

Board of Trustees
Village of Plandome Manor
January 15, 2019 - 7:00 PM - Public Meeting
MINUTES

Call to Order

Present: Mayor Barbara Donno, Deputy Mayor Matthew Clinton, Trustees Tony DeSousa, Patricia O'Neill and James Baydar, Village Clerk Randi Malman, Village Counsel John Farrell, Land Use Counsel Rachel Scelfo, Building Inspector Ed Butt, and Village Treasurer Marie DePalo. Also present were Plandome Manor residents Dawn Ader, Nancy Cuneo, and Heather Kattan, as well as Samuel Glasser of the Manhasset Times.

Mayor Donno opened the meeting at 7:05 PM with the Pledge of Allegiance & verification of a quorum.

Approval of Minutes

Trustee O'Neill made a motion to accept the minutes from the November 20, 2018 Board of Trustees meeting. The motion was seconded by Trustee Clinton.

Trustee Clinton: Aye Trustee DeSousa: Abstain Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 4/0 - Motion passes

Mayor Donno informed the Board that Village Attorney Rachel Scelfo has accepted a position as Commissioner of Planning for the Town of Babylon. Rachel will be remaining with the Village as the Land Use Counsel, handling all applications that come before the Board of Zoning, Design Review Board, and Planning Board. The Village will be bringing on John Farrel who is a land use and municipal attorney with the firm Sahn Ward and Coschignano as the new general attorney.

Trustee Clinton made a motion that the Board of Trustees appoint John Farrel, Esq. of Sahn Ward Coschignano as the general Village Attorney. The motion was seconded by Trustee DeSousa.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Public Hearings

Port Washington Fire Department

Trustee Baydar made a motion that the Board of Trustees open the public hearing regarding the 2019 Port Washington Fire Department Contract. The motion was seconded by Trustee DeSousa.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Chris Ballerman of the Port Washington Fire Department made a presentation relative to the 2019 contract. In the proposed contract, the Port Washington Fire Department shall receive a sum of \$37,777 from the Village of Plandome Manor for fire and emergency medical services, which is an increase of \$831 from last year.

No members of the public spoke with respect to the presentation.

Trustee Clinton made a motion that the Board of Trustees close the public hearing regarding the 2019 Port Washington Fire Department Contract. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees approve the proposed agreement with the Port Washington Fire Department for 2019 subject to the approval of the Village Attorney as to the form of the contract. The motion was seconded by Trustee Clinton.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Local Law 1 of 2019

Trustee Baydar made a motion that the Board of Trustees open the public hearing on proposed Local Law 1 of 2019 amending Chapter 225 of the Code of the Incorporated Village of Plandome Manor to underscore that the use of any part of residential zoned property or premises, including but not limited to driveway space, for the lease or rental of such property or premises for parking purposes, is prohibited within the Village of Plandome Manor. The motion was seconded by Trustee O'Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

The Village Land Use Attorney Rachel Scelfo explained that this law is underscoring that renting of driveways is considered a commercial use. While this is already prohibited in our code, it was brought to the Village's attention that a solicitation letter was mailed to residents from someone who was looking to rent driveway space close to the train. The local law makes it explicitly clear that this is prohibited. Because this local law amends the zoning code, it has to be reviewed by the Nassau County Planning Commission. The local law has been sent to the commission but decision will have to be reserved until the Village received a letter of local determination.

No members of the public asked to be heard with respect to the proposed local law.

Trustee Baydar made a motion that the Board of Trustees close the public hearing on proposed Local Law 1 of 2019 amending Chapter 225 of the Code of the Incorporated Village of Plandome Manor to underscore that the use of any part of residential zoned property or premises, including but not limited to driveway space, for the lease or rental of such property or premises for parking purposes, is prohibited within the Village of Plandome Manor. The motion was seconded by Trustee O'Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Public Comment

No members of the public asked to be heard.

Reports

Village Clerk

Village Clerk Randi Malman updated the Board on the following items:

- Extenet has withdrawn the documents in connection with their application to install DAS nodes throughout the Village. New FCC regulations are going into effect and may impact the fees the Village is allowed to charge for these types of applications.
- The Village Clerk presented the Board with different options for cyber liability insurance. The Village's IT company and insurance agent both agree that option three, which includes cyber extortion and a \$1,000,000 limit of liability, is the best option for the Village. The premium for the policy is \$3,841 for the year.
- Robert Keogh has submitted the new contract for snow removal for sidewalks and pathways throughout the village. The prices have not increased and are the same as last year.

Village Treasurer

Village Treasurer Marie DePalo gave an overview of the Abstract Report of Audited Vouchers and the Profit and Loss Statement.

