the ball field, which grant funds have certain time limits for completion,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the reconstruction of the Saltaire Ball Field damaged by Sandy, in a schedule that in his best judgment in consultation with the Mayor can be most efficiently, expeditiously and safely implemented, and further,

BE IT RESOLVED, that the Village Administrator be authorized to seek bids for the repair to the ball field damaged by Sandy pursuant to the design parameters of the final plans and specifications of RMS Engineering.

The motion was seconded by Trustee Chefetz, 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

TRUSTEE REPORTS

Each Trustee presented a brief report on his or her areas of responsibilities, and received and responded to questions from the other Board members and those in attendance.

ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Wolf made a motion at 12:24 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract and personnel issues. 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 Chefetz and Trustee Connolly

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjourn into public session at 2:00 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 2:00 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

AUTHORIZATON FOR APPRAISAL – 100 BROADWAY

Village Administrator Posillico reported that he was in the process of receiving quotes from certified, independent appraisers to establish real estate value for the Eminent Domain procedure for 100 Broadway. After discussion, Trustee Zaccaro made a motion to authorize the Mayor to authorize the Village Attorney to procure an independent appraisal of value for 100 Broadway for a fee not to exceed \$5,000 to be used for litigation purposes associated with that property. 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

AUTHORIZATON FOR APPRAISAL – 307 PACIFIC WALK

Village Administrator Posillico reported that he was in the process of receiving quotes from certified, independent appraisers to establish real estate value for a potential house relocation onto

307 Pacific Walk as a result of the FIMP project, and or for ongoing litigation involving the property. After discussion, Trustee Wolf made a motion to authorize the Mayor to authorize the Village Attorney to procure an independent appraisal of value for 307 Pacific Walk for a fee not to exceed \$1,000 to be used for litigation or negotiation purposes associated with that property. 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

AUTHORIZATON TO PURSUE TAX DELINQUENCIES

Trustee Chefetz made a motion to authorize Village Attorney Prokop to pursue all legal remedies available against all property owners whose 2013/14 real estate taxes were delinquent as of November 15, 2013. 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

AUTHORIZATON TO PROCURE DESIGN SERVICES FOR 100 BROADWAY

Trustee Zaccaro made a motion to authorize the Village Administrator to solicit a proposal from a design firm qualified to assist the Village in analyzing the Suffolk County Department of Health permit requirements for a renovation or reconstruction of 100 Broadway, and to continue on to complete a design for renovation or reconstruction sufficient for bidding and construction purposes for 100 Broadway in order to be prepared to move expeditiously in the event that the Village acquires the property through the Eminent Domain procedure; and further to authorize the Village Administrator after consultation with the Mayor to contract with the selected design firm for those services. 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

AUTHORIZATON TO PROCURE ENVIRONMENTAL CONSULTATION SERVICES FOR 100 BROADWAY

Trustee Zaccaro made a motion to authorize the Village Administrator to solicit a proposal from an environmental consulting firm qualified to assist the Village in analyzing the all regulatory permit requirements for a renovation or reconstruction of 100 Broadway, and to assist the Village to procure all permits required for construction purposes for 100 Broadway; and further to authorize the Village Administrator after consultation with the Mayor to contract with the selected environmental consulting firm for those services. The motion was seconded by Trustee Wolf and on call it was approved according to the following action:

Motion: Trustee Zaccaro

Seconded: Trustee Wolf

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

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 Connolly made a motion at 2:15 pm to close the meeting and to hold a Board of Trustees meeting 10:00 a.m. on December 14, 2013 located in the Village of Saltaire at either 103 or 105 Broadway, and on January 23, 2014, at 6:00 p.m. at a New York City location with a video/audio link to 103 or 105 Broadway, Saltaire, New York. The motion was seconded by Trustee Wolf and on call it was approved according to the following action:

Motion: Trustee Connolly

Seconded: Trustee Wolf

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

Against: None