MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON NOVEMBER 14, 2015 AT 103 BROADWAY, SALTAIRE, NEW YORK, WITH REMOTE OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor Cox called the Board of Trustees meeting to order at 10:15 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 Hugh O'Brien, Trustee Joseph W. Prokop, Village Attorney Mario Posillico, Administrator & Clerk Donna Lyudmer, Village Treasurer And approximately 5 other attendees And 8 observed through internet audio/video connection.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of October 17, 2015 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 with minor non-substantive corrections. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following vote: Motion: Trustee Wolf Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien 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. 5B in the amount of \$17,371.47

After discussion and opportunity for questions, Trustee Wolf made a motion that the above listed vouchers be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following action:

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

Capital Fund Checking No. 5B in the amount of \$26,009.50

After discussion and opportunity for questions, Trustee O'Brien made a motion that the above listed vouchers be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Wolf, and the motion was carried according to the following action:

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

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 Fund Checking No. 6A in the amount of \$208,424.33

After discussion and opportunity for questions, Trustee O'Brien made a motion that the above listed vouchers be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Wolf, and the motion was carried according to the following action:

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

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:

Capital Checking No. 6A in the amount of 519,505.66

After discussion and opportunity for questions, Trustee Wolf made a motion that the above listed vouchers be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following action:

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

FIMI UPDATE

Village Administrator Posillico reported on the status of the FIMI beach repair fortification project. As previously reported, the Army Corps of Engineers has been able to incorporate both Kismet and Saltaire as part of the Robert Moses State Park and Fire Island National Seashore beach replenishment project, known as Contract 2. He stated that that dredging and beach-fill activities have commenced, starting at the eastern end of Field 5 and moving east in a series of pipe-station remobilizations, which would bring the project into Saltaire sometime early in 2016. Contract 3A will include Fair Harbor through Seaview, with a tentative schedule to begin work on that phase in the late spring of 2016. Contract 3B will be from Ocean Bay Park to Davis Park, with a tentative schedule to begin work on that phase in the autumn of 2016. He reported that final site-specific plans for the dune crossovers were being developed, and that further involvement and input from the Village would be necessary as those plans became clarified. Questions and discussion ensued, and after all having a chance to be heard, Mayor Cox moved on to the rest of the agenda.

STATUS - SALTAIRE MARKET REDEVELOPMENT

Administrator Posillico gave a brief overview of the status of the construction schedule of the proposed Saltaire Market at 100 Broadway. He stated that the first floor of the building, comprising 5 modular units, had been set on the foundation and all the first floor steel columns and beams had been installed, making the building ready for the second story installation the following week of November 16th. He stated that this schedule was in line with the most recent construction projection, whereby the building is to be turned over to the other sub-contractors for completion of the mechanical, electrical and plumbing by Thanksgiving. He further stated that the contractors for mechanical and electrical work had been previously awarded and that the contractors were prepared to mobilize.

Administrator Posillico then gave a summary of the bid results of General Construction, Plumbing, and Deck Construction that were opened publicly on November 12, 2015. He reported that he received one plumbing bid from Cross Island Plumbing at \$146,609.00. He reported that he received one general construction bid from LoDuca Construction, at \$794,400.00 for the building finish work. He reported that he received two bids for the Plaza Deck, Ramp and Staircase construction, with railings, and that Chesterfield Construction presented the lowest combined bid at \$434,355.03.

Discussion ensued about the bid-cost of each phase of the project and potential rebidding of work, their impact on the overall budget and schedule for the project, and the alternates pricing that was required for the General and Deck Construction.

