

MINUTES OF THE BOARD OF TRUSTEES MEETING HELD ON SEPTEMBER 2, 2019 AT 103 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 103 Broadway, Saltaire, 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  
Joseph W. Prokop, Village Attorney  
Scott Rosenblum, Counselor to the Board  
Donna Lyudmer, Village Treasurer  
Mario Posillico, Administrator & Clerk  
And 0 other attendees  
And 0 attendees observed through internet audio/video connection

**ADJOURN INTO EXECUTIVE SESSION**

Trustee Richard made a motion at 8:00 a.m. that the Board adjourn into Executive Session to discuss 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), and the purchase or sale of real property. 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  
Abstain: None  
Against: None

Trustee O'Brien recused himself from part of the Executive Session when matters relating to the Saltaire Volunteer Fire Company were raised and he returned prior to the end of Executive Session.

**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 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  
Abstain: None  
Against: None

Mayor Zaccaro called the Board of Trustees meeting back to order at 103 Broadway, Saltaire, New York at 9:03 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 50 other attendees  
And 3 observed through internet audio/video connection

## CAPITAL PROJECT OVERVIEW

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

- Lighthouse Promenade: He stated that phase two of the project would commence on September 16, 2019, with mobilization of equipment starting September 9, 2019. He stated that an early start was necessary to give the contractor the best chance to complete the entire remaining length of the project prior to the summer of 2020. He further stated that the Village and the Contractor will make very effort to provide access to homes near the work area on weekdays, and that the road will be open on all weeknights and weekends.
- 14 Bay Promenade: He reported that Butler Engineering is proceeding to develop a full set of Architectural, Structural and Mechanical drawings based on the concept designs approved by the Board. He further stated that the Board will hold a special meeting on September 24, 2019 to present the up-to-date drawings to the Board and the public for final comment before the plans are finalized for bidding.

## MEDICAL ADVISORY COMMITTEE CHARGE REGARDNG IMMUNIZATON REQUIREMENTS FOR THE SALTAIRE DAY CAMP

Village Administrator Posillico stated that as requested at the previous Board meeting he had distributed to the Board of Trustees a draft charge proposed to be sent to the Medical Advisory Committee requesting their investigation, report and recommendation whether the Saltaire Day Camp should require all campers and/or counselors to have and submit proof of immunizations; and if not, what exceptions should be allowed. He further stated that New York State recently mandated this requirement for all school and day care facilities, but not for summer camps, which have the authority to create local mandates. Mayor Zaccaro and Trustee O'Brien submitted suggested revisions to the draft, and after discussion, and all having a chance to be heard, Trustee Richard made a motion to accept the draft language of the charge subject to final revisions submitted and discussed, and to authorize the Village Administrator to submit the revised charge to the Medical Advisory Committee plus ad-hoc members Christine Kovner and Ellen McCabe requested by the Mayor to assist the Medical Advisory Committee for this specific task.

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, Trustee Oppenheimer

Against: None

Abstain: None

#### APPROVAL OF FIRE COMPANY OFFICERS AND ADMINISTRATORS

Mayor Zaccaro reported on the election of the following officers by the Saltaire Volunteer Fire Company, and Trustee Oppenheimer made a motion to approve the following slate of elected officers and administrators:

Chief	Josh Raeben
1 <sup>st</sup> Asst Chief	Jarrod Bernstein
President	James Rieger
Secretary	Hugh O'Brien
Treasurer	James McDonald

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

Motion: Trustee Oppenheimer

Seconded: Trustee Richard

In Favor: Trustee Wolf, Trustee Richard, Trustee Oppenheimer

Against: None

Abstain: Trustee O'Brien

Trustee Oppenheimer then made a motion to declare the offices of the 2<sup>nd</sup> Assistant Chief and 3<sup>rd</sup> Assistant Chief vacant until a Fire Company election is held pursuant to its By-Laws and such slate is approved by the Board.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Trustee Wolf, Trustee Richard, Trustee Oppenheimer

Against: None

Abstain: Trustee O'Brien

#### RATIFICATION OF FIRE CHIEF ACCEPTING SERVICES OF A NON-MEMBER VOLUNTEER FIREFIGHTER AND EMERGENCY MEDICAL TECHNICIAN.

