

**INC. VILLAGE OF PLANDOME
BOARD OF TRUSTEES
Minutes of the Regular Meeting
Monday, May 11, 2015, 8:00 pm**

PRESENT: **MAYOR** Lloyd Williams
 DEPUTY MAYOR Ray Herbert
 TRUSTEE Katie Saville
 TRUSTEE Don Richardson
 CLERK/TREASURER Elizabeth Kaye

ABSENT: *Trustee Andrew Bartels*

Mayor Williams opened the meeting at 8:00 pm asking everyone to join in the Pledge of Allegiance.

Mr. Bent, Heights Road, spoke to the Board about amending the Code to restrict basements to 10' below grade. Mr. Bent's concern is with the recent building trend to construct basketball courts/recreation courts in basements where depths are up to 29'. Mayor Williams referred Mr. Bent to the Zoning Review Committee.

Dr. Swedan, Heights Road, expressed her concern with speeding on Heights Road. Her research showed that lowering the speed to 25 mph would reduce fatalities. Dr. Swedan also recommended posting more speed signs. Trustee Saville will work with Dr. Swedan to address the problem.

Annie Vetrone, Woman's Club President, requested permission to do a beautification/ landscaping planting project on the triangle outside Village Hall. This would be at the Woman's Club expense. The Board supported the project and indicated that the Highway crew would take care of watering for the first few weeks. The Parkland Fund would cover the cost of placing Belgium blocks around the triangle.

Mayor Williams opened the public hearing on three local laws; 2-2015 to rescind the Tax Cap Override Law, 3-2015 to amend Zoning Code Chapter 175 and 4-2015 to add Chapter 125, Excavation & Re-grading. For Local Law 3-2015, Deputy Mayor Herbert proposed changing the setback for detached garages from 5' to 10'. Mr. Wilson commented that the five feet was purposely proposed to encourage detached garages. There being no further comments, Mayor Williams closed the public hearing.

Upon a motion by Trustee Richardson and seconded by Deputy Mayor Herbert, Local Law 2-2015 was unanimously adopted.

Upon a motion by Trustee Saville and seconded by Trustee Richardson, Local Law 3-2015 was adopted with three Ayes. Deputy Mayor Herbert voted Nay.

Upon a motion by Trustee Saville and seconded by Trustee Richardson, Local Law 4-2015 was unanimously adopted.

Upon a motion by Trustee Richardson and seconded by Deputy Mayor Herbert, the minutes of April 13, 2015 were approved, as amended. Upon a motion by Deputy Mayor Herbert and seconded by Trustee

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Saville, the minutes of May 4, 2015 were approved with three Aye votes and one abstention by Trustee Richardson who was not at the meeting.

Public Works Report; Mayor Williams reported that the temporary laborer will be working through August 31st to help cover vacations. The Water Main public bids will be opened on May 28th.

Public Safety Report; Deputy Mayor Herbert reported on the following:

Police Report – none available

Fire Department report for March; one mutual aid, one fire, one false alarm two carbon monoxide and one natural gas call. The Ned Peyser Golf Outing was a success.

Design Review & Buildings; Trustee Saville reported that the DRB will be meeting on May 13th. Discussion was held at the PATV meeting on changing of Directors.

Utility/OEM Report; PSEG will be issuing results of its spring tree trimming. Peter Forman will be holding his first OEM meeting in a while.

Trustee Richardson discussed purchasing a clock for the Village Green. He has reached out to Tree Commissioner Betty Craco about trimming back the large pine tree in the vicinity. Parkland funds would be used to cover the cost of the clock.

The Clerk presented the Report of Receipts and Disbursements through April, 2015

Upon a motion by Deputy Mayor Herbert and seconded by Trustee Saville, the Board unanimously approved budget transfers to allow for spending on certain budget lines which otherwise would show an overage (copy of approved transfers appended to these minutes).

