

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON FEBRUARY 27, 2017 AT 401 SEVENTH AVE, MADISON ROOM, NEW YORK, NEW YORK AND VIA VIDEO/AUDIO LINK TO 103 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 5:00 p.m. and the following were in attendance:

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

**ADJOURN INTO EXECUTIVE SESSION**

Trustee Wolf made a motion at 5:00 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. 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 Wolf, Trustee O'Brien and Trustee Richard  
Abstain: None  
Against: None

NOTE: Trustee Chefetz arrived at the Executive Session at approximately 5:20 PM.

**RE-ADJOURNMENT INTO PUBLIC SESSION**

Trustee O'Brien made a motion to re-adjourn into public session at 5:46 p.m. The motion was seconded by Trustee Richard and on call it was approved according to the following vote:

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

Mayor Zaccaro called the Board of Trustees meeting back into to order at 6:00 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Alex Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Donna Lyudmer, Village Treasurer

Mario Posillico, Administrator & Clerk  
And approx. 10 other attendees  
And approx. 20 observed through internet audio/video connection.

#### PUBLIC HEARING: LOCAL LAW #3 OF 2017 – CHAPTER 38– DRONE REGULATIONS

Mayor Zaccaro and Trustee Chefetz provided an overview of the proposed local law that would regulate the operation of drones within the borders of the Village of Saltaire, constrained by existing Federal Aviation Administration regulations that predominately take precedence regarding authority and enforcement. 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 at 6:15 p.m. The motion was seconded by Trustee O'Brien and on call the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

#### FERAL CAT PROGRAM

Trustee Wolf stated that concerned residents have asked the Board to consider expanding the Village's role in feral cat management within Saltaire, which currently consists of capture/neuter/vaccination of untreated feral cats, followed by release back into the natural environment of Saltaire. Trustee Wolf stated that there is a small but active group of citizens who have taken on the role of post-treatment care, housing and feeding of the feral cat population; and that group has asked the Board to consider the possibility of the Village increasing its financial and personnel commitment to that aspect of Saltaire's feral cat situation. Discussion ensued amongst the Board and those in attendance, and after all having a chance to be heard, Trustee Wolf stated that he recommends, absent any additional information or proposals being brought before the Board, that the Village continue its current level of feral cat management program involvement until further notice. The Board accepted this recommendation.

#### AUTHORIZATION TO EXECUTE CONTRACT EXTENSIONS WITH FIRE ISLAND FERRIES AND FIRE ISLAND TERMINAL FOR FERRY AND PARKING SERVICES.

Mayor Zaccaro reported that the concession contracts for both ferry and parking operations that were executed with Fire Island Ferries and Fire Island Terminal respectively in 2012, had the exact same contract term and extension provisions; and that due to oversight by both parties the two extension periods that would have extended the term of both contracts until December 31, 2018 were not formalized. He further stated that Fire Island Ferries and Fire Island Terminal have agreed to correct the oversight with a contract extension agreement, as prepared by the Village Attorney and presented to the Board. After discussion, and all having a chance to be heard, Trustee Richard made a motion to authorize Mayor Zaccaro to execute the contract extension agreements as presented for ferry services and parking services with Fire Island Ferries and Fire Island Terminal respectively, effectively extending both contracts through December 31, 2018 as allowed and intended in the original 2012 contracts. 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 Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard  
Abstain: None  
Against: None

#### AUTHORIZATION TO PURCHASE DISCOUNT FERRY TICKETS

Trustee Wolf made a motion to authorize the purchase of between 600 and 900 discount ferry tickets at the discretion of the Village Treasurer based on current inventory and usage levels, according to the terms of the contract with Fire Island Ferries, for re-sale and distribution to the residents of the Village in 2017. Trustee O'Brien seconded the motion, and on call it was carried pursuant to the following vote:

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

#### AUTHORIZATION TO EXPEND FUNDS TO MODIFY BAY PROM STREET LIGHTING

Mayor Zaccaro stated that a number of homeowners on Bay Promenade had approached the Village requesting that the overhead wires for street lighting, as well as the utility poles carrying the wires and lights, be removed and replaced with underground wiring and lower profile lamp posts similar to what is on the dock, with the anticipation that the majority of the cost of the project would be covered by private donations from the homeowners. He further stated that the Village Administrator has developed a budget for the lighting project from West Walk to Pennant of approximately \$125,000, and that the property owners along that stretch have pledged a level of private donations that would offset most if not all of that anticipated cost. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village Administrator to expend up to \$125,000 for the project to remove the existing utility poles and overhead wiring along Bay Promenade, to be replaced by underground wiring and lamp posts to match those on the dock, with anticipation that the Village's outlay of funds for the project will be offset nearly or entirely by private donations. Trustee Chefetz seconded the motion, and on call it was carried pursuant to the following vote:

