

MINUTES OF THE PUBLIC HEARING AND BOARD OF TRUSTEES MEETING HELD ON FEBRUARY 25, 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 5:05 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 5:06 p.m. that the Board adjourn into Executive Session to discuss information relating to litigation strategy in pending or future litigation. 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 Oppenheimer made a motion at 5:59 p.m. to close the Executive Session and to re-adjourn into public session at 6:05 p.m. The motion was seconded by Trustee Chefetz and on call it was approved 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

Mayor Zaccaro called the meeting to order at 6:05 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 up to approximately 73 attendees observed through internet connection

PUBLIC HEARING: LOCAL LAW #1 OF 2021 – CHAPTER 48– TAX CAP WAIVER

Village Administrator Posillico stated that the purpose of the proposed local law is to allow the Village to opt out of the New York State-mandated maximum tax levy increase for local governments. New York State adopted legislation that limited the annual increase in the tax levy that a local government can assess. In the case of Saltaire, that could be set just above 1% for the next fiscal year starting June 1, 2021. He further stated that although the Village's tentative budget is still being developed and it is unknown if a tax increase will be required, there were assessment improvements in the range of the tax cap and COVID challenges will put a strain on the budget. The adoption of this local law provides the flexibility for the Board to meet the budget requirements and any future unforeseen circumstances. Comments and questions were received from the members of the Board and those in attendance, and after all having a chance to be heard, Trustee O'Brien made a motion to adjourn the public hearing at approximately 6:15 p.m. The motion was seconded by Trustee Chefetz and on call the motion was carried 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

The Trustees Meeting was called back into order by Mayor Zaccaro

ADOPTION OF LOCAL LAW #1 OF 2021 – CHAPTER 48: TAX CAP WAIVER

Trustee O'Brien stated that in anticipation of a motion to consider adoption of the proposed local law advertised as Local Law #1 of 2021, he made the following motion:

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 ADOPTION OF A LOCAL LAW.

WHEREAS the Board of Trustee of the Village of Saltaire may consider adoption of the proposed local law advertised as Local Law #1 of 2021, and

WHEREAS the Board of Trustees has reviewed the short form EAF and accompanying materials for the required SEQRA review with respect to the possible adoption of the proposed local law advertised as Local Law #1 of 2021; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the possible adoption of the proposed local law advertised as Local Law #1 of 2021, and further be it

RESOLVED that the Board of Trustees hereby determines that the possible adoption of the proposed local law advertised as Local Law #1 of 2021 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 possible adoption of the proposed local law advertised as Local Law #1 of 2021:

- 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 fail to incorporate reasonably available energy 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 Oppenheimer and the motion was carried 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

Trustee O'Brien then made a motion to adopt the proposed revisions to various sections of §48 of the Village Code, in the form presented at the earlier public hearing, to be adopted as Local Law #1 of 2021. The motion was seconded by Trustee Wolf and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

COVID UPDATE

Mayor Zaccaro led a moment of silence in recognition of the 500,000 United States citizens who have succumbed to the COVID 19 virus since the pandemic started.

Mayor Zaccaro then provided a status report on the current statistics of the pandemic in New York State and Suffolk County. He further stated that although the infection and mortality rates were trending downward in our region, they were still 3 to 5 times higher than anytime during the summer of 2020. 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 underscore 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. The season will likely be impacted by COVID much the same way 2020 was, while being able to react accordingly if circumstances change for the better

