

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON DECEMBER 14, 2023 AT 1180 AVENUE OF THE AMERICAS, NEW YORK CITY WITH A REMOTE ATTENDANCE OPTION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor O'Brien called the Board of Trustees meeting to order at 5:02 p.m., at which time 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, Village Administrator  
Donna Lyudmer, Village Treasurer  
And at times up to 0 persons attended in person and 0 other attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Kovner made a motion at 5:02 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). The motion was seconded by Trustee Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Kovner

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 6:04 p.m. to close the Executive Session and to re-adjourn into public session. The motion was seconded by Trustee Wolf, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

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

Against: None

Abstain: None

Mayor O'Brien called the Public Meeting to order at 6:04 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, Village Administrator  
Donna Lyudmer, Village Treasurer  
And 0 persons attended in person and at times up to 18 other attendees  
observed through internet connection at various times

**CONDITIONAL AUTHORIZATION FOR CONSTRUCTION OF PARK COMPONENTS  
ASSOCIATED WITH THE PLAYGROUND IMPROVEMENT PROJECT**

Administrator Posillico provided the results of the December 11, 2023 bid opening for the walkway, seating, planters and shading components of the playground project, and their impact on the overall budget for the project. After discussion amongst the members of the Board, which included the impact of the park components as bid on the overall playground budget, as well as expressions of gratitude to the SCA and its playground sub-committee for all of their design work and fund-raising efforts, and after all others having a chance to be heard, Trustee Oppenheimer indicated that he was prepared to make a motion to accept the bids conditioned upon DEC approval and a maximum amount of Village contribution toward the overall playground project.

Prior to an action being taken to approve and award the contract, Trustee Kovner 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 AWARDED OF A PUBLIC WORKS CONTRACT FOR THE PARK COMPONENTS ASSOCIATED WITH THE PLAYGROUND IMPROVEMENT PROJECT.

WHEREAS the Board of Trustees has reviewed the background reports and accompanying materials for the required SEQRA review with respect to the potential awarding of a public works contract for the park components associated with the playground improvement project; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the potential awarding of a public works contract for the park components associated with the playground improvement project, and further be it

RESOLVED that the Board of Trustees hereby determines that the potential awarding of a public works contract for the park components associated with the playground improvement project 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 potential awarding of a public works contract for the park components associated with the playground improvement project:

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 Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Kovner

Second: Trustee Skerritt

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

Abstain: None

Against: None

Trustee Wolf then made the following motion:

WHEREAS the Board had previously approved the purchase and installation of new playground equipment, which would partially be funded with donations already received in the amount of approximately \$475,000.00; and

WHEREAS the Board and the SCA had been jointly working on designing and pricing additional components of the park to surround the new playground, such as walkways, planters, seating and shade; and

WHEREAS, the Village is desirous of adding some or all of these park components to the playground project, the final scope of which would depend on the overall playground budget and the Village's non-donation-sourced funding contributed to the project, which has been targeted for an amount approximately equivalent to the cost of replacing the current standard equipment with the same style equipment; and

WHEREAS the Village of Saltaire solicited bids in compliance with the procurement policies of the Village of Saltaire for the construction of a park components of the playground project, and

WHEREAS sealed bids were publicly opened at 11:00 a.m. EST on December 11, 2023, and Chesterfield Associates 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; and

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Chesterfield Associates Inc. as the certified low bidder for the construction of various park components associated with the playground improvement project pursuant to the plans and specifications in the bid, 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 Chesterfield Associates Inc. only after the issuance of a NYS Department of Environmental Conservation permit for construction, as well as the finalization of the park component design and overall capital budget for the playground project which results in the Village contributing no more than \$300,000.00 of its non-donation-sourced funds, as so approved by the Mayor in consultation with the Village Attorney, for the maximum contract amount of \$215,450.00 minus any reductions that the Village may achieve in negotiating the final contract, plus scope-of-work reductions, if any, as necessary to achieve that non-donation funding limit of \$300,000.00, 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 for the approved amount shall initially be made from the Village's general reserves, with the general reserves to be repaid in whole or in part by any grant proceeds that are awarded, and any remainder to be repaid in whole or in part by Playground Project donations already in Village accounts or to be received in the future, or by the issuance of Bonds or Bond or Revenue Anticipation Notes, as previously authorized or to be authorized in the future.

