

Board of Trustees
Village of Plandome Manor
June 21, 2016 ~ 7:00 PM - Public Meeting
MINUTES

Call to Order

Present: Mayor Barbara Donno, Deputy Mayor Matthew Clinton, Trustees Antonio DeSousa, Patricia O'Neill and James Baydar, Village Clerk Randi Malman, Village Counsel Rachel Scelfo, Village Treasurer Valerie Giacinto and Code Enforcement Officer and Deputy Road Commissioner Robert Rockelein. Also present, Janet LaGarene of n2 Publishing, Eddie and Alicia Assad, Michael Mannino and Debra Epstein.

Mayor Donno opened the meeting at 7:02 PM with the Pledge of Allegiance & verification of a quorum.

Approval of Minutes

Trustee Baydar made a motion to accept the minutes from the May 17, 2016 Board of Trustees meeting. 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

Trustee DeSousa made a motion to accept the minutes from the June 9, 2016 Special Board of Trustees meeting. The motion was seconded by Trustee O'Neill.

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

Approved. VOTE: 3/0 - Motion passes

Public Comment

Alicia and Eddie Assad, 107 Lake Road, addressed the Board regarding issues concerning her neighbor at 115 and 119 Lake Road. The Assad family has raised concerns regarding live in staff, large parties, lack of code enforcement and noise complaints. Please see the attached statement presented to the Board by Alicia Assad.

- The Board informed Mr. and Mrs. Assad that it cannot issue summonses for code violations that our Code Enforcement Officer does not witness. As the majority of the code violations Mr. and Mrs. Assad outlined take place outside of business hours, the Assads were presented with the option of providing the Village with an affidavit swearing to the code violations, which would then be taken up in the Village Justice Court. Police items; police should be called.

Janet LaGarene from n2 Publishing addressed the Board regarding a new monthly publication for the residents of the three Plandome Villages. The publication is meant to connect residents with businesses in the community and inform residents of exciting and positive news. The content for the publication is generated directly from the residents. The publications does not report on politics or government but focuses mainly on stories about residents and businesses in the community.

Michael Mannino, 100 Papermill Road, addressed the Board regarding the condition of Rock Hollow Road. The Board and Village Clerk informed Mr. Mannino that Rock Hollow is a County Road and the Village does not

have the authority to make repairs or perform road maintenance. The Village Clerk has put in a request to the Nassau County Highway Department for pot hole repairs and vegetation maintenance on several occasions. The Village Clerk encouraged Mr. Mannino to contact the county as well in order to put pressure on them to address the poor road conditions on Rock Hollow.

Reports

Village Clerk

Village Clerk Randi Malman reported the Board that the Village tax bills were mailed out and are due back by June 30, 2016. The Village has received roughly half of the tax payments back at this point.

Village Treasurer

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

Trustee Clinton made a motion that the Board of Trustees approve the Abstract of Audited Vouchers dated June 21, 2016 and the Profit & Loss Statement ending May 31, 2016. 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 Board of Trustees approve the budget modifications for the 2015-2016 budget. 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

Mayor

Mayor Donno updated the Board on the following items:

- Senator Martins and Assemblywoman Schimel sponsored a bill that would allow the Village to hold tax lien sales. The bill passed both house of the legislature and will go to the Governor to be signed into law.
- There has been some outrage over an MTA Bill that was snuck into the NYS Budget that would give the MTA complete control over the development of MTA owned property. Many Village upset about this and NYCOM has expressed strong opposition to the bill.
- The Port Washington Water District has offered the Village \$80,000 for their portion of the repaving project on Circle Drive, which is not enough to cover their portion of the project. The PWWD would give this money to the Village and the Village could go out to bid and be responsible for the entire road resurfacing project. Back in March, the Village received an estimate from John McGowan and Sons that measured the PWWD's portion of the road at 38.2% and estimated that it would cost about \$100,000 to repave just their portion. At that point the price of asphalt was very low but has since gone up considerably. The Village Attorney and the Board feel that at this point it is not acceptable to take a monetary amount from PWWD until we formally go out to bid and receive the final cost for the project since the amount offered may not in actuality cover the cost. If PWWD will agree to pay 38.2% of the winning bid contract then the Village will be willing to take on the entire road resurfacing project to be completed at one time, by one contractor. The Village cannot accept a monetary amount from the water district at this time

without knowing the final cost of the project. The Village Attorney will go back to PWW and ask them to agree to the 38.2% of the ultimate project cost.

Code Enforcement/ Deputy Road Commissioner

Code Enforcement/ Deputy Road Commissioner Robert Rockelein updated the Board on the following items:

- All of the pot holes in the Village were marked out and the Village requested estimates from three contractors as per our procurement policy. Cow Bay's estimate came in the lowest. The Village used them for the first time last year to do permanent road repairs and their patches have held up very well. Mr. Rockelein would recommend using them again this year.
- The street sign at Elm Sea Lane has been damaged by a construction vehicle. The contractor has agreed to pay for the replacement sign.
- The Village's roads were swept and the contractor did a poor job. They will be coming back to touch up areas that they missed last time.