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

#### CENTENNIAL CELEBRATION

Mayor Zaccaro provided an update on the planning process for the Village of Saltaire celebration of its centennial. He stated that he is working with a group of residents, employees and SCA Board members to help guide the planning for the summer festivities in commemoration of the Village's

Centennial. He stated that the group is working with a budget of approximately \$20,000, with \$15,000 already allocated by the Board and the balance presumed from various private sources. The primary focus of the centennial festivities will occur on August 26<sup>th</sup>, starting with historical presentations in the mid-afternoon, followed by a food and beverage fair on the Market deck at which a Time Capsule will be dedicated and sealed, and culminating with a party on the ballfield replete with music, historical video presentations and food and drink. Mayor Zaccaro stated that the Village and the SCA will be sending out notices and promotions well in advance of the event, including requests for ideas for the time capsule and digital photo and movie submissions for the video montages.

NOTE: Village Attorney Joseph Prokop arrived at the meeting.

#### CAPITAL PROJECT PLANNING: VILLAGE HALL AND 14 BAY PROMENADE

Mayor Zaccaro reported that since the summer and at numerous meetings the Ad-hoc design committee had been assisting the Board with design concepts for the Village Hall and 14 Bay Prom, the building currently used for Public Safety and the Doctor's office, in anticipation of renovations of both buildings funded in part with FEMA public assistance obligations. He once again thanked the members of the committee for their tireless work on behalf of the Village, and stated that now that they have completed their work, it was up to the Board to move the design process forward based on all of the input received during that process. To that end, he stated that the Board had finalized a charge to Butler Engineering to begin production of design documents based on basic program parameters that the Board felt were important for both buildings. Village resident and Ad Hoc member Nick Petschek was present and made the offer to the Board to complete the design process on a pro-bono basis for both buildings through to construction and bid documents. After discussion and all having a chance to be heard, Trustee Wolf expressed the opinion, and other Board members concurred, that he felt that despite the potential cost savings of accepting pro-bono work, that the interest of the Village would be best served to have an unbiased, independent, paid and accountable third-party professional perform the design, engineering and regulatory work necessary to bring the project to fruition; and that he hoped that Mr. Petschek would lend his expertise and support along the way to assure that the design embodied the spirit and character of Saltaire, and thanked Mr Petschek for his offer to continue to contribute in the design process. Trustee Wolf then made a motion to authorize Mayor Zaccaro to retain the firm of Butler Engineering to complete the design documents for Village Hall based on hourly rates and time budgets acceptable to him pursuant to the program parameters that had been developed and presented to the Board at the meeting. Trustee O'Brien seconded the motion, and on call it was carried pursuant to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

Trustee Richard then made a motion to authorize Mayor Zaccaro to retain the firm of Butler Engineering to complete the design documents for 14 Bay Promenade based on hourly rates and time budgets acceptable to him pursuant to the program parameters that had been developed and

presented to the Board at the meeting. Trustee Wolf seconded the motion, and on call it was carried pursuant to the following vote:

Motion: Trustee Richard

Seconded: Trustee Wolf

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

Abstain: None

Against: Trustee Chefetz

#### AUTHORIZATION TO SEEK PUBLIC BIDS FOR REPLACEMENT OF THE FIRE COMPANY AMBULANCE

Village Administrator Posillico stated that the Saltaire Volunteer Fire Company has notified the Village that the 1997 Ambulance is in need of replacement in order to most effectively meet the rescue needs of the Village, and has submitted plans and specifications for the proposed replacement ambulance. After discussion and questions, and all having a chance to be heard, Trustee Richard made the following motion:

WHEREAS, the Board of Trustees would like to consider the replacement of the 1997 Ambulance, and

WHEREAS, the Board of Trustees would like to have a verified cost of such equipment in order to make an informed decision,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the replacement of the 1997 Ambulance pursuant to the plans and specifications submitted by the Saltaire Volunteer Fire Company. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following:

Motion: Trustee Richard

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

#### AUTHORIZATION FOR PUBLIC HEARING TO CONSIDER REVISIONS TO CHAPTER 48

Mayor Zaccaro stated that the Board will shortly undertake the budget review and adoption process for the 2017/18 fiscal year, and it was undetermined at this point if the budget will require a tax increase and if so to what extent. The Board has the option to waive the State mandated tax cap limit, which is likely to be approximately 1%. The waiver can only be accomplished by adoption of a local law each year. The adoption of such a local law would not require that the Board adopt a tax increase above the State minimum increase, but rather that it would provide the flexibility to do so if necessary to balance the budget. After discussion, Trustee Chefetz made a motion to consider the amendment of Chapter 48 of the Village Code at a public hearing scheduled for the same date as the next scheduled Board of Trustees meeting. The motion was seconded by Trustee Richard, and the motion was carried according to the following action:

