

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON JULY 15, 2018 AT 105 BROADWAY, SALTAIRE, NEW YORK, WITH REMOTE OBSERVATION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor Zaccaro called the Board of Trustees meeting to order at 8:00 a.m. at 105 Broadway and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Nat Oppenheimer, Trustee  
Scott Rosenblum, Counselor to the Board  
Joseph W. Prokop, Village Attorney  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And 0 other attendees  
And 0 observed through internet audio/video connection.

ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf made a motion at 8:00 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Wolf  
Seconded: Trustee O'Brien  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer  
Abstain: None  
Against: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Richard made a motion to re-adjourn into public session at 8:58 a.m. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Richard  
Seconded: Trustee Oppenheimer  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer  
Abstain: None  
Against: None

Mayor Zaccaro called the Board of Trustees meeting back into to order at 105 Broadway, Saltaire, New York at 9:02 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee

Nat Oppenheimer, Trustee  
Scott Rosenblum, Counselor to the Board  
Joseph W. Prokop, Village Attorney  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And approximately 25 other attendees  
And 2 observed through internet audio/video connection.

## **FINANCIAL CONDITION OF THE VILLAGE IN RELATION TO ITS FUTURE CAPITAL NEEDS**

Mayor Zaccaro led the Board and the audience through a digital slide presentation on the current financial position of the Village, outlining the level of reserves, existing debt, debt capacity and major trends for revenue/cost drivers of future operating budgets. The presentation then focused specifically on the Lighthouse Promenade Reconstruction project's potential impact on the operating budget of the Village if FEMA disagrees with the Village's assertion that Lighthouse Promenade should be reimbursed as a pile-supported timber roadway as a Flood Mitigation initiative, plus the inclusion of other non-reimbursable upgrades to the Village water system. Mayor Zaccaro stated that he felt that given the amount of existing debt-service coming off the books in 2018 in combination with anticipated future revenue increases and solid budget management, the range of potential non-reimbursable charges can be comfortably managed without a major disturbance to future operating budgets and tax rates through a combination of reserve draw-down and new bond funding.

Mayor Zaccaro then opened the floor for discussion. He first invited comments and questions from the Board, and then asked the public in attendance for their comments and viewpoints. After all having a chance to be heard, Mayor Zaccaro completed the presentation and moved on to the remainder of the agenda.

## **CONSIDERATION OF AWARDING A CONTRACT FOR STORM DAMAGE RECONSTRUCTION-LIGHTHOUSE PROMENADE, BEACON WALK AND LIGHTHOUSE WATER MAIN**

Discussion continued about the Lighthouse Promenade Reconstruction Project, and Trustee Richard moved adoption of the following resolution:

**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 AND NEW WATER MAIN INSTALLATION – LIGHTHOUSE PROMENADE & BEACON WALK.**

**WHEREAS** the Village of Saltaire competitively bid a project for the reconstruction of Lighthouse Promenade and Beacon Walk with two separate designs, one as concrete roadways (In-kind replacement) and one as pile-supported timber roadways for better Flood Mitigation, both inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island, and the

Board is considering awarding the contract and executing the contract for the reconstruction of Lighthouse Promenade and Beacon Walk, inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island damaged by Superstorm Sandy, as a pile-supported timber roadway known as Walkway Reconstruction Phase VIII with Chesterfield Associates, and

WHEREAS the Board of Trustees has reviewed the contract work and contracts and completed the short form EAF and accompanying materials for 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 reconstruction of Lighthouse Promenade and Beacon Walk and associated water main work caused by damage from Superstorm Sandy, known as Phase VIII 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 Lighthouse Prom and Beacon Walk inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island known as Phase VIII 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 known as Phase VIII 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 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 O'Brien, and the motion was carried according to the following:

Motion: Trustee Richard

Seconded: Trustee O'Brien

In Favor: Trustee O'Brien, Trustee Richard, Trustee Oppenheimer

Against: None

Abstain: Trustee Wolf

After further discussion, Trustee Richard 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 Village of Saltaire for the reconstruction of Lighthouse Promenade and Beacon Walk due to the damages caused by Superstorm Sandy known as Phase VIII, inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island, for two different designs and methods, one as concrete roadways (In-kind replacement) and one as pile-supported timber roadways for better Flood Mitigation, and

WHEREAS, the Board of Trustees at its June 30, 2018 meeting passed a resolution authorizing the Village Administrator to advise FEMA of its intent to proceed with the reconstruction of Lighthouse Promenade and Beacon Walk as pile-supported timber roadways, and to proceed to award the contract to the lowest responsible qualified bidder which has met all of the requirements of the bid as soon as practical, and