CAPITAL PROJECT UPDATE

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

- The Fire Island Stabilization Project (FIMI) completed its third and final stage of the FIMI beach re-nourishment project this past off-season. This phase includes the relocation of the Ocean Beach Well, the completion of which is a precondition of the removal of the Ocean Beach Jetties, which is the final component of the original FIMI project. Once this is completed, the littoral drift of sand will move uninterrupted from inlet to inlet and optimize the protective features of the entire west end of Fire Island.
- The larger and longer-term Fire Island to Montauk Point (FIMP) reformulation project is moving along and is now in the legal phase of execution of the necessary contractual agreements amongst the many jurisdictions involved in the project. The Clam Pond Cove restoration project is included in the first phase of the FIMP, and the Village is an active participant to facilitate its commencement, possibly as soon as the 2021-22 off-season if all goes well. When completed, this project will restore Clam Pond Cove closer to its 1960 condition, which will provide much greater flood protection to the Village as well as a restoration of a vital environmental habitat in the Great South Bay.
- 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. Mayor Zaccaro stated that all approvals have been obtained, the foundation and platform have been installed, and the installation of the generator itself is scheduled to be completed 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 Lighthouse Walk Reconstruction Project that was fully funded by FEMA as part of the Hurricane Sandy disaster declaration. The Mayor stated that the basket of rocks 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 Prom: The Mayor stated that he is concerned with the delay of the reconstruction of 14 Bay Prom due to the presentation of alternate designs due to the increasing cost of construction materials and a potential rise in interest rates, which he stated in his opinion

would make the future cost of construction much higher than if done sooner and with the current design. After discussion, Trustee Oppenheimer stated that he would present an alternate design concept to the Board prior to the April meeting, and Mayor Zaccaro stated that he would include that in a presentation for that meeting.

DISCUSSION OF CREATING A CONSTABULARY

Trustee O'Brien reported that there were no new developments regarding the discussion of the potential creation of a Constabulary, which would establish a force with Peace Officer status. 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, and that the proposal would only be decided upon after extensive public input, and if approved, would not be implemented until after the 2021 summer season.

ACCEPTANCE OF DONATION FOR AND APPROVAL OF BLEACHER SHADE

Village Administrator Posillico stated that prior to COVID last year, the Village had planned to install a permanent shade structure over the bleachers for the comfort and safety of the Camp Program as well as spectators during field events. He stated COVID put a hold on all non-essential construction, and that this project was postponed until this offseason. He stated that thanks to an offer of \$23,000 contribution from the Saltaire Citizens Association (SCA), and the project leadership of Deputy Clerk/ Treasurer Leppicello, and pending Board approval of the not-to-exceed total project cost of \$30,000, the shade can be completed before the start of the summer season. After discussion, and all having a chance to be heard, Trustee Chefetz made a motion to accept the \$23,000 donation from the SCA for the specific purpose of partially funding the construction of the bleacher shade. 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

Trustee Wolf then made a motion to authorize the Village Administrator to pursue the completion of the installation of the bleacher shade for a total project cost not to exceed \$30,000 as soon as practical. 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 O'Brien, Trustee Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

APPROVAL OF VILLAGE OF SALTIRE PUBLIC HEALTH EMERGENCY PLAN

Trustee O'Brien made the following motion:

RESOLUTION FOR APPROVAL OF VILLAGE OF SALTIRE PUBLIC HEALTH EMERGENCY PLAN

WHEREAS, based on the experience gained by the Village from managing the COVID 19 pandemic in 2020 without a pre-planned public health emergency plan providing the general framework for managing a Public Health crisis, which would have proven beneficial, and

WHEREAS, the State of New York is mandating that all municipalities have an approved Public Health Emergency Plan in place by April 1, 2021,

WHEREAS, Deputy Clerk Treasurer Leppicello, with the assistance from and final review by the Medical Advisory Committee and the Village Attorney, has gathered information for and prepared a draft Village of Saltaire Public Health Emergency Plan which has been presented for Board review and posted on the Village website;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that it hereby approves and adopts the Village of Saltaire Public Health Emergency Plan as presented in its final form.

ADOPTED this 25th day of February 2021 at a meeting of the Board of Trustees.

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

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

AUTHORIZATION TO PURCHASE DISCOUNT FERRY TICKETS

Trustee O'Brien made a motion to authorize the purchase of 600 ferry ticket books at a discounted price of \$297 per book for a total of \$178,200. The purchase-level was recommended by the Village Administrator as sufficient to meet public demand based on current inventory and 2021 expected usage levels, in accordance with the terms of the contract with Fire Island Ferries. The ferry tickets books will be offered for sale and distribution to Village residents in 2021 at a price of \$304 per book while supplies last or unless a new rate is determined by the Board of Trustees. Trustee Chefetz seconded the motion, and on call it was carried pursuant 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

ADOPTION OF REVISED FEE SCHEDULE

Village Administrator Posillico stated that he and co-Building Inspector Leppicello has instituted a separate building permit application for the installation of whole-house heating/air conditioning ventilation systems to better review and track that type of building work which is becoming more commonplace. He also stated that they are recommending a \$250 fee to cover the cost of administration of such work.

