

UNAPPROVED MINUTES

MINUTES OF THE PUBLIC HEARING AND THE BOARD OF TRUSTEES MEETING HELD ON MAY 16, 2018 AT 1180 AVENUE OF THE AMERICAS, ROOM 8A, 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 6:17 p.m. at 1180 Avenue of the Americas and the following were in attendance:

John A. Zaccaro Jr, Mayor
Hillary Richard, Deputy Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Joseph W. Prokop, Village Attorney
Donna Lyudmer, Village Treasurer
Mario Posillico, Administrator & Clerk
And 8 other attendees
And 26 observed through internet audio/video connection.

SUB-DIVISION APPLICATION OF THE VILLAGE PEOPLE LLC REGARDING PROPERTY LOCATED BETWEEN PENNANT AND RICHARDS WALKS SOUTH OF LIGHTHOUSE PROMENADE

Mayor Zaccaro stated that since the application before the Board was being made by applicants who in part are related to him, he would recuse himself from the proceedings, and asked Deputy Mayor Hillary Richard to preside over the proceedings, and then left the meeting room at 6:18 p.m. Deputy Mayor Richard presented a brief overview of the application, stating that the Board had previously approved the application, but that subsequent to that approval, discussion continued between the Village and the applicant based on more accurate field measurements, and that an understanding has been reached on modifications to the stipulations of the approval, which were presented to the Board for consideration. After discussion, and all having a chance to be heard, Trustee Oppenheimer moved adoption of the following motion:

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 APPLICATION OF THE VILLAGE PEOPLE LLC TO SUBDIVIDE PROPERTY PURSUANT TO THEIR APPLICATION.

WHEREAS the Village of Saltaire is considering the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade, and

WHEREAS the Board of Trustees has reviewed the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade and

accompanying materials with respect to the required SEQRA review pertaining to the proposed subdivision, and therefore be it,

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade, and further be it

RESOLVED that the Board of Trustees hereby determines that the approval of the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade 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 approval of the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade;

- 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 a 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.

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

Motion: Trustee Oppenheimer

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

RESOLUTION APPROVING THE APPLICATION OF THE VILLAGE PEOPLE LLC
TO SUBDIVIDE PROPERTY PURSUANT TO THEIR APPLICATION.

After discussion on the application of the Village People LLC to subdivide property between Pennant and Richards Walk south of Lighthouse Promenade, Trustee Wolf made a motion to approve the application of the subdivision pursuant to the following background, terms and conditions:

**VILLAGE OF SALTAIRE
BOARD OF TRUSTEES**

Application of Village People LLC

For Subdivision Approval

312 Pennant Walk, Saltaire

SCTM No.: 0503-4-1-17, 18, 19, 23, 24, 25, 42.1 and 42.3

FINDINGS, DETERMINATION AND DECISION

The matter of the application of Village People LLC (“Applicant”), represented by Certilman Balin, 100 Motor Parkway, Suite 156, Hauppauge, New York 11788, by J. Timothy Shea, Jr., Esq., for subdivision approval.

Background and Procedural History of Application

The application was filed with the Village of Saltire on January 17, 2017 and was accepted for filing by the Village of Saltaire, subject to a review and determination of the application for completeness by the Village of Saltaire.

The application dated January 13, 2017 and filed on January 17, 2017 was in the name of the applicant Village People. A prior application had been filed in 2016 under the name of Estate of Ortenberg but was not completed.

The original and copies of the subdivision application was accompanied by a cover letter from J. Timothy Shea, Esq., of Certilman Balin, the applicant’s attorneys, ten copies of the site plan prepared by Vollmuth & Brush dated April 10, 2016 and last updated on December 13, 2016 (entitled “Ortenberg South Subdivision Village Plan”), original and nine copies of the Long Environmental Assessment Form, ten copies of the two-hundred-foot radius owners, original and nine copies of certificate of title and deeds for the existing lots, two required checks to the Village of Saltaire in the amount of \$2,500 each.

On March 27, 2017 the application was referred to the Suffolk County Department of Planning for the referral that is required by General Municipal Law Section 239M and the Suffolk County Charter. On April 3, 2017, the Suffolk County Department of Planning issued a letter of

local-determination indicating that the Department of Planning determined that there were no issues of a regional significance and that the matter should be determined on a local basis.

