

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JULY 20, 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 9:03 a.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  
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 Kovner made a motion at 9:03 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 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 Kovner made a motion at 10:00 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 Kovner  
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 10:05 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 40 persons attended in person and at times up to 8 other attendees observed through internet connection at various times (exclusive of the officers noted above).

#### PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 52 – USE OF VILLAGE PROPERTY

Mayor O'Brien opened the Public Hearing at 10:05 a.m. to consider the proposed amendment to Section 52-6, Use of Village Property, and stated that the purpose of the proposed local law is to update and expand the existing provisions of the statute to better reflect and regulate the increasing number and complexity of requests that the Board has been receiving. Comments and questions were received from the members of the Board and those in attendance, and after all having a chance to be heard, Trustee Oppenheimer made a motion at 10:37 a.m. to close the public hearing. 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

Abstain: None

Against: None

#### PUBLIC HEARING: LOCAL LAW MODIFICATION – CHAPTER 38 – FILMING IN THE VILLAGE OF SALTAIRE

Mayor O'Brien opened the Public Hearing at 10:37 a.m. to consider the proposed amendment to Section 38-21, Filming in the Village of Saltaire, and stated that the purpose of the proposed local law is to update and expand the existing provisions of the statute to outline the procedure and fees associated with requests for commercial filming in the Village of Saltaire. Comments and questions were received from the members of the Board and those in attendance, and after all having a chance to be heard, Trustee Skerritt made a motion at 10:44 a.m. to close the public hearing. 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

#### ADOPTION OF MODIFICATION TO CHAPTER 38 - FILMING IN THE VILLAGE OF SALTAIRE

Discussion continued on the Local Law to amend Section 38-21 of the Village Code to regulate filming in the Village of Saltaire, and after all, having a chance to be heard, Trustee Oppenheimer made a motion to adopt the local law to modify Section 38-21 of the Village Code as presented. 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

Abstain: None

Against: None

#### APPROVAL OF REQUESTS FOR USE OF VILLAGE PROPERTY

Mayor O'Brien reported that the Board had been made aware of or had received two separate requests from Village residents for the use of Village property. One request was for the use of the bay-front beach in the vicinity of West Walk as a gathering place for a walk in support of Alzheimer's education on the morning of August 27, 2024. The other request was for the use of the Brodtkin Park Gazebo for a gathering to pray for unity and peace on the evening of July 27, 2024. Discussion ensued, and after all having a chance to be heard, Trustee Skerritt made a motion to approve the above-identified requests as presented and for the Village Administrator and Public Safety to coordinate the details of each event with the organizers so proper resources are available and interference with the public's use of the surrounding areas is minimized. 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

#### APPROVAL OF PERSONNEL AGREEMENTS

After discussion amongst the Board, Trustee Oppenheimer made the following motion, as distributed to the Board by Village Attorney Prokop:

BE IT RESOLVED that a Separation Agreement with a retiring employee to be dated July 22, 2024 and a Housing License with that same retiring employee also to be dated July 22, 2024 as presented to the Board of Trustees by the Village Attorney and Labor Counsel be approved and that the Mayor be authorized to execute the agreements on behalf of the Village.

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

Abstain: None

Against: None

**AUTHORIZATION TO ACCEPT HAZARD MITIGATION GRANT AND EXECUTE CONTRACT**

Village Administrator Posillico reported that the Village was awarded a grant pursuant to the Village's application to FEMA under its Hazard Mitigation Grant Program (HMGP), as administered by the New York State Division of Homeland Security and Emergency Services (DHSES). The award letter was distributed to the Board. He stated that the purpose of the grant is for Seagrass Planting and Natural Dune Stabilization, with total funding available of \$339,912.00, with a federal share of \$307,539.40 (inclusive of sub-recipient management costs not to exceed \$16,186.00) and local share to be paid by the Village of Saltaire of \$32,372.60. He then stated that the scope of work related to seagrass planting on both the ocean-front and bay-front of the Village.