Trustee O'Neill made a motion that the Board of Trustees approve the estimate submitted by Sidney Bowne in the amount of \$21,000 for design and bid services (\$8,500) and construction services (\$12,500) in connection with the Circle Drive Repaving Project. 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 the estimate submitted by Creative Landscaping by Cow Bay Inc., Port Washington, NY, for permanent road repairs throughout the village not to exceed \$6,500. 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 Clinton made a motion that the Board of Trustees approve the estimate from Glenco Supply for the replacement of the street sign at the triangle in the amount of \$723.15. 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

Trustee DeSousa made a motion that the Board of Trustees accept a Resolution approving the easement and settlement agreement for 89 Circle Drive and authorize the Mayor to execute any and all documents related to the agreement. 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 Board of Trustees reapprove Local Law No. 1 of 2016 amending Chapter 225 of the Code of the Incorporated Village of Plandome Manor as it relates to renting, leasing or letting of single family dwellings within the Village. 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 the 2016-2017 beautification funds request from the residents of Gulls Cove in the amount of \$1,200 for spring cleanup and planting. 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 Board of Trustees approve the 2016-2017 beautification funds request from the residents of Elm Sea Lane in the amount of \$815 for spring cleanup and planting.”

Correspondence

The Village Clerk Randi Malman presented the Board with the following pieces of correspondence received and address to the Board:

- NCPD monthly report for May
- Letter from the Village of Plandome Manor to Circle Drive residents dated May 23, 2016 re: Water Main Project
- Letter from Shawn Fitzgerald dated June 1, 2016 re: Village’s Circle Drive Letter
- Letter from Merrick to PWWD dated June 16, 2016 re: Circle Drive

Trustee DeSousa made a motion to convene into Executive Session to discuss pending litigation and employment matters. 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 to convene back into regular session and adjourn the meeting. 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

Respectfully submitted by:
Randi I. Malman
Village Clerk



Dear Neighbors,

We are fortunate enough to be residents of the Village of Plandome Manor, where we are raising our four young children at 107 Lake Road. We came to Manhasset because of its excellent reputation for being a wonderful place to raise a family.

We come before you tonight to present a concern that we feel has not been properly dealt with by this village. We have been discussing these issues with Mayor Donno for several years now without resolution.

Our next-door neighbor seemingly resides in Plandome Manor with the intention of utilizing her house as a summer party venue. While most residents have florists or landscapers and typical outside contractors, she employs a large domestic staff, which includes a live-in caretaker, full-time boat captain, housekeeper and chauffeur, etc. All of these employees work around the clock to support her day-to-day existence.

Compounding the situation are the large-scale parties she has throughout the summer that she often times is not even in attendance for. These parties come hand in hand with the need for large commercial vehicles to transport tents, stages and rented furniture. Additionally, catering trucks, DJs, and valet parking companies are a constant part of life on Lake Road. The noise these parties make is unimaginable for adults to handle, let alone young children. Furthermore, with parties of this capacity, our neighborhood is left vulnerable to an influx of strangers who

litter the streets, linger and make noise all hours of the night. It is simply crazy that this is allowed without repercussion.

When the well being of our family is being threatened as well as the daily happiness of simple family time, it causes undue stress. I assure you, the word "stressful" is not a term we take for granted in our household. In the past few years we have gone thru a difficult time. Our son spent a month in the Intensive Care Burn Unit, I had a few miscarriages and another child requiring repeated surgery. To expect families to undergo burdens like these and then add to it the stresses that a lack of code enforcement creates is untenable.

Family, health, home and safety are what we value more than anything else. Our children are the most important thing to us and we will stop at nothing to protect them along with our right to reside in this village peacefully. We chose to move to the Village of Plandome Manor because of the strict codes they have in place and now more than ever, those codes are of the utmost importance to us. These codes are not being enforced.

In 2011, we started a conversation with the Village about our neighbor's conduct. At times, we have been lent an empathetic ear; other times we have been ignored. But from these exchanges, the only concrete solutions we were given is to either move or fill out an Affidavit of Observation every time my neighbor breaks code. Needless to say, the Village's lack of enforcement has led to a toxic relationship with my

neighbor, as our only resort is to call the Police for enforcement time after time.

To avoid conflict and keep peace, we have gone to great lengths to accommodate the lifestyle of our neighbor. We have packed up our children and stayed in hotels many nights there are parties, or scheduled vacations around the holiday weekends when we know there will be commotion. We redesigned our home so that most of our living space is away from this property and made certain our walls and windows were of the highest quality to buffer noise. We built a large and very expensive stone-wall to block out the noise of caretakers constantly working and recently installed a state of the art sound system to help buffer the noise. We also have security cameras and an alarm system to ensure we are safe. Now with so many children who range in age from 8 months to 7 years old - it is too hard to leave or travel. Thus, we have been pushing harder to have the village step in and enforce code so that we can enjoy the home we built for our family.

Regardless of whether throwing a party or maintaining one's property, Residents, Homeowners, Domestic employees and Contractors all must adhere to Village code. These codes about contractors and noise were created to protect residents, yet the village refuses to enforce them. As per my most recent email exchange with Mayor Donno, she incorrectly claims that our expectations of the village enforcement of existing code is

both unrealistic and unreasonable. Mayor, I am sorry to say you are incorrect. Code and Law must be followed short of extenuating circumstances for the benefit of all of us.

By continually issuing tent permits to my neighbor, you are infringing upon my right to live safely and peacefully in this village. By allowing caretakers to have the same rights as taxpaying residents and enforcing a different set of rules on my employees who do not live on premises, you are not treating us equally. We are gravely disappointed with this administration's lack of enforcement of the code and interpretation that unjustly favors our neighbor. We have invested too much money into our home and pay too much in taxes to have the village abdicate their responsibilities to enforce the codes and our local laws.

At this point in time, the only stress in life we should be concerned with is our children's well-being and our ability to pay these extremely high taxes. My job is to raise healthy, thriving children. My husband's job is to make enough money to afford to live in this village and it is your job to enforce village code. We ask that you act and uphold the codes that are in place so we may all enjoy the beautiful Village of Plandome Manor.