

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JANUARY 23, 2024 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 5:30 p.m., at which time the following were in attendance:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee (Remote)
Susan Skerritt, Trustee
Joseph Prokop, Village Attorney (Remote)
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 (exclusive of the officers noted above).

ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf made a motion at 5:30 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 Wolf
Seconded: Trustee Skerritt
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt
Against: None
Abstain: None

Advisor to the Board Scott Rosenblum arrived remotely at 5:36 p.m.
Trustee Anna Kovner arrived in person at 5:40 p.m.

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Skerritt made a motion at 6:05 p.m. to close the Executive Session and to re-adjourn into public session. 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
Against: None
Abstain: None

Mayor O'Brien called the Public Meeting to order at 6:08 p.m. and the following were in attendance:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee (Remote)
Susan Skerritt, Trustee
Anna Kovner, Trustee
Scott Rosenblum, Advisor to the Board (Remote)
Joseph Prokop, Village Attorney (Remote)
Mario Posillico, Village Administrator
Donna Lyudmer, Village Treasurer
And 2 persons attended in person and at times up to 22 other attendees observed through internet connection at various times (exclusive of the officers noted above).

AUTHORIZATION FOR PUBLIC HEARING ON LOCAL LAW TO WAIVE OUT OF NEW YORK STATE MAXIMUM TAX CAP

Mayor O'Brien stated that the Board will shortly undertake the budget process for the 2024/25 fiscal year, and that it is currently undetermined whether the budget will require a tax increase and if so to what extent. The Board has the option to waive the State-mandated tax cap limit, which is likely to be two percent (2.0%). The waiver can only be accomplished by adoption of a local law each year. The adoption of such a local law would not require that the Board adopt a tax increase above the State minimum increase, but rather would provide the flexibility to do so if necessary to balance the budget. After discussion and all having a chance to be heard, Trustee Wolf made a motion to hold a public hearing on the same date as the next scheduled Board of Trustees meeting to consider such an amendment of Chapter 48 of the Village Code.

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

APPROVAL OF SETTLEMENT TO PENDING LITIGATION

Trustee Skerritt made a motion to authorize Mayor O'Brien and Village Attorney Prokop to offer a settlement proposal in an effort to conclude ongoing litigation, and to execute the necessary documents to effect the settlement if accepted by the other party. 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

Seconded: Trustee Wolf

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

Against: None

Abstain: None

BOARD AND COMMISSIONS APPOINTMENTS

Mayor O'Brien stated that he has communicated with the individuals listed below for appointment or re-appointment to positions and offices within the Village, and that each has agreed to serve in the offices indicated. After discussion and all having a chance to be heard, Trustee Kovner made a motion to approve the appointments of the individuals so listed to their respective positions, as follows:

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ZONING BOARD OF APPEALS	Seth Lesser (2026) Robert Cox (Alternate) – Annual Appointment
BD. OF ASSESSMENT REVIEW	(Chair) Ann Connolly (2026)
PLANNING COMMISSION	William Obre (2026)
ARCHITECTURAL REVIEW COMM.	(Chair) Tim Bruce (2026)
MEDICAL ADVISORY COMM.	(Chair) Susan Lipsitz M.D (2026)
VILLAGE OMBUDS OFFICERS	Bill Cunningham (2026) Maria Fornario (2026)

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 Kovner

Seconded: Trustee Oppenheimer

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

Against: None

AUTHORIZATION TO SOLICIT BONDS FOR CAPITAL PROJECTS

Prior to the discussion of solicitation of bonds for the financing of the various capital projects, Trustee Kovner stated that, after consultation with counsel for the Federal Reserve Bank of New York, by whom she is employed, it was determined that it would be in the best interests 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 stated that the net amount of the capital projects' cost of approximately \$2.8M was approximately equal to the Village's Fund Balance at the close of the fiscal year ending May 2023, and therefore any amount of the bond less than the net capital expenditure would reduce the general fund balance of the Village by that same amount. She further stated desired general fund balance and the level of bonding are interconnected, and that the Board will have to consider both when the time comes to approve the bonds. Discussion ensued amongst the non-recused members of

the Board on those interconnected levels, and the optimum level of bond funding and general fund balance, and after all having a chance to be heard, Trustee Skerritt made a motion to authorize the Village Administrator and Village Treasurer, in consultation with the Village Financial Advisor and Bond Counsel, to solicit long term bond obligations in the amount of \$2,750,000.00 for a duration of 20 years, to be presented to the Board for consideration as soon as practical.

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

Recusal: Trustee Kovner

Against: None

Abstain: None

APPROVAL OF MINUTES

Draft copies of the minutes of the Board of Trustees meeting of December 14, 2023 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee Wolf made a motion to adopt the minutes as presented with the minor non-substantive corrections discussed. 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

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. 7B in the amount of \$48,398.56

General Fund Checking No. 8A in the amount of \$125,565.49

Capital Fund Checking No. 8A in the amount of \$142,500.26

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 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

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 Kovner made a motion at 7:20 p.m. that the Board adjourn into Executive Session to discuss one or more of the following: information relating to current and future investigation and or prosecution of offenses in the Village, litigation strategy in pending or future litigation, personnel matters as described in Public Officers Law Section 105(f), and the purchase or sale of real property. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee Kovner

Seconded: Trustee Wolf

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 8:49 p.m. to close the Executive Session and to re-adjourn into public session. The motion was seconded by Trustee Wolf and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: 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 8:49 p.m. and the following were in attendance:

Hugh O'Brien, Mayor

Frank Wolf, Deputy Mayor, Trustee

Nat Oppenheimer, Trustee (Remote)

Susan Skerritt, Trustee

Anna Kovner, Trustee

Scott Rosenblum, Advisor to the Board (Remote)

Mario Posillico, Village Administrator

Donna Lyudmer, Village Treasurer

And 0 persons attended in person and at times up to 0 other attendees observed through internet connection at various times (exclusive of the officers noted above).

CLOSE OF MEETING

Trustee Skerritt made a motion at 8:50 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule, which includes an amendment to the June meeting:

- February 26, 2023 at 1180 Sixth Avenue, 8th Floor, New York with the public portion to start with a time to be determined, with remote connection, which will include any Public Hearings.

- March 7, 2023 at 32 Old Slip, New York, for the purpose of a budget workshop, with the public portion to start with a time to be determined with remote connection.

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

Motion: Trustee Skerritt

Second: Trustee Kovner

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

Against: None

Abstain: None