The motion was seconded by Trustee Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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

Abstain: None

Against: None

#### AUTHORIZING BOND COUNSEL FOR THE VILLAGE OF SALTIRE

Mayor O'Brien stated that the capital projects that have been approved and are contemplated will require long-term bond funding to finance all or part of those projects, which necessitates retaining special bond counsel to assist the Village with the legal requirements of that process. After discussion, and all having a chance to be heard, Trustee Skerritt made the following motion:

WHEREAS the Board at Trustees at previous public meetings had authorized capital projects for the improvement of various infrastructure and equipment of the Village of Saltaire; and

WHEREAS the capital project authorizations declared that all or part of the cost of the various capital projects may be financed with long-term bonds; and

WHEREAS, the Board has found it to be in the best interest of the Village to engage bond counsel to work with the Village's Financial Advisor to undertake all necessary legal work to put the Village in the position to solicit and issue long-term bonds to finance all or part of the approved capital projects pursuant to all federal and state laws and regulations; and

WHEREAS the Village has undertaken an RFP process for Bond Counsel in order to determine the firm that provides the best fit and value for the legal work necessary for the issuance of bonds to finance the approved capital project; and

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of Saltaire, after review of the proposal, are desirous of retaining the services of Harris Beach Inc. as the Bond Counsel of the Village of Saltaire; it is therefore

RESOLVED that Harris Beach Inc. is hereby appointed as the Bond Counsel of the Village of Saltaire, pursuant to the agreement of engagement which has been submitted and distributed to the Board, subject to further non-substantive language modifications made by the Village Attorney and execution by the Village Administrator.

The motion was seconded by Trustee Kovner, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Skerritt

Second: Trustee Kovner

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

Abstain: None

Against: None

## BOND RESOLUTIONS

Prior to the discussion of bond resolutions necessary of the financing of the various capital projects, Trustee Kovner stated that, after consultation with counsel for the Federal Reserve, by whom she is employed, it was determined that it would be in the best interest of Trustee Kovner as well as the Village that she recuse herself from any discussion and voting on bonding of the capital projects.

Trustee Skerritt gave an overview of the bonding process and the required resolutions that needed to be adopted. Village Attorney Prokop stated that he had reviewed the resolutions, and provided an overview of legal requirements of the bond resolutions. He further stated that although each of the capital projects was adopted with its own SEQRA resolutions, it was prudent that the Bond resolutions themselves also should follow the SEQRA review and approval process.

After discussion, and all having a chance to be heard, Trustee Oppenheimer stated that he was prepared to move for approval for the bond resolution for the 14 Bay Prom project.

Prior to that action being taken to approve and the bond resolution for the 14 Bay Prom project, 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 APPROVAL OF A BOND RESOLUTION FOR THE POTENTIAL FUNDING OF THE 14 BAY PROM CAPITAL PROJECT.

WHEREAS the Board of Trustees has reviewed the background reports and accompanying materials for the required SEQRA review with respect to the potential approval of a bond resolution for the potential funding of the 14 Bay Prom capital project; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the potential approval of a bond resolution for the potential funding of the 14 Bay Prom capital project, and further be it

RESOLVED that the Board of Trustees hereby determines that the potential approval of a bond resolution for the potential funding of the 14 Bay Prom capital project 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 potential approval of a bond resolution for the potential funding of the 14 Bay Prom capital project:

- 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 question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Skerritt

Second: Trustee Wolf

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

Recusal: Trustee Kovner

Abstain: None

Against: None

Trustee Oppenheimer then moved approval of the following resolution:

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SALTIRE, SUFFOLK COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE CONSTRUCTION, RECONSTRUCTION AND EQUIPPING OF A BUILDING LOCATED AT 14 BAY PROMENADE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,756,238; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$1,756,238 IN SERIAL BONDS OF THE VILLAGE TO FINANCE ALL OR A PORTION OF SAID APPROPRIATION**

**WHEREAS**, the Board of Trustees (the “Board of Trustees”) of the Village of Saltaire, Suffolk County, New York (the “Village”), proposes to authorize the issuance of \$1,756,238 in serial bonds of the Village to finance the construction, reconstruction and equipping of a building located at 14 Bay Promenade, including structural reposting and elevating, building, electrical, plumbing and mechanical improvements, related site work improvements, whether or not including sidewalks, curbs, gutters, drainage, landscaping, grading or improving the rights of way in connection therewith, and all ancillary, preliminary and incidental costs related thereto (the “Project”), at an estimated maximum cost of \$1,756,238; and

