

**MEETING OF THE BOARD OF TRUSTEES
PLANDOME HEIGHTS VILLAGE HALL
NOVEMBER 7, 2022; 7:00 PM
MINUTES OF MEETING**

Present:	Mayor	Kenneth C. Riscica
	Trustee	Daniel Cataldo (arrived 7:45 pm)
	Trustee	Mary Hauck
	Trustee	Kristina Lobosco
	Trustee	Gus Panopoulos
	Trustee	Norman Taylor
	Clerk-Treasurer	Arlene Drucker
	Deputy Clerk	Susan Martinez
	Village Attorney	Christopher Prior, Esq.
Absent:	Trustee	Florence Musalo
Also Present:	Rosemary Mascali	Resident, President Plandome Heights Civic Association
	Roxanne Fitzig	Resident, Board Member, Plandome Heights Civic Association
	Mary Oleske	Resident, Board Member, Plandome Heights Civic Association
	Michael Oleske	Resident

At 7:02 p.m. Mayor Riscica called the meeting to order and called for the Pledge of Allegiance.

The Mayor noted that the first order of business was approval of the minutes of the Board of Trustees' October 3, 2022 Regular Meeting and October 27, 2022 Special Meeting. The Trustees confirmed that they read the draft minutes. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Lobosco, the following resolution was unanimously adopted by all Trustees present:

RESOLVED, that the minutes of the October 3, 2022 Regular Meeting and the October 27, 2022 Special Board Meeting of the Board of Trustees in the form presented by the Village Clerk-Treasurer are hereby accepted and approved.

The Mayor then moved the discussion to occupancy. The Mayor updated the Trustees on the developments of the Mayor's Advisors findings, various purchasing and leasing opportunities, and the current economic climate and how it impacts the Village. The Mayor noted that current leasing opportunities are significantly more costly than the current lease, building prices are coming down, and interest rates for municipalities are not increasing at the same rate as home mortgage interest rates.

Representatives of the Plandome Heights Civic Association were present, and asked to participate in the discussion. One Civic representative has regularly attended Board meetings, and frequently addresses the occupancy issue.

The Civic representatives inquired as to what they described as a recent offer made to the Village by the current landlord to extend the current lease after it expires. One of the representatives noted that she was in possession of a letter, purportedly sent to all Trustees and the Village, by the landlord, addressing the offer described by the Civic representatives.

The Mayor observed that some context was in order. During the recently concluded eight month negotiation between the Village and the landlord to resolve the landlord's claims that the Village was in default under the current Lease, the Landlord advised that it did not intend to renew the Lease after the extension term at less than what the Landlord presented as market rates, which would increase current Village lease costs dramatically. The Village reported the Landlord's offer in a letter to its residents. The Landlord then sought to include lease extension negotiations into the dispute resolution negotiation, presenting a significantly revised lease extension offer. The Board advised the Landlord that the Village would not negotiate a future lease renewal while the Landlord's default claims were unresolved.

The dispute with the Landlord was resolved in September 2022.

With that matter concluded, in September the Village retained an independent consultant to perform a Space Study and Analysis of the Village's occupancy needs, which report was delivered in October 2022. The report concludes that the Village's current space is "woefully inadequate for the needs of even the smallest municipality" and that the Village's current space, at 717 square feet, is significantly below the more than 1,700 average square feet utilized by comparable or peer group villages. The Village reported the resolution of the dispute with the current landlord and the Space Study conclusion, in a letter to the residents.

Thereafter, the Landlord mailed to the Village office envelopes addressed to 3 current and 3 former Trustees, each marked "personal and confidential," which the Village promptly forwarded unopened to those addressees. The Landlord did not send copies of that correspondence to the Village or to the Mayor or to three other Trustees. One of the Civic representatives advised the Board that she has obtained a copy of that letter and that the letter contains an offer from the current landlord of a new renewal period at a lower rent than the landlord initially proposed during the dispute resolution negotiations, and further offers conference room space in the Landlord's office.

