

BOARD OF TRUSTEES MEETING
VILLAGE OF PLANDOME MANOR
PUBLIC HEARING
September 19, 2023

A regular meeting of the Board of Trustees of the Incorporated Village of Plandome Manor, Nassau County, New York, was held in Village Hall, at 55 Manhasset Avenue, on Tuesday September 19, 2023, at 7:00 p.m.

Present:	Barbara Donno	Mayor
	Matthew Clinton	Deputy Mayor
	Tony DeSousa	Trustee
	Patricia O'Neill	Trustee
	James Baydar	Trustee

Also Present:	Katherine Hannon	Village Clerk
	Edward Butt	Building Inspector
	Marie DePalo	Village Treasurer
	John Farrell, Esq.	Village Attorney
	James Antonelli	Village Engineer
	Kevin Dunn	Resident

Deputy Mayor Clinton called the meeting to order at 7:04 p.m. and verified the presence of a quorum.

The Pledge of Allegiance

Deputy Mayor Clinton led the Pledge of Allegiance.

Minutes

Deputy Mayor called for the approval of the minutes from the Board of Trustees meeting held on July 18, 2023.

Trustee O'Neill made a motion to accept the minutes, seconded by Trustee Baydar.

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

Approved. VOTE: 4/0 - Motion passes

Deputy Mayor then called for the approval of the minutes from the Board of Trustees meeting held on August 21, 2023.

Trustee Baydar made a motion to accept the minutes, seconded by Trustee DeSousa.

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

Approved. VOTE: 4/0 - Motion passes

Mayor arrived at the hearing at 7:10pm.

Public Comment

Mr. Dunn of 71 Circle Drive stated that the streetlight that was installed in July on Circle Drive is affecting him and his family's quality of life. Mr. Dunn stated that a friend of his had measured the lumens that are being projected from the streetlight are 20% higher than in other towns. The Mayor asked Mr. Dunn if his friend evaluated the brightness of the other streetlights in the Circle Drive area and how much higher the lumens were for the light installed across from his home, in which Mr. Dunn responded by stating that that evaluation was not done by his friend. Trustee O'Neill asked Mr. Dunn what the number of lumens were from the streetlight, in which Mr. Dunn responded by stating he did not have that information. Mr. Dunn reiterated several times that the streetlight is affecting his family's quality of life. In conclusion, Mr. Dunn requested that Board consider moving the location of the streetlight. The Mayor responded by stating that the Board will take his request under consideration.

Public Hearing on Local Law 2 of 2023: Amending Chapter 206. 'Trees':

Trustee DeSousa made a motion that the Board of Trustees open the public hearing on proposed Local Law 2 of 2023 amending Chapter 206. 'Trees.' The motion was seconded by Trustee Baydar.

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

Approved. VOTE: 5/0 - Motion passes

Village Attorney Farrell provided a brief synopsis of Local Law 2 of 2022. The Village Attorney's remarks can be found in the attached transcript.

Trustee Baydar made a motion that the Board of Trustees close the public hearing on proposed Local Law 2 of 2023 amending Chapter 206. 'Trees.' The motion was seconded by Deputy Mayor Clinton.

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

Approved. VOTE: 5/0 - Motion passes

Trustee DeSousa made a motion that the Board of Trustees determine proposed Local Law 2 of 2023 will not have any significant adverse impact on the environment. The motion was seconded by Deputy Mayor Clinton.

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

Approved. VOTE: 5/0 - Motion passes

Deputy Mayor Clinton made a motion that the Board of Trustees approve Local Law 2 of 2023 amending Chapter 206. 'Trees.' The motion was seconded by Trustee DeSousa.

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

Approved. VOTE: 5/0 - Motion passes

Public Hearing on Local Law 3 of 2023: Amending Chapter 189. 'Streets and Sidewalks':

Trustee DeSousa made a motion that the Board of Trustees open the public hearing on proposed Local Law 3 of 2023 amending Chapter 189. 'Streets and Sidewalks.' The motion was seconded by Deputy Mayor Clinton.

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

Approved. VOTE: 5/0 - Motion passes

Village Attorney Farrell provided a brief synopsis of Local Law 3 of 2022 and the Board discussed the law. The Village Attorney's remarks and the discussion can be found in the attached transcript.

Trustee Baydar made a motion that the Board of Trustees adjourn the public hearing on Local Law 3 of 2023 amending Chapter 189. 'Streets and Sidewalks.' The motion was seconded by Trustee DeSousa.