The subject property fronts on the south side of Lighthouse Promenade, extending southward, and is located between Pennant Walk and Richards Walk, and the application for the property to be subdivided proposes to subdivide a parcel consisting of forty-six (46) mapped lots with one existing single family residence and an area of seventy-eight thousand two hundred square feet (78,200) square feet, into three conforming lots. The proposed lots are a Lot 1 with an area of forty-five thousand nine hundred (45,900) square feet, a Lot 2 with an area of thirteen thousand six hundred (13,600) square feet, for the construction of one new single family home, and a Lot 3, with a proposed area of eighteen thousand seven hundred (18,700) square feet, for the construction of one new single family home.

The existing lot contains a pool, utilities transformer, and underground electric utility lines.

The Board of Trustees, acting as the Planning Board of the Village of Saltaire, held a public hearing on the subdivision application on April 3, 2017.

Mayor John A. Zaccaro, Jr., recused himself from discussion or decision on the application, and Deputy Mayor Hillary Richard chaired the April 3, 2017 public hearing on the application.

The April 3, 2017 public hearing was conducted at the meeting of the Board of Trustees, located at 1180 Avenue of the Americas, New York, New York.

The Board of Trustees heard a presentation by the Applicant's representative J. Timothy Shea, Jr., regarding the application. There were several residents in attendance but there were no questions for the Applicant or the Board, and the Board of Trustees then adjourned the public hearing subject to further submission by the Applicant, with no specified date for the continuation of the public hearing.

The applicant submitted a revised site plan on July 5, 2017 which did not substantively change the application, but included several amendments to the plan that were requested by the Village of Saltaire.

The public hearing was continued on October 11, 2017.

The Board of Trustees heard additional comments from the attorney for the Applicant, and accepted and asked questions regarding the application.

The Board of Trustees closed the public hearing on the application on October 11, 2017, then discussed the application at the ensuing public meeting.

The Board of Trustees adopted a resolution whereby the Board of Trustees adopted lead agency status for purposes of SEQRA, and determined that the subdivision application is an Unlisted Action for purposes of SEQRA.

The Board of Trustees then adopted a resolution whereby the Board of Trustees determined that the approval of the subdivision application would not have a significant impact on the environment, and adopted a Negative Declaration.

The Board of Trustees then adopted a resolution whereby they approved the subdivision, with conditions, on October 11, 2017.

Based on continued conversations with the applicant and on more accurate field measurements, the Board, after due consideration, finds it acceptable to modify the conditions of approval as included herein.

Findings

The Board of Trustees is reconsidering this application acting as the Planning Board of the Village of Saltaire because the Village of Saltaire has not created or appointed a Planning Board.

This Village of Saltaire does not have a subdivision ordinance in the Saltaire Village Code and therefore this application is considered by the Board of Trustees under Sections 7-726, 7-728, and 7-730 of the New York State Village Law, and the other applicable provisions of New York State Law.

The Board of Trustees of the Village of Saltaire provided the required notification and referral to the Suffolk County Department of Planning on March 27, 2017, and that agency responded to the Board of Trustees that the Suffolk County Department of Planning had determined that the subdivision application is a matter of local determination.

The required notifications were made to other property owners, and the required notice of the public hearing was properly published, and therefore the Board of Trustees has the jurisdiction to proceed with the application.

The Board of Trustees properly adopted lead agency status for purposes of SEQRA and determined that the application is an Unlisted Action for purposes of SEQRA.

The approval of the application will not have a significant negative impact on the environment and a Negative Declaration was properly adopted by the Board of Trustees.

The subject property contains an electrical transformer and underground electrical transmission lines as shown on the July 5, 2017 proposed site plan.

There is currently a branch line of the Saltaire Village water system that services the proposed lots facing on Pennant Walk, and there is a branch line of the Saltaire Village water system along the Richards Walk side of the subject property but not of sufficient extension to service the lots on the proposed site plan.

Pennant Walk is developed along the boundary of the subject property. Richards Walk is not developed and has not been constructed in the areas along the boundary of the subject property.

The Saltaire Village Code provides that the owner of a property to be developed is responsible for one-half of the cost of the construction of a public walk to be constructed to service the property. The construction of Richards Walk to reach the approximate area of the front door of a single family home at Lot 3 will be approximately sixty thousand dollars (\$60,000).

The existing pool on the premises does not have the dry well that is currently required by the Saltaire Village Code. The pool was constructed prior to the adoption of that requirement of the Saltaire Village Code and is therefore legally existing without the dry well as a pre-existing nonconforming structure.

The subdivision and site plan as presented in the July 5, 2017 site plan require the approval of the Suffolk County Department of Health.

