

Board of Trustees Meeting
Village of Baxter Estates
315 Main Street, Port Washington, New York
November 2, 2017
7:30PM

Present: Mayor Nora Haagenon
Deputy Mayor Charles Comer
Trustee Alice M. Peckelis
Trustee Doug Baldwin
Village Attorney Christopher J. Prior
Village Clerk-Treasurer Chrissy Kiernan

Also present: Luke Torrance (PW Times) and Timothy Christ

Mayor Haagenon opened the meeting at approximately 7:30PM with the Pledge of Allegiance and a verification of a quorum.

Public Hearing - Bill 7 of 2017

Mayor Haagenon opened the public hearing at approximately 7:30pm and adjourned the public hearing to December 7, 2017 at 7:30pm.

Regular Business

1. Pedestrian Safety at the Intersection of High Street and Columbia Place

Tim Christ, resident of 25 North Washington Street, addressed pedestrian safety at the intersection of High Street and Columbia Place, advising that vehicles northbound on High Street and turning left onto Columbia run the stop sign at the High/Columbia intersection in the morning and afternoon during school bus stop hours. Mr. Christ also advised that stop signs on both sides of High Street at its intersection with Columbia Place had fallen down. Clerk-Treasurer Kiernan reported that the Village Code does not authorize a stop sign on the southwest corner of the High Street/Columbia Place intersection, and related Building Inspector Joe Saladino's recommendation that the Village replace only the stop sign on the southeast corner of the High Street/Columbia intersection.

Clerk-Treasurer Kiernan reported that, in response to Mr. Christ's concerns, the Village had requested that the Port Washington School District consider feasibility of alternate school bus stop times and locations, and that the Port Washington Police increase its presence during school bus pick-up and drop-off times; Building Inspector Saladino conducted a site visit at 8am, Monday, November 1, 2017, during school bus pick-up; the Village had foliage abutting the Village's High Street retaining wall trimmed to improve visibility for pedestrians and drivers; and Building Inspector Saladino confirmed by measurement that parking restriction signage on the east side of High Street between Main Street and Columbia Place is consistent with Code.

The Board advised that it would consider the appropriateness of additional traffic control measures.

1. Resolution to Approve Expenditure for Painting of Village Stop Sign Lines

After discussion, upon motion by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to approve an expenditure not to exceed \$2,000 for the painting of stop lines at the eighteen (18) stop sign locations in the Village of Baxter Estates.

2. Approval of Meeting Minutes of August 21, 2017

On motion by Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to accept the minutes of the October 5, 2017 Meeting of the Board of Trustees as amended, as presented by Clerk-Treasurer Kiernan.

3. Tree Removal Permit – Edelstein, 29 Hilltop Road

After discussion, on motion made by Deputy Mayor Comer, seconded by Trustee Baldwin it was unanimously RESOLVED, based upon the recommendation of Commissioner Speisman, that the three (3) trees designated on the Tree Removal Permit Application by Angela Edelstein, owner of 29 Hilltop Road, attached hereto as Exhibit A, may be approved upon payment of the tree permit fee and without the requirement of replanting.

4. Tree Removal Permit Application – Kurek, 21 Hilltop Road

After discussion, on motion made by Deputy Mayor Comer, seconded by Trustee Baldwin it was unanimously RESOLVED, that the tree designated on the Tree Removal Permit Application by David and Sarah Kurek, owners of 21 Hilltop Road, attached hereto as Exhibit B, may be approved upon payment of the tree permit fee and with the requirement of replanting one tree of comparable species with a minimum two (2) inch diameter upon planting, and with the costs thereof to be borne by the applicant and inspected and approved by a Member of the Tree Commission or the Building Inspector at a mutually agreed upon date.

5. Tree Removal Permit – Demeles, 52 Sandy Hollow Road

After discussion, on motion made by Deputy Mayor Comer, seconded by Trustee Baldwin it was unanimously RESOLVED, based upon the recommendation of Deputy Tree Commissioner Reardon, that the tree designated on the Tree Removal Permit Application by Janet Demeles, owner of 52 Sandy Hollow Road, attached hereto as Exhibit C, may be approved upon payment of the tree permit fee and without the requirement of replanting.

6. Tree Removal Permit –Aitken, 9 Harborview Road

Deputy Mayor Comer recused himself from the discussion due to the tree in the property abutting his property.