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

Approved. VOTE: 5/0 - Motion passes

Reports:

Village Engineer

The Village Engineer, James Antonelli, updated the Board on the following items:

- The Village Engineer presented to the Board the bid results for the repair of Gristmill Lane and Papermill Road and portion of Rock Hollow Road. The engineer provided the Board with his recommendation for awarding the contract.

Village Treasurer

The Village Treasurer updated the Board on the following items:

- Treasurer, Marie DePalo, provided the report on the Abstract Report of Audited Vouchers and the Profit and Loss Statement.
- The Treasurer presented the Government Crime Policy to be renewed.
- The Treasurer presented the Village Capital Asset Policy.

Village Clerk

The Village Clerk updated the Board on the following items:

- The Clerk reported that the Nassau County CPR Guardrail project for the guardrail on North Plandome Road was approved by the Nassau County Legislature on September 18 during the county's legislative session. The Clerk added that the village will receive the fully executed contract from Nassau County in the coming weeks and upon receipt, the village can begin the project.
- The Clerk reported that the Tax Lien Sale bill has passed both the senate and the assembly and was signed by the governor.
- The Clerk mentioned that many of the street name signs in the Village are in need of the replacement. The Clerk reported that she and the Building Inspector have evaluated the street name signs in the Village and have imputed the data into the new Village GIS map. She also mentioned that she is in the process of collecting and analyzing all the data and researching placement options.
- The Clerk provided the Board with an image of a fire hydrant logo to be painted on the streets as the Manhasset Lakeville Fire Department has proposed. Upon discussion, the Board has stated that the hydrant street painting is not needed in the village.
- The Clerk presented and discussed with the Board a resolution to amend Chapter A228-1. 'Schedule of Fees.' The Clerk provided a comparison of the existing and proposed fees.
- The Clerk presented the Firefly Admin engagement letter for the Port Washington Fire Department Service Award Program. She mentioned that the engagement would be for a two-year period starting January 1, 2024, and expiring December 31, 2025.
- The Clerk presented the block party application submitted by Laure Ozner for a block party on Colonial Drive on October 14th, 2023 with a rain date of October 15th, 2023.
- The Clerk mentioned that the sprinklers at the triangle on Plandome Road and Stonytown Road would be winterized between October 16th to October 27th.

Building Inspector

The Building Inspector updated the Board on the following items:

- The Building Inspector presented the repairs that the Long Island Railroad has done to the drainage on the handicap ramp at the Plandome train station.
- The Inspector also presented the drywell that was installed on the path on the village lot on Circle Drive.

Village Attorney

The Village Attorney updated the Board on the following items:

- The Village Attorney presented and discussed with the Board Local Law 4 of 2023 – Proposed Amendment to Chapter 185 Solid Waste of the Village Code.

Motions:

Deputy Mayor Clinton made a motion that the Board of Trustees approve the Abstract of Audited Vouchers dated September 19, 2023, and the Profit & Loss Statement ending August 31, 2023. The motion was seconded by Trustee Baydar.

Mayor Donno: Aye

Deputy Mayor Clinton: Aye

Trustee O'Neill: Aye

Trustee Baydar: Aye

Trustee DeSousa: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees approve the Government Crime Policy renewal, prepared and submitted by Utica Surety, for the year 2023, commencing October 25, 2023, in the amount of \$507.00. The motion was seconded by Deputy Mayor Clinton.

Mayor Donno: Aye

Deputy Mayor Clinton: Aye

Trustee O'Neill: Aye

Trustee Baydar: Aye

Trustee DeSousa: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees approve the Capital Asset Policy. The motion was seconded by Trustee DeSousa.