The July 5, 2017 plan indicates several encroachments and nonconforming structures that must be removed or corrected.

The July 5, 2017 plan indicates several conforming structures that are marked on the plan to be removed.

The subdivision and site plan if approved is consistent with the existing conditions in the Village of Saltaire.

The subdivision and site plan application if approved will not have a significant impact on the surrounding properties or neighborhood.

The subdivision and site plan application if approved will not create additional traffic or any unsafe condition or additional activity or demands on services that would change the character of the neighborhood in which the subject property is located.

Determinations

The application for approval of the preliminary plat is hereby approved, subject to the following conditions:

1. The Applicant will draft to the satisfaction of the Village Attorney, and then execute and record, at the Applicant's cost, easements for underground Electrical Transmission Lines and Transformer, which impacts all three proposed building parcels.
2. The Applicant will reimburse the Village of Saltaire the actual cost of an approximate thirty (30) foot extension of a 6-inch water main branch line on Richards Walk. (For Bond purposes the estimated cost of this water main is \$5,000.)
3. All domestic water service connections to building parcels proposed in the sub-division must be from either the Pennant Walk or the Richards Walk public branch lines.
4. The Applicant or any subsequent owner/applicant will reimburse the Village of Saltaire for the entire cost to construct Richards Walk to the approximate location of the front entrance ramp of any proposed structure approved pursuant to a building permit application on Lot 3, in accordance with the standard walk design in effect at the time of construction. (For Bond purposes the estimated cost of this public walk is \$60,000.)

5. The Applicant will place a bond deposit in the amount of \$65,000 with the Village of Saltaire to assure reimbursement of the required water main extension and Richards Walk extension, the final actual cost of which is the responsibility of the applicant, with such Bond to be posted on behalf of the Village when a building permit application by the applicant or any future owner is filed for the development of Lot #3.
6. The approval is subject to the submission of an acceptable Suffolk County Department of Health approval consistent with the Proposed Site Plan dated July 5, 2017.
7. All remediation of all encroachments and non-conforming structures as shown on the Proposed Site Plan dated July 5, 2017 are to be removed or corrected within three (3) months of final Suffolk County Department of Health approval.
8. All other conforming structures marked for removal on the Proposed Site Plan dated July 5, 2017 shall be removed within three (3) months of the filing of the final Suffolk County Department of Health approval of the subdivision.
9. The Applicant shall prepare and record on the final Sub-Division Plat to be approved by the Suffolk County Department of Health and filed with the Suffolk County Clerk, subject to the approval of language by the Village Attorney, the covenants and restrictions containing the provisions of these conditions set forth herein, which covenants and restrictions shall be mandatory conditions of the approval granted herein.
10. The Applicant shall prepare and submit for approval within ninety (90) days of the date hereof, a final plat plan of the proposed subdivision and site plan.

Dated: May 16, 2018

Village of Saltaire

Board of Trustees
103
Broadway
Saltaire, New York 11706

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

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

Mayor Zaccaro returned to the meeting at and recalled the meeting to order at 6:25 pm and continued with the balance of the agenda.

VILLAGE HALL RENOVATION STATUS REPORT

Mayor Zaccaro provided a brief overview and status report on the progress of the renovation plans for the Village Hall. Floor plans and Elevations reflecting the agreed-upon scope of work were presented to those in attendance in person and online, and discussion ensued and questions were answered about the project. Village Administrator Posillico stated that the current schedule has the full set of construction documents being ready for bidding by the end of June, with bids being returned by the end of July or early August, after which the Board can assess the actual cost versus

the projected budget and available grant funds. After all having a chance to be heard, Mayor Zaccaro moved onto the balance of the agenda.

14 BAY PROMENADE RECONSTRUCTION STATUS REPORT

Mayor Zaccaro provided a brief overview and status report on the progress of the reconstruction plans for 14 Bay Promenade. Floor plans and Elevations reflecting the most recent version of the scope of work were presented to those in attendance in person and online, and discussion ensued and questions were answered about the project. Village Administrator Posillico stated that the current schedule has the full set of construction documents being ready for bidding by the end of July or early August, with bids being returned by the end of September, after which the Board can assess the actual cost versus the projected budget and available grant funds. After all having a chance to be heard, Mayor Zaccaro moved onto the balance of the agenda.