CONSIDERATION OF AWARDING THE PLUMBING CONTRACT FOR 100 BROADWAY

Trustee Wolf moved adoption of the following resolution to award the Plumbing Contract for 100 Broadway:

Whereas the Village of Saltaire solicited bids according to its procurement policy for plumbing work at 100 Broadway

Whereas sealed bids were publicly opened at 11:00 a.m. EST on November 12, 2015, and Cross Island Plumbing was the certified low bidder as specified and met all the requirements stipulated in the bid;

THEREFORE, Be it resolved that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Cross Island Plumbing as the certified low bidder for the plumbing work at 100 Broadway, for the base bid and all bid alternates, pursuant to the plans and specification and requirements of the bid documents, and to notify Cross Island Plumbing 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 Cross Island Plumbing for plumbing work for 100 Broadway according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for the base bid as specified for a projected total contract amount of \$146,609.00 plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

Be it resolved that the funding for the project shall initially be made from the general reserves, with the general reserves to be repaid from the proceeds of the issuance of Bonds or Bond or Revenue Anticipation Notes, as previously authorized or to be authorized in the future.

The motion was seconded by Trustee O'Brien, and the motion carried according to the following action: Motion: Trustee Wolf Seconded: Trustee O'Brien In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: None

CONSIDERATION OF AWARDING THE DECKING, RAMPS, STAIRCASES AND RAILING CONTRACT FOR 100 BROADWAY

Trustee Wolf moved adoption of the following resolution to award the decking, ramps, staircase and railing Contract for 100 Broadway:

Whereas the Village of Saltaire solicited bids according to its procurement policy for decking, ramps, staircase and railing work at 100 Broadway

Whereas sealed bids were publicly opened at 11:00 a.m. EST on November 12, 2015, and Chesterfield Associates was the certified low bidder as specified and met all the requirements stipulated in the bid;

THEREFORE, Be it resolved that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Chesterfield Associates as the certified low bidder for the decking, ramps, staircase and railing work at 100 Broadway, for the base bid without alternates, pursuant to the plans and specification and requirements of the bid documents, and to notify Chesterfield Associates 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 Chesterfield Associates for decking, ramps, staircase and railing work at 100 Broadway according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for the base bid without alternates a for a projected total contract amount of \$434,355.03 plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

Be it resolved that the funding for the project shall initially be made from the general reserves, with the general reserves to be repaid from the proceeds of the issuance of Bonds or Bond or Revenue Anticipation Notes, as previously authorized or to be authorized in the future.

The motion was seconded by Trustee O'Brien, and the motion carried according to the following action: Motion: Trustee Wolf Seconded: Trustee O'Brien In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: Trustee Zaccaro

CONSIDERATION OF AWARDING THE GENERAL CONTRACT FOR 100 BROADWAY

Trustee Wolf moved adoption of the following resolution to award the general construction Contract for 100 Broadway:

Whereas the Village of Saltaire solicited bids according to its procurement policy for general construction work at 100 Broadway

Whereas sealed bids were publicly opened at 11:00 a.m. EST on November 12, 2015, and LoDuca Construction 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 LoDuca Construction as the certified low bidder for the general construction work at 100 Broadway, for the base bid as specified, without any credit alternates offered in the bids, pursuant to the plans and specifications and requirements of the bid documents, and to notify LoDuca Construction 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 LoDuca Construction for the general construction work at 100 Broadway according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for the base bid without any credit alternates offered in the bids for a projected total contract amount of \$794,400.00 plus

the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

Be it resolved that the funding for the project shall initially be made from the general reserves, with the general reserves to be repaid from the proceeds of the issuance of Bonds or Bond or Revenue Anticipation Notes, as previously authorized or to be authorized in the future.

The motion was seconded by Trustee O'Brien, and the motion carried according to the following action:

Motion: Trustee Wolf Seconded: Trustee O'Brien In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: Trustee Zaccaro

RECEIPT OF PROPOSALS TO OPERATE THE SALTAIRE MARKET

Mayor Cox reported that the Village received on November 12, 2015 two proposals for the operation of the Saltaire Market in response to its Request for Proposal (RFP) process that was initiated during the previous summer. He stated that there had been insufficient time to adequately review the proposals to be able to engage in substantive discussions, and that the Board would arrange meetings with the potential vendors in an effort to select a vendor as quickly as possible so they have ample time to plan for opening in May of 2016.