**WHEREAS**, the Board of Trustees, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, “SEQRA”), determined that the Project constitutes an “Unlisted” action within the meaning of SEQRA, that it will not have a significant impact on the environment; and adopted a negative declaration under SEQRA to such effect; and

**WHEREAS**, the Village Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees of the Village of Saltaire, Suffolk County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

**SECTION 1.** The Village is hereby authorized to undertake the Project, and to issue up to \$1,756,238 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated costs of all or a portion of the Project, or bond anticipation notes in anticipation of such bonds.

**SECTION 2.** It is hereby determined that the maximum estimated cost of the Project is \$1,756,238, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$1,756,238 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution or bond anticipation notes issued in anticipation of such serial bonds and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

**SECTION 3.** It is hereby determined that the period of probable usefulness of the Project is twenty-five (25) years, pursuant to subdivision 11(b) of paragraph a. of Section 11.00 of the Law.

**SECTION 4.** The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

**SECTION 5.** The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 6.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

**SECTION 7.** Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby

delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect ten (10) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a special election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk substantially the form provided in Section 81.00 of the Law.



The motion was seconded by Trustee Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Oppenheimer

Second: Trustee Skerritt

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

Recusal: Trustee Kovner

Abstain: None

Against: None

After discussion, and all having a chance to be heard, Trustee Skerritt stated that she was prepared move for approval for the bond resolution for the purchase of a fire vehicle.

Prior to that action being taken to approve and the bond resolution for the purchase of fire vehicle, Trustee Wolf 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 APPROVAL OF A BOND RESOLUTION FOR THE POTENTIAL FUNDING OF THE PURCHASE OF A FIRE VEHICLE.

WHEREAS the Board of Trustees has reviewed the background reports and accompanying materials for the required SEQRA review with respect to the potential approval of a bond resolution for the potential funding of the purchase of a fire vehicle; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the potential approval of a bond resolution for the potential funding of the purchase of a fire vehicle, and further be it

RESOLVED that the Board of Trustees hereby determines that the potential approval of a bond resolution for the potential funding of the purchase of a fire vehicle 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 potential approval of a bond resolution for the potential funding of the purchase of a fire vehicle:

- 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 Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Wolf

Second: Trustee Skerritt

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

Recusal: Trustee Kovner

Abstain: None

Against: None

Trustee Skerritt then moved approval of the following resolution:

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SALTAIRE, SUFFOLK COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION OF (1) FIRE-FIGHTING VEHICLE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$250,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$250,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE ALL OR A PORTION OF SAID APPROPRIATION**

**WHEREAS**, the Board of Trustees (the "Board of Trustees") of the Village of Saltaire, Suffolk County, New York (the "Village"), proposes to authorize the issuance of \$250,000 in serial bonds of the Village to finance the acquisition of (1) fire-fighting vehicle, including any appurtenant and incidental costs and expenses related thereto (the "Project"), at an estimated maximum cost of \$250,000; and

**WHEREAS**, the Board of Trustees, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, "SEQRA"), determined that the Project constitutes an "Unlisted" action within the meaning of SEQRA, that it will not have a significant impact on the environment; and adopted a negative declaration under SEQRA to such effect; and

**WHEREAS**, the Village Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees of the Village of Saltaire, Suffolk County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

**SECTION 1.** The Village is hereby authorized to undertake the Project, and to issue up to \$250,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated costs of all or a portion of the Project, or bond anticipation notes in anticipation of such bonds.

**SECTION 2.** It is hereby determined that the maximum estimated cost of the Project is \$250,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$250,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution or bond anticipation notes issued in anticipation of such serial bonds, (ii) the application of federal or state grant monies received or expected to be received by the Village from various funding sources, and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness of the Project is twenty (20) years, pursuant to subdivision 27 of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 5. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify

that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect ten (10) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a special election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The motion was seconded by Trustee Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Skerritt

Second: Trustee Oppenheimer

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

Recusal: Trustee Kovner

Abstain: None

Against: None

After discussion, and all having a chance to be heard, Trustee Skerritt stated that she was prepared to move for approval for the bond resolution for various park capital projects.