Mayor Donno: Aye

Deputy Mayor Clinton: Aye

Trustee O'Neill: Aye

Trustee Baydar: Aye

Trustee DeSousa: Aye

Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that the Board of Trustees adopt a resolution approving the amending of Chapter A228-1. 'Schedule of Fees' of the Village code of the Village of Plandome Manor. The motion was seconded by Trustee DeSousa.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Deputy Mayor Clinton made a motion that the Board of Trustees approve the Engagement of Firefly Admin Inc. for the Port Washington Fire Department Service Award Program for a two-year period starting January 1, 2024 and expiring December 31, 2025. The motion was seconded by Trustee Baydar.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that the Board of Trustees approve the block party application, submitted by Laure Ozner, for a block party on Colonial Drive on October 14th, 2023, with a rain date of October 15th, 2023. The motion was seconded by Trustee DeSousa.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that the Board of Trustees approve a resolution awarding Contract No. 1-2023-PLM Repair of Gristmill Lane and Papermill Road and portion of Rock Hollow Road, to the lowest responsible bidder, and in accordance with the recommendation of the Village's engineering consultant James Antonelli, United Paving Corporation in the amount of \$398,988.80. The motion was seconded by Trustee Baydar.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees set a date for the public hearing on Local Law 4 of 2023 – Proposed Amendment to Chapter 185 Solid Waste of the Village Code. Public Hearing date: October 17, 2023. The motion was seconded by Trustee DeSousa.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Correspondence:

Village Clerk Katie Hannon presented the Board with the following piece of correspondence:

1. The Nassau County Police Department reports for June 2023 and July 2023.

Motions:

Trustee DeSousa made a motion that the Board of Trustees convene into executive session. The motion was seconded by Trustee O'Neill.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Trustee Baydar made a motion that the Board of Trustees convene into regular session. The motion was seconded by Deputy Mayor Clinton.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye
Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Trustee O'Neill made a motion that the Board of Trustees adjourn the meeting. The motion was seconded by Trustee Baydar.
Mayor Donno: Aye Deputy Mayor Clinton: Aye Trustee O'Neill: Aye

Trustee Baydar: Aye Trustee DeSousa: Aye
Approved. VOTE: 5/0 - Motion passes

Signed by Katherine Hannon

Katherine Hannon
Village Clerk

APPROVED

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PUBLIC HEARING
OF THE
BOARD OF TRUSTEES
OF THE
INCORPORATED VILLAGE OF
PLANDOME MANOR

-----X

PRESENT: BARBARA DONNO, Mayor
JAMES BAYDAR, Trustee
TONY DeSOUSA, Deputy Mayor
MATTHEW CLINTON, Trustee
PATRICIA O'NEILL, Trustee

DATE: September 19, 2023

TIME: 7:00 P.M.

PLACE: VILLAGE HALL
55 Manhasset Avenue
Manhasset, NY 11030

VILLAGE ATTORNEY: JOHN FARRELL, ESQ.

TREASURER: MARIE DePAOLO

VILLAGE CLERK: KATHERINE HANNON

BUILDING INSPECTOR: EDWARD P. BUTT

REPORTED BY: WENDY SILAS

Public Hearing: Local Law 2 of 2023 -
Chapter 206, Trees

1 Local Law 2 of 2023 - Chapter 206 2

18:25:33 2 MAYOR DONNO: It's now public
18:25:34 3 hearing.

18:25:36 4 Can I have a motion to open the
18:25:37 5 public hearing on proposed Local Law 2
18:25:41 6 of 2023 amending Chapter 2000 -- 206
18:25:45 7 and this is on trees?

18:25:47 8 Can I have that motion?

18:25:48 9 TRUSTEE DeSOUSA: Motion.

18:25:49 10 MAYOR DONNO: Can I have a
18:25:53 11 second?

18:25:53 12 TRUSTEE BAYDAR: Second.

18:25:55 13 MAYOR DONNO: All in favor?

18:25:56 14 TRUSTEE O'NEILL: Aye.

18:25:56 15 TRUSTEE DeSOUSA: Aye.

18:25:57 16 MAYOR DONNO: Aye.

18:25:57 17 TRUSTEE CLINTON: Aye.

18:25:58 18 TRUSTEE BAYDAR: Aye.

18:26:00 19 MAYOR DONNO: John, can you just
18:26:01 20 real quickly go through --

18:26:05 21 MR. FARRELL: Sure.

18:26:06 22 We -- we've had a tree ordinance
18:26:08 23 in place for a number of years and the
18:26:13 24 enforcement was a little light on it.
18:26:16 25 We weren't really following it to the

18:26:19 2 letter of the code, but I think part of
18:26:24 3 that was because the code needed to be
18:26:26 4 cleaned up a little bit with respect
18:26:29 5 to, you know, when permits are required
18:26:32 6 and when reviews are required.

18:26:35 7 So we went through the code and
18:26:37 8 we made some changes to more clearly
18:26:40 9 define, you know, when we're going to
18:26:46 10 require permits to remove trees and how
18:26:49 11 that review process is going to take
18:26:51 12 place.

