

MINUTES OF THE PUBLIC HEARINGS AND BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 10, 2022 AT 103 BROADWAY, SALTAIRE NEW YORK AND VIA REMOTE ATTENDANCE, PARTICIPATION AND OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor O'Brien called the Board of Trustees meeting to order at 9:00 a.m., and the following were in attendance via video or phone connection:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee
Susan Skerritt, Trustee
Anna Kovner, Trustee
Scott Rosenblum, Advisor to the Board
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
And at times up to 30 persons attended in-person and 15 other attendees observed through internet connection

PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 5 ANIMALS – TO REGULATE DOGS ON BEACHES

Mayor O'Brien stated that a final draft of a Chapter 5 modification regulating when and where dogs would be allowed on the beachfront had not been prepared in time for the public hearing, but that the Board was prepared to hear comments on the subject for possible consideration at a later date. After discussion and all having a chance to be heard, Trustee Wolf made a motion at 9:24 a.m. to adjourn the public hearing. The motion was seconded by Trustee Skerritt, and on call the motion was carried according to the following vote:

Motion: Trustee Wolf
Seconded: Trustee Skerritt
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Abstain: None
Against: None

PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 10 BICYCLES TO REGULATE TRANSPORTATION OF DOGS VIA BICYCLE

Mayor O'Brien outlined the proposed modification to Chapter 10, that would allow dogs to be transported in bicycle baskets under certain circumstances. After discussion and all having a chance to be heard, Trustee Skerrit made a motion at 9:30 a.m. to adjourn the public hearing. The motion was seconded by Trustee Wolf, and on call the motion was carried according to the following vote:

Motion: Trustee Skerrit
Seconded: Trustee Wolf
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Abstain: None
Against: None

APPROVAL OF FIRE COMPANY LINE OFFICERS

Mayor O'Brien reported on the election of the following line officers by the Saltaire Volunteer Fire Company (SVFC), and stated that the elected members were certified by the Executives of the SVFC as meeting all the qualifications for holding the positions for which they were elected. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to approve the following elected line-officers:

Chief	Josh Raeben
1 st Asst Chief	Jarrod Bernstein
2 nd Asst Chief	Theodore Weinrib
3 rd Asst Chief	Douglas Kunreuther

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

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Mayor O'Brien recognized and thanked the Chiefs, as well as outgoing President Joe Rappaport and Secretary Maddy Medenica, and incoming President Emily Mason and returning Treasurer James McDonald, for their service,

DISCUSSION OF A POSSIBLE REAL ESTATE TRANSFER TAX

Village Administrator Posillico and Village Attorney Prokop outlined the process for adoption of a real estate transfer tax for the Village of Saltaire, which would first require New York State legislative approval and then an approval by a majority of the registered voters via a mandatory referendum. Trustee Wolf then led a discussion on the potential revenue that would be generated and the allocation of those funds for sustainability initiatives for the Village. After discussion and comments amongst the members of the Board and those in attendance, and all having a chance to be heard, Mayor O'Brien stated that the discussion would continue at future meetings as to whether this initiative would be authorized to proceed to the step of requesting New State legislative approval

CONSIDERATION OF AWARDED A CONTRACT FOR BULKHEAD REPAIR

Village Administrator Posillico reported on the results of the public bid to reface the eastern bulkhead wall of the Saltaire Marina in Bay Shore, with the qualified low bidder being Brandt Marine Inc. with a total bid price of \$71,982.00. He stated that, although the bid design does not meet the DOT design requirements, it would be significantly cheaper than would be required by the DOT design even when considering the \$250,000.00 DOT grant to offset the much higher costs of their design and process. After discussion, and all having a chance to be heard,

Trustee Oppenheimer indicated that he was prepared to make a motion to award the contract to the lowest responsible bidder for bulkhead repair.

