

**INC. VILLAGE OF PLANDOME HEIGHTS  
MEETING OF THE BOARD OF TRUSTEES  
PLANDOME HEIGHTS VILLAGE HALL  
SEPTEMBER 13, 2021; 6:00 PM  
MINUTES OF MEETING**

<b>Present:</b>	Mayor	Kenneth C. Riscica
	Trustee	Daniel Cataldo
	Trustee	Silva Ferman
	Trustee	Gus Panopoulos
	Trustee	Dianne Sheehan
	Trustee	Alvin Solomon
	Trustee	Norman Taylor (by phone, non-voting)
	Clerk-Treasurer	Arlene Drucker
	Village Attorney	Christopher Prior, Esq.

<b>Also Present:</b>	Kathryn Gross	Special Project Associate
	Rosemary Mascali	Resident
	Jennifer Corr	Manhasset Times

At 6:08 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 as well as those who still suffer and the lives that were impacted on 9/11, twenty years ago.

The Mayor noted that the first order of business was to act on the proposed local law by which the Village would opt out, to the extent lawfully permitted, from the recently enacted NYS legislation legalizing cannabis in New York, which was the subject of a Village public hearing held in July 2021. Mayor Riscica noted that the Board members have had adequate time since the public hearing to give careful thought to the issue. Mayor Riscica noted that if, the Board of Trustees moved to enact the bill into law, it is subject to a permissive referendum. After discussion, upon motion by Trustee Panopoulos, second by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that Bill # 2 of 2021, by which the Village would opt out, to the extent lawfully permitted, from the recently enacted NYS legislation legalizing cannabis in New York be enacted as Local Law # 2 of 2021, subject to the lapsing without a petition for referendum being filed, of the permissive referendum period related to such enactment, or, if such a petition is filed, to the approval of such proposed legislation in the special election conducted in response to such petition.

The Mayor then moved the discussion to noise and disturbance complaints relating to activity on or around 100 Brookside Drive, a home in the neighboring Village of Plandome, abutting several homes in our Village, thereby affecting the Village. The Mayor noted that, after receiving several complaints by Village residents, he personally confirmed excessive noise on multiple occasions from a home in Plandome in that vicinity. Mayor Riscica noted that he has spoken with the Mayor of Plandome and the Commander of the Nassau County Police Precinct serving the Village. The Village of Plandome Heights faces limited options to address this situation, as the property in question lies outside our jurisdiction. Residents are advised to call 911 to report these incidents as they are occurring.

The Mayor then moved the discussion to Hurricane Ida, hitting the New York area on September 1, 2021. The Mayor noted that this incident was declared a State of Emergency by New York State Governor Kathy Hochul. The Mayor reported on the damage experienced by residents, and by the Village, in this event. The Village's expenses due to Hurricane Ida are eligible for FEMA reimbursement and FEMA is also working with residents who experienced significant damage.

The Mayor then moved the discussion to the FEMA reimbursement from Storm Isaias. The Mayor noted that we received 87.5% reimbursement of our expenses. \$6,400 of the expenses incurred related to damage at the Preserve and were paid from the Parkland Fund. After discussion, upon motion by Trustee Sheehan, second by Trustee Cataldo, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that 87.5% of the \$6,400 expenditure from the Parkland Fund related to damage at the Preserve from Storm Isaias be reimbursed to the Parkland Fund from the reimbursement funds received from FEMA.

The Mayor then moved the conversation to Personnel matters. The Mayor noted that, at the July meeting the Board approved the terms of retention of Kathryn Gross as the Consultant for Special Projects but the offer letter was then still being drafted. That document is now completed. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Cataldo, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the Village retain Kathryn Gross as Special Projects Assistant on an independent contractor basis at the rate of \$17.25/hour pursuant to the terms of the agreement annexed hereto with non-material changes.

The Mayor then moved the conversation to Architectural Review Board appointments. The Mayor noted that elected and appointed Village officials are required to take the Oath of Office within 30 days of their election or appointment. Two ARB appointees failed to do so within 30 days of their April 2021 appointments, thereby creating vacancies in the positions. The Mayor recommended that the two be reappointed to the ARB in order to enable them to fulfill the duties of the positions. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, Tom Ahn and Stewart Jarvis be appointed as Alternate Members to the Architectural Review Board for the balance of the one year term ending at the Village's annual organizational meeting in April 2022.

The Mayor then moved the discussion to the American Rescue Plan Act, ARPA. Mayor Riscica noted that the Village received this year's allotment of just over \$52,000. The Village opened a new bank account with First National Bank to keep the funds separate from Village operating funds. Only money related to ARPA will be placed in this account. Mayor Riscica noted that Kathryn Gross is assisting in reviewing the ARPA requirements and required filings. Mayor Riscica noted that at the beginning of the fiscal year, June, the Village collects the resident property taxes. Then throughout the year we spend the money down. Therefore, the Village always has the most amount of money in the banks at the beginning of the fiscal. This year, with the additional ARPA money, the Village needs to increase the maximum amount allowed to be kept at each bank as per the Village's Investment Policy which was updated at the annual meeting. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the banks and trust companies that are authorized for the deposit of moneys as per the Investment Policy, shall be increased by \$100,000 until December 31, 2021.