18:26:51 13 I think what the village has seen
18:26:53 14 over the past few years is kind of a
18:26:55 15 loss of habitat, so to speak. A lot of
18:26:59 16 trees have been coming down and
18:27:01 17 especially with new development.

18:27:04 18 So now the design review board is
18:27:06 19 going to have a little bit more
18:27:07 20 authority in the review process to
18:27:09 21 preserve trees.

18:27:11 22 And with Ed's help they're going
18:27:13 23 to, you know, with the single-family
18:27:15 24 homes that don't necessarily have to go
18:27:18 25 before the DRB that are just taking

1 Local Law 2 of 2023 - Chapter 206 4

18:27:20 2 down trees we are going to have a more
18:27:22 3 stringent review process.

18:27:23 4 MAYOR DONNO: And also -- I think
18:27:25 5 also it also addresses the replacements
18:27:30 6 of these trees.

18:27:32 7 MR. FARRELL: Right.

18:27:33 8 MAYOR DONNO: Which is really
18:27:34 9 where we had problems.

18:27:35 10 TRUSTEE O'NEILL: Um-hum.

18:27:37 11 MR. BUTT: Um-hum.

18:27:38 12 MAYOR DONNO: Anybody have any
18:27:39 13 questions or comments?

18:27:39 14 Just for the record, this is, I
18:27:42 15 believe, the third reading.

18:27:43 16 MR. FARRELL: Yes.

18:27:44 17 MAYOR DONNO: So we try to go
18:27:52 18 over these laws at least three times at
18:27:54 19 a Board meeting and then discuss it at
18:27:56 20 that third meeting and vote on it.

18:27:59 21 Any questions?

18:28:01 22 TRUSTEE BAYDAR: No.

18:28:02 23 MAYOR DONNO: No, okay.

18:28:03 24 Can I have a motion to close the
18:28:04 25 public hearing?

1 Local Law 2 of 2023 - Chapter 206 5

18:28:06 2 TRUSTEE BAYDAR: Motion to close.

18:28:07 3 MAYOR DONNO: Can I have a

18:28:08 4 second?

18:28:09 5 TRUSTEE CLINTON: Second.

18:28:10 6 MAYOR DONNO: All those in favor?

18:28:11 7 TRUSTEE O'NEILL: Aye.

18:28:11 8 TRUSTEE DeSOUSA: Aye.

18:28:11 9 MAYOR DONNO: Aye.

18:28:11 10 TRUSTEE CLINTON: Aye.

18:28:12 11 TRUSTEE BAYDAR: Aye.

18:28:12 12 MAYOR DONNO: Can I have a motion

18:28:14 13 to determine that the proposed Local

18:28:16 14 Law 2 of 2023 will not have any

18:28:19 15 significant adverse impact on the

18:28:20 16 environment?

18:28:23 17 TRUSTEE DeSOUSA: Motion.

18:28:24 18 MAYOR DONNO: Second?

18:28:24 19 TRUSTEE CLINTON: Second.

18:28:25 20 MAYOR DONNO: All those in favor?

18:28:26 21 TRUSTEE O'NEILL: Aye.

18:28:26 22 TRUSTEE DeSOUSA: Aye.

18:28:26 23 MAYOR DONNO: Aye.

18:28:26 24 TRUSTEE CLINTON: Aye.

18:28:27 25 TRUSTEE BAYDAR: Aye.

1 Local Law 2 of 2023 - Chapter 206 6

18:28:27 2 MAYOR DONNO: Can I have a motion
18:28:28 3 to approve Local Law 2 of 2023 amending
18:28:30 4 Chapter 206?

18:28:34 5 TRUSTEE CLINTON: Motion.

18:28:35 6 TRUSTEE DeSOUSA: Second.

18:28:35 7 MAYOR DONNO: All those in favor?

18:28:36 8 TRUSTEE O'NEILL: Aye.

18:28:37 9 TRUSTEE DeSOUSA: Aye.

18:28:37 10 MAYOR DONNO: Aye.

18:28:37 11 TRUSTEE CLINTON: Aye.

18:28:37 12 TRUSTEE BAYDAR: Aye.

18:28:40 13 (Public hearing concludes 7:19
14 p.m.)