Building Inspector

Building Inspector Edward Butt updated the Board on the following items:

- The Village has been in contact with Woodstock Construction, the company that has been awarded the culvert contract by the Town. Before the work on the culvert can begin National Grid needs to move a gas main under North Plandome Road, which will interfere with the project. It is not clear when National Grid plans to move the main and as a result the culvert start date has been pushed back.
- Woodstock Construction will be applying for a street opening permit in connection with the culvert project. The Building Inspector recommends that the Village require a \$100,000 bond for the permit.
- There has been issues with water on Papermill Road. The Building Inspector and Road Commissioner both believe that it is ground water and there is not much that can be done to elevate it. The snow contractor has been salting the area to keep it from freezing.
- There has been some flooding at the intersection of Bayview and Plandome Road where National Grid has been working. The Building Inspector believes that a sump pump pipe was damaged and is pumping into the street. Robert Keogh is going to open the street to investigate where the water is coming from.
- The Village of Plandome Heights has spoken with an engineering firm about GIS Mapping. The technology will be useful for the building department and the Village as a whole. The maps can be updated to keep current records of homes, streetlights, fire hydrants, and more. This may be something the Village of Plandome Manor will want to explore.

Village Attorney

Newly appointed Village Attorney John Farrel was present at the meeting, however former general counsel Rachel Scelfo gave an overview of two proposed pieces of legislation. There will be a public hearing for both proposed local laws at the March meeting.

Village Attorney Rachel Scelfo presented the Board with an updated draft version of proposed LL 2 of 2019 "a local law to amend Chapter 189 of the Code of the Incorporated Village of Plandome Manor, entitled "Streets and Sidewalks," to create a maintenance obligation on the part of the owners of private roads located within the Incorporated Village of Plandome Manor and to authorize the Village Board to take corrective action to remedy violations of these provisions for the protection, order, safety, health and well-being of Village residents, with costs associated for such corrective action to be assessed against the property or properties at issue.

The local law would allow for the Village to repave private roads that have been deemed hazardous due to neglect and poor maintenance. The local law sets up a process, which includes the Village informing residents the road is in hazardous condition, giving them time to remediate the condition, and holding public hearings before any action is taken. All costs associated with the project, including engineering and administrative costs, will be paid by the owners of the private road(s). The costs will be assessed and added to the yearly village tax bill. This was the third reading of the draft to be reviewed by village staff and officials.

Village Attorney Rachel Scelfo presented the Board with a draft local law “to amend Chapter 225 of the Code of the Incorporated Village of Plandome Manor, entitled “Zoning,” to require that uses permitted by special exception by the Village of Plandome Manor Board of Trustees must also undergo site plan review for the proposed special exception. Site plan review process for proposed special exception uses shall be conducted by the Village of Plandome Manor Planning Board. ”

Trustee DeSousa made a motion that the Board of Trustees approve the cyber liability insurance coverage from The Hartford (option 3). The motion was seconded by Trustee O’Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Clinton made a motion that the Board of Trustees approve the Abstract of Audited Vouchers dated January 15, 2019 and the Profit & Loss Statement ending December 31, 2018. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees adopt the Notice of Determination of Non-significance pursuant to SEQRA for the intersection improvements to Plandome Road at the intersection of Stonytown Road. The motion was seconded by Trustee O’Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Clinton made a motion that the Board of Trustees approve the estimate submitted by Robert Keogh Inc., Port Washington, NY, for snow removal services for 2019. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees approve the 2018-2019 beautification funds request from the residents of Plandome Park in the amount of \$340 for wreaths. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees approve a Resolution providing that the Village election will be held on Tuesday, March 19, 2019. The motion was seconded by Trustee O’Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O’Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that the polling place for the Village election to be held on Tuesday, March 19, 2019 be at the Village Hall, 55 Manhasset Ave, Manhasset, NY and that the polling hours will be open from 12 noon – 9pm. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that there shall be no Village registration day for Village elections. The motion was seconded by Trustee Clinton.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees approves the appointment of Election Inspectors Rosemarie Ciani, as Chairman, and Jerald Samuels to be paid at the rate of \$150.00 each. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees approves the appointment of alternate election inspector Katherine Dunn. The motion was seconded by Trustee O'Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Clinton made a motion that the Board of Trustees adopt a Resolution providing the schedule of board meetings in the year 2019. The motion was seconded by Trustee Baydar.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Correspondence

Village Clerk Randi Malman presented the Board with the following items of correspondence:

1. NCPD monthly report for November 2018 and December 2018
2. Email from Dan Purcell to NCPD dated 11/27/18 re: stop sign at North Drive
3. Email from Samantha Stam dated 12/4/18 re: sign at Circle and Colonial Drive

Trustee DeSousa made a motion to adjourn the meeting. The motion was seconded by Trustee O'Neill.

Trustee Clinton: Aye Trustee DeSousa: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Mayor Donno: Aye

Approved. VOTE: 5/0 - Motion passes

Respectfully submitted by:

Randi Malman

Village Clerk