

MINUTES OF THE PUBLIC HEARING AND BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 3, 2016 AT 105 BROADWAY, SALTAIRE, NEW YORK, WITH REMOTE OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor Zaccaro called the Board of Trustees meeting to order at 8:00 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Donna Lyudmer, Village Treasurer  
Joseph W. Prokop, Village Attorney  
Mario Posillico, Administrator & Clerk  
And approximately 0 other attendees  
And 0 observed through internet audio/video connection.

ADJOURN INTO EXECUTIVE SESSION

Trustee O'Brien made a motion at 8:00 a.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 vote:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjourn into public session at 9:00 a.m. The motion was seconded by Trustee Richard and on call it was approved according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Richard

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

The public hearing and meeting was called back into session by Mayor Zaccaro at 9:00 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Donna Lyudmer, Village Treasurer  
Joseph W. Prokop, Village Attorney  
Mario Posillico, Administrator & Clerk

And approximately 75 other attendees  
And 5 observed through internet audio/video connection.

#### PUBLIC HEARING LOCAL LAW #5 OF 2016 – FIRE SPRINKLERS

Mayor Zaccaro provided an overview of the proposed local law that would require the installation of fire sprinklers in all new and substantially-improved residential structures within the Village of Saltaire. Comments were made and questions were taken from the members of the Board and those in attendance, and after all having a chance to be heard, Trustee Wolf made a motion to adjourn the public hearing. The motion was seconded by Trustee Richard and on call the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Richard

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

#### TRUSTEE REPORTS

Each Trustee and the Mayor gave a brief report on their respective areas of responsibilities, including end-of-summer recaps and what is scheduled for the off-season.

#### AUTHORIZATION TO EXECUTE CHANGE OF ZONING AGREEMENT WITH ISLIP – SALTAIRE FERRY TERMINAL

Village Attorney Prokop reported that the Town of Islip has already approved the Agreement and Covenants and Restrictions that would change the zoning of the Saltaire Ferry Terminal in Bay Shore to Commercial B, thereby moving it into the proper zone for ferry and parking operations, and would further allow the Village to operate a winter boat storage facility. After discussion, and all having a chance to be heard, Trustee Richard made a motion to authorize Mayor Zaccaro to execute the Covenants and Restrictions with Town of Islip as part of the Change of Zoning for the Saltaire Parking and Ferry Terminal. The motion was seconded by Trustee O'Brien and on call the motion was carried according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

#### POTENTIAL SALE OF 307 PACIFIC WALK

Mayor Zaccaro stated that the Board would discuss in Executive Session the results of the public solicitation of offers for the sale of 307 Pacific Walk.

#### DISCUSSION ITEMS

The following items were discussed, and after all having a chance to be heard, no action was taken at this time and the items were tables for possible future discussion:

- Code modification setting minimum real estate rental periods.
- Construction of a finger pier on the east side of the bay beach swim area.

#### AUTHORIZATION TO EXECUTE 2016-2020 AMBULANCE SERVICE CONTRACT WITH SUFFOLK COUNTY

Village Attorney Prokop reported that Suffolk County has requested that the Village of Saltaire and the Saltaire Volunteer Fire Company execute the extension to its current ambulance contract to reflect current health information privacy regulations and to cover the period from January 1, 2016 to December 31, 2020; and further that he reviewed the language of the contract and that it is in a form acceptable for execution. Trustee Richard made a motion to authorize Mayor Zaccaro to execute the requested agreement, subject to the Fire Company's execution of the agreement as well. The motion was seconded by Trustee Wolf, and the motion was carried according to the following vote:

