

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JANUARY 19, 2021 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 5:00 p.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 0 attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion at 5:01 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 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 at 5:50 p.m. to close the Executive Session and to re-adjourn into public session at 6:00 p.m. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Chefetz

Seconded: Trustee Oppenheimer

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

Abstain: Trustee Wolf (off-line at the time of vote)

Against: None

Mayor Zaccaro called the meeting to order at 6:01 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
Joseph W. Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk/Treasurer
And approximately 60 attendees observed through internet connection

COVID UPDATE

Mayor Zaccaro provided a status report on the current state of the pandemic in New York State and Suffolk County, which he stated has had a consistent positivity rate hovering around 8% for a few weeks. He also commented on the roll-out of the COVID vaccine in New York, which has not been as robust as many had hoped. He stated that these factors underscored the need for continued diligent adherence to COVID guidelines by all residents of the Village in order to keep the village a safe and healthy place to reside. He also stated that in consultation with the Medical Advisory Committee, planning has commenced for the 2021 spring/summer season with the paradigm that the season will be impacted by COVID much the same way 2020 was, while being able to react accordingly if circumstances change for the better. Each Trustee then provided an overview of the planning underway for the departments under their respective areas of responsibilities.

PASSING OF CAPTAIN ED MOONEY AND FERRY UPDATE

Mayor Zaccaro offered his condolences to the Mooney family, the operators of the Fire Island Ferries, on the passing of their patriarch and the founder of the Fire Island Ferries, Captain Ed Mooney. He stated that the Village has a long history with the Mooney family and the Fire Island Ferries and noted that Captain Mooney had been integral to the smooth and efficient Saltaire ferry operation for many decades.

Mayor Zaccaro stated that the Administration continues to work with Fire Island Ferries to resolve financial and scheduling contract issues brought about by COVID during the 2020 operating season, as well as plans for the 2021 season and beyond.

CAPITAL PROJECT UPDATE

Mayor Zaccaro reported on the status of the following capital projects:

- Reconstruction of Bayberry Walk: The Town of Islip recently completed the elevation and reconstruction of the interconnecting concrete walkway between Saltaire and Fair Harbor, which had long been a source of flooding and bike accidents.
- Saltaire Generator Project: The generator will provide electrical backup to Well #2 behind Village Hall, with funding provided by the Governor's Office of Storm Recovery. He stated that all approvals have been obtained, the foundation has been installed, and the installation of the platform and generator itself is scheduled to be complete before the start of the summer season.
- Gabion Baskets along Lighthouse Prom: These stone-filled baskets will be installed along the shoulders of Lighthouse Prom as the last component of the Walk Reconstruction Project that was fully funded by FEMA as part of the Hurricane Sandy disaster declaration. The

Mayor stated that the rock baskets will stabilize the walk against flooding and the shoulders against rutting. The project is scheduled to be completed by the end of April or early May.

14 BAY RECONSTRUCTION PROJECT

Mayor Zaccaro stated that in December of 2019 the Village had solicited and received public bids for the reconstruction of 14 Bay Promenade based on the plans of Butler Engineering dated October 17, 2019 that had been developed over the previous 3 years in consultation with local resident architects. He provided a summary of the path that led to that public bid in December 2020, which resulted in a total public-bid price of approximately \$2,100,000, which was above the expectation of \$1,500,000. He stated that as the Board, the Administrator and the Engineer were investigating methods to lower the cost of the project toward the \$1,500,000 range, the COVID pandemic hit in late January of 2020 and the capital project was essentially put on hold in order to focus all efforts on the management of the pandemic. Mayor Zaccaro stated that he felt that the end of 2020 was an appropriate time, within the continuing management of the COVID crisis, to refocus efforts on bringing down the cost of the proposed design into an acceptable budget range, and to plan for a start of construction as soon as possible, hopefully to coincide with the start of the upcoming Fall off-season next September. Discussion ensued amongst the Board members and the public about the functions, design and budget of the existing design as well as scheduling and financing for the proposed project, and after all having a chance to be heard, Trustee Wolf made the following motion:

BE IT RESOLVED that the current Board defers any further consideration, adjustment, or investment of work, time, or money on the design version put out to bid in 2019, and therefore defers any consideration of undertaking of any new building or major improvement at 14 Bay Prom until at least 2022.

After discussion, a proper second of the motion was not proffered, and therefore a vote was not taken.

