

Board of Trustees
Village of Plandome Manor
September 21, 2021 - 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 Alexis Majano, Building Inspector Edward Butt, and Village Treasurer Marie DePalo. Also present was Josh Polsky.

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

Approval of Minutes

Trustee DeSousa made a motion to accept the minutes from the July 20, 2021, Board of Trustees meeting. The motion was seconded by Trustee O'Neill.

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

Approved. VOTE: 4/0 - Motion passes

Trustee O'Neill made a motion to accept the minutes from the August 5, 2021, Special Board of Trustees meeting. The motion was seconded by Trustee DeSousa.

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

Approved. VOTE: 3/0 - Motion passes

Public Hearing

Local Law 2 of 2021 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Plandome Manor.

Trustee DeSousa made a motion that the Board of Trustees open the public hearing on proposed Local Law 2 of 2021 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments 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

Mayor Donno gave a brief overview of LL 2 of 2021.

No members of the public asked to address the Board with respect to Local Law 2 of 2021.

Trustee DeSousa made a motion that the Board of Trustees close the public hearing on proposed Local Law 2 of 2021 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Plandome Manor. 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 determine proposed Local Law 2 of 2021 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Plandome Manor. 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 approve Local Law 2 of 2021 opting out of licensing and establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Plandome Manor. 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

Local Law 3 of 2021 amending Chapter A228. "Fees, Charges and Deposits."

Trustee DeSousa made a motion that the Board of Trustees open the public hearing on proposed Local Law 3 of 2021 amending Chapter A228. "Fees, Charges and Deposits". 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

Village Clerk Randi Malman gave a brief overview of LL 3 of 2021.

No members of the public asked to address the Board with respect to Local Law 3 of 2021.

Trustee DeSousa made a motion that the Board of Trustees close the public hearing on proposed Local Law 3 of 2021 amending Chapter A228. "Fees, Charges and Deposits". 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 determine proposed Local Law 3 of 2021 will not have any significant adverse impact on the environment. 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 approve Local Law 3 of 2021 amending Chapter A228. "Fees, Charges and Deposits". 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

Public Comment:

Josh Polsky, of 289 Circle Drive, addressed the Board with concerns about feral cats on Circle Drive. There is one neighbor that feeds the cats and the cats are often found roaming Mr. Polsky's property. Mr. Polsky believes that the animals are defecating on his property. The Board discussed possible solutions; however, they would like

there to be proof that these cats are in fact the animals defecating on his property. The Board agreed to speak with the resident who cares for the cats again.

Reports:

Village Clerk:

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

- The Village has started the process with FEMA for assistance with damage from the Remnants of Hurricane Ida. There was damage to the jogging path, which will be eligible for FEMA funds if the proper procedures are followed. Village residents may also be eligible for FEMA funding for damage sustained during the storm. The Clerk has shared this information with residents via email and on the Village's website.
- There is a streetlight that was out on Circle Drive on the path to the train platform, which is now working. The lighting maintenance contractor is having trouble addressing the issue because the light has been working when they have visited the site. That light was not changed during the LED replacement and the Clerk needs to speak with the lighting contractor to find out why it was missed.
- The Clerk obtained the specifications for wooden guardrails that NYS DOT has constructed on state highways. The Clerk inquired whether or not those specifications would be CHIPS reimbursable, and DOT has indicated that wooden guardrails, even if built to NYS DOT specifications would not be reimbursed under CHIPS.

Village Treasurer

Treasurer, Marie DePalo, provided the Board with a copy 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 area near the culvert sustained damage during Hurricane Ida and will need to be addressed as soon as possible by the Town of North Hempstead. The Town will have to take down the remaining damaged guardrail to make the repairs. There may be an opportunity for the Town and Village to work together to replace a portion of the guardrail with a wooden one to match the other side of the street.
- The Building Inspector and the Board discussed the shared property on Gulls Cove. Some residents have complained about the fact that it is not maintained, and other residents have expressed their desire to keep it a natural area. The Board would like to do research into the ownership of the property before taking any further action.

Motions:

Trustee Clinton made a motion that the Board of Trustees approve the Abstract of Audited Vouchers dated September 21, 2021 and the Profit & Loss Statement ending August 31, 2021. 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 appoint Susan Katz Richman to fill the Village Justice position until the next Village Election. 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 grant permission to the Manhasset Women's Coalition Against Breast Cancer to hold their annual walk/run through the Village on Sunday, October 3, 2021, from 9:30am to 10:30am. The motion was seconded by Trustee O'Neill. This request was previously approved by the Board of Trustees via email.

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 that the Board of Trustees approve repair work to the Stonytown Road jogging path from damage sustained during Hurricane Ida in an amount not to exceed \$13,880. 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 convene into executive session to discuss a litigation matter. The motion was seconded by Trustee O'Neill.

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

Approved. VOTE: 4/0 - Motion passes

Trustee Baydar recused himself due to a conflict of interest and left the meeting.

Trustee O'Neill made a motion that the Board of Trustees convene back into public session. The motion was seconded by Trustee Clinton.

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

Approved. VOTE: 4/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees adopt the following resolution:

Whereas the Village has commenced litigation against the property owners of 1257 Plandome Road, as well as other interested parties (Village of Plandome Manor v. 1257 Plandome Road LLC et seq).

Whereas the Village has decided to retain special counsel to represent the Village in this litigation;

Resolved that the Board of Trustees hereby appoints the firm of McLaughlin & Stern LLP to represent the Village's interests in this matter.

The motion was seconded by Trustee O'Neill.

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

Approved. VOTE: 4/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees adjourn the meeting. The motion was seconded by Trustee O'Neill.

Trustee Clinton: Aye

Trustee DeSousa: Aye

Trustee O'Neill: Aye

Trustee Baydar: Absent

Mayor Donno: Aye

Approved. VOTE: 4/0 - Motion passes

Respectfully submitted by:

Randi I. Malman

Village Clerk