Prior to this action, Trustee Skerritt 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 AWARDDING OF A CONTRACT FOR BULKHEAD REPAIR

WHEREAS the Village of Saltaire competitively bid a project for bulkhead repair, and

WHEREAS the Board of Trustees has reviewed the contract work and contracts and completed the short form EAF and accompanying materials for the required SEQRA review with respect to the contracts and the contract work; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to bulkhead repair, and further be it

RESOLVED that the Board of Trustees hereby determines that the contracts and contract work for bulkhead repair 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 contracts for bulkhead repair:

- 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 Skerrit

Second: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Trustee Oppenheimer then made the following motion:

WHEREAS the Village of Saltaire solicited bids in compliance with the procurement policies of the Village of Saltaire for bulkhead repair, and

WHEREAS sealed bids were publicly opened at 11:00 a.m. EST on September 7, 2022, and Brandt Marine Inc., having been qualified by the Village Administrator as meeting all of the requirements of the bidding documents, is the certified low bidder for the project as specified in the bid documents and meets all the requirements stipulated in the bid;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Brandt Marine Inc. as the certified low bidder for the bulkhead repair, pursuant to the plans and specifications and requirements of the bid documents, and to notify Brandt Marine Inc. of its status as low bidder, and further

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary contract documents with Brandt Marine Inc. for bulkhead repair according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for a projected total contract amount of \$72,982.00 minus any negotiated reductions that the Village may achieve in negotiating the final contract plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

BE IT RESOLVED that the funding for the project shall be made from the general reserves, and further,

BE IT RESOLVED that the Village Administrator be authorized to notify the Department of Transportation that the Village of Saltaire will be withdrawing and rescinding its participation in the grant award for the bulkhead repair.

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

Motion: Trustee Oppenheimer

Second: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

CONSIDERATION OF AWARDING A CONTRACT FOR REPLACEMENT OF THE FIREHOUSE ROOF

Village Administrator Posillico reported on the results of the public bid to replace the entire roof of the Saltaire Firehouse, with the qualified low bidder being A1 Roofing Inc. with a total bid price of \$84,500.00. He stated that roof was damaged by a wind storm in 2020, and that the Village/s Insurance underwriter will be covering most if not all of the cost of the new roof. After discussion, and all having a chance to be heard,

Trustee Oppenheimer indicated that he was prepared to make a motion to award the contract to the lowest responsible bidder for roof repair.

Prior to this action, Trustee Skerritt 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 AWARDDING OF A CONTRACT FOR ROOF REPAIR

WHEREAS the Village of Saltaire competitively bid a project for roof repair, and

WHEREAS the Board of Trustees has reviewed the contract work and contracts and completed the short form EAF and accompanying materials for the required SEQRA review with respect to the contracts and the contract work; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to roof repair, and further be it

RESOLVED that the Board of Trustees hereby determines that the contracts and contract work for roof repair 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 contracts for roof repair:

- 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 Skerrit

Second: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Trustee Oppenheimer then made the following motion:

WHEREAS the Village of Saltaire solicited bids in compliance with the procurement policies of the Village of Saltaire for roof repair, and

WHEREAS sealed bids were publicly opened at 11:00 a.m. EST on August 31, 2022, and A1 Roofing Inc., having been qualified by the Village Administrator as meeting all of the requirements of the bidding documents, is the certified low bidder for the project as specified in the bid documents and meets all the requirements stipulated in the bid;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare A1 Roofing Inc. as the certified low bidder for the roof repair, pursuant to the plans and specifications and requirements of the bid documents, and to notify A1 Roofing Inc. of its status as low bidder, and further

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary contract documents with A1 Roofing Inc. for roof repair according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for a projected total contract amount of \$84,500.00 minus any negotiated reductions that the Village may achieve in negotiating the final contract plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

BE IT RESOLVED that the funding for the project shall be made from insurance proceeds, and that any amount not covered by insurance proceeds will be taken from the general reserves.

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

Motion: Trustee Oppenheimer

Second: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

CONSIDERATION OF AWARDING A CONTRACT FOR MARINA DREDGING

Village Administrator Posillico reported on the results of the public bid to dredge certain areas of the Saltaire Marina, with the qualified low bidder being Brandt Marine Inc. with a total bid price of \$20,700. After discussion, and all having a chance to be heard,

Trustee Oppenheimer indicated that he was prepared to make a motion to award the contract to the lowest responsible bidder for marina dredging.

