

INC. VILLAGE OF PLANDOME
BOARD OF TRUSTEES
Regular Meeting & Public Hearing
Tuesday, October 13, 2020 at 7:00pm



Meeting via Video Conference:
<https://www.gotomeet.me/BarbaraPeebles>

Meeting via teleconference:
(872) 240-3212, Access Code: 203-036-269

Attendance:

Tom Minutillo, Don Richardson, Jake Kurkjian, Bob Broderick, Barbara Peebles

Also in attendance: Bob Morici, Esq. , Gerard Morici Esq. , Paul Pepper, Esq.

Absent: Jim Corcoran

AGENDA

I) Pledge of Allegiance

Public Hearing:

- a. Proposed Local Law A-2020 Chapter 175 "Zoning"
- b. Proposed Local Law B-2020 Chapter 1, "General Provisions"

Clerk Barbara Peebles explained there was an administrative error in previous Hearing, and reported that the Oct 13th Public Hearing was properly noticed and that no comments were received from the public. Board of Trustees unanimously adopted the proposed Local Law A-2020 and B-2020. Public Hearing closed 7:09pm.

II) Administrative:

- a. Roll Call
- b. Approval of Minutes - 9/14/20 & 9/21/20 - *tabled*

III) Department Reports:

- a. Public Works - *tabled*
 - a. Brookside Drainage *Clerk Barbara Peebles updated status and next steps on Brookside Drive as well as Willets Lane.*

b. Public Safety

Trustee Bob Broderick provided a summary of Fire Department – with increased call volume due to Tropical Storm in August. He will attend the next Fire Dept. meeting.

Mutual Aid release form has been signed and provided to Chief Tom Carroll.

Trustee Bob Broderick will visit the Nassau County Police 6th Precinct next week.

Board of Trustees will allow the Fire Dept to utilize the 1st floor of Village Hall for training to avoid cramped space in lower level. They will adhere to the reduced capacity of 28 and safe distance measures.

c. Design & Building, PATV

Trustee Jake Kurkjian reported that he will meet with David DeRienzi to get an overview of the Building Department and to review status of key projects.

d. Utilities, OEM, MBPC

Deputy Mayor Don Richardson reported that Manhasset Bay Protection Committee has voted to move forward with testing water, further details to follow. Trustee Don Richardson reported that the outage issue on Longridge Road has been satisfactorily addressed by PSEG and resolved. PWM-OEM meeting is pending and will discuss whether this organization can assist with the eventual distribution of the COVID19 vaccine.

e. Clerk / Treasurer Update

Clerk/Treasurer Barbara Peebles provided the Revenue/Expense Comparison Report for period 1-4. Highlighting reduced interest revenue. Unbudgeted expenses include tree removal due to tropical storm, and multiple storm drain repair.

Clerk/Treasurer Barbara Peebles asked for a motion to approve two budget transfer from contingency: Storm drain repair \$2,207 and tree removal \$23,495. Deputy Mayor Don Richardson moved to approve, 2nd by Trustee Jake Kurkjian and unanimously approved.

IV) Unfinished Business

a. Village Attorney Transition

Village Attorney Bob Morici reported that the transition from Humes and Wagner attorneys is going well.

b. Manhasset Glenn/Lalezarian (Request to release Bond, Letter of Credit, Escrow Account)

c. Re-opening Village Hall

i. Fire Department Training

Board of Trustees were unanimous in status quo to remain closed to public. See above for approval for use of 1st floor for Plandome Fire Dept. training.

d. 84 Brookside – resident request to access “pump house road”

Clerk Barbara Peebles explained why access is needed for project on resident property that require truck to traverse village road. The Board suggested we table until the resident submits tree permit. Trustee Jake Kurkjian will visit the site with Steve Flynn.

V) New Business

- a. ExteNet Update – *Clerk Peebles read a draft communication from Mayor to all residents.*
- b. Approval final payment for Firetruck, \$280, 582.88

Resolution 10-2020-B to approve final payment for Fire Truck. Trustee Jake Kurkjian moved to approve, 2nd by Trustee Bob Broderick; unanimously approved.

- c. Approval to award Green Traffic Islands (2) project \$14,000

Resolution 10-2020-C to approve project payment up to \$14,000. Deputy Mayor Don Richardson moved to approve, 2nd by Trustee Jake Kurkjian, unanimously approved. (Final price \$14,000 funded by Parkland Funds, not village opex.)