WHEREAS sealed bids were publicly opened at 11:00 a.m. EST on June 26, 2018, and Chesterfield Associates has been qualified by the Village Engineer, Village Attorney and Village Administrator as meeting all of the requirements of the bidding documents, and is therefore the certified low bidder as specified in the bid documents and met all the requirements stipulated in the bid;

THEREFORE, BE IT RESOLVED that all of the bids for the reconstruction of Lighthouse Promenade and Beacon Walk as concrete roadways (In-kind replacement) inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island be rejected; and further

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to declare Chesterfield Associates as the certified low bidder for the reconstruction of Lighthouse Promenade and Beacon Walk due to damages caused by Superstorm Sandy to be replaced by pile-supported timber roadways known as Phase VIII, for the base bid, inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island, pursuant to the plans and specifications 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 Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute the necessary contract documents with Chesterfield Associates for the reconstruction of Lighthouse Promenade and Beacon Walk due to damages caused by Superstorm Sandy to be replaced by pile-supported timber roadways known as Phase VIII,

inclusive of the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island 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 for a projected total contract amount of \$5,432,000.00 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 shall initially be made from the general reserves, with the general reserves to be repaid in whole or in part from the proceeds of FEMA reimbursement, and any remainder to be repaid in whole or in part out 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 Oppenheimer, and the motion carried according to the following:

Motion: Trustee Richard

Seconded: Trustee Oppenheimer

In Favor: Mayor Zaccaro, Trustee Richard, Trustee Oppenheimer

Against: Trustee Wolf, Trustee O'Brien

Abstain: None

After the vote, both Trustee O'Brien and Trustee Wolf stated that although they voted in the negative for the resolution, they, along with the rest of the Board, fully supported the replacement of the water main that runs adjacent to and underneath Lighthouse Promenade as a 12-inch water main consistent with the standard for primary trunk-lines on Fire Island as that is a vital component of the project irrespective of the roadway design selected by the resolution.

## CAPITAL PROJECT OVERVIEW

Mayor Zaccaro provided a brief overview and status report of the following capital projects:

- Village Hall: Bid documents have been advertised for solicitation pursuant to Village policy, and bids shall be opened on August 27, 2018, after which the Board will review and discuss.
- 14 Bay Prom: The floor plans and elevations for the planned renovation of 14 Bay Promenade are being finalized, which will then be followed by the development of biddable construction documents for bid opening sometime at a date yet to be determined.

## ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. The motion was seconded by Trustee Wolf and on call it was approved at 10:25 a.m. according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

## RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Oppenheimer made a motion to re-adjourn into public session at 10:50 a.m. 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: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None

Against: None

The public meeting was called back into session by Mayor Zaccaro at 10:50 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor  
Frank Wolf, Trustee  
Hugh O'Brien, Trustee  
Nat Oppenheimer, Trustee  
Scott Rosenblum, Counselor to the Board  
Joseph W. Prokop, Village Attorney  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And 0 other attendees  
And 0 observed through internet audio/video connection.

## MID-YEAR SALARY ADJUSTMENT

Trustee O'Brien made the following motion:

WHEREAS, the Board recognizes the high level of service of Maintenance Foreman Vernon Henriksen in the past and during the current fiscal year, and

WHEREAS, the Board is desirous of adjusting the salary of Maintenance Foreman Vernon Henriksen during the current fiscal year to a level that is more commensurate with the level of expertise and responsibility of his position,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby increase the base annual salary of Maintenance Foreman Vernon Henriksen by \$10,000 above that previously authorized by the Board of Trustees pursuant to the budget, with the total base salary paid bi-monthly at the newly adjusted rate retroactive with the budget cycle that began June 1, 2018.

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

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer

Abstain: None  
Against: None

**MEDICAL COMMITTEE CHAIR PERSON**  
Trustee Oppenheimer made the following motion:

WHEREAS, at the time that the Board had appointed the current slate of members of the Medical Advisory Committee at its June 30, 2018 meeting, a chairperson had not been appointed;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees does hereby appoint Dr. Susan Lipsitz as the Chairperson of the Medical Advisory Committee. .

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: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer  
Abstain: None  
Against: None

**NEXT BOARD MEETINGS & CLOSE OF MEETING**

After all having had a chance to be heard, and there being no further business before the Board, Trustee Richard made a motion at 10:54 a.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 9:00 a.m. on August 5, 2018, 103 or 105 Broadway, Saltaire, New York.
- 9:00 a.m. on September 1, 2018, 103 or 105 Broadway, Saltaire, New York.

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

Motion: Trustee Richard  
Seconded: Trustee Wolf  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard, Trustee Oppenheimer  
Abstain: None  
Against: None