

**INC. VILLAGE OF PLANDOME HEIGHTS
MEETING OF THE BOARD OF TRUSTEES
PLANDOME HEIGHTS VILLAGE HALL
SEPTEMBER 12, 2016
MINUTES OF MEETING**

Present:	Mayor	Kenneth C. Riscica
	Trustee	Silva Ferman
	Trustee	Gus Panopoulos
	Trustee	Dianne Sheehan
	Trustee	Alvin Solomon
	Trustee	Norman Taylor
	Clerk-Treasurer	Arlene Drucker
	Village Attorney	Christopher Prior, Esq.

Also Present: Bill Merklin D&B Engineers

Participated: Trustee Daniel Cataldo (by phone)

At 7:36 p.m. Mayor Riscica called the meeting to order and called for the Pledge of Allegiance. The Mayor then asked for a moment of silence to honor all the lives that were lost, and the lives that were impacted, on 9/11 fifteen years ago.

The Mayor noted that the first order of business was to review the Manhasset-Lakeville Water District project for the Village sponsored work. Mayor Riscica noted that the MLWD presented a bill detailing that two sections in the work order were priced significantly higher than the original estimate. Mayor Riscica stated that he would need to research the situation to understand why there was such an overage and if billing to the Village was appropriate.

The Mayor then moved the discussion to the bids received in the 2016 Miscellaneous Roadway Requirements Contract. The Mayor introduced Bill Merklin, Senior Vice President at D&B Engineers, our engineer for the project who would participate in this discussion. The Mayor then reviewed the bids received indicating (a) the range of the bids received, (b) a comparison of this year's low bid to last year's low bid (which was not accepted) and (c) a comparison of the bids received to the expectations outlined in our August meeting. In summary, the Mayor indicated that the bids were approximately \$35,000 better than the prior year and that they were even slightly better than our expectation. The Mayor then indicated that he and the Clerk, in addition to D&B Engineers, had personally checked references for the low bidder, Roadwork Ahead, and that the references were strong. Mr. Merklin then provided his comments on the process, the project and the low bidder, as well as the appropriate role for D&B in supervision of the execution of the work. Mr. Merklin indicated that D&B has recommended that the Village accept the low bid. A discussion then ensued in which questions were asked and answered.

After discussion, the Mayor indicated that a discussion of the individual "Work Orders" under the contract was in order, particularly since the favorable bid and current resources provides the Village the opportunity to expand the scope of work. The Mayor noted that Work Order #1 constitutes the work on The Waterway/The Neck. The original bid contemplated replacing broken swales in approximately 20% of the swales and that, in our August meeting, we agreed that we would expand that to approximately 40% of the swales. After making that revision, the Mayor noted that there was only a small amount of swales on the north side of The Neck that were not being done. And so the Mayor is now recommending that the entire north side swales be replaced to eliminate these minor "gaps" with one "continuous pour" on that side. It was noted that the north side of The

Neck is the side where most of the water flows to the storm drains, which is why they are more worn. The Mayor noted that the original estimate for Work Order #1 is for \$85,000 and the increase in the swales raises that number to approximately \$110,000. The Mayor recommends that \$25,000 increase in scope to \$110,000. A discussion ensued.

The Mayor then moved the discussion to Work Order #2, Cove Drive. The Mayor noted that while the milling and paving work is going on at Cove Road, there are other small needs nearby that are warranted to address. The Mayor indicated that if we were to repave Willow Court and a small section of Shore Road right in front of Willow Court that is in worse shape than the rest of Shore Road, the cost is estimated by D&B to be approximately \$13,000 for Willow Court and another approximately \$6,000 on Shore Road. This would raise the total cost of Work Order #2 from approximately \$76,000 for just Cove Drive to approximately \$95,000. Given the favorable pricing, the need for the work and the availability of the contractor, the Mayor recommends this expansion of the scope of work. The Mayor indicated, however, that he has no new information on the progress of our NYS grant for this work and so he was not in a position to recommend the release of this Work Order # 2 at this time. A discussion ensued.

The Mayor then moved the discussion to Work Order # 3, Miscellaneous Requirements. The Mayor indicated that Trustee Taylor and he had reviewed areas of curbing and flat concrete at Summit and Grandview and at Plandome Court and currently recommend a scope of work that totals approximately \$30 - 35,000. Such amount may increase. The Mayor then reviewed a map of the Village with the Trustees and indicated that work was contemplated in many areas of the Village with the exception of the Bournedales. He indicated that he had some remediation work in the Bournedales which he would present in a future meeting as it is not road related. A discussion ensued. After discussion, upon motion by Trustee Taylor, seconded by Trustee Sheehan, the following resolutions were adopted by all Trustees present:

RESOLVED, to award the 2016 Miscellaneous Roadway Requirements Contract, as recommended by D&B Engineers, to Roadwork Ahead, the lowest qualified bidder, and, subject to the completion of legal and insurance diligence by D&B and the Village Attorney, the Mayor is authorized to execute any and all Award Letters, Contracts and other materials in connection with or incident to the award and it is further,

RESOLVED, to authorize D&B to issue a notice to proceed with Work Order #1, The Waterway/The Neck for approximately \$110,000, and Work Order #3 for approximately \$30-35,000, the miscellaneous work, upon execution and delivery of the contract and production of the bond and insurance by the contractor.

The Mayor stated that the next order of business was the approval of D&B Engineers' retention letter for post bid and construction management services pursuant to their proposal, a copy of which was provided to the Trustees. After discussion, upon motion by Trustee Taylor, seconded by Trustee Sheehan, the following resolution was adopted by all Trustees present:

RESOLVED, the Village is authorized to retain D&B Engineers for supervision of the 2016 Miscellaneous Roadway Requirements Contract on the terms set forth in D&B's proposal, currently stated at approximately \$11,000, and the Mayor is authorized to execute any and all contracts and agreements to this effect.