LIGHTHOUSE PROMENADE WALKWAY AND WATER MAIN RECONSTRUCTION

Mayor Zaccaro stated that the Village has received bids for the reconstruction of Lighthouse Promenade as both a concrete walkway as well as a timber walkway, both options inclusive of replacement of the water main. He stated that the post-bid analysis of the Timber version identified certain engineering adjustments that might result in potential cost-savings while maintaining the structural requirements of the walkway, and he felt that it would be in the best interest of the Village of solicit bids pursuant to the revised plans to verify what those cost savings might be. He further stated that during the Board's review of the concrete version was partly interrupted by a legal claim by one contractor regarding the validity of another contractor's bid, which has been referred to the Village Attorney for review. He stated that the Board would discuss in Executive Session at the appropriate time the Village Attorney's findings and recommendations, and the legal implications of the claim on the bid review process. Village resident Barbara Harnick then requested that the Board investigate a material option that she has researched and has been used in some New York City public areas, which would integrate both concrete and recycled plastic lumber in a pattern that will act a speed reduction measure. She presented data to the Board, and after discussion, Mayor Zaccaro stated that the Board would research the option further.

OFFER OF DONATION TO THE VILLAGE OF A COFFEY-STYLE HOUSE

Mayor Zaccaro reported that the owners of the property located at 104 Pacific Walk had offered to donate to the Village the existing structures on their property, which included one of the oldest buildings in the Village as well as the one-time home of Mike Coffey. He further stated that at the previous meeting the Board has authorized the execution of a Donation Acceptance agreement that provided the framework from which both the owner and the Village could investigate the community, environmental, and cost consequences of accepting the donation and relocating it on the adjacent Village-owned property, while at the same time providing opt-out provisions during critical points of that process if any of those consequences became untenable for either the current owner or the Village. Architectural renderings reflecting the most recent site and sanitary locations were presented to those in attendance in person and online, and discussion ensued and questions were answered about the project. After discussion and all having a chance to be heard, Mayor Zaccaro moved onto the rest of the agenda.

PASSENGER FERRY, FREIGHT FERRY AND PARKING PROPOSALS

Mayor Zaccaro stated that the Village has received a set of proposals in response to its Request for Proposal process for passenger ferry, freight ferry and parking lot operations. He stated that given the contractual implications of the proposals that they will be discussed in further detail in Executive Session at the appropriate time.

MEMORIAL DAY PARTY: USE OF FIELD, WALKS AND OTHER REGULATIONS

Mayor Zaccaro outlined the plans for the Welcome Back party scheduled for May 26, 2018 from 7:00 AM till 10:00 PM, which will include a Reggae Band. He further stated that in order to keep the entire day safe and enjoyable for all attendees, particularly at the evening event, the Fire Marshal, Public Safety Chief and other Village Administrative staff have made recommendations on procedures and measures to assure that the day remain safe and enjoyable, similar to those used for the Centennial event of 2017. After discussion and all having a chance to be heard, Trustee O'Brien made the following motion:

WHEREAS, a Welcome Back Party has been authorized and funded for May 26, 2018, or a rain date; and

WHEREAS the Board of Trustees desires that all events be conducted and hosted in an enjoyable and safe manner for all attendees;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Mayor, in consultation with the Fire Marshal, the Public Safety Chief, Village Administrator and other key staff, to take all necessary measures to allow safe use and egress for all Saltaire residents and their guests in and around the Neptune Walk and Ball Field area; and further,

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Mayor to suspend any code provision as may relate to the use and activities allowed in public areas, and other peace and good order measures so as to allow for the safe enjoyment of the planned event.

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

Motion: Trustee O'Brien

Seconded: Trustee Richard

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

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. 11B in the amount of	\$104,239.90
General Fund Checking No. 12A in the amount of	\$89,199.13
Capital Fund Checking No. 12A in the amount of	\$25,518.53

General Fund Checking No. 11A in the amount of	\$29,912.05
Trust and Agency No. 11A in the amount of	\$4,000.00
Trust and Agency No. 12A in the amount of	\$4,000.00

After discussion and opportunity for questions, Trustee Wolf made a motion that the above-listed abstracts be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Richard, and on call it carried according to the following vote:

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

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion 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 at 8:10 p.m. according to the following vote:

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

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Oppenheimer made a motion to re-adjourn into public session at 9:35 p.m. The motion was seconded by Trustee Richard and on call it was approved according to the following vote:

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

The public meeting was called back into session by Mayor Zaccaro at 9:35 p.m. and the following were in attendance:

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

And approximately 0 other attendees
And approximately 0 observed through internet audio/video connection.

