

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON OCTOBER 11, 2014 AT 103 BROADWAY, SALTAIRE, NEW YORK.

Mayor Cox called the Board of Trustees meeting to order at 10:05 a.m. and the following were in attendance:

Robert Lynn Cox III, Mayor
John A. Zaccaro Jr, Trustee
Frank Wolf, Trustee
Ann Connolly, Trustee
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
And approximately 20 other attendees in Saltaire
And approximately 6 other attendees via the internet

PLEDGE OF ALLEGIANCE

Mayor Cox led the attendees in the Pledge of Allegiance to the United States of America.

APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of August 30, 2014 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 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, were presented for approval by the Village Administrator and the Village Treasurer:

General Checking No. 4A in the amount of	\$6,834.05
Capital Checking No. 4A in the amount of	\$2,811.40
General Checking No. 5A in the amount of	\$98,649.52
Capital Checking No. 5A in the amount of	\$626,530.77

After discussion and opportunity for questions, Trustee Wolf made a motion above listed vouchers 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 Wolf

Seconded: Trustee Connolly

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Connolly

Against: None

STATUS – SALTAIRE MARKET REDEVELOPMENT

Administrator Posillico provided an overview of the current status of the redevelopment of the Saltaire Market. He stated that the demolition of the old market buildings was underway and should be complete within a week. He stated that the design consultants for the project are undertaking final coordination of the four phases of the construction documents (General Contracting, Mechanical, Electrical and Plumbing) for both the Market building and the proposed Municipal building. He stated that applications are pending from both the Department of Environmental Conservation and Department of Health for the proposed design, and the Village's environmental consultants are hopeful that permits from both agencies can be issued by early November. He stated that the current schedule is to solicit bids for both building on October 24, 2014 with a bid opening for November 14, 2014, after which the Board will have real numbers upon which to make a decision on whether to proceed with both buildings or just the Market building, and on what schedule.

AUTHORIZATION TO SEEK PUBLIC BIDS FOR REDEVELOPMENT OF THE SALTAIRE MARKET PROPERTY

Administrator Posillico and the Board presented and discussed the plans and specification drafted by Butler Engineering for the redevelopment of 100 Broadway. Administrator Posillico stated that final adjustment had to be made to the final construction documents, but the plans were very close to completion for bidding purposes. After discussion, Trustee Wolf made the following motion:

WHEREAS, the Village of Saltaire is the owner of the property located at 100 Broadway and had demolished the flood-damaged buildings contained thereon, and,

WHEREAS, the Board of Trustees had previously approved the schematic design for the redevelopment of 100 Broadway, and Village has made application to the relevant regulatory agencies for approval of construction pursuant to that design, and

WHEREAS, the Board has reviewed the most recent set of construction documents that have been developed pursuant to that design,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the redevelopment of the 100 Broadway property, according to a schedule that in his best judgment in consultation with the Mayor can be most efficiently, expeditiously and safely implemented, and further, and

BE IT FURTHER RESOLVED, that the Village Administrator be authorized to seek bids for the redevelopment of the 100 Broadway property pursuant to the final plans and specifications of Butler Engineering for General Construction and of EMTEC Engineering for Mechanical, Electrical and Plumbing in support of that design, after final review and approval by Mayor Cox and Trustee Zaccaro.

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 and Trustee Connolly

Against: None

**AUTHORIZATION FOR A PUBLIC HEARING TO CONSIDER LOCAL LAW #1 OF 2014 –
MODIFICATION OF CHAPTER 55 (ZONING) OF THE CODE OF THE VILLAGE OF
SALTAIRE**

Mayor Cox stated that the Board, in consultation with the Architectural Review Committee and other resident architects, engineers and builders, had over the course of the last year undertaken a comprehensive review of the Village's zoning code. He then presented a summary of the changes that were being proposed for Chapter 55 as a result of that effort, along with the full draft of the proposed revision. He stated that the draft represented the consensus of the participants after a long and exhaustive process, and that he felt that the draft was ready to be considered at a public hearing. After all having a chance to be heard and comment on the proposed draft, Trustee Connolly made a motion to consider the adoption of the proposed revisions to Chapter 55 at a duly noticed public hearing to coincide with the next scheduled Board meeting. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Connolly

