

Kenneth C. Riscica
Mayor

Eric Carlson
Daniel Cataldo
Mary Hauck
Kristina Lobosco
Jerry Love
Florence Musalo
Norman Taylor
Trustees

Marie Brodsky
Clerk -Treasurer

Susan Martinez
Deputy Clerk

Katherine Hannon
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Cye E. Ross, Esq.
Village Justice

Mary Breen Corrigan
Prosecutor

Edward P. Butt, AIA
Building Inspector
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David Lisner
Emergency Mgmt.
Coordinator

Maryann Grieco
Architectural Review
Board, Chair

Eugene O'Connor
Zoning and Appeals
Board, Chair

Trey Harragan
Technology Advisory
Board, Chair

Mary Gabriel
Historian

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Submitted by: Trustees Norman Taylor, Daniel Cataldo, Mary Hauck, Kristina
Lobosco, Eric Carlson, Jerry Love, and Mayor Kenneth C. Riscica

Exhibit 1.

Memorandum from Village Counsel,

Christopher Prior, Esq.

Village of Plandome Heights:

Lease or Purchase of Real Property

McLAUGHLIN & STERN, LLP

MEMORANDUM

TO: Mayor and Board of Trustees, Village of Plandome Heights

FROM: Christopher J. Prior, Esq.

DATE: April 1, 2024

RE: Village of Plandome Heights: Lease or Purchase of Real Property

The Board of Trustees (the “Board”), of the Village of Plandome Heights (the “Village”), has requested that I confirm my advice regarding the legal processes under which the Village may acquire by lease or purchase real property to be used as a Village Hall.

Introduction. Under our representative democracy, qualified voters elect representatives to act on their behalf. Our system recognizes that the average citizen is primarily engaged in private matters and so delegates government decision-making to fellow residents who, by standing for election demonstrate their engagement in governance, and while serving, develop an understanding of the varied issues that confront their constituents and how to balance them. This engagement and experience, and the deliberative process of a board that acts by majority vote, make elected officials uniquely suited to make decisions for all constituents.

In the Village, the voters elect the Mayor and the six trustees to determine whether to undertake actions that a village is empowered to take. A village has only the enumerated powers delegated to it by the New York State Legislature, which are found in the NYS Village Law. A village is authorized to purchase or lease real property pursuant to NYS Village Law §1-102. Under NYS Village Law §4-412, the Board exercises that power.

The right of eligible Village residents to vote is limited to the following: (i) to elect representatives; (ii) upon matters expressly made subject to mandatory referendum by the NYS Legislature (e.g., school district budgets, certain types of local laws); and (iii) upon matters expressly made subject to permissive referendum by the NYS Legislature if a petition to have the matter made subject to a referendum is duly filed.

A village may not permit a referendum on a matter that the NYS Legislature has not expressly made subject to a referendum.

Lease of Real Property. New York law does not permit Village residents to vote on whether to lease real property for a Village Hall. Obviously, the financial obligation of a village under a real property lease for a term can be a significant portion of the budget of a small municipality like the Village. Nevertheless, the NYS Legislature makes the decision to commit

to that obligation the Board's responsibility, which is executed through the adoption by majority vote of a Board resolution at a public meeting.

Similarly, it is the exclusive authority of the Board to commit to other long-term and significant financial commitments. For example, the Village has enjoyed the benefits of long-term sanitation and snow removal contracts awarded by the Board to third party vendors. The financial obligation of the Village under the sanitation contract was approximately \$1.4 million over the contract's 10-year term. It would have been unlawful for the Board to have delegated such decision-making to voters.

Purchase of Real Property. New York law does not permit Village residents to vote on whether to purchase real property for a Village Hall. The NYS Legislature makes any decision to commit to such an obligation the Board's responsibility, which is executed through the adoption by majority vote of a Board resolution at a public meeting.

Financing Purchase of Real Property. Certain means of financing the purchase of real property are subject to permissive referendum.

If the Board determines to purchase real property for a Village Hall, and to finance all or a portion of the purchase price with (i) proceeds of a bond financing for a term greater than five years, or (ii) Village capital reserve funds, then the residents would be permitted to vote on such a bond issuance or capital reserve fund expenditure if a petition seeking a referendum is duly filed. But the vote is on the long-term bond issuance, or capital reserve fund expenditure, or both, as applicable, not on the underlying purchase transaction.

