

INC. VILLAGE OF PLANDOME
BOARD OF TRUSTEES

Board of Trustees Regular Meeting & Public Hearing - MINUTES

Monday, July 10, 2023 at 7:00pm – 2nd floor



Present:

Jake Kurkjian, Don Richardson, Jim Corcoran, Bob Broderick, Barbara Peebles

Absent – Tom Minutillo

Also Present: Paul Pepper, Esq.

Meeting Agenda

I) Pledge of Allegiance

II) Public Hearings

- a. Local Law 3-2023 Chapter 152 (Telecommunication) [R-07-2023-A]
- b. Local Law 4-2023 Chapter 130.1 (Septic Systems) [R-07-2023-B]
- c. Local Law 5-2023 Chapter 150-29 (Firefighter Property Tax Exemption) [R-07-2023-C]

Clerk/Treasurer Barbara Peebles reported that the Public Notices were posted and published two weeks prior to the Hearing. Motion to close the Public Hearings was made by Trustee Jake Kurkjian, 2nd by Deputy Mayor Don Richardson and unanimously approved.

III) Approval of minutes (June 13, 2023) - *tabled*

IV) Department Reports:

a. Public Works – Trustee Jim Corcoran

Trustee Jim Corcoran reported there are no open issues. Clerk/Treasurer Barbara Peebles provided an update on the final restoration of South Drive to take place the week of July 17th. Upon completion the annual road cleaning will be scheduled.

Attorney Paul Pepper shared that he received a proposal FROM Walden Engineers for \$6500.00 to investigate the water / drainage issues at the LIRR Parking lot. A communication to be sent to Mayor Donno with the quote to share in the expense.

b. Public Safety – Trustee Bob Broderick

Trustee Bob Broderick reported that the Fire Department recruitment is at a high level. Police activity is low, and he will follow up with Police Inspector Mark Vitelli regarding the temporary speeding readers as discussed at the last Board meeting.

c. Design & Building, PATV – Trustee Jake Kurkjian

Trustee Jake Kurkjian reported that he continues to meet with the Building Inspector, David DeRienzi on a regular basis to get updates on the Design Review Board (DRB), and any Code Enforcement issues. There are

multiple new dwellings underway, and none are requiring a Zoning variance at this time.

The pending Code Violation issues will be discussed during the Executive Session and a final determination is to be approved.

d. Utilities, OEM, MBPC - Deputy Mayor Don Richardson

Deputy Mayor Don Richardson reported that the ExteNet project is coming to a conclusion with the last three nodes are being installed. The trench work is complete. Clerk/Treasurer Barbara Peebles reminded the Board that the flagpole will not be installed until the Building Inspector approves the foundation. All paperwork and fees have been received from ExteNet.

Manhasset Bay Protection Committee (MBPC) and Port Washington Office of Emergency Management (OEM) – no activity.

e. Financial Update - Clerk Treasurer Barbara Peebles

Clerk/Treasurer Barbara Peebles reported that preparation for the Annual Audit is underway. There are no revenue/expense reports to review as it is too early in the year.

Clerk/Treasurer reminded the Board that the tree removal budget will need to be increased due to the unfortunate tree disease that hit Plandome.

Clerk/Treasurer advised the Board that the village has been notified by MLWD that there will be no rate increase.

V) Unfinished business

- a. Village Tree Removal (emergency) [R-07-2023-D]
- b. Approval to award McGowan & Sons the road bid – Oakwood, Parkwoods, and The Terrace. [R-02-2023-E]

VI) New Business

- a. Appointment of interim Mayor per Village Law Section 3-312 – *tabled*.
- b. Tax Cert Settlement – Plandome Country Club [R-07-2023-F]
- c. LIRR Parking Lot – tree removal Clerk/Treasurer Barbara Peebles advised the Board of the estimate to clear the forested preserve areas near the LIRR Parking Lot South is \$14,000.

VII) Executive Session

Entered Executive Session at 7:55pm to discuss legal matters. Motion to exit Executive Session by Trustee Bob Broderick, 2nd by Trustee Jake Kurkjian at 8:07pm.

VIII) Abstract of Claims: Period 02-2023/24

The Board of Trustees reviewed the abstract report, and related invoices for the Abstract of Claims #02-2023-2024 ; General Fund \$193,301, Water Fund \$505.61, Capital Fund - \$1740.00, Trust & Agency \$0. TOTAL. \$195,546.61. Motion to approve the Abstract was made by Trustee Bob Broderick, 2nd by Trustee Jake Kurkjian, and unanimously approved.

There being no further business before the Board of Trustees , motion to close the meeting by Trustee Jim Corcoran, 2nd by Deputy Mayor Don Richardson, and unanimously approved. The meeting ended at 8:21pm.

Next Regular Board of Trustee Meeting Monday, September 11, at 7:00pm

Submitted by Barbara Peebles
July 17, 2023

Approved September 11, 2023

Village Clerk/Treasurer Date

Village of Plandome Resolution R-07-2023-A
Dated July 11, 2023

Resolution to approve Local Law 3-2023 (Wireless Telecommunications)

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WHEREAS the Board of Trustees closed the Public Hearing and approve Local Law 03-2023.

WHEREAS, Local Law 03-2023 is appended to the minutes herewith.

