

**MEETING OF THE BOARD OF TRUSTEES
PLANDOME HEIGHTS VILLAGE HALL
AUGUST 5, 2024; 7:00 PM
MINUTES OF MEETING**

Present:	Mayor	Kenneth C. Riscica
	Trustee	Daniel Cataldo
	Trustee	Mary Hauck
	Trustee	Norman Taylor
	Trustee	Kristina Lobosco
	Trustee	Eric Carlson
	Trustee	Jerry Love
	Clerk-Treasurer	Marie Brodsky
	Deputy Clerk	Susan Martinez
	Village Attorney	Christopher Prior, Esq.

Also Present:	Rosemary Mascali	Resident, Plandome Heights Civic Association
	Christine Ramdihal	Resident
	Devon Ramdihal	Resident
	Daniel Ross	Resident
	Cye Ross	Resident

At 7:00 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' July 1, 2024 Regular Meeting. The Mayor remarked that the minutes were incomplete in that the resolution authorizing the removal of three village trees did not address whether a replacement tree would be required to be planted by the homeowner requesting removal. Trustee Taylor advised: (a) the Village tree at 121 Plandome Court was already removed by the homeowner, and no replacement tree is recommended because the surrounding tree canopies are adequate and competition from a replacement tree might adversely impact existing trees, (b) the Village tree at 37 Chester Drive will be required to be replaced with a Village approved tree to create adequate tree canopy, and (c) the Village tree at 61 Webster Avenue has been trimmed rather than removed, and so no replacement tree is required. The minutes will be revised accordingly,

The Trustees confirmed that they read the draft minutes. After discussion, which included corrections and amendments by the Trustees, upon motion by Trustee Lobosco, seconded by Trustee Taylor, the following resolution was unanimously adopted by all Trustees present:

RESOLVED, that the minutes of the July 1, 2024 Regular Board of Trustees Meeting in the form presented by the Village Clerk-Treasurer are hereby accepted and approved, as amended, and the Clerk-Treasurer is hereby instructed to file the minutes in the minutes book of the Village, as amended.

The Mayor then moved the discussion to Village operations. The Mayor first asked the Clerk-Treasurer to report on the status of Village tax collections. The Clerk-Treasurer reported that \$371,875 of the \$381,000 tax levy for the Village's 2024-2025 tax year has been collected to date. All outstanding taxes

have been assessed fines and penalties as required by New York State Law. The Clerk-Treasurer will continue to assess fines and penalties until such taxes are paid in full.

The Mayor then moved the discussion to the filing of the Annual Update Document/Annual Financial Report (AFR), a draft copy having been presented to the Trustees prior to the meeting. The Mayor noted that staff misunderstanding over process resulted in the need for additional time to finalize the audited financial statements as of and for the year ended May 31, 2024 and, as such, the Village requested (and received) a 60-day extension of the filing deadline. The Mayor stated that the report should be completed and ready to file with NY State within two weeks. The Mayor noted that the projected surplus is likely to be \$5,000 to \$10,000 less than originally thought when the Trustees appropriated \$125,000 to appropriated surplus. The principal drivers of such change were an unrecorded liability (approximately \$4,000) and a change in the amount of reimbursement expected under our records management grant (approximately \$6,000) net of other minor items. The Mayor suggested there be no change to the appropriation of surplus as the unappropriated surplus is sufficient to absorb the difference.

The Mayor then moved the discussion to Stormwater Management report MS4. A copy of the report was provided to the Trustees prior to the meeting and a discussion of its contents and the obligations placed on the Village. The Mayor informed the board that the report has been posted on the Village website.

The Mayor then discussed the damaged roads on Willow Court. Following a water main break in October 2023, the street was repaved in coordination with the Manhasset-Lakeville Water District. The Mayor and board members agreed that Willow Court needs attention. The Mayor has been in contact with the Manhasset-Lakeville Water District to seek their evaluation of the situation and suggested remedies. The Mayor will provide updates to the Board as needed.

The Mayor discussed conditions on Bay Driveway. The Trustees previously approved an amount not to exceed \$10,000 for repairs primarily along the south side curblin that erodes from stormwater runoff. The proposal from Stasi Brothers is for \$8,000. The Mayor noted that the situation has gotten significantly worse from a significant rainstorm in the prior week and that he will be meeting with Stasi Bros. to accelerate the already planned work.

The Mayor then provided the Board with an update on Plandome Pond Park, as provided to the Mayor by Marion Endrizzi, resident and former mayor of Plandome Heights, in an attempt to keep Plandome Pond clean, the Town of North Hempstead will remove the abundance of algae growth every two weeks.

The Mayor then provided an update on Local Government Records Management Improvement Fund (LGRMIF) Grants, as used by the Village to fund its Digital records project. The July 31, 2024 filing was submitted. Unfortunately, contrary to the Village's understanding, amounts payable for the hours worked by the Village's on-site consultant on the digital project (approximately \$4,000 - \$6,000) were not eligible for reimbursement with grant funds and, as such, the Village used only approximately \$18,000 of the \$25,000 grant.

The Mayor then discussed the Village's balance of funds received from the State and Local Fiscal Recovery Funds Program under the American Rescue Plan Act (ARPA). After consideration of items that qualify for use of the ARPA funds, the Mayor proposed a current expenditure of ARPA funds of \$7,800.00, for the non-recurring special project costs already expended as outlined in Exhibit 1 to these minutes, to reimburse the General Fund.

After discussion, upon motion by Trustee Cataldo, seconded by Trustee Love, the following resolution was unanimously adopted by all Trustees present:

RESOLVED, that the Village appropriate \$7,800.00 of existing ARPA funds to reimburse the hours worked by our on-site consultant for non-recurring special projects

as presented in Exhibit #1 and that such amount be added to the Abstract of Claims for approval at this meeting.

