

MINUTES OF THE PUBLIC HEARING AND BOARD OF TRUSTEES MEETING HELD ON AUGUST 5, 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  
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  
(Clerk's Note: Trustee Oppenheimer was connected via phone conference.)

ADJOURN INTO EXECUTIVE SESSION

Trustee O'Brien made a motion at 8:00 a.m. 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 according to the following vote:

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

RE-ADJOURNMENT INTO PUBLIC SESSION

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

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

Trustee Oppenheimer disconnected from the phone conference at that time.

Mayor Zaccaro called the Board of Trustees meeting back to order at 105 Broadway, Saltaire, New York at 9:00 a.m. and the following were in attendance:

John A. Zaccaro Jr, Mayor  
Hillary Richard, Deputy Mayor

Frank Wolf, Trustee  
Hugh O'Brien, 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 0 observed through internet audio/video connection.

Mayor Zaccaro stated the Trustee Oppenheimer was unavailable due to last-minute personal circumstances, and would not be present for the meeting.

#### PUBLIC HEARING FOR PROPOSED MODIFICATIONS TO CHAPTER 55 OF THE VILLAGE CODE ADVERTISED AS LOCAL LAW #3 OF 2018

Mayor Zaccaro stated that the purpose of Local Law No. 3 of 2018 is to codify the Village's authority to regulate boundary line changes within the boundaries of the Village, and to formalize and streamline the application process for boundary line changes. After discussion amongst the members of the Board and those in attendance, and after all having had a chance to be heard, Trustee O'Brien made a motion to adjourn the Public Hearing at 9:05 a.m.. The motion was seconded by Trustee Richard, and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Richard

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

Abstain: None

Against: None

#### FIRE ISLAND TO MONTAUK POINT PROJECT (FIMP) UPDATE

Mayor Zaccaro led the Board and the audience through a digital slide presentation on the current status and progress of the Army Corps of Engineers' FIMP project. He stated that the Fire Island to Moriches Inlet (FIMI) emergency beach stabilization project, which is still ongoing in communities east of Saltaire, was initiated in advance of but still part of the larger FIMP project. He stated that although the initial construction of the FIMI was completed at 100% federal cost, any ongoing maintenance will require a 10% local cost share as part of the larger FIMP project. He also stated that Clam Pond Cove Spit restoration project and the removal of the Ocean Beach jetties were included in the larger FIMP project, and therefore there are multiple incentives for the Village to stay engaged with the FIMP project through to project approval and implementation.

He further stated that in order for the FIMP to advance to final approval, a local sponsor must enter into a Project Partnership Agreement (PPA) with the Non-Federal and Federal Sponsors of the project. The current plans is for the five impacted Towns (Babylon, Islip, Brookhaven, South Hampton and East Hampton) and Suffolk County to act jointly as the local Sponsors, which may require that the local jurisdictions within the Towns accept some of the local share costs for ongoing maintenance. The first step in this process is for the Towns to formally express an interest in becoming local sponsors and entering into the PPA. After discussion and all having a chance to be heard, Trustee Richard made the following motion:

WHEREAS the Board of Trustees of the Village of Saltaire has a vested interest in seeing the FIMP project move forward to project-approval and project-implementation, and

WHEREAS, the first step in the FIMP project-approval process is the formally expressed interest of a local jurisdiction to become a Local Sponsor of the project; and

WHEREAS the Towns of Babylon, Islip, Brookhaven, South Hampton and East Hampton along with the County of Suffolk are considering becoming the FIMP Local Sponsors ;

THEREFORE, BE IT RESOLVED that the Mayor of Saltaire be authorized to express his support for the Towns of Babylon, Islip, Brookhaven, South Hampton and East Hampton along with the County of Suffolk to become the Local Sponsors of the FIMP project, and further

BE IT RESOLVED that the Mayor, as part of his support specifically to the Town of Islip, express the Village's willingness to enter into discussions with the Town of Islip for a potential Intra-Municipal Agreement (IMA) for the Village to participate in any local cost share for ongoing maintenance for which the Village receives a direct benefit, such participation in the IMA to be separately authorized when the final terms are known.