However, if the Board of Trustees determines to acquire real property for a Village Hall, and, for all or a portion of the purchase price, to use (i) money available in a Village fund other than a capital reserve fund, and/or (ii) proceeds of a bond issuance for a term not greater than five years, then the Board may not allow the residents to vote on the matter. Note that the NYS Comptroller has concluded that the law permits a village to use money available in a village general fund to purchase or improve real property. Other villages in Nassau County have done so in recent years.

It is worth noting that, if a Village Board resolution to finance a real property purchase with a long-term bond or capital reserve fund expenditure is defeated in a permissive referendum, but the Village Board nevertheless determines that the best interests of the Village and its residents are served by that purchase, then the Board is empowered to finance that purchase through means that are not subject to referendum, as described above.

Exhibit 2.

Report from Village Architect,

Harry Nicolaides, AIA

Village of Plandome Heights Space

Study & Assessment

The Incorporated Village of Plandome Heights Space Analysis

Prepared by Harry Nicolaides AIA,
Architectural Consultant

Harry Nicolaides, AIA (architect) has been retained to investigate The Incorporated Village of Plandome Heights (VHP) space needs, in order to assist them in determining the physical needs that will adequately serve its residents.

In order to properly assess the village's space needs, various steps were taken to better understand the how the village functions. They include the following:

- Walk through the existing village hall office and the storage area in the cellar.
- Interview the Mayor, Ken Riscica and the Building Inspector, Edward Butt.
- Phone interview with Village Clerk, Arlene Drucker.
- Phone interview with Village Attorney, Christopher Prior, Esq.
- Phone interview with Architectural Review Board Chair, Mariann Greico.
- Phone interview with Board of Zoning Appeals Chair, Gene O'Connor.
- Phone interview with Village Prosecutor, Mary Corrigan, Esq.
- Review of a grant application prepared in requesting LGRMIF funding to digitize the village's property files.

Review of the following:

- Staff compliment, departments, responsibilities and hours at the village hall
- Boards and committees, including the BZA and ARB

- Public meetings and attendance
- Parking requirements, as a result of all of the above.
- Storage requirements.
- Privacy requirements, both visually and acoustical.
- ADA accessibility requirements.
- Various meeting schedules and possible overlaps.
- Attendance for each Board meetings , including various applicants.

consultants and queuing up to be heard.

- Village Court - village court, village justice and prosecutor requirements.
- Reception area and security concerns.
- Department of Buildings- Building inspector's desk, meeting with residents

and access to property files.

- Copy, printing, mailing and shipping needs
- Files and resident access for viewing records.
- Fire resistant and secure storage for critical on site documents.
- Technology needs, including digital presentation and video steaming needs.
- Bathrooms and pantry area.
- Message board and display area for current and historical events and

memorabilia.

- Community outreach functions.

Additionally, various nearby village halls were reviewed as well. The sq. ft. are believed to be what is represented. They include :

- The Incorporated Village of Munsey Park, which Harry Nicolaides was mayor for 17years with app. 2,700 residents. The village hall was purposed built as a village hall, with a lower level for maintenance crew and equipment garage, the 1st floor has a meeting room for 20-30 people, private office for multiple

functions, a clerical area for up to 4 people and a secure/ fire proof file room. While these functions are similar to Plandome Heights needs, a more compressed space can work, particularly due to the fact that VPH has no maintenance staff or equipment.

- The Incorporated Village of Baxter Estates, which Harry Nicolaides architectural practice has been a tenant in for over 10 years with app. 1,050 residents and a 1,650 sq. ft. village hall that was adapted from a residence.
- The Incorporated Village of Plandome Manor, which Edward Butt is also the Building Inspector for with app. 900 residents and a 1,400 sq. ft. village hall.
- The Incorporated Village of Roslyn Estates with app. 1,300 residents and a 2,000 sq. ft. village hall.
- The Incorporated Village of Roslyn Harbor with app. 1,100 residents and a 1,400 sq. ft. village hall with 900 sq. ft. of storage.
- The Incorporated Village of Saddle Rock with app. 970 residents and a 3,000 sq. ft. village hall.

While the architect is very familiar with multiple other villages, no consideration was given for much larger village's, village halls.

The best practice recommendations that are derived from the analysis performed are that the current quarters are woefully inadequate for even the smallest municipality. Much consideration was given to the nature of this village's relatively small population of approximately 326 homes and 1,000 residents. The space that currently functions as the village hall is 717 sq. ft.