REJECTION OF LIGHTHOUSE PROMENADE BIDS AS CONCRETE

Board discussion continued regarding the still-open bids for the reconstruction Lighthouse Promenade as both a concrete walk and a timber boardwalk. After all having a chance to be heard, Trustee Richard made a motion to reject all bids submitted to the Village on February 16, 2018 pursuant to a formal bid request for the reconstruction of Lighthouse Promenade as a concrete walkway and the adjacent water main. 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 O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

AUTHORIZATION TO SEEK PUBLIC BIDS FOR REPLACEMENT LIGHTHOUSE PROMENADE A CONCRETE WALK PLUS WATER MAIN REPLACEMENT

After discussion 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 Lighthouse Promenade as a concrete walkway, along with the replacement of the adjacent water main, and

WHEREAS, the Board of Trustees has an approved set of plans by Bayfront Engineering and would like to have a verified cost of such work in order to make an informed decision,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the replacement the entire length of Lighthouse Promenade as a concrete walkway and the replacement of the adjacent water main pursuant to the plans and specifications of Bayfront Engineering for an approximate bid opening date of June 26, 2018. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

Motion: Trustee Richard

Seconded: Trustee Wolf

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

Abstain: None

Against: None

REJECTION OF LIGHTHOUSE PROMENADE BIDS AS TIMBER

Board discussion continued, and after all having a chance to be heard, Trustee O'Brien made a motion to reject all bids submitted to the Village on April 10, 2018 pursuant to a formal bid request for the reconstruction of Lighthouse Promenade as a timber walkway and the adjacent water main. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

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

AUTHORIZATION TO SEEK PUBLIC BIDS FOR REPLACEMENT LIGHTHOUSE PROMENADE A TIMBER WALK PLUS WATER MAIN REPLACEMENT

After discussion and all having a chance to be heard, Trustee Oppenheimer made the following motion:

WHEREAS, the Board of Trustees would like to consider the replacement of Lighthouse Promenade as a timber walkway, along with the replacement of the adjacent water main, and

WHEREAS, the Board of Trustees has an approved set of plans by Bayfront Engineering and would like to have a verified cost of such work in order to make an informed decision,

THEREFORE BE IT RESOLVED that the Village Administrator be authorized to solicit bids for the replacement the entire length of Lighthouse Promenade as a timber walkway and the replacement of the adjacent water main pursuant to the plans and specifications of Bayfront Engineering for an approximate bid opening date of June 26, 2018. The motion was seconded by Trustee Wolf, and the motion was carried according to the following:

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

AUTHORIZATION TO RETAIN LEGAL SERVICES – EMPLOYMENT PRACTICE ISSUE

Mayor Zaccaro reported that the Village Attorney recommended that the Board should retain special counsel regarding a potential employee practice issue. After discussion and all having a chance to be heard, Trustee Richard made a motion to authorize Mayor Zaccaro to retain the firm of Lamb and Barnowski to provide legal counsel and represent the Village as necessary in an employment practice issue. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Richard
Seconded: Trustee Oppenheimer
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer
Abstain: None
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 O'Brien made a motion at 9:45 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 8:00 a.m. on May 28, 2018, 103 or 105 Broadway, Saltaire, New York, public session anticipated to start at 9:00 am.
- 8:00 a.m. on June 30, 2018, 103 or 105 Broadway, Saltaire, New York, public session anticipated to start at 9:00 am.

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

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

UNAPPROVED MINUTES

MINUTES OF THE PUBLIC HEARING AND THE BOARD OF TRUSTEES MEETING HELD ON APRIL 10, 2018 AT 1180 AVENUE OF THE AMERICAS, ROOM 8A, 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. at 1180 Avenue of the Americas and the following were in attendance:

John A. Zaccaro Jr, Mayor

Hillary Richard, Deputy Mayor

Frank Wolf, Trustee

Hugh O'Brien, Trustee

Nat Oppenheimer, Trustee

Joseph W. Prokop, Village Attorney

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 Richard 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 Oppenheimer and on call it was approved according to the following vote:

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

Counselor to the Board Scott Rosenblum arrived into Executive Session at approximately 5:10 p.m.

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adourn into public session at 5:58 p.m. 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 Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer
Abstain: None
Against: None

Mayor Zaccaro called the Board of Trustees meeting back into to order at 1180 Avenue of the Americas at 6:07 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor
Hillary Richard, Deputy Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Scott Rosenblum, Counselor to the Board
Joseph W. Prokop, Village Attorney
Donna Lyudmer, Village Treasurer
Mario Posillico, Administrator & Clerk
And approximately 35 other attendees
And approximately 22 observed through internet audio/video connection at various times.

