

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 11, 2019 AT 1180 AVENUE OF THE AMERICAS, 8TH FLOOR, NEW YORK, WITH REMOTE OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor Zaccaro called the Board of Trustees meeting to order at 5:09 p.m. at 1180 Avenue of the Americas, New York, and the following were in attendance:

John A. Zaccaro Jr, Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Scott Rosenblum, Counselor to the Board
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk/Treasurer
And 0 other attendees
And 0 attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee O'Brien made a motion at 5:09 p.m. that the Board adjourn into Executive Session to discuss information relating to current and future investigation and or prosecution of offenses in the Village, litigation strategy in pending or future litigation, and personnel matters as described in Public Officers Law Section 105(f). 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 O'Brien, Trustee Oppenheimer
Abstain: None
Against: None

Deputy Mayor Richard arrived into Executive Session at 5:15 PM

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjourn into public session at 5:59 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 to order at 1180 Avenue of the Americas, New York 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
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk/Treasurer
And approximately 3 other attendees
And approximately 10 observed through internet audio/video
connection

CAPITAL PROJECT OVERVIEW

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

- Proposed Pennant Walk South of Bay Prom: Village Administrator Posillico reported that the Village has made initial contact with the DEC regarding the proposed project, and in response to the DEC's comments is investigating options to meet their requirements of having a 50% clear opening in the decking, which would allow for a smaller offset mitigation for the disturbance to the wetlands.
- Lighthouse Promenade: Mayor Zaccaro stated that the contractor's progress is being hampered by numerous beach-closures due to erosion and the rerouting of traffic through the village, which has restricted progress on both the Lighthouse water main and boardwalk components. He stated that during the beach closure periods the contractor has concentrated on the ancillary branch lines away from Lighthouse Prom and on Beacon Walk. He further stated that the water main and boardwalk piles have been installed up to Atlantic Walk, and pending the condition of the beach, the contractor will begin to construct the boardwalk structure and decking.
- Condition of ocean beaches on Fire Island: Mayor Zaccaro stated that the south-facing ocean beaches from the Fire Island to Montauk Point have been severely eroded due to the back-to-back autumn storms. He stated that he attended a press conference with Senator Schumer and other beach-community leaders to publicize their joint request for emergency sand replacement for the impacted beaches.

AUTHORIZATION TO EXECUTE NORTHWELL CONTRACT

Village Administrator Posillico stated that, in consultation with Trustee O'Brien and Village Attorney Prokop, the draft language of the lease agreement with Northwell for the provisions of medical services was modified to reflect the very likely possibility of a delayed start of construction of the proposed new building at 14 Bay Prom that would house Northwell's clinic until after the 2020 season, which would require that Northwell's operation in 2020 to be conducted in the existing building with certain renovations. The latest contract version was distributed to the members of the Board for their review.

After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize Mayor Zaccaro to execute the contract with Northwell Health Services or its affiliates to utilize 14 Bay Prom to operate a medical clinic pursuant to the basic terms and conditions of the contract presented at the meeting allowing for any non-substantive language modifications requested by Northwell, subject to the review and concurrence of the Village Attorney.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

In Favor: Trustee Wolf, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: Trustee O'Brien

14 BAY PROMENADE PROPOSED NEW BUILDING

Mayor Zaccaro reported that a second round of public bids for the proposed new building at 14 Bay Promenade for the approved design were opened on December 2, 2019, and that the low bid for the four prime phases of the project was \$2,025,506, which he stated was substantially above what the Board wanted to allocate for the project. He further stated that he felt that if the Village rebid the General Construction phase of the project in smaller project components then there might be opportunity for significant cost savings due to logistical efficiencies and the reduction of contractor overhead and profit. He felt that with these savings combined with value engineering and the possible elimination of the fire sprinkler system, which is not required by building code, the project cost could be brought down to the \$1,500,000 range.

Discussion ensued regarding the options available to the Village, including rebidding with value engineering on the current design with the Village acting in a construction manager capacity, a possible redesign of the proposed building at the 14 Bay Prom location, and the possibility of moving some of the proposed uses to a new building located south of the Market to take advantage of the existing sanitary capacity. After all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the Village Administrator to request that all bidders extend their obligation to hold their bids beyond the 45 days required in their respective bids; and be further authorized to rebid as soon as practical the current design at 14 Bay Prom in as many components as he deems practical to maximize cost savings and to comply with Wicks Law.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

In Favor: Trustee Richard, Trustee Oppenheimer, Mayor Zaccaro

Abstain: Trustee Wolf, Trustee O'Brien

Against: None

Trustee O'Brien then requested that the Board concurrently with the rebidding process examine the possibility of the construction of a small Public Safety booth at 14 Bay Promenade, and additionally move the other programmed space to the area already approved for a building south of the Market deck. After discussion, and all having a chance to be heard, Mayor Zaccaro asked Trustees O'Brien and Wolf to lead the examination, and further asked that they complete their review before the rebidding process already approved is complete so a relevant comparison can take place.