There are minimum space requirements, independent of the village population, that allow a municipality to function properly. They include but are not limited to:

- A secure entrance/ reception area (with video access to outside) for 4-6 people to sit, waiting to be seen or granted access, adjacent to the staff area.
- A staff area for the clerk, deputy clerk with an additional work station for occasional support, accountants, auditors, part time filing clerks, interns etc.
- A Dept. of Buildings area for the building inspector to have a desk and area for active files, layout drawings and access to property files.
- A copy/printing and shipping area.
- Accessible bathrooms and kitchenette area.
- A meeting room for 15-20 people and a table/dais for a minimum of 7-9 people to face the audience that will be used for monthly and all special Board of Trustees meetings, BZA hearings, ARB meetings and Village Court.
- A private room for executive sessions, Mayor's office, Judge's chambers and private conversations the Building inspector, or clerks may need to have with a resident, applicant or vendor or staff as well as interviews with potential hires and performance reviews. This should be a single room to be shared by all of these functions.
 - A fire resistant secure storage file room.
 - An IT closet.
 - A storage closet.
 - Proper circulation throughout the facility and accessible code compliant entrances and egress and access to parking
- Parking on site for 6-8 cars and either on site or readily available for up to 10-20 more cars.

This analysis recognizes that there will be occasions that a larger meeting venue may be required, and off-site arrangements should be available for those occasions. Good practice dictates that the space requirements should satisfy the needs that exist 90% of the time. There will always be exceptions. It is not

practical to have most meeting off-site as it will inhibit the efficient function of the staff and access to information and material available at the primary offices.

In conclusion, I feel that a space between 1,400 - 1,800 usable square feet should be adequate for the village's needs. The layout, clear spans between columns and walls, as well as existing partitions, rooms, entrances and exists, and existing plumbing locations, etc. will affect the efficiency of the sq. ft.

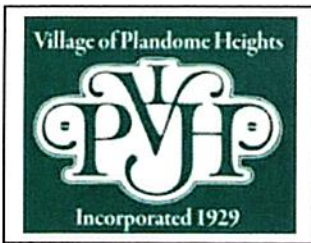
Respectfully submitted,
Harry Nicolaides, AIA

| <u>Recap of Peers</u> | <u>Residents</u> | <u>Sq. Feet</u> |
|------------------------------|-------------------------|------------------------|
| Plandome Manor | 900 | 1,300 |
| Saddle Rock | 970 | 3,000 |
| Baxter Estates | 1,050 | 1,650 |
| Roslyn Harbor | 1,100 | 1,400 |
| Roslyn Estates | 1,300 | 1,200 |
| <u>total</u> | <u>5,320</u> | <u>8,550</u> |
| <u>Average</u> | <u>1,064</u> | <u>1,710</u> |
| | | |
| <u>Plandome Hgts</u> | <u>1,005</u> | <u>717</u> |
| VPH % | 94% | 42% |

Exhibit 3.

Mayor Riscica's Update on Occupancy

December 4, 2023



INCORPORATED VILLAGE OF
Plandome Heights

37 Orchard Street, Manhasset, New York 11030
Tel: (516) 627-1136 Fax: (516) 627 1393
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Technology Advisory
Board, Chair

Mary Gabriel
Historian

December 4, 2023

RE: Update on Occupancy Matters

Dear Friends and Neighbors:

A year and a half ago, our "Planning Beyond One Year" process identified "occupancy" as a critical issue. As I reported, our occupancy costs would go up significantly for two reasons: (1) our lease has a favorable rate that will not continue and (2) after 18 years and high growth in building activity, we need more space. We are about half-way through our final lease extension.

I described then a "call to action" to plan for the space we need and to work to mitigate the amount of the cost increase. The "Village Hall" page at www.PlandomeHeights-NY.gov contains important information about our progress including a preamble, important history, *financial feasibility analyses* and a *professional space analysis and assessment*.

Since then, we have searched for space to buy or lease. Last year, we had three "buy" opportunities. Two of them moved away from us and a third may, or may not, be available. We have our eye on others and continue to search. I write to provide some further updates.