Trustee Richardson offered the following resolution:

RESOLUTION OF THE VILLAGE OF PLANDOME, NASSAU COUNTY, NEW YORK,
ADOPTED APRIL 13, 2015, AUTHORIZING THE REDEMPTION OF THE VILLAGE'S
PUBLIC IMPROVEMENT (SERIAL) BONDS, 2004 (THE "PRIOR BONDS");
APPROPRIATING AN AMOUNT NOT TO EXCEED \$286,090 THEREFOR; DIRECTING
THAT NOTICE OF SUCH REDEMPTION BE PROVIDED TO BONDHOLDERS OF THE
PRIOR BONDS IN THE MANNER PRESCRIBED IN THE PRIOR BONDS AND MAKING
CERTAIN OTHER DETERMINATIONS RELATIVE THERETO

WHEREAS, the Village of Plandome, Nassau County, New York (herein called the "Village"), has heretofore issued its \$1,000,000 Public Improvement (Serial) Bonds, 2004 (herein referred to as the "Prior Bonds"), pursuant to the bond resolution duly adopted by the Board of Trustees on October 14, 2003; and

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WHEREAS, the Prior Bonds are currently outstanding in the principal amounts and mature and bear interest at the rates of interest, payable on January 15 and July 15 in each year until maturity, as set forth below:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
January 15, 2016	70,000	4.20
January 15, 2017	70,000	4.30
January 15, 2018	70,000	4.40
January 15, 2019	70,000	4.50

WHEREAS, the Prior Bonds maturing on January 15, 2015 and thereafter are subject to redemption prior to maturity, at the option of the Village, in whole or in part, and if in part, in any order of their maturity and in any amount within a maturity on any date on or after January 15, 2014 at par; and

WHEREAS, the Board of Trustees has determined that is in the best interests of the Village to redeem the outstanding Prior Bonds prior to maturity and hereby adopts this Resolution to effectuate such redemption; NOW, THEREFORE,

THE BOARD OF TRUSTEES OF THE VILLAGE OF PLANDOME, NASSAU COUNTY, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. In accordance with the provisions of Section 53.00 of the Local Finance Law, the Board of Trustees of the Village (herein called the "Board of Trustees"), hereby authorizes the redemption of the Prior Bonds of the Village maturing in the years 2015 and thereafter (the "Redeemed Bonds"), currently outstanding in the principal amount of \$280,000, as more particularly described and referred to in the Recitals hereof.

Section 2. The Redeemed Bonds, which are subject to prior redemption on any date according to their terms, shall be redeemed on July 15, 2015 (the "Redemption Date"). The sum to be paid on the Redemption Date shall be \$286,090, consisting of the par value of the Redeemed Bonds, plus accrued interest to the Redemption Date; and said amount is hereby appropriated therefor to accomplish the redemption of the Redeemed Bonds.

Section 3. The Village Treasurer, acting as the chief fiscal officer of the Village, is hereby:

- (a) authorized to approve all details of the redemption of the Redeemed Bonds, and
- (b) directed to cause irrevocable notice of such call for redemption, in substantially the form set forth in **Exhibit A**, to be given in the name of the Village in accordance with the terms appearing in the Redeemed Bonds, to the registered holders of such Redeemed Bonds.

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Section 4. Upon the giving of such notice, the election to call in and redeem such Redeemed Bonds and the notice thereof given as provided in Section 3 shall become irrevocable and shall constitute a covenant with the holders of such Redeemed Bonds.

Section 5. This Resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Deputy Mayor Herbert and duly put to a vote on roll call, which resulted as follows:

AYES: four

NOES: none

The resolution was declared adopted.

