

MINUTES OF THE BOARD OF TRUSTEES MEETING OF SEPTEMBER 26, 2020 HELD WITHOUT A PUBLIC MEETING SPACE DUE TO THE COVID-19 PANDEMIC AND PURSUANT TO THE GUIDANCE OF GOVERNOR CUOMO'S EXECUTIVE ORDER TO ALLOW PUBLIC HEARINGS AND MEETINGS TO BE CONDUCTED EXCLUSIVELY VIA VIDEO AND/OR TELECONFERENCE, WHICH WAS ACHIEVED FOR THIS MEETING WITH REMOTE ATTENDANCE, PARTICIPATION AND OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET, AND TRANSCRIPTION.

Mayor Zaccaro called the Board of Trustees meeting to order at 9:05 a.m., and the following were in attendance via video or phone connection:

John A. Zaccaro Jr, Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Alex Chefetz, 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 52 attendees observed through internet connection

Mayor Zaccaro called the meeting to order at 9:05 a.m.

COVID UPDATE, SUMMER REVIEW, POST-SEASON PLANNING

Mayor Zaccaro provided a status report on the current state of the pandemic in New York State and Suffolk County, as well as Fire Island specifically, and emphasized the need for continued diligent adherence to COVID guidelines by all residents of the Village in order to keep the village a safe and comfortable place to reside. He then provided a department-by-department review of the summer season, and that overview was supported by the respective Trustees in charge of each area. He also thanked the Medical Advisory Committee and all the Department heads and their staffs and the Fire Company for their hard work and resourcefulness to provide a high level of safe and efficient service during the very unusual preceding summer. He then provided a schedule for the off-season services and pending capital projects for the upcoming fall season.

He stated that the Board will undertake a review of the financial impacts of additional operational expenses and revenue losses on the operating budget and reserves, which will not only impact the current budget but also the budget position for the next fiscal year.

2020 VILLAGE ELECTION RESULTS

Village Clerk Posillico reported on the results of the Village election held on September 15, 2020, which had been delayed from its traditional May date pursuant to the Executor Order of Governor Cuomo. He stated that a record-high 197 absentee ballots of the 339 total counted ballots were returned, opened and processed. He also said that when it became known that there was an unusually large number of write-in votes cast, and after consultation with legal counsel regarding State law and past Village practices and guidance, he and the Inspectors of Election decided to tabulate all write-in

votes from all ballots except if they were frivolous or malicious in nature, or if they created an overvote situation within any office.

He then stated that he received a request for a recanvass of votes on September 17, 2020 from one of the nominated candidates. That request stayed the Village Clerk from taking any further action on the election until such time as the Suffolk County Board of Elections completed the recanvass. He stated that the request was withdrawn on September 24, 2020, prior to the recanvassing taking place; and that the Suffolk County Board of Elections turned the election back over to the Village Clerk, who on September 25, 2020 officially notified Mayor-elect Zaccaro and Trustees-elect Wolf and Chefetz of their election to their respective offices, as well as of their obligation to file the required oath of office within 30 days to qualify for their offices.

Discussion ensued amongst the Board and the those in attendance about the election and recanvass process, and after all having a chance to be heard, Mayor Zaccaro stated that he has asked Trustee Wolf to lead a legal review of the Village's election procedures and practices in relation to NY State and case law in order to develop a consistent set of written procedures so that any future confusion regarding write-in votes, registration eligibility and other issues can be abated.

EXPRESSIONS OF GRATITUDE TO TRUSTEE RICHARD

Mayor Zaccaro and each Trustees in turn thanked outgoing Trustee Hillary Richard for her years of service to the Village, lending her expertise on many fronts, including on many varied legal issues, reorganization of the Recreation Program, and most recently on the technology upgrades to the Saltaire Market.

LOCAL LAW #2 OF 2020 – ELECTRIC BIKES

Village Attorney Prokop stated that he had made all of the changes to the draft local law to regulate electric bicycles discussed and suggested at and after the Public Hearing on August 22, 2020, and that the revised draft had been distributed to the Board and posted on the Village's website. After inquiry by the Mayor, no other edits were suggested. However, Village Attorney Prokop stated that a recently adopted State law on electric bikes had carved out special requirements for local regulation of electric bikes in Suffolk County, and therefore he recommended that the Board hold off adoption of the local law until he can confirm the Village's conformance with that requirement.

APPROVAL OF FIRE COMPANY OFFICERS AND ADMINISTRATORS

Mayor Zaccaro reported on the special election held by the Saltaire Volunteer Fire Company for the position of 2nd Assistant Chief, and Trustee Wolf made a motion to approve the following elected officer:

2nd Asst Chief

Kathleen Rieger

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 Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

Mayor Zaccaro stated that the position of 3rd Assistant Chief will be vacant until and if such time that a special Fire Company election is held pursuant to its By-Laws and the Village is notified of the winner of such election

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of August 22, 2020 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 Wolf and on call it was carried according to the following action:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

ABSTRACT AUDIT

Mayor Zaccaro stated that the following Abstracts, having been distributed to the Board and posted on the Village website, were presented for approval by the Village Administrator and the Village Treasurer:

General Fund Checking No. 4A in the amount of \$141,713.74

Capital Fund No. 4A in the amount of \$20,560.50

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 O'Brien, and on call it carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer 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 10:45 a.m. according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

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

Abstain: None

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Chefetz made a motion to re-adjourn into public session at 11:15 a.m. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Chefetz

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 11:15 a.m. 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

Joseph W. Prokop, Village Attorney

Donna Lyudmer, Village Treasurer

And 1 attendee observed through internet connection

CLOSE OF MEETING

After all having had a chance to be heard and there being no further business before the Board, Trustee Oppenheimer made a motion at 11:20 a.m. to close the meeting and to hold the next Board of Trustees meeting according to the following schedule:

- To be determined by the Board at a later date

[Clerk's Note: The next Board Meeting was subsequently scheduled for October 27, 2020 at 5:00 p.m., without a central location and by remote connection only.]

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

Motion: Trustee Oppenheimer

Second: Trustee O'Brien

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

Abstain: None

Against: None