

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON AUGUST 2, 2015 AT 105 BROADWAY, SALTAIRE, NEW YORK, WITH REMOTE OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor Cox called the Board of Trustees meeting to order at 9:00 a.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Joseph W. Prokop, Village Attorney  
Mario Posillico, Administrator & Clerk  
Donna Lyudmer, Village Treasurer  
And approximately 30 other attendees  
And 3 observed through internet audio/video connection.

PLEDGE OF ALLEGIANCE

Mayor Cox led those in attendance in the Pledge of Allegiance to the United States of America.

APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of July 3, 2015 having been previously presented to the Board and posted in draft form on the Village web site, were presented for adoption. After discussion and all having a chance to be heard, Trustee O'Brien made a motion to adopt the minutes as presented with minor non-substantive corrections. The motion was seconded by Trustee Chefetz, and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien

Against: None

ABSTRACT AUDIT

Mayor Cox stated that the following Abstract, having been distributed to all in attendance and posted on the Village website, was presented for approval by the Village Administrator and the Village Treasurer:

General Checking No. 2B in the amount of \$66,277.60

After discussion and opportunity for questions, Trustee Wolf made a motion that the above listed vouchers be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee O'Brien, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz, Trustee O'Brien

Against: None

## STATUS – SALTAIRE MARKET REDEVELOPMENT

Administrator Posillico gave a brief overview of the status of the construction schedule of the proposed Saltaire Market at 100 Broadway, which he stated was slated to begin with the installation of the foundation and sanitary system immediately after Labor Day. Mayor Cox reported that pursuant to his request, the Ad-Hoc committee, consisting of Nat Oppenheimer, Jeff Murphy, Bob Mayers, Karen Frome and Nick Petschek, had delivered their concept plan report on optimization of village buildings and assets for the short and intermediate term. Mayor Cox stated that since the Board had just received the report within the last day or two, it would need more time to review and ask questions before it was ready for distribution to the public. He also stated that he would ask the Planning Commission review the report and provide comments to the Board.

## ADOPTION OF 2015/16 FEE SCHEDULE

Administrator Posillico presented the 2015/16 proposed fee schedule for review and adoption. After discussion, and all having a chance to be heard, Trustee Chefetz made a motion to adopt the fee schedule as presented with the amendments made to the Building Permit schedule as appended below::

### BUILDING PERMITS

*Minor Repair with a cost between \$250 and \$7,500	\$50
*Minor Repair with a cost between \$7,501 & \$20,000	\$250
*Major Repair of Alteration with a cost between \$20,001 & \$149,999	\$1,500
*Major Repair/Alteration/Construction with a cost between \$150K and 499K	\$2,500
*Major Repair/Alteration/Construction with a cost between \$500K and 999K	\$5,000
*Major Repair/Alteration/Construction with a cost above \$1M	\$10,000
*Reposting/(Bond Escrow)	\$2,500(\$5,000)
Engineer's Consultation Fee	At Cost
Foundation Jetting fee	\$500
Demolition Permit (Bond Escrow)	\$1000(\$1,000)
Permit Renewal: for 2 years after permit issuance	\$300

\* Application submission deadline of 11/30 for all work over \$30,000.

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

Motion: Trustee Chefetz

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien

Against: None

## DISCUSSION OF REGULATION OF DRONES

Trustee Wolf raised the issue of the Village investigating the possible regulation of Drones to the extent that the federal, state and county law permits them to be regulated by a local jurisdiction. After discussion and everyone having had a chance to be heard, Mayor Cox asked Trustee Wolf to continue to investigate the issue from a legal and public education perspective.

## SUFFOLK COUNTY MUTUAL AID PLAN RENEWAL

Administrator Posillico stated that the Suffolk County Fire and Emergency Medical Services Mutual Aid Plan, which was created and signed by the Village and the Saltaire Volunteer Fire Company in 2005, has been updated to reflect new personnel in administration, and that the County has requested all agencies in the plan to renew and reaffirm their participation in the updated plan. Village Attorney Prokop stated that the substance of the original plans remains intact, and that the changes are ministerial. After discussion, and all having a chance to be heard, Trustee Chefetz made the following motion:

RESOLVED, that the Board of Trustee of the Village of Saltaire encourages the participation of the Saltaire Volunteer Fire Company in the Suffolk County Fire, Rescue and Emergency Medical Services mutual Aid plan a show in force and as amended from time to time and certified to the County of Suffolk and its County Fire Coordinator that no restriction exists against outside service by such fire department or EMS agency within the meaning of Section 209 of the General Municipal Law which would affect the power of such agency to participate in such plan, contingent upon the Saltaire Volunteer Fire Company approving and Executing the Plan, and

FURTHER RESOLVED, that the Board of Trustee of the Village of Saltaire recognizes and accepts the financial responsibility pursuant to section 209-2, 3 and 4 of the General Municipal Law, and it be

FURTHER RESOLVED that a copy of this resolution be filed with the County Fire Coordinator and with copies of the Mutual Aid Plan.

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

Motion: Trustee Chefetz

Seconded: Trustee Wolf

In Favor: Mayor Cox, Trustee Wolf, Trustee Chefetz

Abstain: Trustee Zaccaro, Trustee O'Brien

Against: None

## REMOVAL OF DEAD TREES

Administrator Posillico reported that he observed a proliferation of dead trees on private property around the Village, perhaps due to the after-effects of salt water intrusion from Hurricane Sandy, or the pine tree blight that is spreading across Fire Island. He reported that under the provisions of §38-17 of the Village Code, which requires all real property to be maintained in safe condition, he planned to initiate a program in the off-season requiring all impacted home owners to remove dead trees by a date-certain. It was suggested that for dead pine trees that it should be further required to remove the detritus from the Village to prevent further spread of the blight, to which the Village Administrator agreed.