BE IT FURTHER RESOLVED, the Village Clerk will submit the final approved version to the New York Department of State; to become effective immediately;

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

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
99 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City

Town of

Village

Incorporated Village of Plandome

Local Law # 3 of the Year 2023.

*(Insert Title)*

A local law amending Chapter 152 of the Village Code of the Incorporated Village of Plandome (Telecommunications Facilities, Wireless).

Be it enacted by the Board of Trustees of the  
*(Name of Legislative Body)*

County

City

Town of

Village

Incorporated Village of Plandome

Section 1: Chapter 152 of the Village Code of the Incorporated Village of Plandome is hereby amended to read as follows:

**Chapter 152 TELECOMMUNICATIONS FACILITIES, WIRELESS**

**§ 152-1. Purpose and legislative intent.**

The Telecommunications Act of 1996 affirmed the Village of Plandome's authority concerning the placement, construction and modification of wireless telecommunications facilities. In recognition of advancing technology and the increased demand and need for wireless communications and facilities, the Board of Trustees hereby determines that it is in the public interest to regulate the siting and installation of such facilities within the Village in order to protect public interests while balancing any demonstrated and genuine need to fill actual gaps in wireless coverage.

The Village is a small approximately 0.5 square mile enclave of Long Island. Bordering the picturesque Manhasset Bay, the Village is comprised of extremely well-maintained residential streets, a Village Green, and the Plandome Country Club. So as to avoid encroachments onto its bucolic visual aesthetic, throughout essentially the entire Village no overhead electrical utilities are in the street rights-of-way. Instead, overhead electrical utilities in most of its geographic areas are located among private utility easements parallel to rear property lines. In addition, the Village's idyllic interior residential streets

authority, the permit shall be void in total, upon determination by the Village.

### § 152-3. Definitions.

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For purposes of this chapter and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

**ACCESSORY FACILITY or STRUCTURE** — An accessory facility or structure serving or being used in conjunction with wireless telecommunications facilities, and located on the same property or lot as the wireless telecommunications facilities, including, but not limited to, utility or transmission equipment storage sheds or cabinets.

**ANTENNA** — A system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.

**APPLICANT** — Any wireless service provider submitting an application for a wireless facilities permit for wireless telecommunications facilities.

**APPLICATION** — All necessary and appropriate documentation that an applicant submits in order to receive a wireless facilities permit for wireless telecommunications facilities.

**BOARD** — The Village Board of Trustees of the Incorporated Village of Plandome.

**CO-LOCATION** — The use of an existing tower or structure already containing a wireless telecommunications facility to support antennas for the provision of wireless services. A replacement tower that is constructed on the same site as an existing tower will be considered a co-location as long as the new tower is no taller than the old tower and that the old tower is removed in a reasonable short time frame after the new tower is constructed.

**COMMERCIAL IMPRACTICABILITY or COMMERCIALLY IMPRACTICABLE** — The inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable."

**COMPLETED APPLICATION** — An application that contains all necessary and required information and/or data necessary to enable an informed decision to be made with respect to an application. Where any information is provided pursuant to the terms of this chapter and the Village's expert or consultant or the Board determines, based upon information provided, that further or clarifying information is needed as to one or more aspects, then the application will not be deemed complete until that further or clarifying information is provided to the satisfaction of the Village's expert or consultant or the Board.

**FAA** — The Federal Aviation Administration, or its duly designated and authorized successor agency.

**FCC** — The Federal Communications Commission, or its duly designated and authorized successor agency.

**WIRELESS TELECOMMUNICATIONS FACILITIES** — Any facilities for the provision of “personal wireless services” as that term is used in 47 U.S.C. § 332, cellular service, personal communication service, and/or data radio telecommunications. It includes a structure, facility or location designed, or intended to be used as, or used to support antennas or other transmitting or receiving devices for such services and telecommunications. This includes without limit, towers and structures of all types and kinds, including, but not limited to buildings, church steeples, silos, water towers, signs, utility poles, street lights, poles, or other structures that can be used as a support structure for antennas or the functional equivalent of such. It further includes all related facilities and equipment such as cabling, equipment shelters and other structures associated with the site. It does not include facilities exempted from this code by federal law or state law.

**§ 152-4. Overall policy and desired goals for wireless facilities permits for wireless telecommunications facilities.**

When deliberating over granting or denying a wireless facilities permit and the location of wireless telecommunications facilities, due consideration shall be given to generally appropriate land use factors, as well as:

- A. Existing land uses and development;
- B. The character of the area;
- C. Visual impacts and other aesthetics;
- D. Impacts on property values;
- E. The existence or absence of a genuine gap in wireless coverage in light of the applicable legal standards as specified by federal courts reviewing permitting decisions;
- F. Actual need for the facility in light of the applicable legal standards specified by federal courts reviewing permitting decisions availability;
- G. Feasibility of less impactful alternatives;
- H. That the facility is the least visually intrusive among those sites available in the Village;
- I. Promoting and encouraging, wherever possible, the sharing and/or co-location of wireless telecommunications facilities among service providers;
- J. Promoting and encouraging, wherever possible, the placement, height and quantity of wireless telecommunications facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

**§ 152-5. Wireless facilities permit required for wireless telecommunications facilities.**

respect to the granting or not granting, or revoking wireless facilities permits for those facilities that meet requirements of the chapter and that do not require a public hearing as defined by § 152-17.