On the advice of counsel, the board went into executive session to receive advice of counsel on a legal matter at 8:26 pm.

The Mayor announced that executive session ended at 8:27 p.m. with no action taken.

The Mayor then moved the discussion to the receipt of competitive bids for our multi-year snow plow contract. The Mayor noted that the low bidder was our existing provider and so there was no additional diligence to do. The Mayor did, however, present "Benchmarking" information of our snow removal costs over the past three years compared to our local "comparable" Villages. The information shows that our snow removal costs are

generally significantly below our peer group comparable Villages. After discussion, upon motion by Trustee Taylor, seconded by Trustee Ferman, the following resolution was adopted by all Trustees present:

RESOLVED, to award the multi-year Snow Plow and Salting/Sanding Contract to the lowest qualified bidder, Creative Snow by Cow Bay, subject to bond and insurance paperwork being in order to the satisfaction of the Village Attorney and the Mayor, and that the Mayor is hereby authorized to execute any and all Notices of Award, Contracts and materials in conjunction with or incident to this award.

The Mayor then requested that Trustee Solomon discuss the new proposed addition to the Village of Plandome Heights' Emergency Response Plan. Trustee Solomon and Bart Giusto, the emergency management team for Plandome Heights, modified the Hurricane Time Line chart provided by Office of Emergency Management for the specific issues for Plandome Heights and recommend that it be included as part of the next regular update of our CEMP (Emergency Management Plan).

The Mayor then moved the discussion to the Sanitation Contract. The contract will expire May 2017 and the Village will need to go out to bid for a new contract. After discussion, upon motion by Trustee Taylor, seconded by Trustee Sheehan, the following resolution was adopted by all Trustees present:

RESOLVED, that the Village is authorized to solicit bids on a multi-year sanitation contract, in the form presented to the Trustees by the Village Attorney, with such non-material changes as Counsel, Mayor and Trustee Taylor may recommend.

Mayor Riscica indicated that our Justice Court operations require an audit and that the Village has received a proposal from Skinnon & Faber to do such audit at a cost of \$900, which is in line with our budget and prior years. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Ferman, the following resolution was adopted by all Trustees present:

RESOLVED, that the Village retain Skinnon and Faber to perform the audit of the Justice Court operations as outlined in their engagement letter for a fee of \$900 and the Mayor is empowered to enter into such agreement(s) and take such actions as are necessary to accomplish this resolution.

The Mayor then moved the discussion to the request of the Manhasset Women's Coalition Against Breast Cancer ("MWCABC"). The Village received the annual request from the MWCABC to use Village streets during the annual breast cancer fundraising run on October 23, 2016. After discussion and upon motion by Trustee Ferman, seconded by Trustee Panopoulos, the following resolution was adopted by all Trustees present:

RESOLVED, the request of MWCABC for permission to use Village streets on Sunday, October 23, 2016 in connection with its annual fundraising run is hereby approved.

The Mayor then moved the discussion to the annual renewal of the village insurance through New York Municipal Insurance Reciprocal, NYMIR. The Mayor noted that additional paperwork needs to be submitted to NYMIR. A discussion ensued with the determination that the paperwork will be submitted by the clerk and no further action by the Board is necessary at this time.

Mayor Riscica then moved the discussion to annual Village financial reporting. Mayor Riscica referred to the financial statements together with the report of our independent auditors, for the year ended May 31, 2016 and the related reports and recommendations prepared by our auditors. The Mayor then summarized each of those reports for the Trustees, including the assessments and recommendations contained therein. A discussion ensued in which questions were asked and answered. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Sheehan, the following resolutions were adopted by all Trustees present:

RESOLVED, that the financial statements of the Village as of and for the fiscal year ended May 31, 2016 as prepared by the Village and audited by Skinnon & Faber are hereby ratified and approved and be it further

RESOLVED, that the filing of reports containing such financial statements and financial information by the duly appointed officers of the Village with the State of New York and others as required by law is hereby ratified and affirmed and further,

RESOLVED, that the further reports of Skinnon and Faber resulting from the audit including SAS 114 letter, SAS 115 letter and the management report are hereby acknowledged and accepted.

The Mayor then noted the next order of business was the approval of the minutes of the August 1, 2016 meeting. The Trustees confirmed that they had read the draft minutes and had no proposed changes. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Ferman, the following resolution was adopted by all Trustees present:

RESOLVED, that the minutes of the Regular Meeting held on August 1, 2016 are hereby accepted and approved.

The Mayor stated that the next order of business was the approval of the Abstract of Claims. After discussion, upon motion by Trustee Taylor, seconded by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

RESOLVED, that the Abstract of Claims Number 4 of the Budget Year 2016 – 2017 for claim numbers 92 – 116 in the amount of \$32,970.52 is hereby accepted, as amended.

At 9:06 p.m. Mayor Riscica moved to enter into Executive Session in order to seek the advice of counsel for personnel matters. This motion was seconded by Trustee Sheehan. All Trustees present were in favor.

The Mayor announced that executive session ended at 9:21 p.m. with no action taken.

The Mayor then moved the discussion to a proposal by Municipal Audit Services to hire them to audit the Village's Franchise Fee and Local Utility Gross Tax Receipts. Trustee Ferman questioned how this compares to a group audit the Cable Consortium is trying to coordinate. The board requested additional information before a decision is reached.

There being no further business to discuss, Trustee Solomon motioned to adjourn the meeting and such motion was seconded by Trustee Ferman. All Trustees present were in favor.

The meeting was adjourned at 9:53 p.m.

Respectfully submitted,

Arlene Drucker, Clerk-Treasurer