## ADJOURN INTO EXECUTIVE SESSION

After the Board received and responded to questions from those in attendance, Trustee Zaccaro made a motion at 11:02 a.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract and personnel issues. The motion was seconded by Trustee Wolf, and on call it was approved according to the following action:

Motion: Trustee Zaccaro  
Seconded: Trustee Wolf  
In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz and Trustee O'Brien  
Against: None

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Zaccaro made a motion to re-adjourn into public session at 12:15 p.m. The motion was seconded by Trustee O'Brien, and on call it was approved according to the following action:

Motion: Trustee Zaccaro  
Seconded: Trustee O'Brien  
In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien  
Against: None

The public meeting was called back into session by Mayor Cox at 12:15 p.m. and the following were in attendance:

Robert Lynn Cox III, Mayor  
John A. Zaccaro Jr, Trustee  
Alexander K. Chefetz, Trustee  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Joseph W. Prokop, Village Attorney  
Mario Posillico, Administrator & Clerk  
Donna Lyudmer, Village Treasurer  
And 0 other attendees

#### CONSIDERATION OF AWARDING CONCRETE DEMOLITION TO BOARDWALK RECONSTRUCTION CONTRACT

RESOLUTION ADOPTING LEAD AGENCY STATUS, TYPING A PROJECT AS AN UNLISTED ACTION AND ADOPTION OF A NEGATIVE DECLARATION FOR PURPOSES OF SEQRA WITH REGARD TO THE POTENTIAL AWARDING OF A CONTRACT FOR CONCRETE DEMOLITION AND BOARDWALK RECONSTRUCTION – PHASE VI.

Trustee Wolf moved adoption of the following resolution:

WHEREAS the Village of Saltaire competitively bid the contracts for concrete demolition and boardwalk reconstruction - Phase VI, and the Board is considering awarding the contracts and executing the contract for the reconstruction of boardwalk damaged by Superstorm Sandy know as Phase VI with Chesterfield Associates, and

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

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the contracts and contract work for the demolition of concrete and the reconstruction of boardwalk damaged by Superstorm Sandy know as Phase VI with Chesterfield Associates, and further be it

RESOLVED that the Board of Trustees hereby determines that the contracts and contract work for the reconstruction of boardwalk damaged by Superstorm Sandy know as Phase VI with Chesterfield Associates is an Unlisted Action for purposes of SEQRA, and further be it

RESOLVED that the Board of Trustees of the Village of Saltaire hereby determines that the contracts and contract work for the demolition of concrete and the reconstruction of boardwalk damaged by Superstorm Sandy know as Phase VI with Chesterfield Associates;

- 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 fails to incorporate reasonably available energy a 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 Chefetz, and the motion was carried according to the following:

Motion: Trustee Wolf

Seconded: Trustee Chefetz

In Favor: Trustee Zaccaro, Trustee Wolf, Trustee Chefetz, Trustee O'Brien

Against: None

Trustee Zaccaro then made the following motion:

Whereas the Village of Saltaire solicited bids according to its procurement policy for public works and to be in compliance with the procurement policies of the Housing and Urban Development Agency, which in part is providing funding for the project, and according to the plans and

specifications therein, for the reconstruction of boardwalk damaged by Superstorm Sandy know as Phase VI, and

Whereas sealed bids were publicly opened at 11:00 a.m. EST on July 24, 2015, and Chesterfield Associates was the certified low bidder as specified and met all the requirements stipulated in the bid;

THEREFORE, Be it resolved that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Chesterfield Associates as the certified low bidder for the reconstruction of concrete damaged by Superstorm Sandy to be replaced by boardwalk know as Phase VI, for the base bid and all bid alternates, pursuant to the plans and specification and requirements of the bid documents, and to notify Chesterfield Associates of its status as low bidder, and further

Be it resolved that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary contract documents with Chesterfield Associates for the reconstruction of concrete walks damaged by Superstorm Sandy and to be replaced by boardwalks know as Phase VI according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, if any, for the base bid and all bid alternates for a projected total contract amount of \$1,451,000, plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further,

Be it resolved that the contract award and contract execution shall initially be for only the base bid in the amount of \$379,800, and thereafter upon notice of project obligation by FEMA for the remaining walk sections listed in the bid documents, that the Village Administrator is authorized to execute the necessary contract documents with Chesterfield Associates for the additional walk sections according to the plans and specifications of the bid documents for the lump sum and unit prices specified therein, for the contract amount pursuant to the unit bid amounts multiplied by the actual measured quantities, plus the cost of any necessary change orders that the Mayor deems necessary and reasonable, and further

Be it resolved that the funding for the project shall initially be made from the general reserves, with the general reserves to be repaid from the proceeds of FEMA reimbursement of 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 O'Brien, and the motion carried according to the following:

Motion: Trustee Zaccaro

Seconded: Trustee O'Brien

In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien

Abstain: None

Against: None

#### NEXT BOARD MEETING & CLOSE OF MEETING

After all having had a chance to be heard, and there being no further business before the Board, Trustee Chefetz made a motion at 12:25 p.m. to close the meeting and to hold the next Board of Trustees meeting at 103 or 105 Broadway, Saltaire, NY at 9:00 a.m. on September 7, 2015. The

motion was seconded by Trustee Wolf, and the motion was carried according to the following action:

Motion: Trustee Chefetz

Seconded: Trustee Wolf

In Favor: Trustee Zaccaro, Trustee Chefetz, Trustee Wolf, Trustee O'Brien

Against: None