The Mayor then provided Daniel Ross, a non-resident and son of the resident at 46 Winthrop Road, to address the Board on his view that the Village develop tree protection ordinances. A discussion ensued. The Board thanked Mr. Ross for his effort. As Mr. Ross provided pages of data for review by the Board, it was decided to defer the matter for further review and discussion at a later date.

The Mayor then noted that the Board enacted a policy in 2021 prohibiting road opening permits on Village roads repaved within the past five years to preserve for a reasonable time the Village's investment in new roadways (the "New Road Moratorium"). The Mayor then invited Devon and Christine Ramdihal, owners of 37 Chester Drive, to present their request for an exception to this New Road Moratorium to connect their home to the new gas main recently installed on Chester Drive by National Grid in conjunction with other planned home improvements.

The Ramdihals presented their request and the reasons why they believe an exception is warranted. The Mayor commented that an exception must have unique reasons in order to distinguish itself and not become a precedent. Various Trustees commented on the request including their thoughts on whether it is or is not unique and therefore warranting an exception. After noting that much of their reasons for granting an exception were not unique, the Mayor then noted that the following circumstances applicable to the applicants collectively warrant an exception, without creating an unintended precedent:

- (i) messaging from the Village office advising residents to promptly connect to new gas mains installed in "the Bournedales" before new roads were laid did not expressly mention Chester, and the Ramdihals did not understand that "the Bournedales" refers to an area of the Village that includes not only homes fronting on Bournedale North of South, but also homes fronting on Chester;
- (ii) the applicants advised that, when they saw National Grid constructing a new gas main on Chester, they asked National Grid to install a service line, but were advised that such work could not be accomplished before the roads were reconstructed;
- (iii) the new gas main installed on Chester is an extension, not a replacement, gas main, and so, unlike all other areas in the Village, the four Village homes on Chester now for the first time have the opportunity to convert from oil to natural gas;
- (iv) Chester is at the edge of the Village, lightly traveled, and only four homes on Chester are located in the Village, minimizing any adverse impact on the Village of a patched section of Chester;
- (v) an imperfection in the new road on Chester already exists from repairs due to the pooling of rainwater, post-road project, that created a section of Chester that is slightly inconsistent with most of the finished road; and
- (vi) individual service line connections to the replacement gas mains on the Bournedales are located under the unpaved portion of the Village right-of-way, so that homes fronting on the newly paved Bournedales, unlike the four homes on Chester, can obtain new or replacement gas connections without the need to open the newly paved road.

After discussion, the Trustees considered the reasons above do create a unique reason to grant an exception to the Moratorium in this instance, and therefore upon motion by Trustee Lobosco, seconded by Trustee Hauck, and unanimously approved by all Trustees, the Board adopted the following:

RESOLVED, as follows:

1. The Board has considered the application (the "Application") of the Ramdihals (the "Applicants"), owners of 37 Chester Drive, for a road opening permit affecting a recently repaved

Village road, as an exception to the Village’s Road Opening Restoration Policy, to enable a natural gas service line from the gas main located under the paved portion of Chester to their home (the “Requested Permit”);

2. The Board finds that the unique circumstances of the Application described above warrant an exception to the Policy, and minimize the likelihood of an unintended precedent that would lead to other grants of such exceptions where some or all of those unique circumstances are absent; and

3. The Village is hereby authorized to issue the Requested Permit to the Applicants, subject to the payment of all required fees and deposits, and conditioned upon the Applicants restoring to the satisfaction of the Village Building Inspector all portions of Chester Drive that are disturbed, as well as portions not actually disturbed but which abut disturbed areas, so that the restored area is, to the extent reasonably feasible, made physically and visually consistent with all other portions of the newly paved Chester Drive.

The Mayor then presented to the Board the Manhasset Women’s Coalition Against Breast Cancer request for permit approval for the MWCABC 5K on October 6, 2024 at 9:30am. After discussion, upon motion by Trustee Hauck, seconded by Trustee Lobosco, 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 6, 2024, between the hours of 9:30 am and 10:30 am, conditioned upon the providing of the required evidence of insurance.

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 Love, the following resolution was unanimously adopted by all Trustees present:

RESOLVED, that the August Abstract of Claims Number 3 of the Budget Year 2023 – 2024 for claim numbers 65 –95 in the amount of \$53,568.82, has been reviewed and approved by the Trustees, and is hereby accepted.

At 8:12 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 9:12 p.m. with no action taken.

The meeting was adjourned at 9:12 p.m.

Respectfully submitted,

Marie Brodsky
Clerk-Treasurer

INDEX OF EXHIBITS

**THE BOARD OF TRUSTEES
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Exhibit 1. Proposed use of ARPA funds

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**Summary of Service Period and Nature of Charges for On-Site Consultant, Marijo Lantier,
For Non-Recurring Special Projects for Use of ARPA Funds**

<u>Fees and hours by month:</u>	<u>Hours</u>	<u>Dollars</u>
March	35	\$1,400
April	48	1,940
May	51.75	2,070
June	27.5	1,080
July	32.75	1,310
TOTAL	195	\$7,800

<u>Fees and hours by task</u>	<u>Hours</u>	<u>Dollars</u>
Old digital project	3	\$ 120
New digital project	32.25	1,290
History project	63.25	2,530
Quickbooks support	29	1,160
Petition support	43	1,720
Misc. (inc. Chart of accounts, and assistance with Audit)	24.5	980
TOTAL	195	\$7,800