After discussion, on motion made by Trustee Baldwin, seconded by Trustee Peckelis it was RESOLVED, based upon the recommendation of Deputy Tree Commissioner Reardon, that the tree designated on the Tree Removal Permit Application by Thomas Aitken, owner of 9 Harborview Road, attached hereto as Exhibit D, may be approved upon payment of the tree permit fee and without the requirement of replanting.

Nora Haagenon	Aye	
Charles Comer		Recuse
Doug Baldwin	Aye	
Alice Peckelis	Aye	

7. 2018 Village Election

Clerk-Treasurer Kiernan presented a copy of a resolution for the upcoming 2018 Village Election in accordance with Election Law Section #15-118(3).

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED as follows:

WHEREAS, the Board of Trustees hereby ratifies and confirms, with respect to all Village Elections, whenever occurring, in accordance with Election Law Section #15-118(3), that (i) there has not been, and shall be, no Village personal registration day to determine persons eligible to vote in Village elections, and (ii) voter eligibility in Village elections shall be determined in accordance with laws, rules and regulations applicable in the absence of such a Village personal registration days, unless and until the Board of Trustees, by resolution duly adopted, reinstates Village Personal Registration Day with respect to Village elections, and

FURTHER RESOLVED, that all Village of Baxter Estates residents registered with the Nassau County Board of Elections are eligible to vote in the Village Election, and

FURTHER RESOLVED that the election inspectors are selected from the list of certified inspectors supplied by the Nassau County Board of Elections, and

FURTHER RESOLVED, that the Village Election will be held on Tuesday, March 20, 2018 and that the official polling place will be Village Hall, located at 315 Main Street, Port Washington NY and said polling place shall be opened at noon of said day and shall close at 9:00 P.M, and

FURTHER RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish the legal notice in the official newspaper of the Village, the Port Washington News, in accordance with Election Law §15-104(3)(a) by no later than November 20, 2017, the offices to be filled and the terms thereof as follows:

Trustee – Two Year Term (April 5, 2018-April 1, 2020)

Trustee – Two Year Term (April 5, 2018-April 1, 2020)

8. Tianderah Road Closing

On motion by Deputy Mayor Comer, seconded Trustee Baldwin, it was unanimously RESOLVED to close Tianderah Road from December 4th, 2017 thru April 2nd, 2018.

9. Acceptance of State and Municipal Facilities Grant for Replacement of Village Hall Windows

After discussion, upon motion by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to authorize the acceptance of State and Municipal Facilities Grant for the replacement of windows at Village Hall located at 315 Main Street, Port Washington, and the execution and delivery of all related documents by the Mayor and the Village Clerk-Treasurer.

10. SEQRA - State and Municipal Facilities Grant for replacement of windows at Village Hall located at 315 Main Street, Port Washington,

BOARD OF TRUSTEES OF THE
VILLAGE OF BAXTER ESTATES
RESOLUTION IDENTIFYING DASNY GRANT FUNDED
VILLAGE HALL WINDOW REPLACEMENT
PROJECT AS SEQRA TYPE II ACTION

The following Resolution was duly adopted by the Board of Trustees of the Village of Baxter Estates (the "Board") on the 2nd day of November, 2017.

1. WHEREAS, the Board desires to replace all windows at Village Hall, 315 Main Street, Port Washington, NY 11050;
2. WHEREAS, the Board has consulted with architectural consultants, prior to undertaking a competitive bidding process, to ascertain expected project costs, and based upon such investigation, has determined that the contemplated Project costs should not exceed \$50,000;
3. WHEREAS, the Board has determined that it is in the best interests of the Village to undertake the Project, to pursue grant financing therefor, and to engage in the competitive bidding process at a time deemed appropriate by the Board;

4. WHEREAS, the contemplated Project constitutes an “action” under the New York State Environmental Quality Review Act (“SEQRA”), and the regulations promulgated thereunder by the DEC; and
5. WHEREAS, the Board finds that the contemplated Project involves the “replacement of an existing structure on the same site,” and counsel has advised the Board that same constitutes a Type II action under 6 NYCRR, Par. 617.5, requiring no further proceedings under SEQRA.

NOW, THEREFORE, the Board hereby determines that the contemplated Project involves the replacement of existing windows on the same site, which constitutes a Type II action under 6 NYCRR, Par. 617.5, requiring no further proceedings under SEQRA by the Board.

After discussion upon motion of Deputy Mayor Comer, seconded by Trustee Baldwin it was unanimously RESOLVED as follows:

The Village is hereby authorized to undertake the Project, at a maximum project cost not to exceed \$50,000, conditioned upon compliance with applicable competitive bidding laws or procurement policy, as applicable, and the receipt of bids or proposals reasonably acceptable to the Village Board.