After discussion, and all having a chance to be heard, Trustee Wolf made the following motion:

WHEREAS, the Village of Saltaire is desirous of executing a contract with New York State for a grant award under FEMA's Hazard Mitigation Grant Program;

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Saltaire, as Lead Agency, has determined that pursuant to New York Codes, Rules and Regulations Part 617.5(c)(26) and (33) the proposed action is deemed to be a Type II Action and will have no significant impact to the environment.

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

Abstain: None

Against: None

Trustee Kovner then made a motion to authorize the Village Administrator to accept the FEMA-4480-DR-NY HMGP Project #4480-0026 as presented, to execute the necessary contract documents after review and approval of the Village Attorney, and to be authorized to take up to \$32,372.60 from general reserves at the time needed to satisfy the grant and contract requirements.

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

Seconded: Trustee Wolf

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

Abstain: None

Against: None

Mayor O'Brien reported on the status of the Fire Island National Seashore's (FINS) proposed changes to the driving regulations for Fire Island. He stated that FINS's public comment period had closed, and that the Village of Saltaire, the Fire Island Association, as well as other jurisdictions and stakeholders had submitted comments in opposition to the proposed changes. It was hoped that the almost unanimous opposition of the island's stakeholders would compel FINS to abandon their proposals and restart the process and better utilize input from the local jurisdictions and stakeholders, in order to arrive at more modest changes that better reflect the environmental and logistical reality of Fire Island. Mayor O'Brien further stated that he knows that many residents, particularly from Saltaire, had submitted comments in opposition to the proposals, although thus far FINS had not released the public comments or reported the number of comments received. Discussion ensued, and Mayor O'Brien stated that he would keep the community updated as soon as any significant developments occurred.

#### APPROVAL OF USE OF THE BASKETBALL COURT FOR LIMITED PICKLE BALL PLAY

Mayor O'Brien reported that the Board had received a request for the exclusive use of the Basketball court on the afternoon of August 17, 2024 for not more than two hours of pickle ball play. Mayor O'Brien further stated that the concept of a one-day trial was borne of a suggestion made at the Board meeting of June 1 of its being a way of experiencing and assessing the impact of the sport on the surrounding area.

Discussion ensued, and after all having a chance to be heard, Trustee Kovner made a motion to authorize the use of the Basketball court on the afternoon of August 17, 2024 for pickle ball play for no more than two hours as presented, and for the Village Administration and Public Safety to coordinate the details of each event with the organizers to ensure that proper resources are available, that the quietest type of equipment is being employed, and that the 2-hour timeframe, is adhered to, so that the disturbance to the surrounding areas is minimized.

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 Skerritt, Trustee Kovner

Abstain: None

Against: Trustee Wolf, Trustee Oppenheimer

#### APPROVAL OF NEW MEMBERS OF SALTAIRE VOLUNTEER FIRE COMPANY (SVFC)

Trustee Wolf reported the following members have recently been voted in as members of the SVFC after meeting all the qualifications for membership. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to ratify and approve the following members of the SVFC:

Casey Rosenblum

Jack Shire

Lila Murphy

Anthony Campos

The motion was seconded by Trustee Skerritt, and 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 MINUTES

Draft copies of the minutes of the Board of Trustees meetings of June 1, 2024 and July 3, 2024 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 that may have been discussed. 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  
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. 2B in the amount of	\$200,982.93
Capital Fund Checking No. 2B in the amount of	\$4,554.90

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

#### ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf made a motion at 1:01 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 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

Trustee Oppenheimer left the Executive Session at 1:05 p.m.

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion at 1:09 p.m. to close the Executive Session and to re-adjourn into public session. 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

Seconded: Trustee Kovner

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

Against: None

Abstain: None

Mayor O'Brien called the Public Meeting to order at 1:10 p.m. and 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 attendees observed through internet connection at various times (exclusive of the officers noted above).

#### CLOSE OF MEETING

Trustee Skerritt made a motion at 1:10 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- August 17, 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.
- September 15, 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 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 Skerritt, Trustee Kovner

Against: None

Abstain: None