15 * * * *

16 It is hereby certified that the
17 foregoing is a true and accurate
18 transcript of the proceedings.

18 *Wendy Silas*
19 WENDY SILAS
18:28:45 19 OFFICIAL COURT REPORTER
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PUBLIC HEARING
OF THE
BOARD OF TRUSTEES
OF THE
INCORPORATED VILLAGE OF
PLANDOME MANOR

-----X

PRESENT: BARBARA DONNO, Mayor
 JAMES BAYDAR, Trustee
 TONY DeSOUSA, Deputy Mayor
 MATTHEW CLINTON, Trustee
 PATRICIA O'NEILL, Trustee

DATE: September 19, 2023

TIME: 7:00 P.M.

PLACE: VILLAGE HALL
 55 Manhasset Avenue
 Manhasset, NY 11030

VILLAGE ATTORNEY: JOHN FARRELL, ESQ.

TREASURER: MARIE DePAOLO

VILLAGE CLERK: KATHERINE HANNON

BUILDING INSPECTOR: EDWARD P. BUTT

REPORTED BY: WENDY SILAS

Public Hearing: Local Law 3 of 2023 -
 Chapter 180, Streets &
 Sidewalks

1 Local Law 3 of 2023 - Chapter 189 2

18:28:45 2 MAYOR DONNO: Local Law 3 of
18:28:48 3 2023, streets and sidewalks.

18:28:50 4 Can I have a motion to open the
18:28:51 5 public hearing on proposed Local Law 3
18:28:54 6 of 2023 amending Chapter 189, streets
18:28:58 7 and sidewalks?

18:29:01 8 TRUSTEE DeSOUSA: Motion.

18:29:01 9 MAYOR DONNO: Can I have a
18:29:02 10 second?

18:29:03 11 TRUSTEE CLINTON: Second.

18:29:03 12 THE COURT: All those in favor?

18:29:04 13 TRUSTEE O'NEILL: Aye.

18:29:05 14 TRUSTEE DeSOUSA: Aye.

18:29:05 15 MAYOR DONNO: Aye.

18:29:05 16 TRUSTEE CLINTON: Aye.

18:29:05 17 TRUSTEE BAYDAR: Aye.

18:29:07 18 MR. FARRELL: I'll give a quick
18:29:09 19 synopsis.

18:29:10 20 MAYOR DONNO: Thank you, John.

18:29:11 21 MR. FARRELL: The village has
18:29:12 22 spent a substantial amount of money
18:29:14 23 over the past few years in upgrading
18:29:18 24 the infrastructure, repaving roads, and
18:29:21 25 what we've done here with the code is

18:29:23 2 we've amended it to prevent those roads
18:29:27 3 from being torn up, you know, within a
18:29:30 4 five-year period after they are put in.

18:29:33 5 So if utilities come in or people
18:29:35 6 want to do work to tap into lines,
18:29:40 7 wires, pipes, under the road they're
18:29:42 8 not going to be permitted to. There is
18:29:45 9 a five-year moratorium from when the
18:29:48 10 road is complete until, you know -- to
18:29:51 11 let the road cure and we don't want to
18:29:53 12 spend money and then have the roads
18:29:56 13 torn up.

18:29:56 14 So there's going to be a
18:29:58 15 five-year moratorium period on
18:30:00 16 construction that would require, you
18:30:01 17 know, taking up the road or cutting up
18:30:03 18 the road.

18:30:05 19 MAYOR DONNO: I have a question.

18:30:07 20 MR. FARRELL: Yes.

18:30:07 21 MAYOR DONNO: Are we -- did we
18:30:09 22 address, I don't remember, I know that
18:30:10 23 we talked about it, did we address the
18:30:13 24 curb-to-curb in this law?

18:30:18 25 MR. FARRELL: Hold on, let me

1 Local Law 3 of 2023 - Chapter 189 4

18:30:19 2 check. I don't know if we did.

18:30:20 3 MAYOR DONNO: Okay.

18:30:28 4 MR. FARRELL: We did not. This
18:30:30 5 is -- wait, hold on.

18:30:33 6 MAYOR DONNO: I think now it's
18:30:35 7 from curb to center.

18:30:44 8 MR. FARRELL: No, we didn't
18:30:45 9 address the curb-to-curb aspect of it
18:30:49 10 under this local law.

18:30:50 11 MAYOR DONNO: Okay, that should
18:30:52 12 be a part of this, no?

