

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JUNE 1, 2024 AT 103 BROADWAY, SALTAIRE, NEW YORK 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 9:09 a.m., at which time the following were in attendance:

Hugh O'Brien, Mayor  
Frank Wolf, Deputy Mayor, Trustee  
Susan Skerritt, Trustee  
Anna Kovner, Trustee  
Joseph Prokop, Village Attorney  
Scott Rosenblum, Advisor to the Board  
Mario Posillico, Village Administrator  
Donna Lyudmer, Village Treasurer  
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 9:09 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). 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 Skerritt, Trustee Kovner  
Against: None  
Abstain: None

Trustee Oppenheimer arrived at the Executive Session at 9:19 a.m.

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion at 10:03 a.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 Wolf  
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 10:06 a.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 at times up to 18 persons attended in person and at times up to other attendees observed through internet connection at various times (exclusive of the officers noted above).

#### AUTHORIZATION FOR PUBLIC HEARING ON LOCAL LAW TO REGUALTE USE OF PUBLIC PROPERTY FOR PRIVATE USE

Mayor O'Brien stated that the Board periodically receives requests for use of public property for non-governmental purposes, with such requests increasing in frequency and complexity, and he feels that it is an appropriate time to review and modify the existing code provisions in that regard to better reflect the current legal, social and practical realities. After discussion and all having a chance to be heard, Trustee Wolf made a motion to hold a public hearing on July 20, 2024 to consider such an amendment to Chapter 52 of the Village Code.

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

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

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

Abstain: None

Against: None

#### EMPLOYEE DISCOUNT POLICY FOR RECREATON FEES

Village Administrator Posillico reported that the Village has historically provided various levels of discounted recreation fees for certain classes of employees, and that it would be a best practice to formalize that employee discount policy for recreation services through a formal policy resolution. Discussion ensued amongst the Board members and those in attendance, and after all having a chance to be heard, Trustee Kovner made the following motion:

#### **EMPLOYEE RECREATION PROGRAM DISCOUNT POLICY**

Whereas the Village operates various recreation programs, including a Summer Camp program, a Library program and a Junior Lifeguard program, for the benefit of residents and guests of the Village and neighboring communities, and;

Whereas, the Village annually sets a fee-for-service for these programs in an attempt to cover both its operating and overhead costs for these programs; and

Whereas, the Village, in order to recruit and retain qualified competent employees, looks for opportunities to offer key employees certain conveniences to make it easier for those employees to

be able to work at, commute to or live on Fire Island so that those employees are better able to perform their duties.

Therefore, be it resolved that the Village offers the following classes of employees the respective discounts for camp and library programming:

- All Full-time employees as so outlined in the Employee Handbook:
  - 100% discount for dependent children or grandchildren
- Employees who live in Village Housing:
  - 100% discount for dependent children, grandchildren or other relatives (or close acquaintances upon the approval of the Village Administrator) who live in Village Housing during the period of program enrollment.
- Seasonal or Part-time Employees
  - 100% Discount ONLY for those employees who, in the discretion of the Village Administrator and in consultation with their direct department head, are considered key seasonal employees for whom the discount for their relative would be an important inducement for continued employment.

Be it resolved that the financial benefit of the discounted programming received by any employee will be reported as additional income to that employee for the reporting year in which the registration was discounted, pursuant to the advice of the Village accountant/auditor based on the current IRS regulation in effect at the time of reporting.

The motion was seconded by Trustee Oppenheimer and the question of the adoption of the foregoing resolutions 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

Abstain: None

Against: None

#### AMMENDMENT TO EMPLOYEE/VOLUNTEER COMMUTATION POLICY

Trustee Wolf reported that he has been periodically meeting with executives of the Saltaire Volunteer Fire Company (SVFC) to cooperatively address the challenges and opportunities in the changing Fire/Rescue environment on Fire Island; and to that end the Board had set aside \$5,000 in the 2024/25 operational budget to address some barriers to recruitment and retention of active members of the Company. He stated that as a result of those meetings, the recommendation for utilization of those funds is to address the transportation cost to members to attend required meetings and training sessions. After discussion, and all having a chance to be heard, Trustee Wolf moved the adoption of the following resolution to amend the Village of Saltaire's Village Official and Employee Transportation policy as appended herein:

#### FERRY TRANSPORTATION

##### Employees

The Board of Trustees hereby further determines that it is in the best interest of the Village of Saltaire to provide for ferry transportation to and from the Village by the provision of

discount ferry tickets (when not otherwise provided) to the following classifications of employees: Village Office staff, Post Office staff, Public Safety staff, Maintenance staff, Lifeguard staff, Recreation Administration (including the Recreation Director, Camp Director, Art Director, Nature Director, and Group Leaders, but not including youth counselors) in order to provide transportation to and from primary place of residence during the employment period, or to perform a designated task on the mainland for the benefit of their respective department. Discount ferry tickets for such qualified employees will be distributed by the respective department heads, and catalogued to the satisfaction of the Village Treasurer for the purposes of tracking of proper use pursuant to this policy, and for inventory control.

#### Resident Employees

The Board of Trustees hereby further determines that it is in the best interest of the Village of Saltaire to maintain a core of necessary employees who maintain permanent and/or seasonal residences in Saltaire or in the surrounding communities. The Board may, at its discretion, allocate some number of the employee ferry passes that are made available through contractual obligation with Fire Island Ferries, Inc., to those seasonal or permanent resident employees and their families as an inducement to maintain both required and voluntary residency and to meet the Village's needs and obligations.

#### Saltaire Volunteer Fire Company (SVFC)

The Board of Trustees has determined that it is in the best interests of the residents of the Village of Saltaire that members of the Saltaire Volunteer Fire Company be present in the Village as often as possible in order to respond to fire and rescue calls, attend training sessions and Company meetings, perform administrative duties, and maintain their status as active members in good standing. The Board has further determined that because of the critical services provided by such members, it is a proper expenditure of public funds to help defray a portion of the expense of ferry travel to and from Saltaire incurred by those members in order to perform their duties, training and related obligations.

The Board therefore resolves that the Village shall annually purchase and allocate a maximum of twelve (12) 40-trip ferry-ticket books to the Company, to be used solely for the purposes described above. The books purchased by the Village for this purpose will be given to the Executives of the SVFC, who will in turn allocate and distribute individual tickets to Company members in good standing, in such number and manner which in the Executives' judgment is equitable and appropriate for each such member. The Executives will submit to the Village Administrator by not later than February 1 of each year a detailed summary of the allocation of such ferry tickets made during the preceding calendar year. The method of allocating and distributing these tickets, and the annual summary of same, will be subject to review by the Administrator and the Board of Trustees, who may request changes in such procedures if it is determined that the process is in any way inequitable or abused. Any unused tickets from the preceding year may, at the Board's sole discretion, be deducted from the succeeding year's allocation of ticket books, or taken into consideration in any future adjustment of the quantity of ticket books allocated to the SVFC.

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

Motion: Trustee Wolf

Seconded: Trustee Kovner

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

Abstain: None

Against: None

#### APPROVAL OF THE USE OF BAYFRONT BY THE SALTAIRE YACHT CLUB

Mayor O'Brien reported that the Saltaire Yacht Club (SYC) has requested the use of the bay beach in front of the SYC on July 4, 2024 (or alternate rain date approved by the Village Administrator) as an alternate location for their traditional sandbar picnic in the bay due to logistical concerns. After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the use of the bay beach at the Saltaire marina for an approximately 3-hour period on July 4, 2024 (or alternate rain date approved by the Village Administrator) upon submission of a written indemnification agreement approved by the Village Attorney.

The motion was seconded by Trustee Wolf and the question of the adoption of the foregoing resolutions 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

Abstain: None

Against: None

#### PLANNING COMMISSION REPORT REGARDING PICKLE BALL IN SALTAIRE

Mayor O'Brien reported that the Saltaire Planning Commission (PC), pursuant to the charge authorized by the Board, had investigated and issued their report on the creation of a facility for the playing of Pickle Ball within the Village. Mayor O'Brien stated that the PC report was posted on the Village website, and that it was also linked to the agenda for the meeting. He thanked the PC for their hard work in response to the charge given them on this subject, and commended them for the thoroughness and professionalism of the report, and the entire Board concurred. He stated that, in summary, the report recommended a trial period of one month to be conducted on the Village's basketball court to assess the neighborhood and community impact, conditioned on tight managerial oversight by the Village, which would include the mandated use of the most restrictive low-decibel balls and paddles. Discussion ensued amongst the Board and those in attendance, and after all having a chance to be heard. Trustee Oppenheimer made a motion to not implement the PC's recommendation for a trial period of pickle ball.