The motion was seconded by Trustee O'Brien, and the motion carried according to the following:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

#### CAPITAL PROJECT OVERVIEW

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

- Lighthouse Promenade: A pre-contract meeting was held with Chesterfield Associates Inc. pursuant to the Notice of Award provided to them to discuss and approve the project schedule, the sub-contractor list, means and methods of construction, and traffic control. He stated that the meeting was very productive, that Chesterfield demonstrated their experience, knowledge and ability to undertake the project, and that a contract should be executed in an expeditious manner in order that Chesterfield can begin planning and material procurement. Mayor Zaccaro also stated that the Village Administrator and Treasurer have notified FEMA of its intent to execute the contract with Chesterfield Associates Inc., and also that they have requested full funding for the Lighthouse Promenade Project as a Flood Mitigation project and for upgrades for Codes and Standards, and for an extension of time to complete due to the complexity of the project.
- 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 Promenade: Mayor Zaccaro presented a model of the most recent floor plan and elevations for 14 Bay Promenade that meets all of the codes, standards and accessibility requirements of a new building, as well as the usage requirements for the Post Office, Public Safety Office, Medical Clinic and Village Court/Meeting Room. He stated that the total interior square footage is in the 1,600-square-foot range, slightly larger than originally contemplated but necessary to meet all the usage and code requirements of the space. The model was situated in comparison to the Village Market and Yacht Club model, showing the relative sizes and proximity. Mayor Zaccaro asked first if the Board members had any questions or concerns, then those in attendance. After all having a chance to be heard and all questions answered, Mayor Zaccaro stated that, hearing no objections, he would instruct Butler Engineering to finalize the site plan and filings with the Department of Health for their approval pursuant to the floor plan of the model shown at the meeting and as posted on the

website, and for Butler Engineering to commence completion of Construction Documents for bidding purposes as soon as practical. The Board concurred with the Mayor's direction.

#### **REJECTION OF FERRY, FREIGHT AND PARKING PROPOSALS**

After discussion on the proposals received for Passenger Ferry, Freight Ferry and Parking Concession services, Trustee Richard made the following motion:

WHEREAS the Village of Saltaire solicited three separate proposals in compliance with the procurement policies of the Village of Saltaire for Passenger Ferry Service, Freight Ferry Service and Parking Services, and

WHEREAS all proposals received by 11:00 a.m. EST on April 30, 2018 were read and analyzed by the Board in consultation with legal counsel;

THEREFORE, BE IT RESOLVED that all of the proposals for Passenger Ferry Service received pursuant to the RFP process be rejected; and further;

BE IT RESOLVED that all of the proposals for Freight Ferry Service received pursuant to the RFP process be rejected; and further;

BE IT RESOLVED that all of the proposals for Parking Service received pursuant to the RFP process be rejected.

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

Motion: Trustee Richard

Seconded: Trustee Wolf

In Favor: Mayor Zaccaro, Trustee Wolf, Trustee O'Brien, Trustee Richard

Abstain: None

Against: None

#### **AUTHORIZATION TO PROCEED TO REQUEST FOR PROPOSALS (RFP) FOR PASSENGER FERRY, FREIGHT FERRY AND PARKING CONTRACTS**

After discussion, and all having chance to be heard, Trustee O'Brien made a motion to authorize the Village Administrator, in consultation with the Village Attorney, to solicit separate proposals for passenger ferry services, freight ferry services and parking management services pursuant to the basic business parameters previously approved for each of the three services. The motion was seconded by Trustee Richard, and the motion was carried according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Richard

In Favor: Mayor Zaccaro, Trustee Wolf, Trustee O'Brien, Trustee Richard

Abstain: None

Against: None

#### **RESOLUTION OF THE BOARD OF TRUSTEES REVISING AND ESTABLISHING PROCEDURES FOR THE SETTING AND NOTIFICATION OF A SPECIAL MEETING**

After discussion of the subject, Trustee O'Brien made the following motion:

WHEREAS the Mayor and Board of Trustees of the Incorporated Village of Saltaire desire to establish a procedure for setting special meetings of the Board of Trustees of the Village, it is therefore;

RESOLVED that a special meeting of the Board of Trustees of the Village of Saltaire may be called by either the Mayor or by three Trustees of the Village of Saltaire acting together, and it is further;

RESOLVED that in the event of a special meeting being called, the Mayor and every member of the Board of Trustees shall be informed by telephone or by such other manner permissible by law by either the Village Clerk or another member of the Board of Trustees of the date, time, location and subject of the special meeting, and posted on the Village notice boards, and if notice cannot be made more than 72 hours in advance of the meeting, such notice shall be given to the local media, and otherwise as in conformance with the Public Officers Law, and the other laws of the State of New York.

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

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

CLERK'S NOTE: Village Attorney Prokop left the meeting at 10:00 a.m. due to a previous obligation.

#### RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SALTAIRE AUTHORIZING THE SUBMITTAL OF GRANT APPLICATION TO THE NYS WATER INFRASTRUCTURE IMPROVEMENT ACT

After discussion on the subject, Trustee Wolf made the following motion:

WHEREAS, the Clean Water Infrastructure Act of 2017 will invest at least \$1 billion in clean and drinking water infrastructure projects and water quality protection projects across the State of New York, and

WHEREAS, \$275 Million of these funds will be made available in 2018, with one half allocated for drinking water projects and the other half allocated for wastewater infrastructure projects, and

WHEREAS, under this program the Environmental Facilities Corporation, (EFC), provides grants to assist municipalities in funding water quality infrastructure projects for the replacement or repair of infrastructure or compliance with relevant environmental and public health laws, and

WHEREAS, drinking water awardees will receive 60 percent of eligible project costs or \$3 million, whichever is less, and

WHEREAS, the grant application and documentation sufficient for a project to be considered for a WIIA grant must be submitted to the EFC no later than 5:00 p.m. on September 7, 2018, and

WHEREAS, the Board of Commissioners of the Village of Saltaire believes itself to be qualified for a NYS WIIA Grant, and is willing to carry out all activities described in the grant application, and

WHEREAS, in this action the Village of Saltaire will, upon an award and acceptance of the grant, consider a separate authorization from the Board of Trustee to enter into an agreement with the EFC pursuant to terms to be negotiated;

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, the Board Unanimously:

RESOLVED, that the Board of Commissioners of the Village of Saltaire authorizes the submittal of grant applications for the following project: Water Main Replacement at Various Locations throughout the Village, to the NYS Water Infrastructure Improvement Act (WIIA) and authorizes H2M Architects & Engineers to act as an authorized Agent on behalf of the Village.

FURTHER RESOLVED that the Village of Saltaire requests the funds and assistance available from the NYS WIIA Grant and upon an award and acceptance of the grant will comply with all rules and requirements of this program, and further,

WHEREAS the Board of Trustees is considering the above resolution for the submittal of grant applications for the following project: Water Main Replacement at Various Locations throughout the Village, and

WHEREAS the grant submission process requires the completion of the SEQRA-State Environmental Quality Review Act.

WHEREAS the Village's engineer has completed a Short Form Assessment in analysis of the subject project and recommended that the project is a Type II action.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, the Board, it is

FURTHER RESOLVED, that the Board of Trustees of the Inc. Village of Saltaire has determined that the project is a Type II and therefore require no further review in accordance with 617.5, and further

WHEREAS the Village of Trustees is desirous of constructing water distribution system improvements to improve water quality via replacement of undersized, unlined water mains and appurtenances in various locations throughout the Village, and had authorized H2M Architects & Engineers to prepare engineering design documents and submit and comply with Suffolk County and New York State Department of Health requirements for said modifications, and

WHEREAS the project to complete the stated modifications will include, engineering, permit review fees, all construction related to water main replacement and restoration, laboratory sampling and analysis, estimated as not to exceed, \$5,565,000.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals,

BE IT RESOLVED, that the Board of Trustees of the Village of Saltaire will, upon an award and acceptance of the grant by New York state, consider a separate authorization from the Board of Trustees to enter into an agreement with the EFC pursuant to terms to be negotiated, and conditioned upon and subsequent to the execution of such agreement, undertake necessary resolutions to fund the balance of the project-expenditures not covered by the grant award for the Water Main Replacement at Various Locations throughout the Village.

The motion was seconded by Trustee O'Brien, and the motion was carried according to the following vote:

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

#### APPROVAL OF FIRE COMPANY INSTALLATION DINNER

Trustee Wolf reported that the cost of the annual Fire Company Installation Dinner is projected to be approximately the same as in the past, and made a motion to authorize the Fire Company's expenditure of funds for that purpose not to exceed \$15,000. The motion was seconded by Trustee Richard, and the motion was carried according to the following:

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

#### AUTHORIZATION TO PURCHASE ELECTRONIC PATIENT CARE REPORT SYSTEM

Mayor Zaccaro stated that the Saltaire Volunteer Fire Company has notified the Village that it is in need of an electronic Patient Care Report System in order to most effectively meet the reporting requirements of the Rescue Squad. After discussion and questions, and all having a chance to be heard, Trustee Wolf made the following motion:

WHEREAS, the Board of Trustees agrees that the addition of an electronic Patient Care Report System as requested by the Saltaire Volunteer Fire Company, is beneficial to the operations of the Saltaire Volunteer Fire Company;

THEREFORE, BE IT RESOLVED that the Board of the Trustees of the Village of Saltaire hereby authorizes the Village Administrator to procure an electronic Patient Care Report System pursuant to the specifications provided by the Fire Company and pursuant to the Village's purchasing policy for an amount not to exceed \$20,000 over a five-year period, and further,

BE IT RESOLVED that the funding over that five-year period shall to be entirely paid with funds contributed by the Saltaire Volunteer Fire Company.