He further stated that the Village Attorney has recommended that all future zoning variance hearings be transcribed to better support and defend the decisions of the Saltaire Zoning Board of Appeals (ZBA) and proposed an increase to the ZBA application fee of an additional \$250 to cover that cost.

Trustee Wolf made a motion to adopt the 2021/22 fee schedule as revised and presented to reflect both of those recommendations.

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

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

PRESENTATION OF 2021/22 TENTATIVE BUDGET

The Village Administrator and Village Treasurer presented the 2021/2022 Tentative Budget to the Board of Trustees. The Tentative Budget had previously been distributed to the Board electronically and posted on the Village's website. Village Administrator Posillico then provided a brief overview of the performance of the 2020/21 budget, and the highlights of the 2021/22 Tentative Budget as presented. Those in attendance were advised that the Board would work through the 2021/22 budget in more detail at a Budget Workshop on March 11, 2021 and then present it at a public hearing to be held at the Board of Trustees Meeting scheduled for April 13, 2021.

APPROVAL OF MINUTES

Draft copies of the minutes of the meeting of January 19, 2021 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 O'Brien and on call it was carried according to the following action:

Motion: Trustee Oppenheimer

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. 9A in the amount of \$104,167.51

Trust & Agency Checking No. 9A in the amount of \$2,000.00

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

ADJOURN INTO EXECUTIVE SESSION

Trustee O'Brien 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 Oppenheimer and on call it was approved at 7:40 p.m. 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

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Oppenheimer made a motion to re-adjourn into public session at 8:16 p.m. 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

The public meeting was called back into session by Mayor Zaccaro at 8:16 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 0 attendee observed through internet connection

APPOINTMENT OF INSPECTORS OF ELECTION

Trustee Wolf made a motion to appoint the following Saltaire residents as Inspectors of Election for the 2021 Saltaire election:

Nancy Henriksen	Chairperson
Liv Hempel	Inspector
Roseanne Larson	Inspector
Georgine Posillico	Inspector

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

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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

Abstain: Mayor Zaccaro

Against: None

AMENDMENT OF SALTIRE MARKET CONCESSION FEE

Administrator Posillico stated that Patrick Adams, the Concessionaire of the Saltaire Market, has formally requested an amendment of the 2020 concession fee in consideration of the increased labor costs incurred to conduct fully remote operations, as requested by the Village, from an early May opening until the latter part of June 2020. He supported that request with labor cost comparisons for a similar time period between 2019 and 2020, which he claimed justified his request for an amendment reducing the rent by \$20,000 to offset increased costs incurred. After discussion, and all having change to be heard, Trustee Oppenheimer made the following motion:

WHEREAS, the Saltaire Market provided vital services to the residents of Saltaire during the difficult time of the 2020 COVID pandemic, opening earlier and closing later to provide expanded services for a larger population during an extended summer season; and

WHEREAS, the Saltaire Market incurred additional labor costs during the spring season to open up earlier than normal and to safely provide grocery services remotely, at the request of the Village, while keeping the doors closed with remote ordering, pick-up and delivery until the latter part of June 2020, all of which required more labor to deliver those services;

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees that, in recognition of the increased expenses incurred by the operator for the remote operation it performed during the 2020 spring season during the COVID pandemic at the Village's request, a one-time amendment reducing the 2020 concession fee by \$10,000 is granted.

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 O'Brien, Trustee Oppenheimer, Trustee Chefetz

Abstain: Trustee Wolf

Against: None

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 8:20 p.m. to close the meeting and to hold the next Board of Trustees meeting according to the following schedule:

- March 11, 2021 at 5:00 p.m., without a central location and by remote connection only, to conduct a Budget Workshop.
- April 13, 2021 at 5:00 p.m., without a central location and by remote connection only, which will include the Public Hearing on the 2021/22 Budget.

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

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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

Abstain: None

Against: None