EXHIBIT A

NOTICE OF REDEMPTION

To the Holders of \$1,000,000 Public Improvement (Serial) Bonds, 2004 of the Village of Plandome, Nassau County, New York, dated January 15, 2004

NOTICE IS HEREBY GIVEN that the Village of Plandome, Nassau County, New York (the "Issuer") has elected to call in and redeem on July 15, 2015 (the "Redemption Date"), all of the above-referenced Bonds (the "Redeemed Bonds") maturing in the years 2015 and thereafter, at a price of 100% of the par amount of the Redeemed Bonds, plus accrued interest, if any, to the Redemption Date. The Redeemed Bonds mature in the principal amounts and on the dates, bear interest at the rates and have the CUSIP numbers, as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP number</u>
January 15, 2016	\$70,000	4.20%	72702R AX8
January 15, 2017	70,000	4.30	72702RAY6
January 15, 2018	70,000	4.40	72702RAZ3
January 15, 2019	70,000	4.50	72702RBA7

NOTICE IS HEREBY FURTHER GIVEN that the Redeemed Bonds maturing on or after the Redemption Date should be presented and surrendered for payment as aforesaid on the Redemption Date at the office of the Village Clerk, Village of Plandome, 65 South Drive, P.O. Box 930, Plandome, New York 11030, (516) 627-1748, the paying agent of the Issuer for the Redeemed Bonds.

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NOTICE IS HEREBY FURTHER GIVEN that interest on the Redeemed Bonds shall cease to be paid after the Redemption Date.

Federal law requires the payor to withhold at the current rate of withholding from the payment if a certified taxpayer (social security) number is not provided. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

Neither the Issuer nor the paying agent shall be responsible for the selection or use of the CUSIP identification numbers printed herein or on the Redeemed Bonds nor is any representation made as to the correctness of any CUSIP identification number shown herein or printed on such Redeemed Bonds. Said CUSIP identification numbers are included solely for the convenience of the holders.

The Clerk presented the list of delinquent water (a copy of which is appended to these minutes). Upon a motion by Deputy Mayor Herbert and seconded by Trustee Saville, the Board unanimously approved the list of delinquent water to be added to the next tax levy. The Resolution to relevel water arrears was adopted at the April Board meeting.

Mayor Williams executed the Warrant for the collection of taxes for the 2015/2016 tax year:

TAX WARRANT

TO: ELIZABETH KAYE
Clerk/Treasurer & Tax Collector

YOU ARE HEREBY DIRECTED to receive and collect from the several persons named in the 2015/2016 Tax Roll hereunto annexed, the several sums stated in the "Total Tax" column thereof opposite their respective names, being a total sum of \$ 2,533,493 for the 2015/2016 Village Budget.

YOU ARE FURTHER DIRECTED to receive and collect such sums, in two (2) payments between the first day of June and the first day of July 2015 (first half payment) and between the first day of November and the second day of December 2015 (second half payment) both inclusive; and thereafter to collect with such of the sums as have not been theretofore collected, an additional charge of five percent (5%) for the first month or fraction thereof and one percent (1%) for each additional month or fraction thereof as mandated by the State of New York until paid.

YOU ARE FURTHER DIRECTED to file the Tax Roll and Warrant in your office and on the first day of February 2016 deliver to the Board of Trustees a listing of all taxes remaining due and unpaid; describing each parcel of real property upon which taxes are unpaid and the person or persons to whom the parcel is assessed.

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The Clerk presented the annual Stormwater Management Report (MS4). Trustee Saville moved to accept the MS4 report and authorize the filing with NYS Department of Conservation by the due date of June 1st. The motion was seconded by Deputy Mayor Herbert and unanimously approved.

Upon a motion by Trustee Saville and seconded by Deputy Mayor Herbert, the Abstract of Claims #12-2014-15; General Fund \$66,981.65, \$331.99, \$85.00; Water Fund \$16,799.71; Capital Fund \$2,042.26; Trust & Agency \$4,522.93, was unanimously approved.

There being no further business before the Board, Deputy Mayor Herbert moved to close the meeting at 9:55 pm. The motion was seconded by Trustee Saville and unanimously approved.

Elizabeth Kaye, Clerk/Treasurer