Discussion continued, and after all having a chance to be heard, Trustee Oppenheimer made the following motion:

BE IT RESOLVED that no construction will occur at the 14 Bay Prom site before October 2022, and further;

BE IT RESOLVED that in the interim any Board member may, without commitment of any Village funds, investigate alternative conceptual designs for the 14 Bay Prom site, and that furtherance of any conceptual design that requires commitment of Village funds may only be done pursuant to Board resolution prior to the commitment of those funds.

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

Against: Trustee Chefetz, Mayor Zaccaro

Abstain: None

Village Attorney Prokop left the meeting at 7:30 p.m.

CONSIDERATION OF CREATING A CONSTABULARY

Trustee O'Brien reported that he has met with the Village Attorney, Village Administration and Public Safety staff to gather information regarding the possibility of creating a Constabulary in the Village of Saltaire. A constabulary would impart Peace Officer status to those officers of the Public Safety staff designated by the Board. He stated that this is the beginning of a planning effort to see if such increased enforcement powers are necessary and warranted in the Village. The proposal would only be decided upon after extensive public input, and if approved, would take upwards of a year to implement.

APPOINTMENT OF A MEMBER TO THE VACANT POSITION ON THE ZONING BOARD OF APPEALS

Mayor Zaccaro recommended Village resident Jeff Murphy to fill the vacant position on the Zoning Board of Appeals which term runs through May 31, 2022. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to approve the appointment of Jeff Murphy to fill the vacant position on the Zoning Board of Appeals which term runs through May 31, 2022.

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 O'Brien, Trustee Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

APPROVAL OF VILLAGE OF SALTIRE ALL HAZARDS PLAN

Trustee O'Brien made the following motion:

RESOLUTION FOR APPROVAL OF VILLAGE OF SALTIRE ALL HAZARDS PLANS

WHEREAS, the Village of Saltaire, with the assistance from Tetra Tech, has gathered information and prepared the Village of Saltaire annex and contributed other relevant aspects of the Suffolk County All Hazards Mitigation Plan, and

WHEREAS, the Suffolk County All Hazards Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Saltaire is a local unit of government that has afforded its citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Saltaire has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that the Village of Saltaire adopts the Suffolk County All Hazards Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to undertake its best efforts within funding capabilities as determined by the Board of Trustees to execute the actions in the Plan.

ADOPTED this 19th day of January 2021 at the meeting of the Board of Trustees.

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

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

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

Abstain: None

Against: None

AUTHORIZATION FOR PUBLIC HEARING ON LOCAL LAW TO WAIVE OUT OF NEW YORK STATE MAXIMUM TAX CAP

Mayor Zaccaro stated that the Board will shortly undertake the budget process for the 2021/22 fiscal year, and that it was undetermined at this point in time whether the budget will require a tax increase and if so to what extent. The Board has the option to waive the State mandated tax cap limit, which is likely to be less than two percent (2.0%). The waiver can only be accomplished by adoption of a local law each year. The adoption of such a local law would not require that the Board adopt a tax increase above the State minimum increase, but rather would provide the flexibility to do so if necessary to balance the budget. After discussion, Trustee Oppenheimer made a motion to consider such an amendment of Chapter 48 of the Village Code at a public hearing scheduled for the same date as the next scheduled Board of Trustees meeting.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

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

Abstain: None

Against: None

AUTHORIZATION TO RETIRE SHORT TERMS NOTES

Trustee Chefetz reported that the Village currently has outstanding Revenue Anticipation Notes totaling \$3,750,000, which were used to finance various FEMA-reimbursable capital projects. He reported that the Notes are due in February 2021, but that the majority of the Notes could be rolled over for another year at the option of the Village. He further stated that despite the fact that there are currently approximately \$1,200,000 of receivables due from FEMA, he was confident that even if the FEMA receivables are delayed longer than anticipated, there is sufficient cash reserves to continue to operate the Village and start any capital projects that might be authorized, and therefore the Village does not have immediate needs for the funds.

After discussion, and all having a chance to be heard, Trustee Chefetz made a motion to authorize the Village Treasurer to retire the Village's existing short-term Notes of \$3,750,000 plus all accrued interest on or before their due date.

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

Motion: Trustee Chefetz

Seconded: Trustee Wolf

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

Abstain: None

Against: None

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of December 10, 2020 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 O'Brien and on call it was carried according to the following action:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

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. 7B in the amount of \$64,972.86

General Fund Checking No. 8A in the amount of \$76,768.30

After discussion and opportunity for questions, Trustee Chefetz 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 Chefetz

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

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 8:15 p.m. to close the meeting and to hold the next Board of Trustees meeting according to the following schedule:

- February 25, 2021 at 5:00 p.m., without a central location and by remote connection only.

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 Oppenheimer, Trustee Chefetz

Abstain: None

Against: None