Motion: Trustee Richard

Seconded: Trustee Wolf

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

#### THE EMERGENCY SIREN

Mayor Zaccaro reported that several residents had requested that the Village discuss its emergency siren in a public meeting. Public discussion ensued regarding the siren being deactivated or modified, the location being changed or the signal being modified to be distinguishable from adjacent towns. Chief McDonald of the Saltaire Volunteer Fire Company was present and voiced his concerns but indicated that the Fire Company would be flexible and willing to test a modification to the emergency notification procedure. After discussion and all having a chance to be heard, Trustee Wolf made a motion to conduct an eight-week trial starting Memorial Day weekend of 2017 whereby the audible siren would not be automatically activated from 8:00 pm until 8:00 am for medical rescue calls, but would continue for fire calls during that time; and would continue to be automatically activated for all emergencies from 8:00 am to 8:00 pm, with these proposed modifications subject to Suffolk County Fire and Rescue approval. The motion was seconded by Trustee Richard and on call the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Richard

In Favor: Trustee Chefetz, Trustee Wolf, and Trustee Richard

Against: Trustee O'Brien

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

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

Chief	Jim McDonald
1 <sup>st</sup> Asst Chief	Josh Raeben
2 <sup>nd</sup> Asst Chief	Mario Posillico
3 <sup>rd</sup> Asst Chief	Joseph H. Baker
President	Vernon Henriksen
Secretary	Hugh O'Brien
Treasurer	Caroline Wise

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

Motion: Trustee Wolf

Seconded: Trustee Richard

In Favor: Mayor Zaccaro, Trustee Wolf, Trustee Chefetz, Trustee Richard

Abstain: Trustee O'Brien

Against: None

#### AUTHORIZATION TO EXTEND PAID PARAMEDIC SERVICE

Trustee Wolf reported that due to a shortage of volunteer EMTs in the off-season, particularly during weekdays, the Fire Company will have no ability to respond to medical calls until such time as it secures volunteer EMTs for the off-season. After further discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village Administrator to expend up to ten thousand dollars and offer housing to secure paid medics until Columbus Day to fill that gap. The motion was seconded by Trustee Chefetz and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

#### AUTHORIZATION TO SUBMIT GRANT FUNDING REQUEST

Village Administrator Posillico stated that grant funds may be available upon proper application under New York State's Pine Beetle Recovery grant program for the restoration of vegetation lost due to the pine beetle blight. He stated that the grant program is a 25% local match. After discussion, and all having a chance to be heard, Trustee Richard made a motion authorizing Administrator Posillico to make application on behalf of the Village for funding under New York State's Pine Beetle grant program for the restoration of Brodtkin Park with new trees.

After further discussion, and all having a chance to be heard, the motion was seconded by Trustee O'Brien and on call the motion was carried according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard  
Against: None

#### AUTHORIZATION FOR GENERATOR GRANT PROGRAM AND DASNY CONTRACT

Trustee O'Brien made the following motion:

WHEREAS, the Village of Saltaire had previously executed an agreement demonstrating its intent to be a beneficiary of the Fire Island Reconstruction Zone Program as funded by the Community Development Block Grant Disaster Recovery (CDBG-DR) program, and administered by the New York State Governors Office of Storm Recovery (GOSR), and managed by the Dormitory Authority of the State of New York (DASNY), and

WHEREAS, the project from which the Village will directly benefit under this program is the installation of back-up generation of electricity for critical Village facilities, and

WHEREAS, the installation of one generator in the Village will be administered by DASNY and funded entirely by GOSR, and therefore,

BE IT RESOLVED that the Board of Trustees selects Well #2 located behind the Village Hall as the critical facility that will be provided back-up generation under the GOSR program, and further,

BE IT RESOLVED, that the Village Administrator is authorized to enter into the Project Management Agreement with DASNY to authorize the commencement of the project, and to make logistical and construction decisions and to execute any other documents that may be necessary to complete the project.

After further discussion, and all having a chance to be heard, the motion was seconded by Trustee Wolf and on call the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Against: None

#### DESIGNATION OF CAPITAL IMPROVEMENT GRANT FUNDS

Mayor Zaccaro reported that the Village of Saltaire, through the efforts of State Senator Phil Boyle, has secured a \$100,000 grant from New York State for the purposes of public works or fire/rescue capital improvements. He stated that the grant must be obligated by a contract with the State of New York, the process for which commences with the selection by the Village of the specific project to be funded, along with a commitment to fund the balance of the project with Village funds. After discussion of possible capital projects that could be funded with the grant, Trustee Richard made a motion to commit the \$100,000 grant funds toward the cost of the renovation of Village Hall, and to authorize the Village Administrator to commence the six month-long process to contract execution with the State of New York which will include a commitment that the Village will fund the remaining balance of the project.