Prior to this action, Trustee Skerritt 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 AWARDING OF A CONTRACT FOR MARINA DREDGING

WHEREAS the Village of Saltaire competitively bid a project for marina dredging, and

WHEREAS the Board of Trustees has reviewed the contract work and contracts and completed the short form EAF and accompanying materials for the required SEQRA review with respect to the contracts and the contract work; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to marina dredging, and further be it

RESOLVED that the Board of Trustees hereby determines that the contracts and contract work for marina dredging 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 contracts for marina dredging, to be completed by December 31, 2022 to conform to the requirements of the DEC permit:

- 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 Wolf, and the motion was carried according to the following:

Motion: Trustee Skerritt

Second: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Trustee Oppenheimer then made the following motion:

WHEREAS the Village of Saltaire solicited bids in compliance with the procurement policies of the Village of Saltaire for marina dredging, and

WHEREAS sealed bids were publicly opened at 11:00 a.m. EST on August 24, 2022, and Brandt Marine Inc., having been qualified by the Village Administrator as meeting all of the requirements of the bidding documents, is the certified low bidder for the project as specified in the bid documents and meets all the requirements stipulated in the bid;

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Brandt Marine Inc. as the certified low bidder for the marina dredging, pursuant to the plans and specifications and requirements of the bid documents, and to notify Brandt Marine Inc. of its status as low bidder, and further

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary permit documents with the required regulatory agencies, and execute the contract documents with Brandt Marine Inc. for marina dredging according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for a projected total contract amount of \$20,700.00 minus any negotiated reductions that the Village may achieve in negotiating the final contract plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

BE IT RESOLVED that the funding for the project shall be made from the general reserves.

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

Motion: Trustee Oppenheimer

Second: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

APPROVAL OF 109A NEPTUNE REPOSTING PLAN FOR BIDDING

Trustee Oppenheimer reported on the status of the reposting and possible expansion of 109A Neptune, commonly known as the Art Shed. He stated that the building is in dire need of reposting and other interior improvements. He further stated that, given Suffolk County Department of Health (DOH) regulations, any expansion of the Art Shed building would trigger upgrades to at least two other sanitary systems, and therefore the previous Board had determined that it was prudent to repost the building in its current footprint but relocated 10 feet to the west. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the Village Administrator to solicit bids for 109A Neptune Walk based on the plans of Butler Engineering dated November 4, 2021, which move the building 10 feet west toward Neptune Walk, and pursuant to the Village's procurement policy, and to take all necessary actions and to sign all necessary grant documents or contracts to secure the New York State legislative grant funding that was previously approved and is now being administered by the Dormitory Authority of the State of New York.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Mayor O'Brien left the meeting 10:30 a.m. to swear in the Fire Company officials, and returned to the meeting at 10:35 a.m.

AUTHORIZATION FOR A PUBLIC HEARING ON A LOCAL LAW TO MODIFY CHAPTERS 55 & 18 OF THE VILLAGE CODE TO REGULATE HARDSCAPE

Village Administrator Posillico provided background for the proposed changes to both Chapter 55 (Zoning) and Chapter 18 (Building Construction Administration) to regulate hardscape throughout the Village. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to consider modifications to Chapters 55 and 18 of the Village Code to regulate hardscape at the next available duly noticed public hearing, and further that the preliminary determination for the purposes of compliance with the State Environmental Review Act is that this will be an unlisted action. The motion was seconded by Trustee Skerritt, and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

MORATORIUM ON AND PROHIBITION ON THE PLACEMENT OF HARDSCAPE IN THE VILLAGE OF SALTAIRE

Discussion ensued amongst the Board of the necessity of imposing a moratorium on the placement of hardscape anywhere in the village, and prohibition of the placement of new hardscape (pavers, patio stones, and) until such time that a local law is considered. After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion for a resolution creating a moratorium and prohibition on the installation of hardscape on any property in the Village beyond the footprint of the enclosed space on the property. The motion was seconded by Trustee Kovner and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

After further discussion, and all having a chance to be heard, Trustee Skerritt made a motion for the board to conduct a public hearing on a local law amending Chapter 18 of the Village Code creating a moratorium and prohibition on the placement of hardscape in the Village pending a public hearing on a local law regulating hardscape at the next available duly noticed public meeting. The motion was seconded by Trustee Oppenheimer, and on call it was approved according to the following vote:

Motion: Trustee Skerritt

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

APPOINTMENTS OF VILLAGE OFFICIALS TO BOARDS AND COMMISSIONS

Mayor O'Brien stated that, after consultation with his fellow Board members and others, he was prepared to recommend the following appointment for approval or ratification for the terms so indicated:

Architectural Review Committee
Meagan Stillwell

August 31, 2024

Trustee Kovner made a motion to approve and/or ratify the proposed appointee for her respective term, as indicated. 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 Kovner