18:30:53 13 MR. FARRELL: We can -- if you
18:30:54 14 want to amend the local law we can
18:30:56 15 continue the public hearing until the
18:30:58 16 next meeting and we'll just add an
18:31:00 17 amendment for that provision.

18:31:03 18 MAYOR DONNO: Yeah, I would
18:31:04 19 rather do -- I would like ---because I
18:31:06 20 really would like them to do curb to
18:31:08 21 curb.

18:31:09 22 MR. FARRELL: Okay.

18:31:10 23 MAYOR DONNO: And not curb to
18:31:11 24 center.

18:31:13 25 Yes, Mr. Engineer?

18:31:14

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MR. ANTONELLI: May I?

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For those of you who don't know me, Jim Antonelli, village engineering consultant.

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I'm going through this in a number of villages, basically because of work that National Grid is doing plus in many cases Manhasset Lakeville Water and so forth.

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And the most recent one, which is in Roslyn Estates, I was actually there last week and National Grid had done their installation and what I found was they didn't stay to one side of the road, they started to cross the center line and the next thing you know we have this angle.

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And then once they put the house connections in I measured three-quarters of the road that's damaged. It's not just half. It's very difficult to have that off to one side nice and neatly, you know, four feet from the edge of pavement, very

1 Local Law 3 of 2023 - Chapter 189 6

18:32:14 2 difficult, especially with that type of
18:32:16 3 a utility.

18:32:17 4 MAYOR DONNO: So you're
18:32:18 5 advocating for the curb-to-curb?

18:32:21 6 MR. ANTONELLI: Yes.

18:32:21 7 MAYOR DONNO: Okay, thank you.

18:32:29 8 TRUSTEE CLINTON: There has to be
18:32:33 9 an exception for emergency if you have
18:32:37 10 a water main break.

18:32:39 11 We don't have it in our package,
18:32:41 12 the local law?

18:32:43 13 MR. FARRELL: It's in there
18:32:44 14 behind the tree code. It's the last
18:32:46 15 page.

18:32:46 16 MAYOR DONNO: I didn't have it.

18:32:49 17 MR. FARRELL: If you look at the
18:32:50 18 tree ordinance it's behind the last
18:32:52 19 page of the tree ordinance. It's one
18:32:54 20 paragraph.

18:32:55 21 MAYOR DONNO: Oh, the paragraph,
18:32:56 22 sorry.

18:32:56 23 MR. FARRELL: It was only a
18:32:57 24 simple amendment.

18:32:59 25 MAYOR DONNO: As Matt has asked,

1 Local Law 3 of 2023 - Chapter 189 7

18:33:01 2 John, and, Jim, you can also, you know,
18:33:05 3 pipe in, if there's an emergency the
18:33:10 4 road has to be opened, we can't stop
18:33:13 5 that.

18:33:18 6 TRUSTEE O'NEILL: You need the
18:33:19 7 moratorium.

18:33:20 8 MR. FARRELL: They have to come
18:33:21 9 to the Board of Trustees for
18:33:22 10 permission.

18:33:22 11 If it's an emergency they have to
18:33:24 12 come to the Board of Trustees to open
18:33:26 13 the road.

18:33:27 14 TRUSTEE CLINTON: If you have a
18:33:28 15 water main break underneath the read
18:33:30 16 and it's destroying the entire road and
18:33:32 17 they have to open it up and cure the
18:33:33 18 situation they have to go to the Board
18:33:35 19 to get approval?

18:33:36 20 MR. FARRELL: No, they will
18:33:37 21 operate under their emergency powers.

18:33:39 22 MAYOR DONNO: That was his
18:33:40 23 question.

18:33:41 24 Should there be an exemption in
18:33:43 25 here for emergency powers or something

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like that?

MR. FARRELL: I mean, we can reword that. That didn't come up in any of our previous discussions.

MAYOR DONNO: Right.

MR. FARRELL: But I think they can -- I thought they can do that.

TRUSTEE CLINTON: I just don't want a situation where they say --

MR. FARRELL: If it's an emergency situation they're going to do it regardless of what our permit requirements are and we'll have to deal with how they are going to repair it.

MR. ANTONELLI: I've seen villages address this as an after-the-fact permit.

MAYOR DONNO: Okay.

MR. ANTONELLI: The utility will come in before the board and say, "Hey look back on whatever date this is, what we had to do and this is what we've done and this is the repair we did," and then there's discussion about

1 making it look better.