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

Motion: Trustee Richard

Seconded: Trustee Wolf

In Favor: Trustee Wolf, Trustee Chefetz, Trustee O'Brien, Trustee Richard

Against: None

## AWARDING THE CONTRACT FOR THE REHABILITATION OF THE SEPTIC TANKS FOR VILLAGE HALL AND 5 POMANDER

RESOLUTION ADOPTING LEAD AGENCY STATUS, TYPING A PROJECT AS AN UNLISTED ACTION AND ADOPTION OF A NEGATIVE DECLARATION FOR PURPOSES OF SEQRA WITH REGARD TO THE POTENTIAL AWARDING OF A CONTRACT FOR THE REHABILITATION OF THE VILLAGE HALL SEPTIC TANK.

Trustee Wolf moved adoption of the following resolutions:

WHEREAS the Village of Saltaire competitively bid the contract for the rehabilitation of the Village Hall Area Septic Tanks, and the Board is considering awarding the contract and executing the contract for the rehabilitation of the Village Hall Septic Tank with Quintal Construction, and

WHEREAS the Board of Trustees has reviewed the contract work and contract and completed the short form EAF and accompanying materials with respect to the required SEQRA review with respect to the contract and the contract work; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the contract and contract work for the rehabilitation of the Village Hall Area Septic Tanks with Quintal Construction, and further be it

RESOLVED that the Board of Trustees hereby determines that the contract and contract work for the rehabilitation of the Village Hall Area Septic Tanks with Quintal Construction is an Unlisted Action for purposes of SEQRA, and further be it

RESOLVED that the Board of Trustees of the Village of Saltaire hereby determines that the contract and contract work for the rehabilitation of the Village Hall Area Septic Tanks with Quintal Construction;

- Will not create a material conflict with an adopted land use plan or zoning regulations; and
- Will not result in a change in the use or intensity of the use of land; and
- Will not impair the character or quality of the existing community; and
- Will not have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area; and

- Will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking, or walkways; and

- Will not cause an increase in the use of energy or fails to incorporate reasonably available energy conservation or renewable energy alternatives; and

- Will not impact existing public or private water supplies; and

- Will not impact existing public or private wastewater treatment facilities; and

Will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources; and

Will not result in an adverse change to natural resources such as wetlands, water bodies, groundwater, air quality, flora and fauna; and

Will not result in an increase in the potential for erosion, flooding or drainage problems; and

Will not create a hazard to environmental resources or human health; and that it is therefore

RESOLVED that a Negative Declaration is hereby adopted for purposes of SEQRA, and further:

Whereas the Village of Saltaire solicited bids according to its procurement policy for public works for the rehabilitation of the Village Hall Area Septic Tanks, and

Whereas sealed bids were publicly opened at 11:00 a.m. EDT on July 10, 2015, and Quintal 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 Quintal Construction as the certified low bidder for the rehabilitation of the Village Hall Area Septic Tanks, for the base bid and all bid alternates, pursuant to the plans and specifications and requirements of the bid documents, and to notify Quintal 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 Quintal Construction for the rehabilitation of the Village Hall Area Septic Tanks 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 and all bid alternates for a projected total contract amount not to exceed \$32,707, 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 grant proceeds previously authorized.