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

CLOSE OUT WATER MAIN CAPITAL PROJECT

Trustee Wolf made a motion to approve and adopt the following:

WHEREAS the Board of Trustees of the Village of Saltaire had created a capital project for Water Main Upgrades along Lighthouse Prom and issued long-term bond obligations in the amount of \$451,112 and received federal grant awards of \$1,229,462.76 to fund part of the total final cost-to-date of \$1,788,906.56, and to date used \$108,331.80 from general fund reserves to fund the balance of the capital project;

BE IT RESOLVED that the Board of Trustees hereby closes out the Water Main Upgrade along Lighthouse Prom Project, and authorizes the Village Treasurer to make the necessary accounting entries to effect said closeout and to transfer \$108,331.80 from the General Fund to the Capital Fund to eliminate the capital fund balance deficit.

The motion was seconded by Trustee Kovner, and after all having a chance to be heard, the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

SURPLUS EQUIPMENT

Administrator Posillico reported that the Village Equipment Manager has advised the Village that it has identified the 2005 Chevy Tahoe as being surplus to its needs. He also stated that since the Village has no alternate uses for the vehicle, or room to house it, that it is therefore also surplus to the Village's needs.

Trustee Skerritt made a motion to adopt the following resolution:

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

- 2005 Chevy Tahoe

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 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 Wolf and the motion was carried according to the following:

Motion: Trustee Skerritt

Seconded: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

ADOPTION OF LOCAL LAW MODIFICATION TO CHAPTER 32 – MEDICAL SERVICES

Mayor O'Brien provided an overview of the draft local law that had been presented at a duly noticed public hearing modifying the composition to the Medical Advisory Committee to a Fire Company Liaison. After further discussion and all having a chance to be heard, Trustee Wolf made a motion to adopt the local law to modify Chapter 32 of the Code of the Village of Saltaire in the form presented. The motion was seconded by Trustee Kovner, and after all having a chance to be heard, the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

TRUSTEE REPORTS

Each Trustee gave a brief overview report on their areas of respective oversight responsibilities.

APPROVAL OF MINUTES

Draft copies of the minutes of the Board of Trustees meeting of August 6, 2022 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 Skerritt and on call it was carried according to the following action:

Motion: Trustee Oppenheimer

Seconded: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

AUDIT AND APPROVAL OF ABSTRACTS

Mayor O'Brien 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. 3B in the amount of \$61,850.47
General Fund Checking No. 4A in the amount of \$128,158.92

After discussion and opportunity for questions, Trustee Skerritt made a motion that the above-listed abstract(s) be approved as modified 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 Skerritt
Seconded: Trustee Wolf
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Abstain: None
Against: None

ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf made a motion at 11:55 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 Skerritt and on call it was approved according to the following vote:

Motion: Trustee Wolf
Seconded: Trustee Skerritt
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Oppenheimer made a motion at 1:00 p.m. to close the Executive Session and to re-adjourn into public session after a short break. The motion was seconded by Trustee Skerritt and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer
Seconded: Trustee Skerritt
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

Mayor O'Brien called the Public Hearing to order at 1:03 p.m. and the following were in attendance:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee
Susan Skerritt, Trustee
Anna Kovner, Trustee
Scott Rosenblum, Advisor to the Board
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Donna Lyudmer, Village Treasurer
And 0 attendees observed through internet connection and in person.

APPROVAL OF TRANSFER OF DEVELOPMENT RIGHTS FOR THE FIREFLY SUBDIVISION APPLICATION

Trustee Wolf moved adoption of the following resolution:

SEQRA RESOLUTION REGARDING GRANTING TRANSFER OF DEVELOPMENT RIGHTS FOR THE FIREFLY TRUST SUBDIVISION

Application of Firefly Trust
303 East Walk Subdivision
SCTM No. 0503-004.00-02.00-065.000

WHEREAS Firefly Trust, care of Ivan Sacks, Trustee, 210 West 70th Street, New York, New York 10023, previously made an application to the Board of Trustees of the Village of Saltaire for an approval of a subdivision of property located at 303 East Walk, Saltaire, being a total size of 20,400 square feet into two lots of approximately 10,200 square feet each; and

WHEREAS the required minimum lot size for a single-family residential structure in the zone of the Village of Saltaire in which the Firefly Trust property is located is 10,000 square feet; and