- d. FD Health Insurance – annual administrative fee – *tabled*

- e. Firefighter registration - Approval of 6 new firefighters to the PVFD roster

Resolution 10-2020-D to approve six new firefighters to the Plandome VFD roster. Trustee Jake Kurkjian moved to approve, 2nd by Trustee Bob Broderick; unanimously approved List appended to minutes and approval sent to Chief Tom Carroll.

- f. 15 Middle Drive – extend walkway over berm.

Board discussed the resident request who was present and given an opportunity to address the Board. It was decided that the village attorney will review and draft an agreement to be added to the file as it applies to the current owner and not the property.

- g. Tax Certiari – 26 The Project

Resolution 10-2020-A appended to the minutes. Village attorney opined their agreement with the settlement negotiated by Humes & Wagner at half the original refund. Motion to approve settlement payment by Deputy Mayor Don Richardson, 2nd by Trustee Bob Broderick, unanimously approved.

- h. Miscellaneous

- i. Town Hall - *tabled*

- ii. Use of Village Green issues (added signage) *The Board agreed that additional signage will assist with the multiple issues and complaints due to prohibited use of the Village Green. Steve Flynn was asked to order previously.*

- iii. Ownership of tennis court - *tabled*

VI) Abstract of Claims: Period 4-2020

Board of Trustees reviewed the abstract report, motion to approve by Deputy Mayor Don Richardson, 2nd by Trustee Jake Kurkjian; motion carried to approve the Abstract of Claims #04-2020-2021 and was unanimously approved pending physical inspection of the invoices ; General Fund \$442,163.03, Water Fund \$64,656.15, Capital Fund - \$281,982.88, Trust & Agency \$6,815.50. TOTAL: \$796,310.14. Trustees will visit the Clerk's office to review actual invoices associated with the abstract.

Next Work Session – *tentative Mon., November 2, 2020 at 6:00pm*

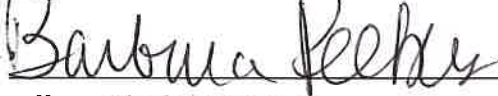
Next Regular Board of Trustee Meeting Mon. November 9, 2020 at 7:00pm

Mayor Tom Minutillo noted that he may be in quarantine so the next Board meeting will be held remotely via GoTo Meeting.

There being no further business before the Board, motion to close the meeting by Deputy Mayor Don Richardson, 2nd by Trustee Jake Kurkjian, unanimously approved. Meeting ended at 8:49pm.

Minutes submitted by Barbara Peebles
November 6, 2020

Approved November 9, 2020


Village Clerk/Treasurer Date 11/10/20

**NOTICE OF ADOPTION
INCORPORATED VILLAGE OF PLANDOME
LOCAL LAW 1-2020**

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Incorporated Village of Plandome, Nassau County, New York, at a meeting of said Board duly called and held on Tuesday, October 13, 2020, at which a quorum was present and voting, after due notice, adopted Local Law 1-2020 which reads as follows:

BE IT ENACTED by the Board of Trustees of the Incorporated Village of Plandome as follows:

**VILLAGE OF PLANDOME
LOCAL LAW 1-2020
AMENDMENT TO CHAPTER 175, "ZONING "**

SECTION 1. Amend Section 175-56, in part, to read as follows:

§ 175-56 Penalties for offenses.

A. A violation of any of the provisions of Chapter 175 of the Code of the Village of Plandome by any person(s), firm or corporation, including but not limited to the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the general agent, architect, builder, contractor or any other person who knowingly commits, takes part or assists in any such violation or who maintains any building or premises in which such violation shall exist shall be liable for:

(1) A fine not exceeding \$2,000 or imprisonment for a period not to exceed 15 days, or both, for a conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of five years, a fine of not less than \$ 2,000 nor more than \$5,000 or imprisonment for a period not to exceed 15 days, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, a fine of not less than \$5,000 nor more than \$10,000 or imprisonment for a period not to exceed 15 days, or both; or

(2) A civil penalty not exceeding \$ 2,000 for a first offense; for a conviction of a second offense, both of which were committed within a period of five years, a civil penalty of not less than \$2,000 nor more than \$5,000; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, a fine of not less than \$5,000 nor more than \$10,000.

...