- C. The Village may reject applications not meeting the requirements stated herein or which are otherwise incomplete.
- D. The Village shall require a license and/or right of way agreement for any new wireless telecommunications facilities in, upon, above, along, across and over municipal facilities, municipal property and public rights-of-way. An application shall not be deemed complete unless and until said license and/or right-of-way agreement is in place.
- E. No wireless telecommunications facilities shall be installed, constructed or modified until the application is reviewed and approved by the Village, and the wireless facilities permit has been issued.
- F. Any and all representations made by the applicant to the Village on the record during the application process, whether written or verbal, shall be deemed a part of the application and shall be considered agreed upon conditions of approval that may be relied upon in good faith by the Village.
- G. An application for a wireless facilities permit for wireless telecommunications facilities shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information.
- H. The applicant must provide documentation to verify it has the right to proceed as proposed on the site. This would require an executed copy of the lease with the landowner or landlord or a signed letter acknowledging authorization. If the applicant owns the site, a copy of the ownership record is required.
- I. The applicant shall include a statement in writing:
  - (1) That the applicant's proposed wireless telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the wireless facilities permit, without exception, unless specifically granted relief by the Village in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable Village, state and federal laws, rules, and regulations;
  - (2) That the construction of the wireless telecommunications facilities is legally permissible, including, but not limited to, the fact that the applicant is authorized to do business in the State of New York.
- J. Where a certification is called for in this chapter, such certification shall bear the signature and seal of a registered professional licensed in the State of New York.
- K. In addition to all other required information as stated in this chapter, all applications for the construction or installation of new wireless telecommunications facilities or modification of an existing facility shall contain the information hereinafter set forth.
  - (1) A descriptive statement of the objective(s) for the new facility or modification of an existing facility, including and expanding on a need such as coverage and/or capacity;
  - (2) Documentation that demonstrates and proves the existence of a genuine coverage gap, need for the wireless telecommunications facility, and that less impactful



fencing;

- (11) The azimuth, size and center-line height location of all proposed and existing antennae on the supporting structure;
  - (12) The number, type and model of the antenna(s) proposed with a copy of the specification sheet;
  - (13) The make, model, type and manufacturer of the tower and design plan stating the tower's capacity to accommodate multiple users;
  - (14) A site plan describing the proposed tower and antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above preexisting grade, dimensions, materials, color and lighting;
  - (15) The frequency, modulation and class of service of radio or other transmitting equipment;
  - (16) The actual intended transmission power stated as the maximum effective radiated power (ERP) in watts;
  - (17) Signed documentation such as the "checklist to determine whether a facility is categorically excluded" to verify that the Wireless Telecommunication Facility with the proposed installation will be in full compliance with the current FCC RF Emissions guidelines. If not categorically excluded, a complete RF emissions study is required to provide verification;
  - (18) A signed statement that the proposed installation will not cause physical or RF interference with other telecommunications devices;
  - (19) A copy of the FCC license applicable for the intended use of the wireless telecommunications facilities;
  - (20) A copy of the geotechnical sub-surface soils investigation, evaluation report and foundation recommendation for a proposed or existing tower site and if existing tower or water tank site, a copy of the installed foundation design.
- L. The applicant will provide a written copy of an analysis, completed by a qualified individual or organization, to determine if the proposed new tower or the proposed or existing structure intended to support wireless facilities complies with Federal Aviation Administration Regulation Part 77 and if it requires lighting. This requirement shall also be for any existing structure or building where the application increases the height of the structure or building. If this analysis determines that an FAA determination is required, then all filings with the FAA, all responses from the FAA and any related correspondence shall be provided to the Village in connection with the application.
- M. Application for new tower.
- (1) In the case of a new tower, the applicant shall be required to submit a written report demonstrating its meaningful efforts to secure shared use of existing tower(s) or the use of alternative buildings or other structures within the Village. Copies of written requests and responses for shared use shall be provided to the Village in the application, along with any letters of rejection stating the reason for rejection.
  - (2) In order to better inform the public, in the case of a new telecommunication

planning, project administration, land costs, site design, construction and maintenance financing, return on equity, less depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

- (d) Failure to abide by the conditions outlined above may be grounds for revocation of the wireless facilities permit.
- N. The applicant shall provide certification with documentation (structural analysis) including calculations that the telecommunication facility tower and foundation and attachments, rooftop support structure, water tank structure, and any other supporting structure as proposed to be utilized are designed and will be constructed to meet all local, city, state and federal structural requirements for loads, including wind and ice loads. All new or modified towers or other vertical support structures containing wireless antennas shall be designed to an EIA-TIA 222 G Class III standard or any subsequently adopted more stringent standard.
- O. If proposal is for a co-location or modification on an existing tower, the applicant is to provide signed documentation of the tower's condition, such as an ANSI report as per Annex E, Tower Maintenance and Inspection Procedures, ANSI/TIA/ EIA-222F or most recent version. The inspection report must be performed every three years for a guyed tower and five years for monopoles and self-supporting towers. Copies of such inspection reports shall be provided to the Village.
- P. All proposed wireless telecommunications facilities shall contain a demonstration that the facility will be sited so as to minimize visual intrusion as much as possible, given the facts and circumstances involved and will thereby have the least adverse visual effect on the environment and its character and on the residences in the area of the wireless telecommunications facility.
- Q. If a new tower, proposal for a new antenna attachment to an existing structure, or modification adding to a visual impact, the applicant shall furnish a visual impact assessment, which shall include:
- (1) If a new tower or increasing the height of an existing structure is proposed, a computer generated "zone of visibility map" at a minimum of one-mile radius from the proposed structure, with and without foliage shall be provided to illustrate locations from which the proposed installation may be seen.
  - (2) Pictorial representations of "before, and after" (photo simulations) views from key viewpoints both inside and outside of the Village as may be appropriate, including but not limited to State highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided, concerning the appropriate key sites during application review. Provide a map showing the locations of where the pictures were taken and distance from the proposed structure.
  - (3) A written description of the visual impact of the proposed facility, including, and as applicable the tower base, guy wires, fencing and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.
  - (4) The applicant shall demonstrate and provide in writing and/or by drawing how it shall effectively screen from view the base and all related equipment and

