

MINUTES OF PUBLIC HEARINGS AND THE BOARD OF TRUSTEES MEETING HELD ON MAY 29, 2017 AT 103/105 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. at 103 Broadway 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  
Joseph 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 Wolf 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 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  
Abstain: None  
Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Chefetz made a motion to re-adjourn into public session at 8:55 p.m. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee Chefetz  
Seconded: Trustee Wolf  
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 105 Broadway at 9:05 a.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  
Joseph W. Prokop. Village Attorney

Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And approx. 50 other attendees  
And approx. 10 observed through internet audio/video connection.

#### MOMENT OF SILENCE

Mayor Zaccaro led those in attendance in a moment of silence for observance of Memorial Day for all of those service men and women who have given their lives in defense of and service to the United States and the freedoms that all citizens enjoy; and for the victims of the recent tragedy in Manchester, England; and for the recently deceased residents of the Village of Saltaire.

#### NOTIFICATION OF ELECTED OFFICIALS AND SWEARING INTO OFFICE

The Village Clerk announced the election results of the 2017 Village election and notified Nat Oppenheimer and Hugh O'Brien of their elections to the office of Trustee, each for a two-year term. The oath of office was administered to each for their respective offices. The newly elected officials were welcomed with a round of applause. Mayor Zaccaro extended his gratitude to Trustee Chefetz for his invaluable work on behalf of the Village and its residents, guiding the Village financially through one of the most perilous times in its history in the aftermath of Hurricane Sandy; and for leaving the Village in an extremely sound financial position and well-positioned to face future challenges and opportunities. All in attendance concurred with a long and resounding round of applause. [Clerk's Note: Term of the newly elected Trustees commence June 5, 2017.]

#### PUBLIC HEARING FOR PROPOSED MODIFICATIONS TO CHAPTER 38 OF THE VILLAGE CODE ADVERTISED AS LOCAL LAW #5 OF 2017

Mayor Zaccaro stated that the purpose of Local Law No. 5 of 2017 is to allow the Village to regulate the operation and use of unmanned aircraft vehicles (hereafter drones) to the maximum extent possible allowed by the overriding federal regulations. He stated that the prime areas of control left to local authority are limiting drone take-off and landing from public spaces; and privacy, safety and nuisance issues. After 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 to adjourn the Public Hearing. 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: Trustee Chefetz, Trustee Wolf, Trustee O'Brien and Trustee Richard

Abstain: None

Against: None

#### ADOPTION OF LOCAL LAW #4 OF 2017 – CHAPTER 38: DRONES

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 ADOPTION OF A LOCAL LAW RELATING TO REGULATION OF DRONES.

Trustee O'Brien moved adoption of the following resolution:

WHEREAS the Village of Saltaire is considering adoption of a local law relating to regulation of drones,

WHEREAS the Board of Trustees has reviewed the draft local law and completed the short-form EAF and accompanying materials with respect to the required SEQRA review with respect to the proposed local law for regulation of drones,

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to adoption of a local law relating to regulation of drones, and further be it

RESOLVED that the Board of Trustees hereby determines that the adoption of a local law relating to regulation of drones 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 adoption of a local law relating to regulation of drones;

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 Chefetz, and was carried according to the following:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

After further discussion on the proposed modification to Chapter 38 for Regulation of Drones, Trustee Wolf made a motion to adopt the proposed revisions to Chapter 38 in the form presented and amended to be adopted as Local Law #4 of 2016. 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

Abstain: None

Against: None

#### OFF-SEASON RECAP AND SUMMER PREVIEW

Mayor Zaccaro and the members of the Board each gave a summary of the progress made during the past year in their specific area of responsibility, as well as a preview of the summer preparations and longer term initiatives. Major points and discussions topics included:

- 14 Bay Prom and Village Hall Design Progress
- Centennial Celebration
- Financial Position of the Village
- Chair Storage at the Ocean
- Recreation Programs
- Public Health Updates
- Public Safety and Fire/Rescue Updates

#### RESOLUTION SETTING THE DATE OF THE 2017 ORGANIZATIONAL MEETING

Trustee Richard made the following motion:

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of Saltaire are empowered to set the date of the 2017 organizational meeting of the Village of Saltaire, it is therefore;

RESOLVED that the 2017 Organizational Meeting of the Village of Saltaire shall be held on the next regularly scheduled Board meeting [Clerks Note: July 9, 2017, at 8:00 a.m.].

The motion was seconded by Trustee O'Brien, and on call it was approved according to the following action:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Against: None

Abstain: None

#### RESOLUTION TO WAIVE FINANCIAL UNDERTAKING FOR ELECTIVE OFFICE

Trustee Richard made a motion that the Board of Trustees, in accordance with the long-standing practice of the Village of Saltaire regarding the filing requirements for elected officials, resolves that elected officials of the Village of Saltaire shall not be required to file an undertaking as a requisite for assuming duly-elected office. 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 Chefetz, Trustee Wolf, Trustee O'Brien, Trustee Richard

Against: None

Abstain: None

#### AUTHORIZATION TO COMMENCE ENGINEERING AND REGULATORY APPROVAL FOR FINGER PIER.

Mayor Zaccaro stated that the Village has identified to FEMA as an Alternate Project the construction of a finger pier at the east end of the swim area over the existing groin. He further stated that the regulatory approval process would take at least six months to complete, and that it would be advantageous to start the regulatory approval process in advance of the final FEMA approval so it is ready to commence when approved. After discussion, and all having a chance to be heard, Trustee Richard made a motion to authorize the Village Administrator to expend up to \$17,500 to commence engineering and regulatory approval for the construction of a finger pier over the existing groin at the east end of the swim area. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Against: Trustee Wolf

Abstain: None

#### AUTHORIZATION TO BUILD ADDITIONAL BIKE RACK SPACE.

Mayor Zaccaro stated that the Planning Commission has identified the need for additional bike rack space for the Market, as well as for long-term bike parking, and that the Village Administrator has identified an area on Broadway adjacent to the Well House that could fill one or both of those needs. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village Administrator to expend up to \$12,500 to authorize Chesterfield Associates to construct a new bike rack approximately 30 feet in length on Broadway pursuant to the walk reconstruction plan specifications. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Against: None

Abstain: None

#### APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of May 1, 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 Richard, and the motion was carried according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Richard

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.12B in the amount of \$115,060.54

General Fund Checking No.12B in the amount of \$85,328.51

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 Richard, and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Richard

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

Abstain: Trustee O'Brien

Against: None

#### ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Wolf made a motion at 11:22 a.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 Chefetz, Trustee O'Brien and Trustee Richard

Abstain: None

Against: None

NOTE: Trustee Chefetz left the meeting at 12:15 p.m.

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjoin into public session at 12:26 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 Chefetz, Trustee O'Brien

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 12:26 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-Elect  
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 Wolf made a motion at 12:30 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 8:00 p.m. on July 9, 2017, 103 or 105 Broadway, Saltaire, New York
- 8:00 a.m. on August 5, 2017, 103 or 105 Broadway, Saltaire, New York
- 8:00 a.m. on September 2, 2017, 103 or 105 Broadway, Saltaire, New York

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 Richard and Trustee O'Brien

Abstain: None

Against: None