

MINUTES OF THE PUBLIC HEARINGS AND BOARD OF TRUSTEES MEETING HELD ON MAY 30, 2022 AT 103 BROADWAY, SALTAIRE, NEW YORK, AND 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 9:00 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 and Mayor-Elect  
Nat Oppenheimer, Trustee  
Alex Chefetz, Trustee  
Susan Skerritt, Trustee-Elect  
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 0 other attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Chefetz made a motion at 9:05 a.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 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  
Against: None  
Abstain: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion at 9:59 a.m. to close the Executive Session and to re-adjourn into public session after a short break. 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  
Against: None  
Abstain: None

Mayor Zaccaro called the Public Hearing to order at 10:04 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor

Frank Wolf, Trustee  
Hugh O'Brien, Trustee and Mayor-Elect  
Nat Oppenheimer, Trustee  
Alex Chefetz, Trustee  
Susan Skerritt, Trustee-Elect  
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 at times up to 15 attendees observed through internet connection  
and approximately 15 attended in person.

#### MOMENT OF SILENCE

Mayor Zaccaro led those in attendance in a moment of silence in observance of Memorial Day for all the men and women who served in the military, especially those who have made the ultimate sacrifice, as well those who are currently serving today in defense of and service to the United States and the freedoms that all citizens enjoy. He then recognized those residents of the Village of Saltaire who passed away during the past year.

#### STATEMENT OF GRATITUDE FROM OUTGOING MAYOR ZACCARO

Mayor Zaccaro stated that he wanted to thank certain people before he presided over the final meeting of his six-year tenure as Mayor. He thanked outgoing Trustee Chefetz for all of his hard work and for his astute management of the Village's finances during his years on the Board of Trustees. He also thanked his wife Ann and children Elizabeth, Samantha and John for their support and tolerance for his time away from family while conducting Village business. He thanked Scott Rosenblum for his wise counsel through the years. Lastly, he thanked the staff of the Village for their expertise and dedication to keeping the Village running so smoothly through many difficult circumstances.

#### RESOLUTION IN RECOGNITION OF MAYOR ZACCARO'S SERVICE TO THE VILLAGE

Trustee Wolf proposed the adoption of the following resolution to be included in the official minutes of the Village of Saltaire, which was read by Trustee O'Brien:

WHEREAS John Zaccaro Jr. is about to complete six years as Mayor of the Incorporated Village of Saltaire; and

WHEREAS he is, as well, about to complete a total of 16 years as a member of the Board of Trustees of the Village, spanning more than two decades of public service as Trustee and Mayor; and

WHEREAS his energetic and committed leadership is well reflected in the successful renovation of some of the Village's most important structures, including Lighthouse Promenade and Village Hall; and

WHEREAS he presided over the Village's aggressive and successful efforts to contain the impact of the COVID 19 pandemic,

NOW, THEREFORE, the Board of Trustees, on behalf of all the residents of the Village of Saltaire,

salutes Mayor Zaccaro, acknowledges with gratitude and appreciation his service to the community, and wishes him and his family good health and good fortune in the years to come.

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

Against: None

Abstain: None

#### NOTIFICATION OF ELECTED OFFICIALS AND SWEARING INTO OFFICE

The Village Clerk announced the results of the 2022 Village election and simultaneous ballot referendum. He announced the approval of the ballot referendum to move the general Village election day to the second Friday in August each year starting in 2023. He then notified Hugh O'Brien of his certified election to the office of Mayor, and Susan Skerritt and Frank Wolf of their certified elections to the office of Trustee, each for a two-year term, starting June 7, 2022. As well as the requirement of filing an oath of office with the Village Clerk within 30 days. Each newly elected official in turn then took the required oath of office for their respective offices.

#### PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 52 WALKS, BEACHES AND PUBLIC PLACES – TO REGULATE PRIVATE USE OF PUBLIC SPACES.