- (2) On existing towers or other structures on other property in the Village that already have an existing wireless telecommunications facility.
  - (3) On existing towers or other structures on Village-owned properties not located within 250 feet of a residential property.
  - (4) A new tower or any other structure on Village-owned properties not located within 250 feet of a residential property.
  - (5) A new tower or any other structure on properties in areas not zoned for residential use.
  - (6) A new tower or any other structure on properties in areas zoned for residential use and located off-street and not visible from the roadway.
  - (7) A new tower or any other structure on properties in areas zoned for residential use.
- B. If the proposed site is not proposed for the highest priority listed above, then a detailed explanation must be provided as to why a site of a higher priority was not selected. The person seeking such an exception must satisfactorily demonstrate the reason or reasons why such a permit should be granted for the proposed site, and the hardship that would be incurred by the applicant if the permit were not granted for the proposed site.
- C. An applicant may not by-pass sites of higher priority by stating the site proposed is the only site leased or selected. An application shall address co-location as an option. If such option is not proposed, the applicant must explain to the reasonable satisfaction of the Village why co-location is commercially or otherwise impracticable. Agreements between providers limiting or prohibiting co-location shall not be a valid basis for any claim of commercial impracticability or hardship.
- D. Notwithstanding the above, the Village may approve any site located within an area in the above list of priorities, provided that the Village finds that the proposed site is in the best interest of the Village and its inhabitants as set forth in this chapter and will not have a deleterious effect or impact on the nature and character of the community and neighborhood.
- E. The applicant shall submit a written report demonstrating the applicant's review of the above locations in order of priority, demonstrating the technological reason for the site selection. If appropriate, based on selecting a site of lower priority, a detailed written explanation as to why sites of a higher priority were not selected shall be included with the application.
- F. Nothing in this section shall be deemed to prevent the Village from denying an application based on other criteria and considerations of this chapter and/or based upon any other lawfully considered land use basis or ground.
- G. As used in this section, an existing structure does not include a replacement structure. By way of example, if an existing utility pole is proposed to be replaced with a new pole, it does not constitute an existing structure.

**§ 152-9. Shared use of wireless telecommunications facilities and other structures.**

- A. The Village, as opposed to the construction of a new tower, shall prefer locating on existing towers or other existing structures without increasing the height of same.

Unless waived by the Village Board in its discretion, Wireless telecommunications facilities shall contain a sign no larger than four square feet in order to provide adequate notification to persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area. A sign of the same size is also to be installed to contain the name(s) of the owner(s) and operator(s) of the antenna(s) as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. On tower sites, an FCC registration site as applicable is also to be present. The signs shall not be lighted, unless applicable law, rule or regulation requires lighting. No other signage, including but not limited to advertising, shall be permitted.

**§ 152-14. Lot size and setbacks.**

All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from abutting parcels, recorded rights-of-way and road and street lines by the greater of the following distances: A distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 10% of the height of the tower or structure, or the existing setback requirement of the underlying zoning district, whichever is greater. Any accessory structure(s) shall be located so as to comply with the applicable minimum setback requirements for the property on which it is situated.

**§ 152-15. Retention of expert assistance and reimbursement by applicant.**

- A. The Village may hire any consultant, including but not limited to attorneys and/or experts deemed advisable by the Village to assist the Village in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any site inspections.
- B. An applicant shall deposit with the Village escrow funds sufficient to reimburse the Village for all costs of the Village's consultant in providing expert evaluation and consultation to any agency of the Village in connection with the review of any application, including where applicable, the lease negotiation, the preapproval evaluation, and the construction and modification of the site, once permitted. The initial deposit shall be \$8,500. The placement of the \$8,500 with the Village shall precede or accompany filing of the application. The Village will maintain a separate escrow account for all such funds. The Village's consultants/experts shall invoice the Village for its services related to the application. If at any time during the process this escrow account has a balance less than \$2,500, the applicant shall immediately, upon notification by the Village, replenish said escrow account so that it has a balance of at least \$5,000. Such additional escrow funds shall be deposited with the Village before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Village is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall, upon request of the applicant, be promptly refunded to the applicant. If notified by the Village that additional escrow is required, the applicant may request copies of consultants' and/or experts' invoices. If the applicant finds errors in those invoices, the applicant may ask the Town to audit those specific items for reasonableness, and may request relief therefrom if not deemed reasonable by the Village.
- C. Notwithstanding the above, there shall be a fee cap as to the total consultant fees to be charged to applicant per application and/or per location to the extent as may be required by the Telecommunications Act or other law.
- D. The total amount of the funds needed as set forth in Subsection B of this section may vary with the scope (lease negotiations and/or review) and complexity of the project, the completeness of the application and other information as may be needed to complete the

- E. If the Village denies the wireless facilities permit for wireless telecommunications facilities, then the applicant shall be notified of such denial in writing within 10 calendar days of the Village's action.