18:34:27 2
18:34:28 3 MAYOR DONNO: Okay.

18:34:30 4 MR. ANTONELLI: Because they
18:34:30 5 usually do a temporary patch and let it
18:34:33 6 settle for a number of weeks.

18:34:34 7 MR. BUTT: Um-hum.

18:34:35 8 MAYOR DONNO: Right.

18:34:36 9 TRUSTEE O'NEILL: I think with
18:34:37 10 everyone having a camera in their
18:34:39 11 pocket, if there's an emergency there's
18:34:41 12 going to be documentation of this
18:34:43 13 emergency.

18:34:43 14 I think if we say -- if we write
18:34:47 15 it in the code except emergency
18:34:49 16 situations then you have to define what
18:34:52 17 an emergency is because, you know,
18:34:54 18 someone's emergency can be, "Well, the
18:34:55 19 village was closed over the weekend and
18:34:57 20 I couldn't get a permit."

18:34:58 21 So I think --

18:35:02 22 MAYOR DONNO: I would assume,
18:35:03 23 Pat, to your point, that if the utility
18:35:09 24 being a utility has what they consider
18:35:11 25 an emergency that they're just going to

1 do what they need to do.

18:35:12 2
18:35:14 3 TRUSTEE O'NEILL: They're just
18:35:16 4 going to do it.

18:35:17 5 I don't think we want to give
18:35:20 6 someone a loophole to say, "The
18:35:22 7 emergency is the village is closed on
18:35:24 8 the weekend and we did the work anyway.
18:35:26 9 That was our emergency."

18:35:27 10 MAYOR DONNO: To me it would be
18:35:28 11 best to leave it as is.

18:35:30 12 TRUSTEE O'NEILL: I think so,
18:35:31 13 yeah.

18:35:31 14 MR. BUTT: We had this come up --
18:35:32 15 we have a similar situation in Plandome
18:35:34 16 Heights and what -- it usually comes up
18:35:38 17 when somebody makes an application to
18:35:40 18 do an oil-to-gas conversion and the
18:35:41 19 answer is just, "No, sorry, you can't
18:35:45 20 do it now," and that's what it comes
18:35:47 21 down to.

18:35:48 22 So the stop gap is right at that
18:35:50 23 point when they come in for an
18:35:51 24 application. So it's pretty simply
18:35:53 25 done.

18:35:54 2 MAYOR DONNO: If we could, John,
18:35:56 3 just curb to curb?

18:35:57 4 MR. FARRELL: Curb to curb and
18:35:59 5 within so many feet in what I guess --

18:36:05 6 MR. BUTT: Two foot over cut,
18:36:06 7 right, on both sides of the hole?

18:36:09 8 MR. ANTONELLI: Yes.

18:36:10 9 MR. FARRELL: We'll clean that
18:36:11 10 up.

18:36:12 11 MAYOR DONNO: So we will hold off
18:36:13 12 on this?

18:36:14 13 MR. FARRELL: Yes, we can hold
18:36:15 14 off on adoption and we'll make that
18:36:17 15 amendment.

18:36:19 16 MAYOR DONNO: So can I have a
18:36:20 17 motion that we're going to continue
18:36:23 18 this public hearing at our next
18:36:26 19 meeting?

18:36:27 20 TRUSTEE BAYDAR: Motion.

18:36:28 21 MAYOR DONNO: Can I close -- I
18:36:30 22 can't because it's continued.

18:36:31 23 MR. FARRELL: It's continued.
18:36:32 24 You don't close the record.

18:36:33 25 MAYOR DONNO: Jim has the motion.

18:36:34 2 Can I have a second?

18:36:36 3 TRUSTEE DeSOUSA: Second.

18:36:37 4 MAYOR DONNO: All in favor?

18:36:38 5 TRUSTEE O'NEILL: Aye.

18:36:39 6 TRUSTEE DeSOUSA: Aye.

18:36:39 7 MAYOR DONNO: Aye.

18:36:39 8 TRUSTEE CLINTON: Aye.

18:36:40 9 TRUSTEE BAYDAR: Aye.

18:36:42 10 (Public hearing concludes 7:27

18:36:44 11 p.m.)

12 * * * *

13 It is hereby certified that the
14 foregoing is a true and accurate
15 transcript of the proceedings.

16 *Wendy Silas*
WENDY SILAS
OFFICIAL COURT REPORTER

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