

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON April 10, 2019 AT 1180 AVENUE OF THE AMERICAS, 8<sup>TH</sup> FLOOR, NEW YORK, NEW YORK AND VIA VIDEO/AUDIO LINK TO 104 NEPTUNE, 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 5:05 p.m. at 1180 Avenue of the Americas, New York, 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  
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 5:05 p.m. that the Board adjourn into Executive Session to discuss litigation strategy, contract negotiations and personnel issues. 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, Trustee Oppenheimer  
Abstain: None  
Against: None

Village Attorney Prokop arrived at 5:15 p.m.

Mayor Zaccaro left the executive session at 5:30 p.m. as part of his recusal from discussions involving potential agreements with or complaints filed by the Village People LLC and returned at 5:45 p.m.

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Wolf made a motion to re-adjourn into public session at 5:55 p.m. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Wolf  
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 to order at 1180 Avenue of the Americas, New York at 6:00 p.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 10 other attendees  
And 17 observed through internet audio/video connection

#### PUBLIC HEARING OF THE 2019/20 TENTATIVE BUDGET

Copies of the 2019/20 tentative budget were distributed to all in attendance and had been previously posted on the Village website. Village Administrator Posillico provided an overview of the projected results of the 2018/19 fiscal year, and stated that the fiscal year will result in reserve levels as of May 31, 2019 of approximately \$3,200,000. He then provided an overview of the 2019/20 tentative budget, which as presented carried a 2.75% tax rate increase and was projected to result in a budget deficit of approximately \$113,000. Mayor Zaccaro stated \$93,000 of the projected deficit is due to the interest on the short term financing to carry the capital projects until FEMA reimbursement, and that will not be a permanent part of the budgets in future years. He further detailed some areas of the budgeted revenues and appropriations, and after further 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 at 6:20 PM to close the Public Hearing on the 2019/20 tentative budget. 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, Trustee Oppenheimer

Abstain: None

Against: None

The Trustees Meeting was called back into order by Mayor Zaccaro.

#### CONSIDERATION AND ADOPTION OF 2019/20 BUDGET

Trustee Oppenheimer stated that the Fire Company had requested that the Board consider adding \$15,000 to the Fire Company budget to allow for the purchase of a second Lifepak 15, which is an enhanced defibrillator device that would be added to the Company's secondary ambulance, complementing the unit recently purchased directly by the Fire Company for the primary ambulance. He further stated that if the budget was adjusted as requested that the Fire Company would provide from its own funds the balance of the required approximately \$30,000 cost, and that the Fire Company could take advantage of a \$5,500 trade-in credit for their existing Lifepak 12 that will not be available next year. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to amend the Tentative Budget as presented by increasing the Fire Company capital expenditures by \$15,000 for the purpose of contributing toward the purchase of an auxiliary Lifepak 15. Trustee O'Brien stated that he felt that his position on the Executive Committee of the Fire Company as Secretary of the Fire Company precluded him from being able to second the motion. After discussion, no proper second to the motion was made, and therefore a vote could not be taken on the motion.

Trustee Richard then made the following motion:

WHEREAS, the tentative budget for the fiscal year 2019-2020 has been duly presented to the Board by the Village Administrator, and a duly advertised public hearing has been held thereon, and

WHEREAS, the final assessment role for the Village of Saltaire for the fiscal year 2019-2020 has been duly filed with the Village Clerk,

NOW THEREFORE BE IT RESOLVED, pursuant to the Village Law §5-508(4), that the said presented and modified tentative budget reflecting a tax rate of 5.61 per thousand of assessed value, be and hereby is adopted as the budget of the Village of Saltaire, New York, for the fiscal year 2019-2020, and

BE IT FURTHER RESOLVED, pursuant to §1420 of the Real Property Tax Law, that the Board of Trustees levy Real Estate Tax in the amount of \$2,346,946 against all properties listed in the 2019-2020 assessment roll of the Village of Saltaire, and

BE IT FURTHER RESOLVED that the Mayor be authorized to execute the Warrant for Collection of Taxes pursuant to §1246 of the Real Property Tax Law, and authorize the Village Treasurer to pay the annual salaries or pro-rated part thereof, on a semi-monthly basis, for the full-time employees of the Village of Saltaire as reflected in the budget, and to pay the seasonal and hourly employees on a semi-monthly basis to be hired as needed to fill the needs anticipated and reflected in the budget.