**§ 152-18. Recertification of special permit.**

- A. All wireless facilities permits approved pursuant to this chapter shall expire five years from the date of issuance, unless between 12 months and six months prior to the five-year anniversary date of the wireless facilities permit being issued, and all subsequent five-year anniversaries of the issuance of the original wireless facilities permit for wireless telecommunications facilities, the holder of a wireless facilities permit for such facility shall submit a signed, written request to the Board for recertification. In the written request for recertification, the holder of such wireless facilities permit shall include the following:
- (1) The name of the holder of the wireless facilities permit for the wireless telecommunications facility;
  - (2) If applicable, the number or title of the wireless facilities permit;
  - (3) The date of the original granting of the wireless facilities permit;
  - (4) Whether the wireless telecommunications facility has been moved, relocated, rebuilt, or otherwise modified since the issuance of the wireless facilities permit and if so, in what manner;
  - (5) A representation that the wireless telecommunications facility is in compliance with the wireless facilities permit and compliance with all applicable codes, laws, rules and regulations;
  - (6) Recertification that the wireless telecommunications facility and attachments are designed and constructed and continue to meet all local, Village, state and federal structural requirements for loads, including wind and ice loads. Such recertification shall be made by a professional engineer, licensed in the State, the cost of which shall be borne by the applicant.
  - (7) A representation that the existing wireless telecommunications facility cannot be replaced by a wireless telecommunications facility of improved stealth technology which will reduce the visual impact of such existing facility.
- B. After such review, the Board determines that the permitted wireless telecommunications facility is in compliance with the wireless facilities permit and all applicable statutes, laws, local laws, ordinances, codes, rules and regulations currently in effect, then the Board shall issue a recertification of the wireless facilities permit for the wireless telecommunications facility, which may include any new provisions or conditions that are required by applicable statutes, laws, ordinances, codes, rules or regulations. If, after such review, it is determined that the permitted wireless telecommunications facility is not in compliance with the wireless facilities permit and all applicable statutes, laws, ordinances, codes, rules and regulations then the Board may refuse to issue a recertification of the wireless facilities permit for the wireless telecommunications facility. The applicant for recertification shall be notified of the Board's refusal to recertify in writing. The wireless telecommunications facility shall thereafter be brought into compliance within 30 days. In the event the wireless communications facility is not brought into compliance within 30 days from the date of the decision of the Board, the facility

with such sureties as are deemed sufficient by the Village to assure the faithful performance of the terms and conditions of this chapter and conditions of any wireless facilities permit issued pursuant to this chapter. The full amount of the bond or security shall remain in full force and effect throughout the term of the wireless facilities permit and/or until any necessary site restoration is completed to restore the site to a condition comparable to that, which existed prior to the issuance of the original wireless facilities permit.

**§ 152-22. Reservation of authority to inspect wireless telecommunications facilities.**

In order to verify that the holder of a wireless facilities permit for wireless telecommunications facilities and any and all lessees, renters, and/or licensees of wireless telecommunications facilities, place and construct such facilities, including towers and antennas, in accordance with all applicable technical, safety, fire, building, and zoning codes, laws, ordinances and regulations and other applicable requirements, the Village may inspect all facets of said permit holder's, renter's, lessee's or licensee's placement, construction, modification and maintenance of such facilities, including, but not limited to, towers, antennas and buildings or other structures constructed or located on the permitted site.

**§ 152-23. Liability insurance.**

- A. A holder of a wireless facilities permit for wireless telecommunications facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the wireless facilities permit in amounts as set forth below.
  - (1) Commercial general liability covering personal injuries, death and property damage: \$1,000,000 per occurrence/\$2,000,000 aggregate;
  - (2) Automobile coverage: \$1,000,000 per occurrence/\$2,000,000 aggregate;
  - (3) Workers compensation and disability: Statutory amounts.
- B. For a wireless telecommunications facility on Village property, the commercial general liability insurance policy shall specifically include the Village and its officers, board members, employees, committee members, attorneys, agents and consultants as additional insureds.
- C. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the state and with a Best's rating of at least A.
- D. The insurance policies shall contain an endorsement obligating the insurance company to furnish the Village with at least 30 days' prior written notice in advance of the cancellation of the insurance.
- E. Renewal or replacement policies or certificates shall be delivered to the Village at least 15 days before the expiration of the insurance that such policies are to renew or replace.
- F. Before construction of a permitted wireless telecommunications facilities is initiated, but in no case later than 15 days after the granting of the wireless facilities permit, the holder off the wireless facilities permit shall deliver to the Village a copy of each of the policies or certificates representing the insurance in the required amounts.

**§ 152-24. Indemnification.**

- A. Any application for wireless telecommunication facilities that is proposed for Village

welfare interests of the Village warrant and require the removal of wireless telecommunications facilities.