PUBLIC HEARING OF THE 2018/19 TENTATIVE BUDGET

Copies of the 2018/19 tentative budget were distributed to all in attendance and had been previously posted on the Village website. Mayor Zaccaro provided an overview of the projected results of the 2017/18 fiscal year and then the general highlights of the 2018/19 budget as presented. He stated that the 2017/18 fiscal year will result in reserve levels as of May 31, 2018 of approximately \$3,600,000. He then provided an overview of the 2018/19 tentative budget, which as presented carried a 0% tax rate increase and was projected to result in a budget deficit of approximately \$233,000, as was anticipated in this last year of the 2009 Beach Bond. After further detail by Mayor Zaccaro of budgeted revenues and appropriations, he asked if any Trustee felt it necessary to impose a tax rate increase to mitigate the deficit. There was no motion made in that regard. After further discussion amongst the members of the Board and those in attendance, and after all having had a

chance to be heard, Trustee Wolf made a motion at 6:20 PM to close the Public Hearing on the 2018/19 tentative budget. 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 Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

ADOPTION OF 2018/19 BUDGET

Trustee Oppenheimer made the following motion:

WHEREAS, the tentative budget for the fiscal year 2018-2019 has been duly presented to the Board by the Village Administrator, and a duly advertised public hearing has been held thereon, and

WHEREAS, the final assessment role for the Village of Saltaire for the fiscal year 2018-2019 has been duly filed with the Village Clerk,

NOW THEREFORE BE IT RESOLVED, pursuant to Village Law §5-508(4), that the said presented and modified tentative budget reflecting a tax rate of 5.46 per thousand of assessed value, be and hereby is adopted as the budget of the Village of Saltaire, New York, for the fiscal year 2018-2019, and

BE IT FURTHER RESOLVED, pursuant to §1420 of the Real Property Tax Law, that the Board of Trustees levy Real Estate Tax in the amount of \$2,263,360 against all properties listed in the 2018-2019 assessment roll of the Village of Saltaire, and

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the Warrant for Collection of Taxes pursuant to §1246 of the Real Property Tax Law, and authorize the Village Treasurer to pay the annual salaries or pro-rated part thereof, on a semi-monthly basis, for the full-time employees of the Village of Saltaire as reflected in the budget, and to pay the seasonal and hourly employees on a semi-monthly basis to be hired as needed to fill the needs anticipated and reflected in the budget.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

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

Abstain: None

Against: None

CAPITAL PROJECT OVERVIEW

Mayor Zaccaro provided a brief overview and status report of the following capital projects:

- Butler Engineering is working with the Board to finalize the floor and site plans of 14 Bay Promenade that best fit the goal of a reasonably-sized traditional-styled structure that meets the stated functions of the building, as well as regulatory requirements, and can be brought to final construction documents ready for bidding as soon as is practical. Renderings were posted at the meeting and discussion ensued about the floor plans and elevations.
- The final floor plans and elevations for the planned renovation of Village Hall were posted at the meeting and online, and Mayor Zaccaro stated that Butler Engineering is finalizing the process of developing final construction documents ready for bidding, which will hopefully result in certified bid results by the early summer.
- The Village Administrator had previously received bids for the reconstruction of Lighthouse Promenade as a concrete walk, as well as for the inclusion of the replacement of the water main alongside and under Lighthouse, for a planned construction start in the autumn of 2018. He stated that the Village Administrator also opened bids the morning of this Board meeting for timber construction of Lighthouse Prom, and the results were being analyzed. He stated that once all of the data on the two alternate options have been vetted and reviewed, the Board will be able to decide which material for Lighthouse Prom best balances cost, durability, aesthetics and flood mitigation.

AUTHORIZATION TO EXECUTE FEE INCREASE WITH US POSTAL SERVICE

Mayor Zaccaro stated that the Village Administrator and Village Treasurer met with regional US Postal Service (USPS) representatives to convey the impact that internet shopping has had on the Post Office operated by the Village of Saltaire, and had requested an increase in its contractual fee of \$20,000 to reflect the Village's cost in providing the service. He further stated that after negotiation on that request, the parties settled on an annual fee of \$15,000, which the Board must approve if it wishes to proceed. After discussion and all having a chance to be heard, Trustee O'Brien made a motion to authorize the Village Administrator to execute an annual contract fee with the USPS of \$15,000 without relinquishing any termination rights in the contract. The motion was seconded by Trustee Oppenheimer, and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

DEVELOPMENT OF COURTESY CART GUIDELINES

Trustee O'Brien highlighted the major discussion points of his draft guidelines to the Board for proposed uses of the Courtesy Cart. He outlined the areas where the guidelines will allow greater access for less-mobile residents, and stated that he will continue to work with Public Safety to evaluate the guidelines, and adjust as circumstances and evaluations dictate over the course of the summer season. Mayor Zaccaro commended Trustee O'Brien for so effectively taking the lead on this important quality-of-life issue.