1. Activity drives the need – A prime reason we need more space is that building activity continues at a rate that is dramatically more than 20 years ago. Many of our homes are over 80 years old and so the need continues for roofs, driveways, kitchens, baths, extensions, cesspools, HVAC. Residents are *rebuilding the Village one house at a time*.
2. Aligning costs with activity – If building drives the need, then the *costs* need to be aligned. So, earlier this year we raised building fees, modestly for most work, but more significantly for larger projects based on current "costs of construction." And this is resulting in more revenue from *fees, not taxes*, to absorb some of the increased costs.
3. Interest costs – While mortgage rates are way up, advisors tell us the municipal bond market rates are up only modestly. So, we think our financial feasibility analysis is still valid.
4. Available capital – Our successful pursuit of road restoration funding from NatGrid as well as state grants have preserved sufficient capital reserves for a down payment. Then, in fiscal 2023, we added significantly to our capital reserves largely from non-recurring items. We also expect to add to reserves in 2024, so our available capital should support our goals.
5. Historical and Landmarking activities – As we approach our 100-year anniversary, residents are focusing on how we preserve our history, pride and culture in a permanent Village Hall.

We have not yet found the right solution, but we will continue to pursue all options. One thing is clear to me, our taxes are the lowest Village taxes in Nassau County* and I expect they will continue to be so after we conclude our efforts on occupancy. We have work to do and the clock is running. As always, questions, comments and complaints are cheerfully accepted.

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica, Mayor
Mayor@PlandomeHeights-NY.Gov

* Excludes two villages with half our population and one that operates on endowment, not taxes.

Exhibit 4.
Annual Meeting Report
April 2, 2024



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Board, Chair

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Technology Advisory
Board, Chair

Mary Gabriel
Historian

April 2, 2024

Dear Residents –

Once again, we had a successful Annual Meeting last night. Here is my report

The Clerk reported the results of the March 19th election which were overwhelmingly positive in both participation (highest in Manhasset) and in candidate support (over 90%).

Sworn in were the Mayor, Trustees Mary Hauck and Kristina Lobosco and newly elected Trustee Eric Carlson as well as Jerry Love to fill the vacancy left by the passing of Trustee Panopoulos. Fausto Pugliesi will replace Jerry Love on the ARB and Michael Tiliakos will replace Eric Carlson on the BZA. Other appointments were made.

In our Public Hearing on our Tentative Budget, I told residents that the Tentative Budget is a placeholder, maintaining our taxes as lowest in Nassau County* (a \$24/year increase) while we focus on understanding our occupancy situation after that.

In order to address the looming occupancy situation, we had a conversation about:

- Our space needs - Harry Nicolaidis, AIA, and former Village Mayor gave a presentation that included his [Space Analysis Report](#). Harry's conclusion is that our space at 60% less than our comparable villages is "...woefully inadequate for even the smallest municipality." This simply can't go on.
- Governance over the process - Village Attorney, Christopher Prior, esq. explained the law that governs the acquisition of a lease or purchase interest in real estate. His presentation included powers of the elected Village officials and those certain rights reserved for the residents. Those laws create a positive pressure on Village officials to present an optimal transaction and a positive pressure on residents to vote thoughtfully so that the Village isn't forced to make a sub-optimal decision. See [Governance](#) for more.
- Update on progress – I reported on the market and opportunities we are seeing and the substantial improvement in our financial feasibility model (see reverse side). And I reported that we do not have an actionably opportunity. Given the nearness to July 2025, we are having discussions with our landlord to extend or expand our current space.

So, the need is clear and the law is clear. My question to you is, will you engage and work with me so we can agree on a decision that is in the best interests of the Village? I plan to continue to "Engage and Inform" so that you can be included in the process. Facts, no drama.

Our Public Hearing on Solar Panels considered a consistent standard for Solar Panels.

That's all I have room for now; as we "Engage and Inform" there will be more; also see our website at [Village Hall](#).

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica
Mayor@PlandomeHeights-NY.Gov

* Excludes two villages with half our population and one that operates on endowment, not taxes.