- (1) Wireless telecommunications facilities with a permit have been abandoned (i.e., not used as wireless telecommunications facilities) for a period exceeding 90 consecutive days or a total of 180 days in any three-hundred-sixty-five-day period, except for periods caused by force majeure or acts of God, in which case, repair or removal shall commence within 90 days;
  - (2) Permitted wireless telecommunications facilities fall into such a state of disrepair that it creates a health or safety hazard; and/or
  - (3) Wireless telecommunications facilities have been located, constructed, or modified without first obtaining, or in a manner not authorized by, the required wireless facilities permit, or any other necessary authorization and the special permit may be revoked.
- B. If the Village makes such a determination as noted in Subsection A of this section, then the Village shall notify the holder of the wireless facilities permit for the wireless telecommunications facilities within 48 hours that said wireless telecommunications facilities are to be removed, the Village may approve an interim temporary use agreement/permit, such as to enable the sale of the wireless telecommunications facilities.
- C. The holder of the wireless facilities permit, or its successors or assigns, shall dismantle and remove such wireless telecommunications facilities, and all associated structures and facilities, from the site and restore the site to as close to its original condition as is possible, such restoration being limited only by physical or commercial impracticability, within 90 days of receipt of written notice from the Village. However, if the owner of the property upon which the wireless telecommunications facilities are located wishes to retain any access roadway to the wireless telecommunications facilities, the owner may do so with the approval of the Village.
- D. If wireless telecommunications facilities are not removed or substantial progress has not been made to remove the wireless telecommunications facilities within 90 days after the permit holder has received notice, then the Village may order officials or representatives of the Village to remove the wireless telecommunications facilities at the sole expense of the owner or wireless facilities permit holder.
- E. If, the Village removes, or causes to be removed, wireless telecommunications facilities, and the owner of the wireless telecommunications facilities does not claim and remove it from the site to a lawful location within 10 days, then the Village may take steps to declare the wireless telecommunications facilities abandoned, and sell them and their components.
- F. Notwithstanding anything in this section to the contrary, the Village may approve a temporary use permit/agreement for the wireless telecommunications facilities, for no more than 90 days, during which time a suitable plan for removal, conversion, or relocation of the affected wireless telecommunications facilities shall be developed by the holder of the wireless facilities permit, subject to the approval of the Village, and an agreement to such plan shall be executed by the holder of the wireless facilities permit and the Village. If such a plan is not developed, approved and executed within the ninety-day time period, then the Village may take possession of and dispose of the affected wireless telecommunications facilities in the manner provided in this section.

**§ 152-32. Conflict with other laws.**

Where this chapter differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the Village, state or federal government, this chapter shall apply.

**§ 152-33. When effective.**

This chapter shall be effective upon the filing with the Department of State.

**§ 152-34. Authority.**

This chapter is enacted pursuant to applicable authority granted by the state and federal government.

Section 2: Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstances is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 3: This local law shall take effect immediately upon filing with the Secretary of State.



**5. (City local law concerning Charter revision proposed by petition.)**


I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_ above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: July 12, 2023

(Seal)

**Village of Plandome Resolution R-07-2023-B**  
**Dated July 11, 2023**

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Resolution to approve Local Law 4-2023 (Septic System requirement)

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WHEREAS the Board of Trustees closed the Public Hearing and approve Local Law 04-2023.

WHEREAS, Local Law 04-2023 is appended to the minutes herewith.

BE IT FURTHER RESOLVED, the Village Clerk will submit the final approved version to the New York Department of State; to become effective immediately;

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

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
99 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City
Town of
Village Incorporated Village of Plandome

Local Law #4 of the Year 2023.

(Insert Title)

A local law to local law to add new Chapter 130.1 entitled, "Innovative and Alternative On-Site Waste Water Treatment Systems," of the Village Code of the Incorporated Village of Plandome.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City
Town of
Village Incorporated Village of Plandome

Section 1: Section 130.1 of the Village Code of the Incorporated Village of Plandome is hereby created and incorporated into the Village Code and will read as follows:

§130.1-1 Innovative and Alternative On-Site Waste Water Treatment Systems.

Legislative Intent: It has been a continuing goal of the Village to protect the quality of groundwater and surface water resources in and adjacent to the Village of Plandome. These Critical Environmental Areas associated with the Village and the surrounding areas, including Manhasset Bay and the surrounding wetlands, are receiving more nitrogen than the waters can naturally assimilate. This is due in large part to wastewater from both older and newer housing stock that are predominantly treated by conventional on-site sanitary septic systems that do not adequately remove nitrogen. The nitrogen from these systems is being released into the groundwater, which

- b. Any addition to or expansion of all or part of a single-family dwelling or principal structure which equals or exceeds 50% of the square footage of the gross floor area of the structure as originally constructed or as last modified, whether pursuant to site plan approval or prior to the requirement thereof. As used in this chapter, "gross floor area" shall be calculated in accordance with the definition set forth in Chapter 175 (Zoning).
 - c. The installation, replacement or upgrade of any cesspool(s), sewage disposal or septic system required by the Nassau County Department of Health.
- C. Whenever the installation of an I/A OWTS system is required pursuant to the provisions of this Chapter or any other chapter of the Code of the Village of Plandome, the property owner shall be required to obtain a building permit from the Building Inspector. The Zoning Board of Appeals may grant a variance from the provisions of this section upon a showing of good cause. Good cause must be based upon a showing that compliance is impossible due to physical limitations of the particular site. In determining whether to grant such a variance, the Zoning Board of Appeals should consider, in addition to such limitations, whether a covenant applicable to heirs, successors and assigns should be required to be recorded at the Nassau County Clerk's office providing that the applicant will upgrade the system if a low-nitrogen system is available that can accommodate the physical limitations of the subject property or upon availability of a community sanitary system or public sewer that the subject property can be hooked into.

