

MINUTES OF THE PUBLIC HEARINGS AND BOARD OF TRUSTEES MEETING HELD ON MAY 03, 2022 VIA REMOTE ATTENDANCE, PARTICIPATION AND OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

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 Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk/Treasurer
And in total 1 other attendee observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Chefetz made a motion at 5:01 p.m. that the Board adjourn into Executive Session to discuss one or more of the following: 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 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
Against: None
Abstain: None

Trustees O'Brien and Wolf left the Executive Session at 5:58 p.m.

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 6:00 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 Oppenheimer, Trustee Chefetz, Mayor Zaccaro
Against: None
Abstain: None

Mayor Zaccaro called the Public Hearing 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
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk/Treasurer
And at times up to 40 attendees observed through internet connection

**PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 52 WALKS BEACHES
PUBLIC PLACES – TO REGULATE PRIVATE USE OF PUBLIC SPACES**

Deputy Mayor O'Brien outlined the proposed regulation, which had been recently completed but not distributed, and which would formalize an application and review process for requests for public indoor and outdoor spaces for private gatherings and events. Deputy Mayor O'Brien recommended that the consideration of the local law be held over to the next available meeting to allow sufficient time for the members of the Board and the public to review and suggest edits. After all having a chance to be heard, Trustee O'Brien made a motion at 6:06 p.m. to adjourn the public hearing and have it remain open for further consideration at a later time and date. 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

**PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 34 MEETINGS OF THE
BOARD – TO AUTHORIZE HYBRID (IN-PERSON AND REMOTE) MEETINGS**

Deputy Mayor O'Brien outlined the proposed regulations in the draft local law to modify Chapter 34 to authorize, pursuant to recently adopted State law, hybrid public meetings, which would be a combination of in-person and remote attendance, of the Board of Trustees and other appointed Boards and Commissions. Deputy Mayor O'Brien recommended that the consideration of the local law be held over to the next available meeting to allow sufficient time for the members of the Board and the public to review and suggest edits. After all having a chance to be heard, Trustee Wolf made a motion at 6:09 p.m. to adjourn the public hearing and have it remain open for further consideration at a later time and date. The motion was seconded by Trustee Oppenheimer, and on call 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

**ADOPTION OF LOCAL LAW MODIFICATION – CHAPTER 38 – REGULATION OF USE AND
TRANSPORTATION OF ALCOHOL AND SMOKING PRODUCTS WITHIN THE VILLAGE**

Deputy Mayor O'Brien provided an overview of the draft local law to regulate the use and transportation of alcohol and smoking products as presented at the Public Hearing held on April 11, 2022 and as subsequently modified. After further discussion and all having a chance to be heard, Trustee Wolf made a motion to adopt the local law to modify Chapter 38 of the Code of the Village of Saltaire in the form presented and modified. The motion was seconded by Trustee Oppenheimer, and after all having a chance to be heard, 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

DISCUSSION OF LOCAL LAW MODIFICATION – CHAPTER 25 – FIRE PREVENTION – REGULATION OF PROPANE TANKS

The Board discussed the draft local law to modify Chapter 25 to regulate propane tanks as presented at the Public Hearing held on April 11 2022 and as subsequently modified. Deputy Mayor O'Brien recommended that the consideration of the local law be held over to the next available meeting to allow sufficient time for the members of the Board and the public to review and suggest edits.

COVID UPDATE

Mayor Zaccaro reported on the current COVID metrics in the region, state and country, which included an uptick in cases as anticipated due to the emergence of Omicron and other variants. He thanked the members of the Medical Advisory Committee (MAC) for their hard work and sound counsel over the past 2 years in helping the Board formulate safe and reasonable policy regarding the evolving COVID pandemic.

CAPITAL PROJECTS

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

- 14 Bay Prom: He stated that engineer Glenn Graham submitted his first draft of floor plans and elevations for Plan B, which were posted on the Village website and displayed digitally to all attendees. Members of the Board gave their views and initial comments on the design, and then received comments and input from those in attendance.
- Clam Pond Cove Project: He stated that the project to rebuild the natural features of the Cove's land formations continues to be part of the FIMP plan. The Village continues to work with the Army Corps and other agencies to expedite the project's inclusion in the earliest possible phase of the FIMP project

SELECTION OF THE PREFERRED VENDOR FOR THE PLAYGROUND RENOVATION PROJECT

Village Administrator Posillico reported that two proposals were received in March in response to the Village's RFP process to undertake a renovation of the playground area. He stated that he, along with the SCA playground committee, had been reviewing and evaluating the proposals based on qualitative and quantitative criteria weighted as to their importance to the overall plan. They had jointly submitted to the Board their recommendation of APE/LoDuca as the preferred vendor with whom the Village and SCA should continue their work on refining the final design, schedule and budget for the project. Discussion ensued amongst the Board members and those in attendance, and after all having

a chance to be heard, Trustee Chefetz made a motion to select APE/LoDuca as the preferred vendor for the playground replacement project, and to authorize the Village Administrator in conjunction with the SCA and in consultation with the Board to refine the APE/LoDuca proposed design and cost proposal, and to prepare a tentative schedule for the project if subsequently approved. 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 Wolf, Trustee O'Brien, Trustee Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