Village Administrator Posillico reported that the newly appointed Deputy Clerk Treasurer Meagan Leppicello is an Emergency Medical Technician (EMT) and firefighter, and a member of the Fair Harbor Volunteer Fire Department; and that Chief Raeben, pursuant to the authority given to him under Section 25-17 of the Saltaire Village Code, has accepted her services on an on-going basis to respond to both fire and rescue calls of the Saltaire Volunteer Fire Company whenever she is available. Trustee Richard then made a motion to ratify Chief Rueben's decision to accept Meagan Leppicello's services as both a firefighter and EMT, and to verify that Meagan Leppicello will be indemnified and have all the protections as a full member of the Saltaire Volunteer Fire Company whenever training for or responding to an emergency.

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

Motion: Trustee Richard

Seconded: Trustee Wolf

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

Against: None

Abstain: None

#### **DISCUSSION OF APPOINTMENT OF SECOND-IN-COMMAND FOR PUBLIC SAFETY**

Village Administrator Posillico and Public Safety Chief Rittenhouse reported to the Board that they have recommended Anthony Campos to be appointed as the second-in-command and a full-time employee of the Public Safety Department. Mayor Zaccaro stated that the Board would continue the personnel discussion in Executive Session.

#### **AUTHORIZATION TO COMMENCE REGUALTORY WORK FOR THE CONSTRUCITON OF A NEW PENNANT WALK SOUTH OF BAY PROMENADE**

Mayor Zaccaro stated that at the previous Board meeting a homeowner on Bay Prom had requested that the Board consider the construction of a Pennant Walk public walkway south of Bay Prom. Mayor Zaccaro provided a brief history of the proposed walk, and Village Administrator Posillico presented an aerial graphic showing the general location and planning costs of the proposed walk, and stated that property owners adjacent to the proposed walk were informed of this specific agenda item, some of whom attended the meeting and commented on the plan. Village Administrator Posillico further stated that the initial cost to undertake an environmental review and application for the proposed walk as a first step would be \$10,000, inclusive of a \$7,700 fee from the Village's environmental consultants, Land Use Environmental Service, Inc. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the Village Administrator to accept the proposal from Land Use Environmental Services, and inclusive of other incidental costs not to exceed a total expenditure of \$10,000.00 to determine the environmental parameters of the proposed construction of Pennant Walk south of Bay Prom.

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

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

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 of August 3, 2019 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee Wolf 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 Wolf

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. 3B in the amount of	\$41,563.41
Capital Checking No.3B in the amount of	\$4,751.00
General Fund Checking No. 4A in the amount of	\$68,375.42

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 O'Brien, and on call it carried according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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

Abstain: None

Against: None

## ADJOURN INTO EXECUTIVE SESSION

Trustee O'Brien made a motion that the Board adjourn into Executive Session to discuss 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), and the purchase or sale of real property. The motion was seconded by Trustee Wolf and on call it was approved at 10:23 a.m. according to the following vote:

Motion: Trustee O'Brien

Seconded: Trustee Wolf

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

Abstain: None

Against: None

Mayor Zaccaro recused himself from part of the Executive Session when matters relating to the Village People LLC were raised and he returned prior to the end of Executive Session.

## RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Richard made a motion to re-adjourn into public session at 11:22 a.m. The motion was seconded by Trustee O'Brien and on call it was approved according to the following vote:

Motion: Trustee Richard

Seconded: Trustee O'Brien

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 11:22 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  
Mario Posillico, Administrator & Clerk  
And 0 other attendees  
And 0 observed through internet audio/video connection.

#### APPOINTMENT OF SECOND-IN-COMMAND FOR PUBLIC SAFETY

After discussion and all having a chance to be heard, Trustee O'Brien made a motion to authorize Administrator Posillico, contingent on a clean and acceptable background check, to offer employment to Anthony Campos for the position of second-in-command of the Public Safety Department as a full-time employee with benefits associated with full-time employment pursuant to the Village Employment Policy at a rate of \$42,500 per year effective September 1, 2019.

The motion was seconded by Trustee Oppenheimer, and the motion 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

#### CLOSE OF MEETING AND SCHEDULE OF NEXT MEETING(S)

After all having had a chance to be heard, and there being no further business before the Board, Trustee Wolf made a motion at 11:25 a.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- 5:00 p.m. on September 24, 2019, at 1180 Avenue of the Americas, 8<sup>th</sup> Floor, New York
- 5:00 p.m. on October 7, 2019, at 1180 Avenue of the Americas, 8<sup>th</sup> Floor, New York

[Clerk's Note: The September 24<sup>th</sup> meeting is a special meeting to present the plans for 14 Bay Prom.]

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  
Against: None  
Abstain: None