Mayor Riscica then moved the discussion to the Manhasset Women's Coalition Against Breast Cancer request for a permit for the 22<sup>nd</sup> annual 5K race through the streets of our Village. After discussion, upon motion by Trustee Sheehan, seconded by Trustee Ferman, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the request of the race committee of the Manhasset Women's Coalition Against Breast Cancer is approved to permit the road race route to include portions of the Village on Sunday, October 3, 2021, between the hours of 9:30 am and 10:30 am.

Mayor Riscica then moved the discussion to snow plowing. Mayor Riscica noted that, in 2016, following the competitive bidding process, the Village awarded the Snow Plow and Salting/Sanding Contract to Creative Snow by Cow Bay, Inc. for one (1) year with options to renew it yearly through Snow Season 2025-2026 for a total of ten (10) one year renewal options. The Mayor noted that the Village has exercised that option each year since award. The Mayor and the Trustees expressed their general satisfaction with the contractor's performance. After discussion, upon motion by Trustee Taylor, seconded by Trustee Solomon, the following resolution was adopted unanimously by all Trustees present:

**RESOLVED**, to exercise the Village option to extend for Snow Season 2021 – 2022 the Village's Snow Plow and Salting/Sanding Contract with Creative Snow by Cow Bay, Inc., while reserving all future options thereunder, and that the Mayor is hereby authorized to execute any and all Notices, Contracts and materials in conjunction with or incident to this resolution.

The Mayor noted that the next order of business was approval of the minutes of the Board of Trustees' August 2, 2021 Regular Meeting. The Trustees confirmed that they had read the draft minutes. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the minutes of the August 2, 2021 Regular Meeting in the form presented by the Village Clerk-Treasurer are hereby accepted and approved.

The Mayor noted for the residents and others present that the Village had business to conduct in executive session, specifically contract and negotiation matters related to our Public Works bid requiring the advice of counsel as well as personnel matters. As such, he requested a motion to enter Executive Session which would require the visitors to leave. A brief period of questions from the visitors ensued with questions asked and answered.

At 8:12 p.m. Trustee Panopoulos motioned to enter into Executive Session in order to discuss contract and personnel matters. This motion was seconded by Trustee Sheehan. All Trustees present were in favor.

At 9:20 p.m., the Mayor announced that executive session ended with no action taken.

The Mayor then moved the discussion to the 2021 -22 Roadwork Requirements Bid. The Mayor provided the specifications and bid book to the Trustees for review and comments. A discussion ensued and questions were asked and answered. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Cataldo, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the Village proceed to solicit bids for the 2021 – 22 Road Requirements Project, and that the Mayor and the Clerk-Treasurer are authorized to execute any and all instruments and take any and all actions to conduct a public bid with the materials presented, subject to non-material changes.

The Mayor then moved the discussion to the engineering contract for the capital project. Mayor Riscica mentioned that at the May 2021 Board Meeting, the Village approved the proposal from the Village Engineer, Jim Antonelli of West Side Engineering, for the engineering fees for this project not to exceed \$4,800. The Mayor noted that the original job, resurfacing Bournedales (approximately 40% of our paved roads) has increased substantially due to the National Grid gas main replacement project and now involves approximately 85% of the paved roads in the Village and thus it is appropriate to increase the approved engineering cost.

**RESOLVED**, to approve the July and August bills totaling \$8,480.00 submitted from West Side Engineering, PC for creating and conducting a bid proposal for the Road Improvement Project and acknowledging that there will be additional billings.

Mayor Riscica noted that the Grant Disbursement Agreement for the DASNY grant for \$50,000 sponsored by Sen. Kaplan in 2019 has been presented to the Village for signature. The DASNY grant is for road repairs to the Bournedales and other roads in our Capital Plan (including Shore Road and Beachway, among others). Counsel has reviewed the agreement and finds same acceptable for execution and delivery by the Village. The Mayor recommends that the contract be approved. After discussion, upon motion by Trustee Cataldo, seconded by Trustee Panopoulos, the following resolution was adopted by all Trustees present:

**RESOLVED**, that the Village is authorized enter into the grant disbursement agreement for the Road Project Grant for \$50,000 with the Dormitory Authority of the State of New York (“DASNY”), to be funded through the State and Municipal Facilities Program (“SAM”), and that the Mayor is authorized to execute such agreement and undertake any actions related to that end.

The Mayor then moved the discussion to the compensation of the Court Clerk. After discussion, upon motion by Trustee Solomon, seconded by Trustee Sheehan, the following resolution was unanimously adopted by all Trustees present:

**RESOLVED**, that the compensation of the Court Clerk shall be \$20.00 per hour effective September 1, 2021.

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

**RESOLVED**, that the August Abstract of Claims Number 4 of the Budget Year 2021 – 2022 for claim numbers 90 – 127 in the amount of \$43,538.30 has been reviewed and approved by the Trustees, as amended, and is hereby accepted.

The meeting was adjourned at 9:28 p.m.

Respectfully submitted,

---

Arlene Drucker  
Clerk-Treasurer

Enc.