Village of Plandome Heights

Occupancy Analysis

Lease vs. Buy cost

DRAFT - For analysis purposes only; subject to change

| Year | Buy - Debt Service (1) | Lease - Rent (2) | Own - Better or (Worse) |
|---------------------|---|-----------------------------|--|
| 1 | 45,000 | 65,000 | 20,000 |
| 2 | 45,000 | 67,000 | 22,000 |
| 3 | 45,000 | 69,000 | 24,000 |
| 4 | 45,000 | 71,100 | 26,100 |
| 5 | 45,000 | 73,200 | 28,200 |
| 6 | 45,000 | 75,400 | 30,400 |
| 7 | 45,000 | 77,700 | 32,700 |
| 8 | 45,000 | 80,000 | 35,000 |
| 9 | 45,000 | 82,400 | 37,400 |
| 10 | 45,000 | 84,900 | 39,900 |
| subtotal - 10 years | 450,000 | 745,700 | 295,700 |
| 11 | 45,000 | 87,400 | 42,400 |
| 12 | 45,000 | 90,000 | 45,000 |
| 13 | 45,000 | 92,700 | 47,700 |
| 14 | 45,000 | 95,500 | 50,500 |
| 15 | 45,000 | 98,400 | 53,400 |
| subtotal - 15 years | 675,000 | 1,209,700 | 534,700 |

| Implied tax increase - Year 1 only (3): | <u>Total</u> | <u>Per Home</u> |
|--|---------------------|----------------------------|
| Lease | \$35,000 | \$107.36 |
| Buy | \$15,000 | \$46.01 |

Exhibit 5.

North Shore Alert regarding Petition

for a

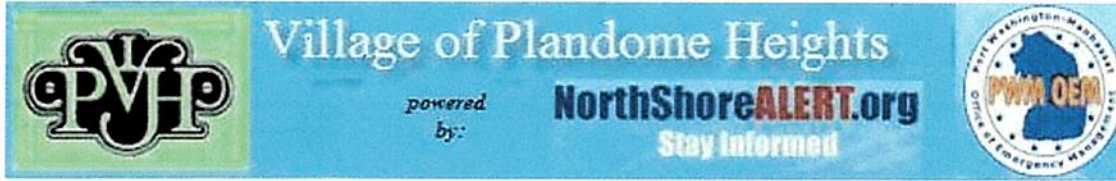
Referendum Vote

April 4, 2024

From: Plandome Heights <emergency@plandomeheights-ny.gov>

Sent: Thursday, April 4, 2024 5:01 PM

Subject: Report on Petition - Engage and Inform



This is a message for the residents of the Village of Plandome Heights from Mayor Kenneth C. Riscica

This week the Village received a petition from residents calling for a referendum vote on the resolutions of the Board of Trustees to use capital reserve funds to pay: (a) certain "soft costs" and (b) costs of our digital records program. There is no actionable proposal to purchase a Village Hall so that was not requested by residents to be on the ballot and, accordingly, it is not on the ballot.

The Trustees and I see a disconnect between the rhetoric and the actual facts. This is troubling. My enclosed Petition Report explains that disconnect as well as the facts about the vote we will be holding.

I choose to reiterate a few things from Tuesday's Annual Meeting Report as follows:

- There is no actionable Village Hall transaction at this time,
- We are discussing the possibility of extending our lease if we need to,
- Our preference is to locate Village Hall outside of the Village, if possible,
- The law provides "positive pressure" for Village Officials and residents to work collaboratively; let's do that.
- Our volunteers, staff, and building inspector work in inadequate conditions. What would you do without them?

This is a time for engagement and cooperation. We are absolutely committed to that.

We are in the process of verifying the petition, including removing: (a) duplicate signatures and (b) residents who are not registered to vote. We will report more when that is done.

This e-mail has been sent to you by VILLAGE OF PLANDOME HEIGHTS. To maximize their communication with you, you may be receiving this e-mail in addition to a phone call with the same message. If you no longer wish to receive email notifications from VILLAGE OF PLANDOME HEIGHTS, please [click here](#) to unsubscribe.

To view the VILLAGE OF PLANDOME HEIGHTS privacy policy, please [click here](#).

Exhibit 6.

Report on Petition to the Village

April 4, 2024



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April 4, 2024

Dear Residents – RE: Engage and Inform

The Village has received two petitions to hold votes on resolutions of the Board of Trustees approved in March. First, let me welcome such engagement, thank you. Second, I assure you that the vote will be held according to the law.

Some have been told that the petition was “...to preserve our rights as residents to vote on the acquisition of property for a Village Hall.” As you will see below, that is not the case. And no Village Hall transaction was requested for a vote; so there is none. **So, this assertion, and the premise of the petition, is not consistent with the facts or the vote we will conduct.**

So, I write to ensure that you are fully informed about the content, purpose and intent of those resolutions, which are on the reverse side of this letter and I refer to them below as “Resolution #1 – Soft Costs” and “Resolution #2 – Digital Records.”