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

Motion: Trustee Wolf

Seconded: Trustee Richard  
In Favor: Mayor Zaccaro, Trustee Wolf, Trustee Richard  
Abstain: Trustee O'Brien  
Against: None

CLERK'S NOTE: Trustee O'Brien recused himself on the above votes due to his membership in the Fire Company and involvement in these matters in the Fire Company.

#### SURPLUS EQUIPMENT

Administrator Posillico reported that the Saltaire Volunteer Fire Company has advised the Village that it has identified sets of Fire Turnout gear as being surplus to its needs. He also stated that since the Village has no alternate uses for the gear, or room to house it, that it is therefore also surplus to the Village's needs.

Trustee Richard made a motion to adopt the following resolution:

WHEREAS, the Village of Saltaire owns and is in possession of the following equipment:

- Approximately 3 sets of Fire Turnout gear and associated helmets and other gear

WHEREAS, the aforementioned equipment is surplus to the Village's municipal needs and the Village is desirous of selling property that is surplus to its needs;

NOW, THEREFORE, BE IT RESOLVED that the Village hereby declares the aforementioned equipment no longer of use to the Village for municipal purposes and declared as surplus to the Village's municipal needs, and it is further;

RESOLVED that the Village Administrator is authorized to sell the surplus and may utilize any reasonable method to realize the fair-market value for the property, or to donate or otherwise dispose of any portion that cannot be sold in whole or in part.

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

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

#### EXTENSION OF TIME FOR SUB-DIVISION APPLICATION

Administrator Posillico reported that the legal representative of the Village People LLC has requested an additional ninety-day period to submit all required documentation and approvals as conditioned by the Board of Trustees's approval of their application. Administrator Posillico stated that the delay in delivery was in large part due to matters out of the applicant's control regarding other agency regulatory approvals, and that the granting of one or more time extensions is common practice due to the time necessary to complete all filings. After discussion, and all having chance to be heard, Trustee Richard made a motion to grant the ninety-day extension as requested by the Village People LLC, and to consider the application to be current for the remainder of the extension period. The motion was seconded by Trustee Wolf, and the motion was carried according to the following vote:

Motion: Trustee Richard  
Seconded: Trustee Wolf  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard  
Recused: Mayor Zaccaro  
Abstain: None  
Against: None

#### APPROVAL OF MINUTES

Draft copies of the minutes of the meetings of June 30, 2018 and July 15, 2018 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee O'Brien made a motion to adopt the minutes as presented with minor non-substantive corrections. The motion was seconded by Trustee Richard and on call it was carried according to the following action:

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

#### ABSTRACT AUDIT

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

Trust & Agency Checking No. 2A in the amount of	\$5,000.00
General Checking No. 2A in the amount of	\$25,466.72
Capital Fund Checking No. 3A in the amount of	\$6,025.00
General Checking No. 3A in the amount of	\$103,875.96

After discussion and opportunity for questions, Trustee Richard made a motion that the above-listed abstracts be approved as presented and that the Mayor be authorized to execute the warrants. The motion was seconded by Trustee Wolf, and on call it carried according to the following vote:

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

#### ADJOURN INTO EXECUTIVE SESSION

Trustee Wolf 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 O'Brien and on call it was approved at 10:20 a.m. according to the following vote:

Motion: Trustee Wolf  
Seconded: Trustee O'Brien  
In Favor: Trustee Wolf, Trustee O'Brien, Trustee Richard

Abstain: None  
Against: None

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adourn into public session at 10:25 a.m. The motion was seconded by Trustee Richard and on call it was approved according to the following vote:

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

The public meeting was called back into session by Mayor Zaccaro at 10:25 a.m. and the following were in attendance:

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

#### 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 Wolf made a motion at 10:25 a.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 8:00 a.m. on September 1, 2018, 103 or 105 Broadway, Saltaire, New York.
- 9:00 a.m. on October 6, 2018, 103 or 105 Broadway, Saltaire, New York.

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

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