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, Trustee Oppenheimer

Abstain: None

Against: None

## CAPITAL PROJECT OVERVIEW

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

- **Lighthouse Promenade:** He reported on the progress of the Lighthouse Promenade Reconstruction Project. He stated that phase one of the project was nearing an end for its required break during the summer season, and it would end with the completion of both the water main installation and the timber boardwalk from East to Richards Walks. He stated that although this represented approximately 40% of the overall length of Lighthouse Prom, that the experience gained at the more logistically difficult end of the project should allow the contractor to complete the remainder of the project in the second phase.
- **Village Hall:** He reported on the progress of the reconstruction of Village Hall, and stated that the exterior of the building was almost complete, and that significant progress was being made on closing up the interior of the building. He stated that the elevator will be installed by the end of April, in coordination with the final drywall installation. He stated that the millwork and cabinetry for the library will likely take until after Memorial Day, but that he was hopeful that the rest of the building will be open and functional for the season.

- 14 Bay Promenade: He reported that it appeared that the Suffolk County Department of Health (DOH) was prepared to issue its permit for the sanitary system for the proposed new building. Trustee Oppenheimer stated that he would like to raise for discussion three issues relating to the final design before Butler Engineering is released to produce construction drawings: the final height of the first floor, the necessity of the interior staircase, and the size of the foyer. Mayor Zaccaro stated that the floor height was set to optimize the storage capacity under the building, and that Butler Engineering could commence with the construction documents while investigating whether the egress and access requirements can still be met with reduced foyers and hallways. Discussion ensued amongst the Board members and those in attendance at the meeting and online regarding the design elements raised by Trustee Oppenheimer, and after all had a chance to be heard, the Board agreed to proceed with construction documents on the basic design upon which the DOH approval was based while at the same time separately reviewing the design elements raised by Trustee Oppenheimer at a design work-session.

#### CHANGE ORDER REQUESTS FOR VILLAGE HALL

Village Administrator Posillico stated that a number of modifications to the original design have been discussed by the engineer, the contractor, and the Village staff as the work has progressed on Village Hall, and discussion ensued on a variety of items regarding modification to the original design.

After discussion amongst the Board members, Village staff and those in attendance, and all having a chance to be heard, Trustee O'Brien made a motion to ratify the change orders previously authorized by the Village Administrator to implement the following design changes with the maximum associated cost adjustments to the contract as listed below:

- Install a Roof Hatch for maintenance access for service to the roof and equipment, as specified by the Village Engineer for a cost not to exceed \$4,100.00
- Install additional switches and lighting, and modify locations to coordinate with the coffered ceiling, for a cost not to exceed \$5,000.00
- Install data wiring for all office operations and public access WiFi for the building for a cost not to exceed \$14,500.00

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

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Against: None

Abstain: None

#### AUTHORIZATION TO EXECUTE THE 2019 MEDICAL CONTRACT

Trustee Wolf made a motion to authorize Mayor Zaccaro to negotiate and execute the medical services contract with Dr. Robert Furey for the 2019 season for a fee of \$4,000 in the form presented and reviewed by the Village Attorney. 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, Trustee Oppenheimer

Abstain: None

Against: None

#### APPOINTMENT OF INSPECTORS OF ELECTION

Trustee Richard made a motion to appoint the following Saltaire residents as Inspectors of Election for the 2019 Saltaire election:

Nancy Henriksen	Chairperson
Liv Hempel	Inspector
Roseanne Larson	Inspector
Georgine Posillico	Inspector

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

Motion: Trustee Richard

Seconded: Trustee Wolf

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

Against: None

Abstain: None

#### AUTHORIZATION TO COMMENCE A CAPITAL PROJECT TO REPAIR THE SALTIRE MARINA, TO ACCEPT ENGINEERING SERVICES, AND TO ACCEPT GRANT FUNDING

Trustee Wolf stated that in anticipation of a motion to consider authorization of a capital project to repair the Saltaire Marina in Bay Shore, he made the following motion:

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 AUTHORIZATION OF A CAPITAL PROJECT TO REPAIR THE SALTIRE MARINA IN BAY SHORE.