Resolution #1 – Soft Costs – The Board has begun incurring, and will continue to incur, “soft costs” associated with our search for a possible new Village Hall by lease or purchase. Such costs permit the Village to prepare materials for due diligence for presentation to residents, such as site plans, layouts & renderings related such space.

We believe that the NY State Comptroller prefers that these non-recurring costs be separated out of the General Fund so that the operations used to generate your tax levy are not “distorted” by non-recurring expenditures, risking unsound tax levies. Including such costs as expenditures in the capital reserve fund as “Best Practices” also subjects them to permissive referendum. Spending these costs from the General Fund is not subject to referendum.

The Village recommends that you vote FOR the proposal to use Best Practices for soft costs.

Resolution #2 – Digital Records – In October 2023, the Village was awarded a grant from NY State for approximately \$25,000 to fund the next phase of our digital records project.

We believe that the NY State Comptroller prefers that these non-recurring costs be separated out of the General Fund so that the operations used to generate your tax levy are not “distorted” by non-recurring expenditures, risking unsound tax levies. Including such costs as expenditures in the capital reserve fund as “Best Practices” also subjects them to permissive referendum. Spending these costs from the General Fund is not subject to referendum.

The first phase of the project, approximately \$55,000, was done as proposed by the Village.

The Village recommends that you vote FOR the proposal to use Best Practices for digital.

I hope this is helpful; facts, not drama. I welcome your continued engagement

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica
Mayor@PlandomeHeights-NY.Gov

LEGAL NOTICE

Incorporated Village of Plandome Heights

PLEASE TAKE NOTICE THAT the Board of Trustees of the Inc. Village of Plandome Heights at a regular meeting of the Board held on March 4, 2024, duly adopted a resolution amending a previously approved appropriation not to exceed \$600,000 from the Village's Capital Reserve Fund for capital projects relating to existing Village roadways, street signs, street lights, parklands and leasehold interests; under the March 4, 2024 resolution, [a portion of] the unused balance [currently approximately \$151,000] of the previously authorized appropriation may now be applied to fees and expenses for professional services, including without limitation engineering, surveying, design, appraisal, financing, and legal services, and other 'soft costs' relating to the possible acquisition of a leasehold or fee ownership interest in real property and improvements for Village governmental purposes; said resolution is subject to permissive referendum pursuant to the General Municipal Law.

BY ORDER OF THE BOARD OF TRUSTEES

Marie Brodsky Village Clerk/Treasurer

March 06, 2024

LEGAL NOTICE

Incorporated Village of Plandome Heights

PLEASE TAKE NOTICE THAT the Board of Trustees of the Inc. Village of Plandome Heights at a regular meeting of the Board held on March 4, 2024, duly adopted a resolution appropriating the sum not to exceed \$90,000, from the Village's Capital Reserve Fund, to be applied to certain capital improvement projects relating to the digitization of Village records, which resolution supersedes and replaces a prior resolution appropriating the sum not to exceed \$60,000 for such capital projects, in order to increase the authorized expenditure by \$30,000, and which resolution is subject to permissive referendum pursuant to the provisions of the General Municipal Law.

BY ORDER OF THE BOARD OF TRUSTEES

Marie Brodsky Village Clerk/Treasurer

March 06, 2024

Exhibit 7.

Engage and Inform

Resident Questions

April 10, 2024



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April 10, 2024

RE: Engage and Inform

Dear Residents and Friends –

Several residents have contacted me after my April 2, 2024 Annual Meeting Report. Thank you for that engagement! Their questions surround the financial feasibility page. So let me provide you with some more “color and texture” for your consideration. See enclosed.