SECTION II. This law shall take effect upon filing with the Secretary of State

BY ORDER OF THE BOARD OF TRUSTEES

Barbara Peebles

Village Clerk/Treasurer

Dated: October 28, 2020

RESOLUTIONS - OCTOBER 13, 2020

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RESOLUTION 10-2020-A

ARTICLE 7 SETTLEMENT - 26 THE PROJECT, LLC- TAX REFUND

The Village Clerk reported that Humes & Wagner, LLP, and the representative for 26 The Project, LLC, have negotiated a settlement of the pending tax certiorari cases against the Village for the tax years 2013/14 thru 2017/18 for the Village's approval. After discussion, and on motion duly made and seconded, it was unanimously

RESOLVED, that the settlement with 26 The Project, LLC, Section 2, Block 235, Lots 34, 35, 36 & 37, formerly known as Section 2, Block 235, Lots 30-31, for the pending tax certiorari case for the Village tax years January 1, 2013 through January 1, 2017, as set forth in the attached Stipulation of Settlement, attached, be the same is hereby approved, and Humes & Wagner, LLP, is authorized to execute said Stipulation on behalf of the Village, and it is

RESOLVED, that for all years involved, the total lump sum refund shall be \$35,000, and there shall be no interest or penalties due the property owner for the settlement tax year; and

FURTHER RESOLVED, the Village Clerk is hereby directed to issue a refund in the amount of \$35,000 to the property owner's representative upon the submission of the appropriate claim form.

Resolution 10-2020-B

Resolution approving final payment for Plandome Volunteer Fire Department truck.

BE IT RESOLVED that the Board approved the final payment of \$280,582.88 to Firematic Supply Company for a Pierce Fire Pumper.

WHEREAS, the Village processed an early deposit to take advantage of a \$6,500.00 reduction.

WHEREAS, the funding for the total amount of \$518,674.00 was approved in the Capital Plan of \$218,674.00 and balance paid with the proceeds of a bond for \$300,000.00,

RESOLVED, upon a motion by Trustee Jake Kurkjian, and seconded by Trustee Bob Broderick, the foregoing was approved unanimously.

Resolution 10-2020-C

Resolution approving payment for Green Traffic Islands.

BE IT RESOLVED that the Board approved payment up to \$14,000 for the creation of two green island beautification islands including excavation, installation of Belgian blocks and landscaping.

WHEREAS, the Village identified two locations, Central Drive and Valley, and The Ridge and North Drive that would benefit from traffic calming islands.

Further, Trustee Don Richardson spoke with all near-by neighbors that all were agreeable to installation of the islands.

WHEREAS, the funding for the amount not to exceed \$14,000 was approved by the Trustees to be paid from the village parkland funds.

RESOLVED, upon a motion by, Deputy Mayor Don Richardson and seconded by Trustee Jake Kurkjian, the foregoing was approved unanimously.

Resolution 10-2020-D

Resolution accepting six new firefighters to the Plandome Volunteer Fire Department.

BE IT RESOLVED that the Board welcome and congratulated six new/reinstated members to the Plandome Volunteer Fire Department roster as follows: Jose Espinal Jr. (9/17/2019), Richard Kraft (9/17/2019), Hin Tsui (12/22/2019), John Saville (5/14/2020), Michael Gahan (1/19/2018), Joseph Ortolano (reinstated 4/21/2015).

WHEREAS, the Village Clerk received registration from the Fire Department Secretary Frank Pelligrino by direction of the Chief on October 10, 2020.

RESOLVED, upon a motion by, Trustee Jake Kurkjian, and seconded by Trustee Bob Broderick, the foregoing was approved unanimously.

REVENUE EXPENSE COMPARISON NOTES - BOT Meeting

| PERIOD 1-4 (June-Sep) | Page | Item | + or - | Comment |
|---|------|--------------------------|------------|---|
| | | Tax Cert | \$ 35,000 | Denihan |
| | | Interest | | Covid 19 rates reduced - at 18% YTD |
| | | Village Attorney | | Transition and H&W increased bills by 2x |
| | | Justice Court | | No tickets issued |
| | | Storm drain repair | | Non budgetd, + another \$10k Enecom, plus repaid estimate >\$60k |
| | | Tree removal from storm | | non budgeted |
| | | Building Inspection fees | \$ 170,000 | at 95% of target already |
| | | | | |
| | | | | |
| PERIOD 1-4 Resolution for budget transfers | | | | |
| | 9 | Storm drain repair | \$ 2,207 | A.5110.0406 non budgeted drain repair to Contingency A.1010.0430 |
| | 10 | Tree removal from storm | \$ 23,495 | A.8560.0403 non budgeted tree removals to Contingency A.1010.0430 |
| | | | \$ 25,702 | |
| | | | \$ 34,298 | <i>Balance Contingency</i> |