The motion was seconded by Trustee Wolf and the question of the adoption of the foregoing resolutions 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,

Against: Trustee Skerritt, Trustee Kovner

Abstain: None

Mayor O'Brien stated that if the Board was so inclined, it could consider at a future meeting the alternate recommendation that had come from the floor to conduct a narrower specific-period pickle ball event or tournament later in the summer season as a trial that could provide some of the insight contemplated by the PC but would have a shorter durational impact.

#### CAPITAL PROJECT UPDATES AND TRUSTEE COMMENTS

Village Administrator Posillico reported on the status of the ongoing capital projects, which include the reconstruction and/or renovations of 14 Bay Promenade, the Arts & Crafts Shed, and the new Playground. Discussion centered on the park component of the playground, and their final configuration in relation to the new Art Shed and Ramp as well as the soon-to-be installed playground equipment. The SCA playground committee and the members of the Board agreed to work toward a final design to be ready for approval at the July 20, 2024 meeting.

Each Trustee then gave a summary report on areas over which they had oversight responsibilities. Discussion ensued, questions were asked and responses provided by each Trustee.

#### FIRE ISLAND NATIONAL SEASHORE'S VEHICLE REGULATION RULE-MAKING PROCESS

Mayor O'Brien reported on the years-long rule-making process that has been undertaken by the Fire Island National Seashore (FINS) to amend the current regulations for vehicle access and use, which were last modified in 1987. Mayor O'Brien stated that while the vehicle regulations are in need of updating to stay relevant in a changing environment, he believes that the process did not adequately reflect the needs and comments of the various stakeholders in the process, and that the preferred alternative being proposed by FINS would significantly increase vehicle traffic and have a significant negative impact on the environment and quality of life of the residents of Fire Island generally, and be even more detrimental to the residents of Saltaire due to its geographic location as the second most western community past the vehicle checkpoint. Village Attorney Prokop stated that he felt that there were also significant failures by FINS in following the required National Environmental Protection Act (NEPA) process that also need to be identified in any response by the Village. Mayor O'Brien stated that given this background and the potential for significant negative impacts to Saltaire, he feels that the Village should take a formal position that the No Action alternative is the best course of action at this juncture. This would allow for a restart of the process that is compliant with NEPA, more inclusive of the stakeholders' insight and judgment, and realistically addresses the specific circumstances of Fire Island.

After discussion and all having a chance to be heard, Trustee Wolf made a motion to authorize the Mayor and Village Attorney to respond to the FINS request for comment by outlining any inadequacy in the NEPA process being followed, as well as the Village's preference that the No Action alternative be selected due the various negative impacts to the Village of Saltaire that have been identified in FINS's preferred alternative B.

The motion was seconded by Trustee Skerritt and the question of the adoption of the foregoing resolutions 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

Abstain: None

Against: None

Mayor O'Brien reported that the comment process, which closes on June 30, 2024, is open to everyone and he encouraged all residents to become familiar with the proposed regulations, the links for which have been posted on the Village website, and to register their comments in the format provided on the FINS website (or via regular mail sent to the address provided on the website).

#### APPROVAL OF MINUTES

Draft copies of the minutes of the Board of Trustees meeting of May 11, 2024 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee Skerritt made a motion to adopt the minutes as presented with the minor non-substantive corrections discussed. 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

#### 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. 12B in the amount of	\$2,281.42
General Fund Checking No. 1A in the amount of	\$43,967.86
Capital Fund Checking No. 1A in the amount of	\$205,765.72

After discussion and opportunity for questions, Trustee Oppenheimer 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 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

Seconded: Trustee Skerritt

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

Abstain: None

Against: None

#### CLOSE OF MEETING

Trustee Kovner made a motion at 12:00 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- July 3, 2024 at 103 Broadway, Saltaire, New York with the public portion to start at a time to be determined, with remote connection, which will include any Public Hearings.

- July 20, 2024 at 103 Broadway, Saltaire, 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 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

Seconded: Trustee Kovner

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

Against: None

Abstain: None