Planning Beyond One Year includes financial modeling since we don’t have an actionable transaction. To do that, we examine the “drivers” of the future cost. In this case, debt service and stated rent. Both ownership and rent have other costs. They are harder to model without actual facts so we look to the “drivers” for direction. On to your questions:

- ✓ **Purchase – Question:** What about maintenance costs and property taxes? **Answer:** Rent and Own both have maintenance cost. In rent “common area maintenance (“CAM”)” is added to rent; we pay CAM now and in any new lease. If we own, we would expect to use our existing Village Landscaper and Snow removal contractor at some modest, or perhaps no, increase in cost. And municipalities pay no property tax.
- ✓ **Purchase – Question:** Tell me more about the terms of the debt service. **Answer:** The debt is assumed to be 30 years at 3.75%* with an \$800,000 loan. The loan is down \$200,000 from two/three years ago and will come down with further surplus, which we expect. Cost will also come down if rates drop as is expected over the next 18 months.
- ✓ **Rent – Question:** Why are the rents going up like that, seems high? **Answer:** We are in an inflationary period. Unlike more modest escalations over the past 18 years, landlords are now asking 3%/year, sometimes in addition to the increase in their property tax (yes, we pay their property tax, and profit, when we rent).

Rents for the space we need will guarantee years and years of tax increases. But ownership can freeze our costs. If we generate more surplus before we act and if rates come down, we could lower that cost of debt service even more. So, the “buy” option continues to improve and inflation makes the “rent” option worse and worse. We are working to avoid that.

The Board and I are charged with caring for the “best interests of the Village” and in following the law to do that. We swore an oath to that. Thanks for giving me the opportunity to shed some light on the complex, multifaceted matter. See enclosed, the future is clear.

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica
Mayor@PlandomeHeights-NY.Gov

* Recent municipal bond rate quoted by our capital markets advisors.

Village of Plandome Heights UPDATED

Occupancy Analysis

Lease vs. Buy cost

DRAFT - For analysis purposes only; subject to change

| Year | Buy - Debt Service (2) | Lease - Rent (1) | Own - Better or (Worse) |
|---------------------|-------------------------------|-------------------------|--------------------------------|
| 1 | 45,000 | 65,000 | 20,000 |
| 2 | 45,000 | 67,000 | 22,000 |
| 3 | 45,000 | 69,000 | 24,000 |
| 4 | 45,000 | 71,100 | 26,100 |
| 5 | 45,000 | 73,200 | 28,200 |
| 6 | 45,000 | 75,400 | 30,400 |
| 7 | 45,000 | 77,700 | 32,700 |
| 8 | 45,000 | 80,000 | 35,000 |
| 9 | 45,000 | 82,400 | 37,400 |
| 10 | 45,000 | 84,900 | 39,900 |
| subtotal - 10 years | 450,000 | 745,700 | 295,700 |
| 11 | 45,000 | 87,400 | 42,400 |
| 12 | 45,000 | 90,000 | 45,000 |
| 13 | 45,000 | 92,700 | 47,700 |
| 14 | 45,000 | 95,500 | 50,500 |
| 15 | 45,000 | 98,400 | 53,400 |
| subtotal - 15 years | 675,000 | 1,209,700 | 534,700 |

| Implied tax increase | | |
|-----------------------------|---------------------|------------------------|
| - Year 1 only (3): | <u>Total</u> | <u>Per Home</u> |
| Lease | \$35,000 | \$107.36 |
| Buy | \$15,000 | \$46.01 |

- Notes:**
1. Based on current lease offers made to the Village, rounded down
 2. Based on current interest rates and down payment and a \$1.5m project cost
 3. Based on 326 homes after deducting \$30,000 of existing rent - year 1 only

Exhibit 8.

Engage and Inform

Update on Petition for Vote

May 6, 2024



INCORPORATED VILLAGE OF
Plandome Heights

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Norman Taylor
Trustees

Marie Brodsky
Clerk - Treasurer

Susan Martinez
Deputy Clerk

Katherine Hannon
Court Clerk

Cye E. Ross, Esq.
Village Justice

Mary Breen Corrigan
Village Prosecutor

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

David Lisner
Emergency Mgmt.
Coordinator

Maryann Grieco
Architectural Review
Board, Chair

Eugene O'Connor
Zoning and Appeals
Board, Chair

Trey Harragan
Technology Advisory
Board, Chair

Mary Gabriel
Historian

May 6, 2024

RE: Engage and Inform – Resident Petition

Dear Residents and Friends –

This is an update to my attached April 4, 2024 letter about the petition for a vote on two March 5, 2024 Board actions. Petition proponents told residents the following, in writing, and then urgently sought their signatures:

- The vote is "...to preserve our rights as residents to vote on the acquisition of property for a Village Hall."
- "Because the Village is considering purchasing a property without a bond, this petition will preserve our right to vote on this matter"
- "...the Trustees passed a resolution to transfer restricted capital reserve funds to the general account."
- "...stopping this current resolution to transfer capital funds may be our last opportunity to preserve our right to vote on this matter."

