

INCORPORATED VILLAGE OF  
**Plandome Heights**

37 Orchard Street, Manhasset, New York 11030  
Tel: (516) 627-1136 Fax: (516) 627 1393  
[www.plandomeheights-ny.gov](http://www.plandomeheights-ny.gov)

February 9, 2018

**Kenneth C. Riscica**  
Mayor

**Daniel Cataldo**  
**Silva Ferman**  
**Gus Panopoulos**  
**Dianne Sheehan**  
**Alvin Solomon**  
**Norman Taylor**  
Trustees

**Arlene Drucker**  
Clerk -Treasurer

**Elizabeth Vera Koubi**  
Deputy Clerk,  
Building

**Lenore "Lee" Regan**  
Court Clerk

**Cye E. Ross, Esq.**  
Village Justice

**Mary Breen Corrigan**  
Prosecutor

**Edward P. Butt, AIA**  
Building Inspector  
Stormwater Mgmt.  
Officer

**Bart Giusto**  
Emergency Mgmt.  
Coordinator

**Maryann Grieco**  
Architectural Review  
Board, Chair

**Eugene O'Connor**  
Zoning and Appeals  
Board, Chair

**James Madison**  
Planning Board, Chair

**Trey Harragan**  
Technology Advisory  
Board, Chair

Honorable Judi Bosworth  
Supervisor  
Town of North Hempstead  
220 Plandome Road  
Manhasset, NY 11030

Re: Maintenance of Plandome Road Within the Village of Plandome Heights

Dear Supervisor Bosworth:

I enclose the letter of Village Attorney Christopher Prior in response to the letter of Town Attorney Elizabeth Botwin regarding maintenance of Plandome Road within the Village of Plandome Heights.

Our Village welcomes the opportunity to provide input to the Town and County toward resolving whatever road maintenance responsibility issues exist related to that 1,900 linear feet (0.36 mile) section of Plandome Road. Further we look forward to the maintenance of that section of road being restored to the level that the 36,000 Town and County residents on the Peninsula, as well as the nearly 10,000 cars that travel that section of road daily (along with members of our 325 households), expect of their government for such an important snow emergency and evacuation route for the Peninsula.

Best personal regards,

Sincerely,  
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

*/s/ Kenneth C. Riscica*

Kenneth C. Riscica  
Mayor

cc: Councilwoman Dina DeGiorgio  
Legislator and Presiding Officer, Richard Nicoletto  
Trustees of the Village of Plandome Heights

**MCLAUGHLIN & STERN, LLP**

FOUNDED 1898

Christopher J. Prior  
Partner  
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February 9, 2018

Elizabeth D. Botwin, Town Attorney  
Town of North Hempstead  
Town Hall  
220 Plandome Rd.  
Manhasset, NY 11030

Re: Maintenance of Plandome Road within the Village of Plandome Heights

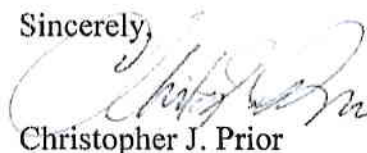
Dear Ms. Botwin:

Mayor Kenneth C. Riscica of the Village of Plandome Heights has asked that I respond to your February 1, 2018 letter to him (copy enclosed for your reference).

The Village strongly desires a comprehensive resolution of any questions concerning responsibility for maintaining the referenced 1,900 linear foot section of Plandome Road, a heavily traveled main artery for the entire Port Washington Peninsula. Less than optimal maintenance of that stretch of County road impacts all Peninsula residents, but most acutely the thousands who travel that road daily and those whose homes surround the segment in question.

The Village observes that the Town and County are the parties to the March 23, 2007 Comprehensive Inter-Municipal Cooperative Agreement, to which we believe your letter refers, and they may have competing interpretations of its terms. In any event, the Village welcomes the opportunity to provide input to the Town and County toward resolving the road maintenance responsibility issues.

Sincerely,



Christopher J. Prior

Encl.

cc: Hon. Kenneth C. Riscica, Mayor of the Village of Plandome Heights

*Supervisor*  
JUDI BOSWORTH

*Town Board*  
VIVIANA L. RUSSELL  
PETER J. ZUCKERMAN  
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DINA M. DE GIORGIO

*Town Clerk*  
WAYNE H. WINK, JR.

*Receiver of Taxes*  
CHARLES BERMAN

**TOWN OF NORTH HEMPSTEAD  
OFFICE OF THE TOWN ATTORNEY**

**TOWN HALL  
220 PLANDOME ROAD  
MANHASSET, NY 11030**



**ELIZABETH D. BOTWIN**  
*Town Attorney*

February 1, 2018

FEB 15 2018

Hon. Kenneth C. Riscica  
Mayor  
Inc. Village of Plandome Heights  
37 Orchard Street  
Manhasset, New York 11030

Re: Maintenance of Plandome Road Within the Village of Plandome Heights

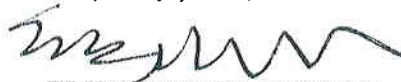
Dear Mayor Riscica:

As you know, beginning in 2007, the Town of North Hempstead maintained the portion of Plandome Road within the Village of Plandome Heights (the "Road") pursuant to an agreement with the County of Nassau (the "County"), the owner of the Road. The agreement required that the Town maintain the road for seven (7) years from October of 2007, or until the road is transferred to the Town. The County retains ownership of the Road. Therefore, as we have discussed with Village officials, ~~the County is once again responsible for maintaining the Road.~~

Though the Town's obligation ended in October 2014, ~~the Town has continued to provide certain services for the Road, such as snow plowing, as a courtesy for the Village.~~ However, the Town cannot continue to provide these services indefinitely. I suggest the best way to serve the residents of the Town and the Village who use the Road would be to organize a three-way discussion with the County, the Town and the Village to determine how to best proceed. The Town would be happy to participate in finding a solution that works for all concerned.

Thank you for your attention to this matter.

Very truly yours,

  
ELIZABETH D. BOTWIN  
Town Attorney

cc: Christopher Prior, Esq., Village Attorney