ACCEPTANCE OF COURT AUDIT

Administrator Posillico reported that the Village auditors, Cullen and Danowski, had undertaken the annual audit of the Village Justice Court, as is required by New York State law, and that a copy of the audit had been presented to the Board of Trustees. Trustee O'Brien made a motion to accept

delivery the 2018/19 annual audit of the Village Justice Court as prepared by Cullen and Danowski and that the same be filed with the State of New York Unified Court System.

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

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

RETIREMENT OF COURT CLERK

Mayor Zaccaro stated that Court Clerk Liv Hempel has notified Village Justice Frank Markus that she will be resigning her position as Court Clerk effective upon the appointment and proper approval of a replacement Clerk. Mayor Zaccaro stated that Ms. Hempel has been so efficiently managing the Village Court since 2008 that she has made a very complicated endeavor seem routine. He stated that Ms. Hempel embodied what it means to be a dedicated, efficient public servant, and on behalf of the residents of the Village, he thanked her for her years of service to the Village as Court Clerk.

APPOINTMENT OF NEW COURT CLERK

Mayor Zaccaro stated that Ms. Hempel has been training Catherine O'Brien since the start of the 2019 season so that she can learn the systems of the Court and be available for a seamless transition when the time came for her retirement. Village Administrator Posillico stated that Ms. O'Brien would be an ideal candidate for the position, particularly in light of her training over the past year, and added that Justice Markus has also recommended her for the appointment. After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion to appoint Catherine O'Brien as the Court Clerk of the Village of Saltaire effective proper notice and filing with the State Court System.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Trustee Wolf, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

Recuse: Trustee O'Brien,

AUTHORITY FOR VILLAGE ADMINISTRATOR TO HIRE CAMP DIRECTOR

Trustee Oppenheimer reported that he and the administrative staff had reviewed the results of the after-camp survey and had also interviewed a number of camp staff as well as parents since the conclusion of the 2019 camp season. As a result of the after-camp review, and in consultation with the Board, it had been determined to be in the best interest of the Village to open up the position of Camp Director for 2020 to wider consideration, including the 2019 Camp Director. Village Administrator Posillico reported that one candidate stood out particularly in the area of staff training and development, an area identified in the after-camp review process to need improvement. After discussion, Trustee Oppenheimer made a motion to authorize the Village Administrator, after final consultation with the Mayor, to negotiate with and retain if possible the preferred candidate within the salary range of the position as historically established in recent budgets.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

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

Abstain: None

Against: None

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of November 6, 2019, 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 Oppenheimer and on call it was carried according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

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 Checking No. 6B in the amount of	\$150,277.47
Capital Checking No. 6B in the amount of	\$699,359.62
General Fund Checking No. 7A in the amount of	\$113,088.92
Capital Checking No. 7A in the amount of	\$32,479.47

After discussion and opportunity for questions, Trustee Richard 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 O'Brien, and on call it carried according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

MEDICAL COMMITTEE REPORT

Mayor Zaccaro reported that the Medical Advisory Committee had submitted its draft report on Immunization Guidelines for the Camp, and stated that in consultation with the Village Attorney, he will ask for any clarifications of any recommendations that may be identified in that review process.

ADJOURN INTO EXECUTIVE SESSION

Trustee Richard made a motion that the Board adjourn into Executive Session to discuss information relating to current and future investigation and or prosecution of offenses in the Village, litigation strategy in pending or future litigation, personnel matters as described in Public Officers Law Section 105(f), and the purchase or sale of real property. The motion was seconded by Trustee Wolf and on call it was approved at 7:12 p.m. 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

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee O'Brien made a motion to re-adjourn into public session at 7:44 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 O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 7:44 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

Mario Posillico, Administrator & Clerk

Donna Lyudmer, Village Treasurer

Meagan Leppicello, Deputy Village Clerk/Treasurer

And approximately 0 other attendees

And approximately 0 observed through internet audio/video connection

CLOSE OF MEETING AND SCHEDULE OF NEXT MEETING(S)

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 7:45 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 January 22, 2019, at 1180 Avenue of the Americas, 8th Floor, New York
- 5:00 p.m. on February 26, 2019, at 1180 Avenue of the Americas, 8th Floor, New York

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 O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None