Prior to that action being taken to approve the bond resolution for various park capital projects, 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 APPROVAL OF A BOND RESOLUTION FOR THE POTENTIAL FUNDING OF VARIOUS PARK CAPITAL PROJECTS.

WHEREAS the Board of Trustees has reviewed the background reports and accompanying materials for the required SEQRA review with respect to the potential approval of a bond resolution for the potential funding of various park capital projects; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the potential approval of a bond resolution for the potential funding of various park capital projects, and further be it

RESOLVED that the Board of Trustees hereby determines that the potential approval of a bond resolution for the potential funding of various park capital projects 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 potential approval of a bond resolution for the potential funding of various park capital projects:

- 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 question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

:

Motion: Skerritt

Second: Trustee Oppenheimer

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

Recusal: Trustee Kovner

Abstain: None

Against: None

Trustee Skerritt then moved approval of the following resolution:

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SALTIRE, SUFFOLK COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF IMPROVEMENTS TO PARKS AND RECREATION AREAS; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,868,327; APPROPRIATING SAID AMOUNT THEREFOR;**

**AND AUTHORIZING THE ISSUANCE OF UP TO \$1,868,327 IN SERIAL BONDS OF THE VILLAGE TO FINANCE ALL OR A PORTION OF SAID APPROPRIATION**

**WHEREAS**, the Board of Trustees (the “Board of Trustees”) of the Village of Saltaire, Suffolk County, New York (the “Village”), proposes to authorize the issuance of \$1,868,327 in serial bonds of the Village to finance the acquisition, construction and reconstruction of improvements to parks and recreation areas, including (i) improvements to the recreation shed (\$835,000) and (ii) the acquisition of playground equipment (\$1,033,327), including any equipment, machinery, apparatus, land and rights-in-land and any appurtenant and incidental costs and expenses related thereto (the “Project”), at an estimated maximum cost of \$1,868,327; and

**WHEREAS**, the Board of Trustees, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, “SEQRA”), determined that the Project constitutes an “Unlisted” action within the meaning of SEQRA, that it will not have a significant impact on the environment; and adopted a negative declaration under SEQRA to such effect; and

**WHEREAS**, the Village Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees of the Village of Saltaire, Suffolk County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

**SECTION 1.** The Village is hereby authorized to undertake the Project, and to issue up to \$1,868,327 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated costs of all or a portion of the Project, or bond anticipation notes in anticipation of such bonds.

**SECTION 2.** It is hereby determined that the maximum estimated cost of the Project is \$1,868,327, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$1,868,327 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution or bond anticipation notes issued in anticipation of such serial bonds, (ii) the application of federal or state grant or other monies received or expected to be received by the Village from various funding sources, and (iii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

**SECTION 3.** It is hereby determined that the period of probable usefulness of the Project is fifteen (15) years, pursuant to subdivision 19(c) of paragraph a. of Section 11.00 of the Law.

**SECTION 4.** The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

**SECTION 5.** The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 6.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

**SECTION 7.** Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of

said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the "Village Treasurer"). Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for any of the other objects or purposes authorized by this resolution and/or with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect ten (10) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a special election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in

the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The motion was seconded by Trustee Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Skerritt

Second: Trustee Oppenheimer

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

Recusal: Trustee Kovner

Abstain: None

Against: None

#### BONDING LEVELS AND FUND BALANCE POLICY

Trustee Kovner reiterated that she would also recuse herself from the discussion on actual amounts of bonding and fund balance levels. Trustee Skerritt reemphasized that the just-approved bond resolutions set the maximum level of bond funding that the Board can authorize, with those maximum levels being based on the total project budgets with contingencies. She further stated that if the Board were to bond the full amount of the actual capital expenditures for the approved capital projects, this would keep the general fund balance at approximately \$2,800,000.00, the level at the end the fiscal year ending May 31, 2023. She stated that the Board optimally should decide on both the desired general fund balance and the level of bonding, which are interconnected, by the January 23, 2024 meeting. Discussion ensued amongst the non-recused members of the Board on those interconnected levels, and after all having a chance to be heard, Mayor O'Brien thanked Trustee Skerritt for her work on the bond resolutions, as well as for thoughtfully leading the discussion on the optimal level of general fund balances for this year and into the future.

