

MINUTES OF THE BOARD OF TRUSTEES MEETING AND PUBLIC HEARING HELD ON NOVEMBER 12, 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, RECORDING AND TRANSCRIPTION.

Mayor Zaccaro called the Board of Trustees meeting to order at 5:20 p.m. (late in order to resolve technical difficulties), and the following were in attendance via video or phone connection:

John A. Zaccaro Jr, Mayor
Frank Wolf, 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 0 attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf made a motion at 5:21 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 Chefetz and on call it was approved according to the following vote:

Motion: Trustee Wolf
Seconded: Trustee Chefetz
In Favor: Trustee Wolf, Trustee Oppenheimer, Trustee Chefetz
Abstain: None
Against: None

Trustee O'Brien arrived remotely into Executive Session at 5:22 p.m. Village Attorney Prokop left the Executive Session at 5:59 p.m.

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Chefetz made a motion to re-adjourn into public session at 6:01 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 Wolf, Trustee O'Brien, Trustee Oppenheimer, Trustee Chefetz
Abstain: None

Against: None

Mayor Zaccaro called the meeting to order at 6:09 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Alex Chefetz, Trustee
Scott Rosenblum, Counselor to the Board
Mario Posillico, Administrator & Clerk
Meagan Leppicello, Deputy Village Clerk Treasurer
And approximately 65 attendees observed through internet connection

OBSERVATION OF VETERANS DAY

Mayor Zaccaro led those in attendance in remembrance of Veterans Day for all of those service men and women who have served their country in the military and he particularly recognized those who are currently serving today in defense of and service to the United States and the freedoms that all citizens enjoy.

POSTPONEMENT OF PUBLIC HEARING ON LOCAL LAW #2 – ELECTRIC BIKE

Trustee O'Brien reported that Village Attorney Prokop continues to investigate the New York State law that requires any local jurisdiction in Suffolk County to only adopt local legislation regarding the regulation of electric bikes after and pursuant to authorizing legislation that is first adopted by Suffolk County. After discussion, Trustee Wolf made a motion to not commence the public hearing until such time that Village Attorney Prokop advises the Board it is empowered to act under State and County law. 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 Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

Village Attorney Prokop rejoined the meeting at 6:20 p.m.

COVID UPDATE

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 stated that a spike was occurring both regionally and nationally, and that Suffolk County was approaching higher infection rates near 3%, more than triple the lower-than-1% infection rate from July. He also stated that there was a confirmed case of COVID contracted by an employee of a Village contractor, who is now quarantining outside of the Village. The Mayor stated that all of these circumstances make it more important than ever for those residing in Saltaire

to follow both CDC and Village guidelines in order to inhibit and/or mitigate the spread of the COVID virus.

REGULATION OF ELECTRIC BIKES

Trustee O'Brien made a motion to table any discussion on regulations of electric bikes until such time that a Public Hearing is duly held to consider a local law amendment that is in compliance with State and County regulations. The motion was seconded by Trustee Chefetz and on call it was approved according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

CAPITAL PROJECT AND FINANCIAL IMPACTS

Mayor Zaccaro gave an overview of off-season projects planned or underway, as well as longer-term capital projects, including the reconstruction of 14 Bay Prom, renovation of the Art Shed, the potential construction of Pennant Walk at Bay Prom, the installation of gabion baskets adjacent to Lighthouse Prom, FIMI and FIMP progress, and various dock and pier work. Trustee Chefetz then presented an overview of how operational budget shortfalls, COVID expenses and planned capital projects would impact the fund balance, commonly called "reserves", of the Village. He had a spreadsheet outlining the pertinent financial impacts on the Village's budget, which was shared on screen and visible to all in attendance. He stated that he hoped the outline would serve as a framework for making more informed decisions on both the operational and capital budgets for the remainder of the 2020/2021 fiscal year and beyond.

FERRY UPDATE

Mayor Zaccaro reported that the Board is reviewing the key service and financial components of the current contract that the Village has with Fire Island Ferries that were impacted by the COVID 19 epidemic, and how to best address them in both the short term and long term for the benefit of the residents of the Village. He stated that Trustee Oppenheimer, as part of his oversight responsibilities of Village Concessions, is taking a leadership role in this review.