If the landlord is now proposing a rent amount below that which she proposed during the dispute negotiations, then the Board was wise to bifurcate those negotiations. Any new proposal to rent the current space does not address the space constraints that are obvious to the Board, Village staff, volunteers and residents and professionals who must conduct business at the space, and to the independent expert who conducted the space study. Furthermore, an offer to borrow the landlord's conference room for occasional meetings does not address the issue, because the landlord's conference room is no larger, and likely smaller, than the Village's current meeting space.

The Mayor advised the Civic representatives that the Mayor and Board plan to continue to focus on resolving the Village's occupancy issue, thoughtfully, carefully and competently, by the residents entrusted with the task by the voters, in order to address the inadequacy of the space for Village business, in an economically feasible manner. As one Trustee observed, the Village will resolve the occupancy issue in a "fact based" manner. In that regard, the Mayor noted that the discussion with the Landlord would occur from a negotiating position of strength informed by market conditions, facts, resources and availability of alternatives.

The Mayor then moved the discussion to Capital Expenditures. The Mayor noted that the Board of Trustees needed to ratify the capital expenditure resolution approved at the October board meeting subject to permissive referendum, due to a technical reason. The Mayor noted that the Village has been awarded a grant for approximately \$50,000 from NYS Archives and that approximately \$25,000 has been received in advance of the work. After discussion, upon motion by Trustee Cataldo, seconded by Trustee Lobosco, the following resolutions were adopted by all Trustees present:

RESOLVED, that this Board appropriate the sum not to exceed \$60,000, from the Village's Capital Reserve Fund to pay for costs to be applied to certain capital improvements to existing digitizing Village records, which resolution is subject to permissive referendum and subject to separate Board resolutions authorizing specific expenditures against such appropriation; and that this

RESOLUTION is subject to a permissive referendum pursuant to the provisions of the General Municipal Law; and it is hereby further

RESOLVED, that the Village Clerk be, and she hereby is, authorized and directed to cause to be published in the official newspaper of the Village a notice of the adoption and further it is

RESOLVED, that the Village is hereby authorized to make loans from the General Fund to the Capital Fund in order to fund work necessary beyond the initial advance and amounts over the grant amount if any with such loans to be repaid with the remaining Grant funds when received.

Mayor Riscica observed that our Justice Court operations require an audit, either by the Trustees or by an independent audit firm, and that the Village has received a proposal from Skinnon & Faber to perform such audit at a cost of \$950, which is in line with our budget and prior years. A discussion ensued. After discussion, upon motion by Trustee Panopoulos, seconded by Trustee Hauck, 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 \$950 and the Mayor is empowered to enter into such agreement.

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 November Abstract of Claims Number 7 of the Budget Year 2022 – 2023 for claim numbers 147 – 174 in the amount of \$28,538.17, has been reviewed and approved by the Trustees, and is hereby accepted.

At 8:47 p.m. Mayor Riscica moved to enter into Executive Session in order to discuss personnel matters. This motion was seconded by Trustee Hauck. All Trustees present were in favor.

The Mayor announced that executive session ended at 9:15 p.m. with no action taken.

The Mayor then noted that Deputy Clerk Susan Martinez' official start date for employment with the Village was September 1, 2022 after an anticipated period of training and orientation beginning in June. That employment is subject to a 6-month probation period ending in March 2023. The Mayor noted that, due to the unavailability of the Clerk-Treasurer beginning in June 2022, Ms. Martinez' responsibilities have been expanded beyond those contemplated in her employment. Specifically, Mr. Martinez responsibilities were expanded to include working

much more extensively prior to September 1, 2022 and taking on more responsibility for more work. The Village is appreciative of Ms. Martinez' willingness to take on more work and sooner than anticipated and as such it is,

RESOLVED, that the Deputy Clerk's compensation shall be raised from \$20.00/hour to \$22.00/hour effective November 16, 2022 and further that the probation period contemplated shall be deemed complete at November 16, 2022, making her eligible for pro-rata holiday pay for the Thanksgiving and year-end holidays.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Arlene Drucker
Clerk-Treasurer