Advisor to the Board Rosenblum left the meeting at 7:19 p.m.

#### AUTHORIZATION TO PROCEED TO UPDATE THE VILLAGE OF SALTAIRE'S ANNEX TO THE SUFFOLK COUNTY ALL HAZARDS PLAN

Administrator Posillico advised the Board that Suffolk County has commenced the five-year-review and update of the All Hazards Mitigation Plan, of which the Village is part. After discussion and all having a chance to be heard, Trustee Kovner moved approval of the following motion:

WHEREAS, the Village has been part of the Suffolk County All Hazards Mitigation Plan since 2015; and

WHEREAS, the Village participation in the plan enables the Village to be eligible for certain funding opportunities through various federal funding programs; and

WHEREAS, the Suffolk County All Hazard Plan must be reviewed and renewed every five years, which requires the County to have that review process complete and verified by January of 2026; and

WHEREAS, Suffolk County has made application for funds to undertake that required planning and review process which requires the participation of the Village of Saltaire to meet the January 2026 deadline; and



NOW THEREFORE, BE IT RESOLVED THAT the Village Administrator and Village Treasurer are each authorized to execute all necessary applications and provide all necessary documents and materials to complete the Village of Saltaire's review and finalization of the Saltaire Annex of the 2026 through 2030 Suffolk County All Hazards Plan, and

BE IT FURTHER RESOLVED THAT, the Village Administrator and Village Treasurer are authorized to commit the Village's personnel time necessary to review and complete the updated Suffolk County All Hazards as part of the local share requirement of the plan.

The motion was seconded by Trustee Wolf, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Kovner

Second: Trustee Wolf

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

Abstain: None

Against: None

#### RETAINING LABOR COUNSEL

Village Attorney Prokop reported that, effective January 1, 2024 the primary staff that provided legal counsel for labor-related issues under the auspices of the firm of Lamb and Barnosky LLP, are moving as a group to the firm of Keane and Beane, P.C., and is recommending that, based on the collective experience and knowledge of that key staff of the Village's operation, the Board retain the services of Keane and Beane, P.C. to continue to have access to the staff's knowledge and expertise.

After discussion and all having a chance to be heard, Trustee Oppenheimer moved the approval of the following resolution:

BE IT RESOLVED, effective January 1, 2024, that the rights and obligations of Lamb & Barnosky, LLP pursuant to the retainer agreement presently in effect, will be assigned to and assumed by the law firm of Keane & Beane, P.C, at the same hourly rates as currently charged by Lamb and Barnosky LLP; and

BE IT FURTHER RESOLVED, effective January 1, 2024, that the Board terminates the retainer agreement with Lamb & Barnosky, LLP.

The motion was seconded by Trustee Wolf, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Oppenheimer

Second: Trustee Wolf

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

Abstain: None

Against: None

#### SELECTING NEW YORK STATE OPTION FOR DIRECT REIMBURSEMENT FOR UNEMPLOYMENT INSURANCE

Village Administrator Posillico stated that the Village, as a governmental subdivision of New York State, has the option, each calendar year, to pay to the New York State Department of Labor the actual benefits claims that year as a reimbursement rather than pay the annual insurance premium. Administrator Posillico provide the past 15-year history of annual insurance premiums and actual benefits claims, which showed that the actual claims were less than 10% of the insurance premiums paid. He added that if the Village chose not to pay insurance premium in 2024, this did not preclude it from rejoining the program in 2025 or future years. After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion to select the option to be a direct reimbursement agency with the Department of Labor for the 2024 calendar year, and to not pay the insurance premium for 2024.

The motion was seconded by Trustee Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and 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

#### SALARY ADJUSTMENTS TO PUBLIC SAFETY SALARIES

Administrator Posillico reported that, as part of the ongoing evaluation of Public Safety Officer Anthony Campos, now serving in the capacity of Chief of the Department with the Civil Service title of Code Enforcement Supervisor, that Chief Campos has continued to serve admirably in his new role, and has in numerous ways increased the efficiency and effectiveness of the Public Safety Department. After discussion, and all having a chance to be heard, Trustee Wolf voiced his own appreciation and commendation for his work, then made a motion to authorize the payment of a salary of \$73,500.00 per annum to Officer Anthony Campos effective January 1, 2024 for the remainder of 2023/24 fiscal year.