Motion: Trustee Chefetz

Seconded: Trustee Richard

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

Abstain: None

Against: None

#### AUTHORIZATION TO EXECUTE THE 2017 MEDICAL CONTRACT

Trustee O'Brien made a motion to authorize Mayor Zaccaro to negotiate and execute the medical services contract with Dr. Robert Furey for the 2017 season for a fee of \$4,000 in the form presented and reviewed by the Village Attorney. 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 O'Brien and Trustee Richard

Abstain: Trustee Wolf

Against: None

#### INSPECTORS OF ELECTION

Trustee Richard made a motion to appoint the following Saltaire residents as Inspectors of Election for the 2017 Saltaire election:

Nancy Henriksen	Chairperson
Liv Hempel	Inspector
Roseanne Larson	Inspector
Georgine Posillico	Inspector

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

Abstain: None

Against: None

#### AUTHORIZATION TO EXECUTE PROPERTY LINE AFFIDAVIT

Mayor Zaccaro reported that the current owners of the property located at 104 Pacific Walk are planning to sell their property and that their title company is requesting from the Village, which has properties that border on 104 Pacific Walk, confirmation that the property line is accurate as shown on both the 104 Pacific Walk survey and the Village property survey. Draft copies of the affidavit were distributed and discussed. Trustee Richard made a motion to authorize Mayor Zaccaro to modify as necessary and execute a property line confirmation affidavit in the form presented, as reviewed and approved by the Village Attorney. 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

Abstain: None

Against: None

## **STORAGE OF BEACH CHAIRS**

Trustee O'Brien stated that he was asked to investigate and initiate discussion about the insufficient storage provided for chairs at the ocean access walks, the most problematic location being Broadway which consistently has overflow chairs that are left on both Village and private property. He raised various options being discussed, including the elimination of chair storage entirely, or to offer it on only a very limited basis. After discussion, and all having a chance to be heard, the issue was tabled for further discussion.

## **AUTHORIZATION FOR PUBLIC HEARING TO CONSIDER SUB-DIVISION APPLICATION**

Mayor Zaccaro stated that an application for property sub-division has been submitted to the Village Clerk and has been reviewed by the Village Attorney. A question was asked of the Village Attorney if the application was deemed complete and ready for consideration, and he stated that although there were some outstanding requests for information, the application was ready for consideration by the Board. Trustee Richard made a motion to consider the subdivision application at a public hearing scheduled for the same date as the next scheduled Board of Trustee meeting. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following action:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Abstain: None

Against: Trustee Wolf

## **APPROVAL OF MINUTES**

Draft copies of the minutes of the meeting of January 24, 2017 and February 14, 2017 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, 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 action:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Abstain: None

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.9A in the amount of	\$72,032.00
Capital Fund Checking No.9A in the amount of	\$86,201.13

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 Wolf, Trustee Chefetz, Trustee O'Brien and Trustee Richard

Abstain: None

Against: None

#### **PRESENTATION OF 2017/18 TENTATIVE BUDGET**

The Village Administrator and Village Treasurer presented the 2017/2018 Tentative Budget to the Board of Trustees. Those in attendance were advised that the Board would present the 2017/18 budget in more detail at a public hearing to be held at the next regularly scheduled Board Meeting.

#### **ADJOURN INTO EXECUTIVE SESSION**

After the Board received and responded to questions from those in attendance, Trustee Richard made a motion at 8:12 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. 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 Wolf, Trustee Chefetz, Trustee O'Brien and Trustee Richard

Abstain: None

Against: None

NOTE: Trustee Richard departed at 8:30 p.m.

#### **RE-ADJOURNMENT INTO PUBLIC SESSION**

Trustee O'Brien made a motion to re-adjourn into public session at 8:37 p.m. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 8:37 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Alexander K. Chefetz, Trustee

Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Joseph W. Prokop, Village Attorney  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And approximately 0 other attendees  
And 0 observed through internet audio/video connection.

#### 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 O'Brien made a motion at 8:37 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 5:00 p.m. on March 14, 2017 at 599 Lexington Avenue, 20<sup>th</sup> Floor, Manhattan for the purpose of a Budget Workshop and other matters that may come before the Board
- 5:00 p.m. on April 3, 2017, location to be determined.

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 Wolf, Trustee Chefetz and Trustee O'Brien

Abstain: None

Against: None