Deputy Mayor O'Brien outlined the proposed regulation, which would formalize an application and review process for requests for use of public indoor and outdoor spaces for private gatherings and events. He also stated that this discussion identified that the Village should also address as part of the Code the rights and limitations on public assemblies. Deputy Mayor O'Brien recommended that the consideration of the local law be tabled until the next available meeting to allow sufficient time for the members of the Board and the public to review and suggest edits to both issues of private uses of public spaces and public assemblies. After all having a chance to be heard, Trustee Chefetz made a motion at 10:32 a.m. to adjourn the public hearing and to republish if necessary for the June 25<sup>th</sup> meeting. The motion was seconded by Trustee Wolf, and on call the motion was 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

#### ADOPTION OF LOCAL LAW MODIFICATION TO CHAPTER 34 – HYBRID MEETINGS

Mayor Zaccaro provided an overview of the draft local law to allow a combination of remote and in-person meetings pursuant to allowances provided in New York State law. After further discussion and all having a chance to be heard, Trustee O'Brien made a motion to adopt the local law to modify Chapter 34 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 O'Brien  
Seconded: Trustee Oppenheimer  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Oppenheimer, Trustee Chefetz  
Abstain: None  
Against: None

#### ADOPTION OF LOCAL LAW MODIFICATION – CHAPTER 25 – PROPANE TANKS

Mayor Zaccaro provided an overview of the draft local law to regulate the use and storage of propane tanks in the Village. After further discussion and all having a chance to be heard, Trustee O'Brien indicated that he was prepared to make a motion to adopt the local law in the form presented.

Prior to this action, Trustee Chefetz then 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 POTENTIAL ADOPTION OF A LOCAL LAW

WHEREAS the Board of Trustees has reviewed the proposed local law and considered the environmental impacts of adoption; and it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the amendment of Chapter 25 relating to the use and storage of propane tanks, and further be it

RESOLVED that the Board of Trustees hereby determines that the amendment of Chapter 25 relating to the use and storage of propane tanks 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 amendment of Chapter 25 relating to the use and storage of propane tanks:

- 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:

Motion: Trustee Chefetz

Second: 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 local law to modify Chapter 25 of the Code of the Village of Saltaire in the form presented and modified. The motion was seconded by Trustee Wolf, and after all having a chance to be heard, 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

## CAPITAL PROJECTS

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

- 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 inclusion of the Cove project, as well as the removal of the Ocean Beach jetty system, in the earliest possible phase of the FIMP project.
- 14 Bay Prom: He stated that the Village had submitted comments to engineer Glenn Graham's first draft of floor plans and elevations for Plan B, and the Board was awaiting the revised drawings for further review and comment. Mayor Zaccaro stated that he implored the Board to quickly expedite the review process and to proceed with whichever version of the plan they deem best in order to mitigate the project being further impacted by rising material costs and interest rates.

## UNDERTAKING RESOLUTION

Trustee Chefetz made a motion that the Board of Trustees, confirming the long-standing practice of the Village of Saltaire regarding the filing requirements for elected officials, resolves that elected officials of the Village of Saltaire shall not be required to file an undertaking as a requisite for assuming duly elected office. 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 Chefetz

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

## SETTING THE DATE FOR THE ORGANIZATIONAL MEETING

Trustee O'Brien made the following motion:

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of Saltaire are empowered to set the date of the 2022 Organizational Meeting of the Village of Saltaire, it is therefore;

RESOLVED that the 2022 Organizational Meeting of the Village of Saltaire shall be held on June 25, 2022, with the public portion to start at 9:00 a.m. at 103 Broadway, Saltaire, New York.

The motion was seconded by Trustee Chefetz, and 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

## NOTIFICATION OF DETERMINATION OF UNSAFE CONDITION

Mayor Zaccaro stated that the Village has made several attempts to coordinate with Verizon for the removal of the abandoned overhead copper lines that were once used for the analog phone service in the Village. He also reported that there have been numerous incidents of equipment hitting the overhead lines, causing damage to the poles that carry them, as well as disturbance to the electrical lines that share those poles. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village attorney to draft for review by the Board a letter to the administration of Verizon, putting them on notice of the dangerous condition created by the abandoned copper wires, and to demand that they be removed immediately.

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 May 3, 2022 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 Chefetz and on call it was carried according to the following action:

Motion: Trustee O'Brien

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. 12B in the amount of \$115,147.60

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 O'Brien, and on call it carried 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

#### 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 11:37 a.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- June 25, 2022 at 103 Broadway, Saltaire with the executive session scheduled to begin at 8 a.m. and the public portion anticipated to start at 9:00 a.m., 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 O'Brien  
Second: Trustee Chefetz  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Oppenheimer, Trustee Chefetz  
Abstain: None  
Against: None