OFFER OF DONATION TO THE VILLAGE OF A COFFEY-STYLE HOUSE

Mayor Zaccaro reported that the owners of the property located at 104 Pacific Walk had advised the Village that they are considering construction a new home on their property and in anticipation of that have made a verbal donation offer to the Village for the existing structures on the property. He further stated that given the historical significance of the structure as one of the oldest buildings in the Village as well as the one-time home of Mike Coffey, preliminary discussions indicate that the Board is inclined to seriously consider accepting the offer and to move the structure to a nearby Village-owned vacant property at 104A Pacific Walk in order to make it cost-feasible. Given that inclination, the Village Attorney and Village Administrator had drafted a Donation Acceptance agreement that offered a framework from which both the owner and the Village could investigate the community, environmental, and cost consequences of accepting the donation and relocating it as presented, while at the same time providing opt-out provisions during critical points of that process if any of those consequences became untenable for either the current owner or the Village. After discussion and all having a chance to be heard, the following action occurred:

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 EXECUTION OF AGREEMENT TO ACCEPT A REAL PROPERTY DONATION.

Trustee Wolf made the following motion:

WHEREAS the Village of Saltaire is considering the authorization to execute an agreement to accept a real property donation, and

WHEREAS the Board of Trustees has reviewed the possible authorization to execute an agreement to accept a real property donation with respect to the required SEQRA review pertaining to the proposed subdivision, and therefore be it,

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the possible authorization to an agreement to accept a real property donation, and further be it

RESOLVED that the Board of Trustees hereby determines that the authorization to execute an agreement to accept a real property donation 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 possible authorization to execute an agreement to accept a real property donation:

- 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 a 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.

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

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

Trustee Wolf then made a motion to authorize Mayor Zaccaro in consultation with the Village Attorney to execute an agreement to accept the donation offered by the owners of 104 Pacific Walk which provides opt-out provisions during critical points of that process if any of the consequences of executing or accepting the donation becomes untenable for either the current owner or the Village, and to authorize the Mayor to expend up to \$35,000 in order to hire professional consultants to commence the regulatory approval process and to develop structural plans for accepting the house and structures which will enable the procurement of cost-certain bids for the necessary relocation costs related to the acceptance of the property.

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

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

APPROVAL OF BEACH AND SURF WALK SUBDIVISION

Village Administrator Posillico stated that he and Village Attorney Prokop has worked with Mr. Lawrence Shire to finalize Mr. Shire's proposed Subdivision Plat and concomitant conditions, which was presented to those in attendance and online, and further stated that he felt the application was complete and ready for consideration of approval. After discussion, and all having a chance to be heard, Trustee Richard moved adoption of the following motion:

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 APPLICATION OF LAWRENCE AND LIA SHIRE TO SUBDIVIDE PROPERTY PURSUANT TO THEIR APPLICATION.

WHEREAS the Village of Saltaire is considering the application of Lawrence and Lia Shire to subdivide property between Surf and Beach Walk south of Lighthouse Promenade, and

WHEREAS the Board of Trustees has reviewed the application of Lawrence and Lia Shire to subdivide property between Surf and Beach Walk south of Lighthouse Promenade and accompanying materials with respect to the required SEQRA review pertaining to the proposed subdivision, therefore be it:

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the application of Lawrence and Lia Shire to subdivide property between Surf and Beach Walk south of Lighthouse Promenade, and further be it

RESOLVED that the Board of Trustees hereby determines that the approval of the application of Lawrence and Lia Shire to subdivide property between Surf and Beach Walk south of Lighthouse Promenade 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 approval of the application of Lawrence and Lia Shire to subdivide property between Surf and Beach Walk south of Lighthouse Promenade;

- 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 a 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.