CHARGE FOR REVIEW OF PUBLIC RIGHTS-OF-WAY ADJOINING CLAM POND COVE

Mayor Zaccaro stated that he felt that the issues raised by a homeowner about access to and storage of boats along public Rights-of-Way adjacent to Clam Pond Cove are complicated and could be far-reaching. He felt that it was an issue ripe for investigation by the Planning Commission to study and a report back to the Board of Trustees so that it could better understand implications of any actions taken. He asked the Village Administrator to draft a charge to the Commission for review and potentially approval by the Board at a future meeting,

PARAMEDIC SERVICE FOR THE 2021 SUMMER

Trustee Oppenheimer reported that the Saltaire Volunteer Fire Company (SVFC) has formally notified him that the SVFC will request that the Village include in its budgetary and operational

planning for the 2021 summer season the cost and housing for a full-time paramedic, for assistance on emergency medical rescue calls as well as for training and program-building purposes for the volunteer Emergency Medical Technicians of the Fire Company. SVFC Chief Josh Raeben was present and expressed the reasoning behind the Company's request, including the fact that they anticipate an early increase in resident population in the Village for 2021 due to COVID-related circumstances, with a concomitant increase in rescue calls, similar to what the Company has experienced in 2020. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village Administrator to work with the Fire Company to implement a paramedic program under the same model as the program previously used for typical summer season, to be available from approximately June 15 to Labor Day, contingent on the Company's agreement that the allocation of costs and housing in the 2021/22 operational budget will be shared pursuant to past practice as outlined in the agreement between the Village and the Saltaire Volunteer Fire Company.

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

Motion: Trustee Wolf

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

Mayor Zaccaro stated that if the Fire Company feels that it needs the Paramedic Service for extended periods in 2021, beyond the period authorized, based on population demographics and COVID circumstances, it should so notify the Board so that additional funding and other logistics can be considered for authorization by the Board. He then thanked the members and the families of the SVFC for their time commitment and dedicated service to the community during these difficult and trying times.

DISCUSSION OF THE CREATION OF A VILLAGE OF SALTIRE CONSTABULARY

Trustee O'Brien provided an overview of what would be required to establish a Village Constabulary, which would give Peace Office status to select officers, who would work in tandem with the Public Safety Department, and what additional enforcement powers would inure to those officers so authorized. He stated that Board review and consideration of establishing a Constabulary has happened periodically whenever enhanced enforcement powers were considered to meet a circumstantial need. He stated that the current circumstances that brought this topic to the forefront was enforcement of COVID mandates, as well as the potential regulation of electric bikes and other changing classes of motor vehicles. He further stated that the Board of Trustees would have the final say over which rights and powers a Peace Officer would be given, and specifically cited the right to carry weapons as something wholly within the Board's discretion, a power he said past Boards have always been opposed to granting. Discussion ensued, and after all having a chance to be heard, Mayor Zaccaro thanked Trustee O'Brien for his background investigation and overview report and stated that discussion on the topic will continue until the public has been fully engaged and offered the opportunity to comment, and a consensus amongst the Board members is reached.

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of October 27, 2020 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee Oppenheimer

made a motion to adopt the minutes as presented with minor non-substantive corrections. The motion was seconded by Trustee Chefetz and on call it was carried according to the following action:

Motion: Trustee Oppenheimer

Seconded: Trustee Chefetz

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. 6A in the amount of \$193,737.25

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 Chefetz, and on call it carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

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 Chefetz and on call it was approved at 7:48 p.m. according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Oppenheimer made a motion to re-adjourn into public session at 8:17 p.m. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

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 8:17 p.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor
Frank Wolf, Trustee
Hugh O'Brien, Trustee
Nat Oppenheimer, Trustee
Alex Chefetz, Trustee
Scott Rosenblum, Counselor to the Board
Village Attorney Joseph Prokop
Mario Posillico, Administrator & Clerk
Meagan Leppicello, Deputy Village Clerk Treasurer
And 0 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 O'Brien made a motion at 8:20 p.m.. to close the meeting and to hold the next Board of Trustees meeting according to the following schedule:

- December 10, 2020 at 5:00 p.m., without a central location and by remote connection only.

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

Motion: Trustee O'Brien

Second: Trustee Chefetz

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

Abstain: None

Against: None