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

Motion: Trustee Wolf

Seconded: Trustee Richard

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, Trustee Richard

Against: None

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of August 6, 2016 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee O'Brien made a motion to adopt the minutes as presented with minor non-substantive corrections. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard

Against: None

#### ABSTRACT AUDIT

Mayor Zaccaro 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 Fund Checking No.3B in the amount of	\$47,091.30
Capital Fund Checking No.3B in the amount of	\$130,583.52
General Fund Checking No.4A in the amount of	\$86,703.62
Capital Fund Checking No.4A in the amount of	\$31,820.00

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 vote:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard

Against: None

#### ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Richard made a motion at 12:30 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard

Against: None

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Richard made a motion to re-adjourn into public session at 12:46 p.m. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee Richard



Seconded: Trustee Wolf

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard

Against: None

The public meeting was called back into session by Mayor Zaccaro at 12:46 a.m. and the following were in attendance:

John A. Zaccaro Jr., Mayor  
Hillary Richard, Deputy Mayor  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And approximately 0 other attendees  
And 0 observed through internet audio/video connection.

#### AUTHORIZATION TO RETAIN LEGAL SERVICES – ZBA ACTION

Mayor Zaccaro reported that the Village has been served with notice that the Department of Housing and Urban Development has referred the challenge of a decision made by the Saltaire Zoning Board of Appeals on a variance application by the owners of 21 Bay Promenade to the Department of Justice (DOJ). After discussion and all having a chance to be heard, Trustee Wolf made a motion to authorize Mayor Zaccaro to retain the firm of Lamb and Barnowski to consult with and defend the Saltaire ZBA in the DOJ proceeding. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard

Against: None

#### APPOINTMENT OF CHIEF OF SECURITY

Trustee Chefetz reported that the Village has been notified by New York State that former Chief Dennis Foley has officially retired from service. He stated that Robert Rittenhouse has held the position of Acting Chief since February of 2016, and done so by all accounts and review in outstanding fashion. After discussion and all having a chance to heard, Trustee Chefetz made a motion to appoint Robert Rittenhouse to the position of Chief as a full-time employee at an annualized rate of \$50,000 per year, with that salary retroactively effective from June 1, 2016, and with those benefits associated with full-time employment pursuant to the Village Employment Policy.

The motion was seconded by Trustee Richard and on call it was approved according to the following vote:

Motion: Trustee Chefetz

Seconded: Trustee Richard

In Favor: Trustee Chefetz, Trustee Wolf, Trustee O'Brien, and Trustee Richard  
Against: None

#### ACCEPTANCE OF OFFER TO PURCHASE 307 PACIFIC WALK

Mayor Zaccaro reported that the Board has reviewed the results of the Request for Proposals to purchase the property known as 307 Pacific Walk.

Trustee O'Brien made the following motion:

WHEREAS the Village of Saltaire solicited proposals for the purchase of 307 Pacific Walk, and

WHEREAS proposals were due and opened at 12:00 p.m. EDT on August 26, 2016, and Daniel Rappaport was the certified responsive high bidder in that process,

THEREFORE, Be it resolved that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Daniel Rappaport as the high bidder for the purchase of 307 Pacific Walk, and further

BE IT RESOLVED that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to send Daniel Rappaport a Notice of Acceptance pursuant to the offering documents for the purchase of 307 Pacific Walk at a purchase price of \$1,901,000, with the intent to consummate the transaction in accordance with the offering documents, with the sale proceeds to be deposited into general reserves until the Board takes further action.

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

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

In Favor: Mayor Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien, Trustee Richard

Against: None

#### NEXT BOARD MEETINGS & CLOSE OF MEETING

After all having had a chance to be heard, and there being no further business before the Board, Trustee Richard made a motion at 12:50 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 10:00 a.m. on October 15, 2016 at 103 or 105 Broadway, Saltaire
- 6:00 p.m. on November 15, 2016 at 401 Seventh Ave, Manhattan
- 6:00 p.m. on December 13, 2016 at 401 Seventh Ave, Manhattan

[Clerk's Note: The meeting times and dates for the November and December meetings were set subsequent to the adjournment of this meeting.]

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

Motion: Trustee Richard

Seconded: Trustee O'Brien

In Favor: Trustee Wolf, Trustee O'Brien, Trustee Chefetz, Trustee Richard  
Against: None