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

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

After further discussion on the application of Lawrence & Lia Shire, Trustee Wolf made a motion to approve the application of the subdivision pursuant to the following background, terms and conditions:

**VILLAGE OF SALTAIRE
BOARD OF TRUSTEES**

Application of Lawrence & Lia Shire

For Subdivision Approval

Lots 1676-1683 Incl. & 1701-1715 in Block 52 on the Official Map of the Village of Saltaire

FINDINGS, DETERMINATION AND DECISION

The matter of the application of Lawrence & Lia Shire ("Applicant"), for subdivision

Findings

The Board of Trustees is considering this application acting as the Planning Board of the Village of Saltaire because the Village of Saltaire has not created or appointed a Planning Board.

The Village of Saltaire does not have a subdivision ordinance in the Saltaire Village Code and therefore this application is considered by the Board of Trustees under Sections 7-726, 7-728, and 7-730 of the New York State Village Law, and the other applicable provisions of New York State Law.

The Board of Trustees of the Village of Saltaire provided the required notification and referral to the Suffolk County Department of Planning and that agency responded to the Board of Trustees that the Suffolk County Department of Planning had determined that the subdivision application is a matter of local determination.

The required notifications were made to other property owners, and the required notice of the public hearing was properly published, and therefore the Board of Trustees has the jurisdiction to proceed with the application.

The Board of Trustees properly adopted lead agency status for purposes of SEQRA and determined that the application is an Unlisted Action for purposes of SEQRA.

The approval of the application will not have a significant negative impact on the environment and a Negative Declaration was properly adopted by the Board of Trustees.

The subdivision and Site Plat as presented in the April 6, 2018 site plan require the approval of the Suffolk County Department of Health.

The subdivision and site plan if approved are consistent with the existing conditions in the Village of Saltaire.

The subdivision and site plan application if approved will not have a significant impact on the surrounding properties or neighborhood.

The subdivision and site plan application if approved will not create additional traffic or any unsafe condition or additional activity or demands on services that would change the character of the neighborhood in which the subject property is located.

Determinations

The application for approval of the preliminary plat is hereby approved, subject to the following conditions:

11. The Applicant agrees that the proposed parcel identified as Parcel #2 on the aforementioned Plat will now and forever be limited to a maximum Enclosed Space Occupancy equivalent to that of a 5-lot parcel, with a maximum total Lot Occupancy equivalent to that of a 6-lot parcel.
12. The approval is subject to the submission of an acceptable Suffolk County Department of Health approval consistent with the Proposed Site Plan dated April 6, 2018.
13. The Applicant agrees that the provisions of these conditions set forth herein are covenants on the property which shall remain on permanent file with the Village Clerk and Building Inspector of the Village of Saltaire.
14. The Applicant shall prepare and submit for approval within ninety (90) days of the date hereof, a final plat plan of the proposed subdivision and site plan.

Dated: April 10, 2018

Board of Trustees
Village of Saltaire
103 Broadway
Saltaire, New York 11706

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

Motion: Trustee Wolf

Seconded: Trustee Richard

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

Abstain: Trustee Oppenheimer

Against: None

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of February 28, 2018 and March 12, 2018 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 Richard, and on call it was carried according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Richard

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

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. 10A in the amount of	\$27,066.76
Capital Fund Checking No. 10A in the amount of	\$8,129.00
General Fund Checking No. 11A in the amount of	\$29,912.05
Capital Fund Checking No. 11A in the amount of	\$1,554.00

After discussion and opportunity for questions, Trustee O'Brien made a motion that the above-listed abstracts be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Oppenheimer, and on call it carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion 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 at 9:08 p.m. according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

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

Abstain: None

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustees O'Brien and Richard had to leave the meeting during the Executive Session.

Trustee Oppenheimer made a motion to re-adjourn into public session at 10:20 p.m. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Trustee Wolf, Trustee Oppenheimer, Mayor Zaccaro

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 10:20 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor

Frank Wolf, Trustee

Nat Oppenheimer, Trustee

Joseph W. Prokop, Village Attorney

Donna Lyudmer, Village Treasurer

Mario Posillico, Administrator & Clerk

And approximately 0 other attendees

And approximately 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 Wolf made a motion at 10:21 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 April 23, 2018, 1180 Avenue of the Americas, New York, NY

[Clerk's Note: Only if determined by the Board to be necessary to further discuss the Lighthouse Prom Project]

- 8:00 a.m. on May 28, 2018, 103 or 105 Broadway, Saltaire, New York

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

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

In Favor: Trustee Wolf, Trustee Oppenheimer, Mayor Zaccaro

Abstain: None

Against: None