WAIVER OF LAND-USE TRAINING FOR 2015

Trustee Chefetz moved the adoption of the following resolutions regarding land-use training for 2015

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 2015.

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 2015.

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

Motion: Trustee Chefetz Seconded: Trustee Wolf In Favor: Trustee Wolf, Trustee Chefetz, Trustee O'Brien Against: Trustee Zaccaro

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

Trustee Chefetz made the following motion:

WHEREAS, the annual Village election for the Village of Saltaire for the year 2016 is scheduled to be held, consistent with long-standing tradition, on the Friday before Memorial Day, 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 27, 2016 between the hours of 12:00 noon and 9:00 P.M. at the Village Hall, 103 Broadway, Saltaire, New York.

WHEREAS, the next general Village election for one Village Mayor and two Trustees of the Inc. Village of Saltaire will be held on May 27, 2016 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 17th day of May, 2016 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 15, 2016 between the hours of 9:00 A.M. and 5:00 P.M. and on Tuesday, May 17, 2016, between the hours of 12:00 noon and 5:00 P.M. at the Village Hall, 103 Broadway, Saltaire, New York.

3. Election day for the Village shall be held on Friday, May 27, 2016 between the hours of 12:00 noon and 9:00 P.M. at the Village Hall, 103 Broadway, Saltaire, New York.

The motion was seconded by Trustee O'Brien, and the motion carried according to the following action: Motion: Trustee Chefetz Seconded: Trustee O'Brien In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: None

AUTHORIZATION TO SEEK PERMITS AND CONTRACT FOR 2015 FIREWORKS

Administrator Posillico reported that if the Village wanted to continue with the Fireworks celebration for the summer of 2016, he would need to contract for the program and begin the permitting procedures. He also stated that the SCAA had committed \$8,000 toward the program, and also to undertake a fund-raising campaign at the start of the new year. After discussion, Trustee Zaccaro made a motion to authorize the Village Administrator to expend up to \$18,500 inclusive of fireworks, permitting, barging and insurance cost for a 2016 summer fireworks show, and to be authorized to contract with the selected vendor for the show for a total cost not to exceed \$18,500. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following action:

Motion: Trustee Zaccaro Seconded: Trustee Chefetz In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien Abstain: None Against: None Administrator Posillico stated that the 2016 Marina applications are scheduled to be sent out to potential applicants in December, and presented a fee schedule that represented a 0% increase for all slip widths and lengths based on the current CPI data. After discussion, Trustee O'Brien made a motion to authorize 2016 Marina fees with a 0% increase, which is the current CPI index, above the 2015 Marina fees.

The motion was seconded by Trustee Wolf, and the motion was carried according to the following action: Motion: Trustee O'Brien Seconded: Trustee Wolf In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien Abstain: None Against: None

AUTHORIZATION TO EXECUTE APPLICATION FOR INSTALLATION OF GENERATORS AS PART OF THE FIRE ISLAND RECONSTRUCTION ZONE PROJECT Trustee Chefetz made the following motion:

WHEREAS, New York State created and funded the Fire Island Reconstruction Zone after Hurricane Sandy, which is intended to implement projects that create a more resilient Fire Island, and

WHEREAS, the first project includes the installation of three Back-up Generators in Saltaire, and

WHEREAS, New York State has changed the sub-recipient of the project from the Village of Saltaire to the New York State Dormitory Authority (DASNY), which gives DASNY the authority to implement and the responsibility to fund the project, taking that authority and responsibility from the Village of Saltaire as originally conceived,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby grant the authority to Mayor Cox to execute the necessary application documents as presented to the Board to be part of the Fire Island Reconstruction Zone Project for the installation of back-up generators in the Village of Saltaire as administered by DASNY.