WHEREAS the SCDOHS has a minimum lot development size for single family residences that will contain the normal size and process of wastewater management is 20,000 square feet and therefore is requiring the applicant owner to acquire the wastewater development rights of a property in the Pine Barrens of Suffolk County and to transfer the wastewater flow development rights from that Pine Barrens property to the subdivided properties to be located at the subdivided 303 East Walk; and

WHEREAS Firefly Trust has now made application to the Board of Trustees for approval of the transfer of SCDOHS wastewater flow development rights from property in the Suffolk County Pine Barrens to the two subdivided lots at 303 East Walk; and

WHEREAS the Board of Trustees has reviewed this additional action of the granting of the transfer of development rights to a property in the Village of Saltaire for purposes of SEQRA review and determination and has determined that the review and consideration of the application is a unique circumstance; it is therefore

RESOLVED that the Board of Trustees hereby adopts Lead Agency status for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that this application for an approval of the transfer of development rights is an Unlisted Action for purposes of SEQRA, and it is further;

RESOLVED that the Board of Trustees hereby determines that the approval of the application for a transfer of development rights;

Will not have a significant negative impact on the environment in the action, and;

Will not result in a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, substantial increase in solid waste production, a substantial increase in potential for erosion, flooding, leaching or drainage problems, and;

Will not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on habitats, or other significant adverse impact on natural resources, impairment of a critical environmental area and;

Will not result in the creation of a material conflict with a community's current plans or goals, and;

Will not result in the creation of a hazard to human health, and;

Will not result in a substantial change in land use, and;

Will not encourage or attract an additional large number of people to a place for more than a few days, and;

Will not result in the creation of a material demand for other actions, and;

Will not result in changes in two or more elements of the environment, each of which is not significant but when reviewed together are significant or two or more related actions each of which is not significant but when reviewed together are significant, and;

Will not have a significant negative impact on the environment in the action, and that it is therefore;

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

Motion: Trustee Wolf

Second: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

Trustee Oppenheimer then made the following motion:

RESOLUTION REGARDING GRANTING TRANSFER OF DEVELOPMENT RIGHTS FOR THE FIREFLY TRUST SUBDIVISION

Application of Firefly Trust
303 East Walk Subdivision
SCTM No. 0503-004.00-02.00-065.000

WHEREAS the owner Firefly Trust, care of Ivan Sacks, Trustee, 210 West 70th Street, New York, New York 10023, previously made an application to the Board of Trustees of the Village of Saltaire for an approval of a subdivision of property located at 303 East Walk, Saltaire, being a total size of 20,400 square feet into two lots of approximately 10,200 square feet each; and

WHEREAS the required minimum lot size for a single-family residential structure in the zone of the Village of Saltaire in which the Firefly Trust property is located is 10,000 square feet; and

WHEREAS the SCDOHS has a minimum lot development size for single family residences that will contain the normal size and process of wastewater management is 20,000 square feet and therefore is requiring the applicant owner to acquire property in the Pine Barrens of Suffolk County and to transfer the wastewater flow development rights from that Pine Barrens property to the properties located at the subdivided 303 East Walk; and

WHEREAS Firefly Trust has now made application to the Board of Trustees for approval of the transfer of SCDOHS wastewater flow development rights from property in the Suffolk County Pine Barrens to the two subdivided lots at 303 East Walk; and

WHEREAS the Board of Trustees has reviewed this application for the transfer of development rights and adopted Lead Agency Status, determined that the application is an unlisted action for purposes of SEQRA that will not have a significant negative impact on one or more aspects of the environment; and

WHEREAS the Board of Trustees in a review of the application for approval of the transfer of SCDOHS development rights from a Pine Barrens property(ies) to the 303 East Walk subdivided properties is a matter of unique circumstances including but not limited to the size, configuration and location of the properties and that if approved this application will not serve as a precedent for other applications and subdivisions; it is therefore

RESOLVED that the Board of Trustees hereby approves the transfer of Suffolk County Department of Health Services development rights from a Pine Barrens property to the 303 East Walk properties that is necessary to support and obtain SCDOHS approval of the subdivision as a precondition of the Board's final consideration and approval of the subdivision of the property at 303 East Walk.

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

Motion: Trustee Oppenheimer

Second: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

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 Wolf made a motion at 1:05 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- October 15, 2022 at 103 Broadway, Saltaire to start at 9:00 a.m., with remote connection, which will include any Public Hearings.

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: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt

Abstain: None

Against: None