None of this is correct. These assertions, and the premise of the petition, are not consistent with the facts or the vote requested. Further, there is no actionable Village Hall proposal.

The actual petition filed is **not** about a Village Hall, it is a vote on bookkeeping, in the Capital Fund rather than in the General Fund, for expenditures that will be made in any event for: (1) "soft costs" of evaluating village hall possibilities and (2) our digital project (as we did before) that is funded from grants not capital reserve. Capital Fund expenditures require permissive referendum, General Fund expenditures do not. Further, there are no transfers from the Capital Fund to General Fund. The bookkeeping we proposed follows the State Comptroller's Best Practices that we exclude these non-recurring expenses from the General Fund that we use to calculate your tax levy (see reverse side).

The Village has decided that spending your time and money on a confusing and divisive debate about the complexities of bookkeeping is not in the interest of the Village or its residents. Therefore, and in the spirit of reconciliation and harmony as well as for the reasons below, the Village has withdrawn both March 5, 2024 resolutions and so no vote is required.

Reasons for the change. Resolution #1 on soft costs is overbroad and so it is withdrawn and replaced with a new resolution on soft costs that is more specific and much more limited. Resolution #2 was done on March 5th to accommodate bills coming due in April and May. The passage of time has made that resolution pointless, so it is withdrawn.

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS
**BY: TRUSTEES: NORMAN TAYLOR, DANIEL CATALDO, MARY HAUCK,
KRISTINA LOBOSCO, ERIC CARLSON AND JERRY LOVE** and

Kenneth C. Riscica
Mayor@PlandomeHeights-NY.Gov



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Inspector Stormwater
Mgmt. Officer

David Lisner
Emergency Mgmt.
Coordinator

Maryann Grieco
Architectural Review
Board, Chair

Eugene O'Connor
Zoning and Appeals
Board, Chair

Trey Harragan
Technology Advisory
Board, Chair

Mary Gabriel
Historian

April 4, 2024

Dear Residents – RE: Engage and Inform

The Village has received two petitions to hold votes on resolutions of the Board of Trustees approved in March. First, let me welcome such engagement, thank you. Second, I assure you that the vote will be held according to the law.

Some have been told that the petition was “...to preserve our rights as residents to vote on the acquisition of property for a Village Hall.” As you will see below, that is not the case. And no Village Hall transaction was requested for a vote; so there is none. **So, this assertion, and the premise of the petition, is not consistent with the facts or the vote we will conduct.**

So, I write to ensure that you are fully informed about the content, purpose and intent of those resolutions, which are on the reverse side of this letter and I refer to them below as “Resolution #1 – Soft Costs” and “Resolution #2 – Digital Records.”

Resolution #1 – Soft Costs – The Board has begun incurring, and will continue to incur, “soft costs” associated with our search for a possible new Village Hall by lease or purchase. Such costs permit the Village to prepare materials for due diligence for presentation to residents, such as site plans, layouts & renderings related such space.

We believe that the NY State Comptroller prefers that these non-recurring costs be separated out of the General Fund so that the operations used to generate your tax levy are not “distorted” by non-recurring expenditures, risking unsound tax levies. Including such costs as expenditures in the capital reserve fund as “Best Practices” also subjects them to permissive referendum. Spending these costs from the General Fund is not subject to referendum.

The Village recommends that you vote FOR the proposal to use Best Practices for soft costs.

Resolution #2 – Digital Records – In October 2023, the Village was awarded a grant from NY State for approximately \$25,000 to fund the next phase of our digital records project.

We believe that the NY State Comptroller prefers that these non-recurring costs be separated out of the General Fund so that the operations used to generate your tax levy are not “distorted” by non-recurring expenditures, risking unsound tax levies. Including such costs as expenditures in the capital reserve fund as “Best Practices” also subjects them to permissive referendum. Spending these costs from the General Fund is not subject to referendum.

The first phase of the project, approximately \$55,000, was done as proposed by the Village.

The Village recommends that you vote FOR the proposal to use Best Practices for digital.

I hope this is helpful; facts, not drama. I welcome your continued engagement

Sincerely,
INCORPORATED VILLAGE OF PLANDOME HEIGHTS

Kenneth C. Riscica