The motion was seconded by Trustee O'Brien, and the motion was carried according to the following action: Motion: Trustee Chefetz Seconded: Trustee O'Brien In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien Abstain: None Against: None

DECLARATION OF PHYSICAL STORAGE TYPE FOR SCANNED RECORDS Trustee Chefetz made the following motion: WHEREAS, the Village had been awarded a grant of approximately \$41,000 from New York State to digitize its building records and other files that are required by the adopted NYS Retention Schedule to be permanently retained, and

WHEREAS, the identified record series that were part of that grant have been scanned and were also converted to a Microfilm physical format and stored pursuant to grant requirements, and

WHEREAS, the Records Officer has recommended the destruction of the original paper files that are currently stored in the Microfilm physical format,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees hereby declares that the acceptable physical format be Microfilm storage for the record series that were part of the grant, allowing the original paper files to be properly shredded.

The motion was seconded by Trustee O'Brien, and the motion was carried according to the following action: Motion: Trustee Chefetz Seconded: Trustee O'Brien In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien Abstain: None Against: None

ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Zaccaro made a motion at 12:44 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. 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 O'Brien Abstain: None Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee O'Brien made a motion to re-adjourn into public session at 1:50 p.m. The motion was seconded by Trustee Zaccaro and on call it was approved according to the following action:

Motion: Trustee O'Brien Seconded: Trustee Zaccaro In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: None

The public meeting was called back into session by Mayor Cox at 1:50 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 Hugh O'Brien, Trustee Joseph W. Prokop, Village Attorney Mario Posillico, Administrator & Clerk And 0 other attendees

EXCHANGE OF PROPERTY AGREEMENT

Mayor Cox reported that the Village has for more than a decade been attempting to resolve longstanding property encroachments from 33 Bay Promenade onto the right-of-way of an unconstructed portion of Pennant Walk. He further reported that an agreement in principle has been reached with the owner of 33 Bay Promenade to transfer certain portions of the Pennant Walk rightof-way to the owner of 33 Bay Promenade in exchange for an approximately equally-sized property that the owner of 33 Bay Promenade owns east of the Pennant Walk right-of-way. The proposed exchange of property will resolve his encroachments and the Village will be provided with sufficient land to maintain a viable right-of-way for any future construction of Pennant Walk. The proposed contract with the most current terms was previously distributed to the Board members and was the subject of discussion. After discussion amongst the Board, and all having a chance to be heard, Trustee Wolf made a motion to approve the agreement in principle as presented, and to authorize Mayor Cox to execute the agreement subject to final language modifications made by Mayor Cox in consultation with the Village Attorney. The motion was seconded by Trustee O'Brien and on call it was approved according to the following action:

Motion: Trustee Wolf Seconded: Trustee O'Brien In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: None

MID-YEAR FULL -SALARY ADJUSTMENT Trustee O'Brien made the following motion:

WHEREAS, the Board recognizes the meritorious service that Village Treasurer Donna Lyudmer has demonstrated after Hurricane Sandy, and specifically during the current fiscal year in which there are numerous capital projects underway that require a high level of financial management expertise and time to properly manage and finance, and

WHEREAS, the Board is desirous of adjusting the salary of Treasurer Donna Lyudmer during the current fiscal year to a level that is more commensurate with her level of expertise and the level of responsibility that she has taken on in the Village in a number of different areas,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby increase the annual salary of Village Treasurer Donna Lyudmer to \$92,500, which shall be paid bi-monthly at that adjusted rate effective with the pay cycle that begins December 1, 2015.

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

Motion: Trustee O'Brien Seconded: Trustee Wolf In Favor: Trustee Wolf, Trustee O'Brien, Mayor Cox Abstain: None Against: Trustee Zaccaro, Trustee Chefetz

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 at 1:55 p.m. to close the meeting and to hold the next Board of Trustees meeting at 103 or 105 Broadway, Saltaire, NY at 9:00 a.m. on December 12, 2015. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following action:

Motion: Trustee Zaccaro Seconded: Trustee Chefetz In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien Abstain: None Against: None