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Connolly

Against: None

AUTHORIZATION TO CONTRACT FOR DOCUMENT REDUCTION SERVICES

Administrator Posillico reported that the Village had been awarded an approximately \$41,000 grant from New York State to digitize its building records and other files that need to be retained. He further stated that the Village has secured a quote to perform the document reduction service that is in compliance with New York State purchasing guidelines from IMA Document Services in cooperation with the NYS Industries for the Disabled, for an amount equal to the grant authorization. After discussion and all having a chance to be heard, Trustee Wolf made a motion to authorize Administrator Posillico to contract with IMA/NYSID to digitize the Village's building records pursuant to the New York State grant award. 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 Connolly

Against: None

ACCEPTANCE OF COURT AUDIT

Administrator Posillico reported that the Village auditors, Cullen and Danowski had undertaken the annual audit of the Village Justice Court, as is required by New York State law, and that a copy of the audit had been presented to the Board of Trustees. Trustee Connolly made a motion to accept the 2013/14 annual audit as prepared by Cullen and Danowski and that the same be filed with the State of New York Unified Court System. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Connolly

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Connolly

Against: None

APPROVAL OF FIRE COMPANY OFFICERS AND NEW MEMBERS

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

Anthony Quintal
Nicolas Oudin

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, and Trustee Connolly

Against: None

AUTHORIZATION TO EXECUTE LEGAL RETAINERS

Mayor Cox reported that he, upon recommendation of the Village Attorney, has conducted preliminary investigations of the firm of Lamb and Barnowski for consideration to be retained as special counsel in order to represent the Village and its officials in the legal action brought against the Village Zoning Board of Appeals by resident Tracey Zabar over the decision the Zoning Board made in her variance application. After discussion and after all having a chance to be heard, Trustee Zaccaro made a motion to authorize Mayor Cox to execute a retainer agreement with the firm of Lamb and Barnowski as special counsel to represent the Village in the matter of Zabar versus the Village of Saltire Zoning Board of Appeals. 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, and Trustee Connolly

Against: None

Mayor Cox then reported that he, upon recommendation of the Village Attorney, has had preliminary discussions with Lance Pomerantz, Esq. for consideration to be retained as special counsel in order to represent the Village and its officials in the legal action brought against the Village by resident Richard Pavasaris over ownership rights to Pennant Walk. After discussion and after all having a chance to be heard, Trustee Zaccaro made a motion to authorize Mayor Cox to execute a retainer agreement with Lance Pomerantz Esq. as special counsel to represent the Village in the matter of Pavasaris versus the Village of Saltire. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Zaccaro

Seconded: Trustee Wolf

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

Against: None

AUTHORIZATION TO CONDUCT PUBLIC BIDDING PROCESS FOR FENCING AND BACK STOP FOR SALTAIRE BALL FIELD

Administrator Posillico reported that the quotes that he solicited for the re-fencing of the Saltaire ball field and the Backstop were in excess of \$35,000, and therefore required, pursuant to the Village's procurement policy, a public bidding solicitation process. After discussion, and all having a chance to be heard, Trustee Connolly made a motion to authorize Administrator Posillico to solicit public bids pursuant to the Villages procurement policy for the re-fencing of the Saltaire Ball Field and Back Stop, and that he be further authorized to award the contract to the acceptable low bidder and to execute the necessary contract documents with the acceptable low bidder for an amount not to exceed \$75,000. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Connolly

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Connolly

Against: None

ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Connolly made a motion at 12:11 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract and personnel issues. 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 and Trustee Connolly

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Zaccaro made a motion to re-adjourn into public session at 12:50 p.m. 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: Mayor Cox, Trustee Zaccaro, Trustee Wolf

Against: None

The public meeting was called back into session by Mayor Cox at 12:50 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor
John A. Zaccaro Jr, Trustee
Frank Wolf, 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 Wolf made a motion at 12:51 pm to close the meeting and to hold the next Board of Trustees meetings at 401 Seventh Ave, New York, at 6:00 p.m. on November 20, 2014, and then tentatively for December 2, 2014 at 6:00 p.m. The motion was seconded by Trustee Zaccaro, and the motion was carried according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Zaccaro

In Favor: Mayor Cox, Trustee Zaccaro, Trustee Wolf

Against: None