§130.1-4. Installation and maintenance requirements.

- A. The fee charged for building permits obtained under this Chapter shall be in such amount as shall be from time to time prescribed by resolution of the Board of Trustees.
- B. Every owner of an I/A System as defined in this chapter, must maintain such system in accordance with the manufacturer's recommendations and monitor the effectiveness of such system to assure that it continues to function in the manner it was designed to function in its efficiency in removing nitrogen. The Building Inspector may, at any time, require a monitoring report, engineer's report, and/or performance and maintenance report demonstrating that the proposed system complies with the Village's requirements.
- C. Whenever the Building Inspector has reasonable grounds to believe that operations are being conducted in violation of the provisions of this chapter or are not in compliance with a permit or other license issued hereunder, it may notify the owner of the property, the owner's agent or the person performing such operations to modify or suspend all or part of such operations, and any such person shall forthwith comply with such notice of violation until the same has been rescinded. To the extent that any notice of violation issued hereunder requires immediate suspension, modification or cessation of any operation(s), it shall be deemed to be a stop-work order.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2023 of the (County)(City)(Town)(Village) of Inc. Village of Plandome was duly passed by the Board of Trustees on July 10, 2023, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Village of Plandome Resolution R-07-2023-C
Dated July 11, 2023

Resolution to approve Local Law 5-2023 (NYS Firefighter tax exemption requirement)

~~~~~

WHEREAS the Board of Trustees closed the Public Hearing and approve Local Law 05-2023.

WHEREAS, Local Law 05-2023 is appended to the minutes herewith.

BE IT FURTHER RESOLVED, the Village Clerk will submit the final approved version to the New York Department of State; to become effective immediately;

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

*Local Law Filing*

NEW YORK STATE DEPARTMENT OF STATE  
99 WASHINGTON AVENUE, ALBANY, NY 12231

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(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
City  
Town of  
Village            Incorporated Village of PLANDOME

Local Law # 5 of the Year 2023.

*(Insert Title)*

A local law amending Section 150-29 of the Village Code of the Incorporated Village of Plandome: "Application for Exemption".

Be it enacted by the Board of Trustees of the  
*(Name of Legislative Body)*

County  
City  
Town of  
Village            Incorporated Village of PLANDOME

Section 1:    Section 150-29 of the Village Code of the Incorporated Village of Plandome  
is hereby amended as follows:

§ 150-29 Application for exemption.

For volunteer firefighters for the Plandome Fire Department, the application shall be in accordance with the provisions and requirements of § 466-c of the Real Property Tax Law.

A.    A volunteer firefighter with at least two (2) years but fewer than twenty (20) years of Plandome Fire Department service must file an annual application with the Village on a form

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2023 of the (County)(City)(Town)(Village) of Inc. Village of Plandome was duly passed by the Board of Trustees on July 10, 2023, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 2023, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local *(Elective Chief Executive Officer\*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.



**Village of Plandome Resolution R-07-2023-D**  
**Dated July 11, 2023**

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Resolution to approve emergency removal of dead/partially dead village trees.

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WHEREAS the Board of Trustees accept the quote of \$8000.00 from We Care Tree Services of Bellmore, NY;

WHEREAS, the Village Arborist Richard Weir evaluated and confirmed that the Ash Borer tree disease has severely impacted another ten trees in the village, in serious decline and no treatment options available.

BE IT FURTHER RESOLVED that We Care Tree Service included log removal, stump grinding.

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

Village of Plandome Resolution R-07-2023-E

Dated July 11, 2023

Resolution to award road projects to repair Oakwood Lane, Parkwood Road, and The Terrace.

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WHEREAS the Board of Trustees accept the recommendation of the Village Engineer, Westside Engineering of Massapequa,

WHEREAS, the Village Engineer opened the five bid submissions on June 14, 2023 at Village Hall with the Clerk/Treasurer, and later evaluated all bid packets.

WHEREAS, the Village Engineer provided a recommendation letter to the Board of Trustees dated June 16, 2023 to conclude that John McGowan and Sons to be the lowest responsible bidder in the amount of \$160,885.00. (Letter appended to the minutes).

BE IT FURTHER RESOLVED that John McGowan & Sons to submit final insurance and bond prior to scheduling the project to be completed in August 2023.

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

**James Antonelli, P.E.**  
**West Side Engineering, PC**  
**26 West End Avenue**  
**Massapequa, NY 11758**  
**(516) 541-8530 (office) (516) 524-9679 (mobile)**

June 16, 2023

Barbara Peebles, Village Clerk/Treasurer  
Village of Plandome  
65 South Drive  
Plandome, NY 11030

Re: Oakwood Lane, Parkwoods Road and The Terrace

Dear Barbara:

I have analyzed the bids which were opened at the Village office earlier today (June 16<sup>th</sup>). Five bids were received, and the results are shown on the attached two spreadsheets. The spreadsheets include the bid amounts by each contractor, for each line item in the bid. It should be noted that I have checked all bids and found no arithmetic errors, and bid books were appropriately completed and bid bonds were submitted by each bidder. The low bidder is John McGowan & Sons of Sea Cliff, NY, for the amount of \$160,885.