11. Planning Board Appointments

On motion of Deputy Mayor Comer seconded by Trustee Baldwin, it was unanimously RESOLVED that the following appointments to the Village of Baxter Estates Planning Board made by Mayor Haagenson be hereby confirmed as follows:

RESOLVED, that Gerald Hallissy, Member, be appointed Chairman, and shall serve for a term that expires on the fourth anniversary of the first annual organization meeting of the Board of Trustees that occurs after the effective date of Village Code §48-1;

FURTHER RESOLVED, that Susan Athanasian, Member, shall serve for a term that expires on the third anniversary of the first annual organization meeting of the Board of Trustees that occurs after the effective date of Village Code §48-1;

FURTHER RESOLVED, Andrea Falino, Member, shall serve for a term that expires on the second anniversary of the first annual organization meeting of the Board of Trustees that occurs after the effective date of Village Code §48-1;

FURTHER RESOLVED, Brian Reardon, Member, shall serve for a term that expires on the first anniversary of the first annual organization meeting of the Board of Trustees that occurs after the effective date of Village Code §48-1; and

FURTHER RESOLVED, Peter Steincke, Member, shall serve for a term that expires at the first annual organization meeting of the Board of Trustees that occurs after the effective date of Village Code §48-1.

FURTHER RESOLVED, that upon expiration of the terms of office of each original member, each successor shall be appointed for a term of five years. Further resolved that Member Hallissy be appointed as Chairman of the Planning Board, to serve in such capacity until the Village 2018 Organizational Meeting.

12. Snow Plow Service for 315 Main Street (Village Hall Property) and Sidewalk of Shore Road owned by the Village of Baxter Estates

After discussion, upon motion of Trustee Comer, seconded by Trustee Baldwin, it was RESOLVED to extend the contract for snow plow service for 315 Main Street (Village Hall Property) and the sidewalk of Shore Road owned by the Village of Baxter Estates to Robert Keogh Inc. for an additional one year period for the same price as last year.

13. Parking Lot Lighting

After discussion, on motion by Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to approve expenditure not to exceed \$4,600 (with the General Fund portion money not to exceed \$800.00) for the trenching and installation of a light pole in the Village Hall rear parking lot for security.

14. 2018 Port Washington Fire Department Fire & EMS Protection Contract

After discussion, on motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to hold a public hearing on December 7th, 2017 for the 2018 Port Washington Fire Department Fire & EMS Protection Contract and to direct Clerk-Treasurer Kiernan to publish a legal notice in the Port Washington News.

15. Budget Modification

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to modify the budget by transferring \$4,000 from A1420.44b Litigation to A1964.4 Real Property Tax Refunds.

16. Approval of Voucher Claims

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED that the Audited Vouchers dated November 2, 2017, for the General Fund totaling \$49,846.65, be and hereby are approved as prepared by Clerk-Treasurer Kiernan.

On motion by Deputy Mayor Comer, seconded by Trustee Peckelis, it was RESOLVED to enter into Executive Session to discuss personnel matters.

Executive Session

At 10:15PM Mayor Haagenson stated that Executive Session had concluded and that no action had been taken.

17. Resolution to Appoint Ginamarie Nullet as Acting Village Clerk and Matthew Donno as Acting Village Treasurer

Mayor Haagenson reported that she has interviewed clerk and treasurer candidates to replace Clerk-Treasurer Kiernan during her twelve (12) weeks maternity leave.

After discussion, on motion by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to appoint Ginamarie Nullet as Acting Village Clerk at a rate of \$19 an hour for two full workdays, Wednesday and Friday from 9am to 4pm and for all official Village Meetings as needed including Board of Trustees, Planning Board, Board of Zoning and Appeals and the Landmarks Preservation Commission at the same hourly rate, and

FURTHER RESOLVED, that Matthew Donno be appointed Acting Village Treasurer at a rate of \$22 an hour, and

FURTHER RESOLVED, that each appointee will be appointed for a period of twelve (12) weeks commencing with the first day of Clerk-Treasurer Chrissy Kiernan's maternity leave, and

FURTHER RESOLVED, that both acting employees will be required to submit bi-weekly timesheets to be reviewed and signed by Mayor Haagenson.

18. Resolution to Open a Village Account with FedEx and United Parcel Service (UPS)

On motion by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to open a Village Account with FedEx and with United Parcel Service.

There being no further business before the Board, on motion of Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:20PM.

Chrissy Kiernan, Village Clerk-Treasurer
Clerk to the Board