The motion was seconded by Trustee Kovner, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Wolf

Second: Trustee Kovner

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

Abstain: None

Against: None

#### RESIDENCY REQUIREMENTS FOR KEY EMPLOYEES

Trustee Wolf made a motion to amend the residency requirement for 2024, as set forth in the Employee Handbook, for key employees as follows:

WHEREAS, the Village of Saltaire is located on Fire Island, a barrier island which is geographically separated from the mainland of Long Island and to which vehicle access is severely limited by Federal and local regulations, and to which ferry service is severely limited or nonexistent between the months of September through May each year; and,

WHEREAS, the Village of Saltaire is primarily a summer community, consisting mostly of residents whose homes are not winterized and are closed up for most of the calendar year, and that only a small number of residents who reside in the Village on a year-round basis; and

WHEREAS, the Board of Trustees has determined that it is necessary to require certain key employees to reside in the Village or to continue to reside in the Village as previously required by prior Boards in order to provide a necessary or desired level of service to both the summer and year-round community, to oversee and maintain the public infrastructure, and to guard and protect private and public property on a continuing basis;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby require the following employees as a condition or continuing condition of employment to reside or to continue to reside in the Village of Saltaire, allowing for short periods of lapses in residency for personal reasons upon notification to the Village Administrator, for the duration of their employment whether seasonal or annual, or until such time that employment ends or a determination is made by the Board of Trustees by separate resolution that residency is no longer required for any or all employees; and designates and offers the following Village properties for occupancy by the specified employees shown, and their families if applicable, in order to fulfill such requirement of residency, according to the terms of the housing license required to be executed by the employee with the Village Administrator and filed with the Village Clerk:

Mario Posillico	Annual	109 Neptune Walk
Vernon Henriksen	Annual	103 Neptune Walk
Anthony Campos	Annual	5 Pomander transitioning to 104 B Neptune Walk on or after October 15, 2024
James Wilde	Annual	104A Neptune Walk
Matthew Nelson	Annual	106 Neptune Walk
Molly Davis	Seasonal	2 Pomander
Richard Wilde	Seasonal	107 Neptune
Northwell Doctors	Seasonal – Per Contract	100 Neptune Walk
Paramedics	Seasonal	104B Neptune Thru 10/15/24

The motion was seconded by Trustee Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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

Abstain: None

Against: None

Trustee Wolf then made a motion to expend up to \$1,500 for the cost of storing Officer Campos' possessions until he has the opportunity to transition over to 104B Neptune in the latter half of 2024.

The motion was seconded by Trustee Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Wolf

Second: Trustee Oppenheimer

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

Abstain: None

Against: None

#### EXTENSION OF CURRENT DISCOUNT FERRY TICKET PROCESS

Village Administrator Posillico stated that Fire Island Ferries is willing to agree to the continued suspension of the requirement to purchase the minimum number of ferry books in exchange for the Village receiving 62 books without cost for use for commutation for Village employees for the duration of the now-extended ferry contract. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the Mayor to execute the contract amendment with Fire Island Ferries as presented to memorialize a modification of the contract to suspend the said purchase agreement program until the end of the current which terminates December 31, 2027.

The motion was seconded by Trustee Skerritt, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and 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

#### APPROVAL OF MINUTES

Draft copies of the minutes of the Board of Trustees meeting of November 11, 2023 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 the minor non-substantive corrections discussed. The motion was seconded by Trustee Kovner, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

:

Motion: Trustee Oppenheimer

Seconded: Trustee Kovner

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. 6B in the amount of	\$164,986.87
General Fund Checking No. 7A in the amount of	\$87,249.18
Capital Fund Checking No. 7A in the amount of	\$368,221.48

After discussion and opportunity for questions, Trustee Skerritt 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 Oppenheimer, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Skerritt

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

#### CLOSE OF MEETING

Trustee Oppenheimer made a motion at 8:06 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- January 23, 2024 1180 Sixth Avenue, 8<sup>th</sup> Floor Room 8A, Manhattan, New York with the public portion to start at a time to be determined, with remote connection, which will include any Public Hearings.

The motion was seconded by Trustee Wolf, and the question of the adoption of the foregoing resolution was duly put to a vote on roll call, and was carried according to the following:

Motion: Trustee Oppenheimer

Second: Trustee Wolf

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

Against: None

Abstain: None