Additional discussion ensued about the possible funding sources for the playground project, which has an initial planning budget of \$500,000.00 based on the vendor proposals received. SCA chairwomen Kathy Shaw stated that the SCA intended to conduct a comprehensive fund-raising effort, which she believed would raise a significant portion of the project cost, especially once the playground committee was able to demonstrate the value and benefits of the proposed design to the community. She further stated that it would benefit their efforts if the SCA understood the general financial parameters of what the Village Board contemplates contributing toward the project. Trustee Chefetz stated that project being considered by the SCA group was clearly a significant enhancement over the existing equipment, which accounted for a large portion of the cost of the proposed design. He stated that he felt that the Village should ultimately contribute what it would have had to expend to replace the existing equipment with similar equipment, leaving the cost of enhancement portion of the project to be funded by the SCA through private contributions. He stated that the best current estimates for playground replacement-in-kind are in the approximate range of \$150,000.00. Discussion ensued amongst the Board members and those in attendance, and after all having a chance to be heard, Trustee Chefetz made a motion to authorize the SCA to use, as a placeholder for their fundraising-efforts, the projected replacement cost of \$150,000.00 as the anticipated Village contribution toward the project, subject to final approval by the Board of Trustees at that time. 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 Wolf, Trustee O'Brien, Trustee Oppenheimer, Trustee Chefetz

Abstain: None

Against: None

SURPLUS EQUIPMENT

Administrator Posillico reported that Saltaire Maintenance has advised the Village that it has identified the 2002 Ford Pick-up truck as being surplus to its needs given the anticipated delivery of the new Daihatsu mini-dump truck to be delivered in May, 2022. He also stated that since the Village has no alternate uses for the vehicle, or room to house the vehicle, it should be considered surplus to the Village's needs.

Trustee Chefetz made a motion to adopt the following resolution:

WHEREAS, the Village of Saltaire owns and is in possession of the following equipment:

- 2002 Ford Pick-up truck

WHEREAS, the aforementioned equipment is surplus to the Village's municipal needs and the Village is desirous of selling property that is surplus to its needs;

NOW, THEREFORE, BE IT RESOLVED that the Village hereby declares the aforementioned equipment no longer of use to the Village for municipal purposes and declared as surplus to the Village's municipal needs, and it is further;

RESOLVED that the Village Administrator is authorized to sell the surplus equipment and may utilize any reasonable method to realize the fair-market value for the property, or to donate or otherwise dispose of any portion that cannot be sold in whole or in part.

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

Motion: Trustee Chefetz

Second: Trustee Oppenheimer

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

Abstain: None

Against: None

Village Attorney Prokop joined the public meeting at 7:45 p.m.

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 PREVIOUSLY ADOPTED LOCAL LAW MODIFYING CHAPTER 38 OF THE VILLAGE CODE, AND RATIFICATION OF SAME.

In response to an inquiry of the Board, Attorney Prokop stated that the Board need to adopt a SEQRA resolution pertaining to its previous adoption of modification top Chapter 38, accordingly Trustee Wolf made the following motion:

WHEREAS the Board of Trustees of the Village of Saltaire adopted a local law modifying section of Chapter 38 of the Village Code, and

WHEREAS the Board of Trustees has reviewed the local law for the required SEQRA review with respect to the impacts of the local law; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the modification of Chapter 38 of the Village Code, and further be it

RESOLVED that the Board of Trustees hereby determines that the modification of Chapter 38 of the Village Code 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 the modification of Chapter 38 of the Village Code:

- 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; and

FURTHER RESOLVED that the Board ratifies its previous adoption at this meeting of the Local Law to modify Chapter 38 of the Village Code

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

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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 Board of Trustees meeting of April 11, 2022 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 Chefetz and on call it 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

AUDIT AND APPROVAL OF ABSTRACTS

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. 11B in the amount of	\$13,495.73
General Fund Checking No. 12A in the amount of	\$24,635.02
Capital Fund Checking No. 12A in the amount of	\$4,437.50

After discussion and opportunity for questions, Trustee Chefetz made a motion that the above-listed abstract(s) be approved as presented and that the Mayor be authorized to execute the warrant(s). The motion was seconded by Trustee Wolf, and on call it carried 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

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion that the Board adjourn into Executive Session to discuss one or more of the following: 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 7:54 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 8:20 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

The public meeting was called back into session by Mayor Zaccaro at 8:20 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
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
Meagan Leppicello, Deputy Village Clerk Treasurer
And 0 attendees observed through internet connection
And 0 attended in person

APPROVAL OF USE VILLAGE MARKET DECK

Trustee Wolf made a motion to allow Northwell Health to utilize the deck of the Saltaire Market on July 7, 2022 in order to invite residents of the community to meet the Northwell administrators of the Saltaire Clinic, to answer questions, and to provide information about the services the clinic offers. The motion was seconded by Trustee Oppenheimer, and on call it was approved 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

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 8:23 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- May 30, 2022 at 9:00 a.m. at 103 Broadway, Saltaire, with remote connection, which will include any Public Hearings.

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

Motion: Trustee Oppenheimer

Second: Trustee Chefetz

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

Abstain: None

Against: None