WHEREAS the Board of Trustee of the Village of Saltaire may consider authorization of a capital project to repair the Saltaire Marina in Bay Shore, and

WHEREAS the Board of Trustees has reviewed the short form EAF and accompanying materials for the required SEQRA review with respect to the possible authorization of a capital project to repair the Saltaire Marina in Bay Shore; it is therefore

RESOLVED that the Board of Trustees adopts Lead Agency status for purposes of SEQRA with respect to the possible authorization of a capital project to repair the Saltaire Marina in Bay Shore, and further be it

RESOLVED that the Board of Trustees hereby determines that the possible authorization of a capital project to repair the Saltaire Marina in Bay Shore 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 possible authorization of a capital project to repair the Saltaire Marina in Bay Shore:

- 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 Wolf

Seconded: Trustee O'Brien

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

Against: None

Abstain: None

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

WHEREAS, the east bulkhead wall of the Saltaire Marina in Bay Shore is made of timber, and it is the only bulkhead wall not made of biologically-resistant material, and it is suffering decay from marine boring worms ; and

WHEREAS, the Village of Saltaire has been approved for a \$250,000 Department of Transportation Grant for the repair of the Saltaire Marina in Bay Shore; and

WHEREAS, the budget for completion of the project to repair the Saltaire Marina in Bay Shore is \$350,000,

THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to commence the capital project to repair the Saltaire Marina in Bay Shore, including the procurement and management of engineering services and the development of bid documents suitable for compliance with the Village's procurement procedures, for a project budget of \$350,000, and further

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to execute any contract and grant documents with the New York State Department of Transportation (DOT) necessary to be eligible for the approved \$250,000 grant for the capital project to repair the Saltaire Marina in Bay Shore , and further,

BE IT RESOLVED that the Board of Trustees of the Village of Saltaire hereby authorizes the Village Administrator to accept the engineering proposal of Savik & Murray to provide engineering services for the project, to include design services, construction oversight services and grant coordination services, 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 DOT 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 was carried according to the following:

Motion: Trustee O'Brien

Seconded: Trustee Oppenheimer

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

Against: None

Abstain: None

#### APPROVAL OF MINUTES

Draft copies of the minutes of the meetings February 27, 2019 and March 13, 2019 had previously been presented to the Board and posted in draft form on the Village website. Following discussion and suggested changes made by the Counselor to the Board, Trustee Oppenheimer made a motion to adopt the minutes as presented with minor non-substantive corrections. The motion was seconded by Trustee O'Brien and on call it was carried according to the following action:

Motion: Trustee Oppenheimer

Seconded: Trustee O'Brien

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

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:

General Checking No. 10A in the amount of	\$265,132.81
General Checking No.11A in the amount of	\$82,130.35
Capital Fund Checking No. 10A in the amount of	\$808,930.27
Capital Fund Checking No. 11A in the amount of	\$305,870.75
Trust & Agency Nos. 10A & 11A in the amount of	\$5,000.00

After discussion and opportunity for questions, Trustee Oppenheimer 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 Richard, and on call it carried according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

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

Abstain: None

Against: None

#### ADJOURN INTO EXECUTIVE SESSION

Trustee Richard 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 7:56 p.m. 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

#### RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Richard made a motion to re-adjourn into public session at 8:45 p.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

The public meeting was called back into session by Mayor Zaccaro at 8:45 p.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.

#### CLOSE OF MEETING AND SCHEDULE OF NEXT MEETINGS



After all having had a chance to be heard, and there being no further business before the Board, Trustee Richard made a motion at 8:45 p.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 8:00 a.m. on May 27, 2019, at 103 or 105 Broadway, Saltaire, New York

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