I have also checked references of the low bidder, and find that they are a qualified contractor, and someone with whom I have worked with successfully in other villages, including Oyster Bay Cove, Laurel Hollow, Lattingtown, Munsey Park, and Plandome Manor, as well as in Plandome. I recommend that the Village consider awarding the bid to John McGowan & Sons. The second lowest bid was from Stasi General Contracting for \$178,150.

Once the contractor is notified of the award by the Village, and the Village is satisfied with a performance bond and required insurances from the contractor, I will supply three copies of conformed books to the Village Clerk for the execution of the contract. At that time, I will solicit submittals from the contractor, whereby the contractor is obligated to submit information pertaining to the materials, suppliers and manufacturers, proposed for use on the project, as applicable, prior to the commencement of construction.

Included with this letter are the unsuccessful bids, with their respective bid bonds.

Sincerely,



James Antonelli, P.E.

Encl.

Village of Plandome Bid Analysis  
 Oakwood Lane, Parkwoods Road and The Terrace

| <u>Item</u> | <u>Quantity</u> | <u>Graci Paving Associates, Inc</u> |             | <u>John McGowan &amp; Sons</u> |                   | <u>Roadwork Ahead</u> |             |
|-------------|-----------------|-------------------------------------|-------------|--------------------------------|-------------------|-----------------------|-------------|
|             |                 | <u>Unit Cost</u>                    | <u>Cost</u> | <u>Unit Cost</u>               | <u>Cost</u>       | <u>Unit Cost</u>      | <u>Cost</u> |
| 2X-1        | 40              | 120                                 | 4,800.00    | 100                            | 4,000.00          | 10                    | 400.00      |
| 36D         | 900             | 155                                 | 139,500.00  | 94                             | 84,600.00         | 165                   | 148,500.00  |
| 36DX-MR     | 50              | 155                                 | 7,750.00    | 220                            | 11,000.00         | 150                   | 7,500.00    |
| 36SS        | 1280            | 7                                   | 8,960.00    | 5                              | 6,400.00          | 5                     | 6,400.00    |
| 40SS-2      | 350             | 10                                  | 3,500.00    | 5                              | 1,750.00          | 0.50                  | 175.00      |
| 58X-2       | 850             | 3                                   | 2,550.00    | 4                              | 3,400.00          | 3                     | 2,550.00    |
| 102X        | 1               | 8,000                               | 8,000.00    | 8000                           | 8,000.00          | 8000                  | 8,000.00    |
| 200SS-1     | 50              | 2                                   | 100.00      | 8                              | 400.00            | 1.10                  | 55.00       |
| 366P-SS-1   | 48              | 20                                  | 960.00      | 20                             | 960.00            | 10                    | 480.00      |
| 503SS       | 6950            | 6.50                                | 45,175.00   | 3.50                           | 24,325.00         | 1                     | 6,950.00    |
| 504SS       | 12              | 100                                 | 1,200.00    | 200.00                         | 2,400.00          | 120                   | 1,440.00    |
| 536SS       | 975             | 30                                  | 29,250.00   | 14                             | 13,650.00         | 18                    | 17,550.00   |
|             |                 |                                     | 251,745.00  |                                | <b>160,885.00</b> |                       | 200,000.00  |

Village of Plandome Bid Analysis  
 Oakwood Lane, Parkwoods Road and The Terrace

| <u>Item</u> | <u>Quantity</u> | <u>Stasi General</u> |             | <u>Stasi Industries</u> |             |
|-------------|-----------------|----------------------|-------------|-------------------------|-------------|
|             |                 | <u>Unit Cost</u>     | <u>Cost</u> | <u>Unit Cost</u>        | <u>Cost</u> |
| 2X-1        | 40              | 30                   | 1,200.00    | 55                      | 2,200.00    |
| 36D         | 900             | 115                  | 103,500.00  | 145                     | 130,500.00  |
| 36DX-MR     | 50              | 100                  | 5,000.00    | 141                     | 7,050.00    |
| 36SS        | 1280            | 5                    | 6,400.00    | 4.50                    | 5,760.00    |
| 40SS-2      | 350             | 2                    | 700.00      | 5                       | 1,750.00    |
| 58X-2       | 850             | 3                    | 2,550.00    | 3                       | 2,550.00    |
| 102X        | 1               | 8000                 | 8,000.00    | 8000                    | 8,000.00    |
| 200SS-1     | 50              | 18                   | 900.00      | 2                       | 100.00      |
| 366P-SS-1   | 48              | 50                   | 2,400.00    | 15                      | 720.00      |
| 503SS       | 6950            | 5                    | 34,750.00   | 7                       | 48,650.00   |
| 504SS       | 12              | 250                  | 3,000.00    | 100                     | 1,200.00    |
| 536SS       | 975             | 10                   | 9,750.00    | 10                      | 9,750.00    |
|             |                 |                      | 178,150.00  |                         | 218,230.00  |

**Village of Plandome Resolution R-07-2023-F**  
**Dated July 11, 2023**

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Resolution to approve tax cert settlement with Plandome Country Club.

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WHEREAS the Board of Trustees approve the settlement negotiated by Tom Donato of Haberman Associates on behalf of the Village of Plandome and approved by Village Attorneys of Morici & Morici LLC. (Stip appended to the minutes)

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