

Board of Trustees Meeting
Village of Baxter Estates
315 Main Street, Port Washington, New York
October 6, 2016
7:30PM

Meeting Minutes

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

Also present: Charles Idol, Steve Maun, Thomas Gillen (Port Washington News)

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

1. Approval of Meeting Minutes

On motion of Trustee Peckelis, seconded by Trustee Baldwin it was unanimously RESOLVED to accept the minutes of the September 1, 2016 Meeting of the Board of Trustees as presented by Clerk-Treasurer Kiernan.

Mayor Haagenon	Aye	
Deputy Mayor Comer		Abstained
Trustee Baldwin	Aye	
Trustee Peckelis	Aye	

2. Port Washington- Manhasset Office of Emergency Management (PWM OEM) Commissioner Peter Forman and Administrative Assistant Correne Martinez

Commissioner Peter Forman explained that the Port Washington Manhasset OEM was created as a sub-region emergency management group that could through Inter Municipal Agreement, help one another in the event of an emergency and could more effectively lobby for emergency resources. The group's formal mission includes planning for, response to, and support of disasters, emergencies, or planned events; enhanced inter-municipal cooperation; peninsula-wide education; joint lobbying for emergency resources; and to create a Mutual Aid Agreement that facilitates the sharing of resources.

The PWM OEM recently secured a \$100,000 grant for an Emergency Management Center that is being put in place in the Village of Sands Point. Commissioner Forman stressed the importance of each village adopting and updating annually their Comprehensive Emergency Management Plan. Deputy Mayor Comer added that the CEMP Plan must be in place to receive FEMA reimbursement in the event of storm.

Commissioner Forman reported that the PWM OEM is actively engaged in establishing a Point of Dispensing (POD), which will be used to dispense preventive medication or vaccines in the event of a disease outbreak or similar health emergency.

Mayor Haagenon spoke about the North Shore Alert system, a peninsula-wide mass communication system, available to residents and businesses, to keep them informed of emergencies and certain community events. Residents can get information from the village or simply log-on to northshorealert.org.

The Board of Trustees recognized the hard work and dedication Commissioner Forman and Administrative Assistant Martinez put in to keep our community safe and thanked them for attending tonight's meeting.

3. Solar Panels

Chuck Idol, 8 Sandy Hollow Lane, spoke about solar panels and the Town of North Hempstead's push toward solar energy. He inquired as to the effects solar panel installation will have on the trees removal policy in the Village of Baxter Estates.

Clerk-Treasurer Kiernan stated that the village has already identified this as a concern and is looking at what is needed in the village code to safeguard trees..

4. Newsletter

The second Village Newsletter has been mailed out this calendar year. Newsletter highlights include finalizing a village road survey and applying for grants for capital improvements such as road repair.

Mayor Haagenon encouraged residents to attend the village's 85th Anniversary Party on December 7th from 6:30-9:30pm at Village Hall. The Mayor also suggested reaching out to our newly appointed Village Historian, Steve Howley, who is in the process of gathering history about the village.

5. Village Prosecutor Appointment

On motion of Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to ratify and confirm the appointment of MaryBeth Malloy as Village Prosecutor at the rate of \$250.00 per court appearance to fulfill an expired one year term set to expire at the next organization meeting.

The board thanked Michelle Prior for her time with the village as Village Prosecutor and wished her will in her future endeavors.

6. Tree Removal Permit - 19 Shore Road

After discussion, upon motion made by Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED, that the tree designated on the tree removal permit application by Richard Mosquera, as owner of 19 Shore Road, attached hereto as Exhibit A, may be removed conditioned upon payment of the \$50 tree removal permit fee.

7. Port Washington Fire Department (PWFD) Budget

Deputy Mayor Comer reported that approximately one quarter of village tax revenue goes toward the PWFD Contract line item. There is a proposed 1.99% increase in fire service to the Village of Baxter Estates proposed for 2017 which is a large percentage in relation to the percentage of the proposed tax cap. A public hearing for the PWFD Fire Contract will be held on November 3rd, 2016 pending delivery of a contract.

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to hold a public hearing on November 3rd, 2016 and to direct Clerk-Treasurer Kiernan to publish a legal notice in the newspaper of record as long as a contract and budget is delivered from the Port Washington Fire Department to the village at least one week prior to the date of the scheduled hearing.

8. LOSAP Inter Municipal Agreement

This item was tabled until further questions are addressed by Village Attorney Prior.

9. Franchise Audit Agreement

The Board of Trustees discussed entering into a Franchise Audit Agreement with Municipal Audit Services, LLC (MUNI) at the recommendation of the Nassau County Village Official Association (NCVOA) to pursue any Franchise Fees pursuant to certain agreements with Cable and Video Companies for certain services provided by Cable and Franchise Companies within the Village for the purpose of uncovering underpayments and other reporting errors, to recover revenue and additional payments (including penalties and interest if applicable) that may be due to the Village for any past errors resulting from erroneous reporting and/or underpayments by the Cable and Video Companies, and increase future revenue payments by causing the Cable and Video Companies to implement MUNI's recommendations to correct underreporting and underpayment errors.

On motion of Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to enter into the Franchise Audit Agreement as presented by Clerk-Treasurer Kiernan.

10. Budget Modification

On motion of Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED that the Budget Modification as presented by Clerk-Treasurer Kiernan, written below, be approved.

Budget Modification 10-6-16

- Re-appropriate \$1,947.25 from A1990 Contingent Account to A1964.4 Real Property Tax Refunds
- Re-appropriate \$15.00 from A1990 Contingent Account to A1320.4a Auditor Fees for Service - VBE

11. Tax Refunds

On motion of Trustee Baldwin, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to refund Peter Dejana, as owner of Section 5, Block 33, Lots 26, 27 & 128; Section 5, Block D, Lot 921; and Section 5 Block 4-1, Lots 24, 101, and 102; in the amount of \$6,748.46 for tax refunds as presented in the attached schedule by Clerk-Treasurer Kiernan.

12. 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 October 6, 2016 for the General Fund totaling \$54,218.37 be and hereby are approved as prepared by Clerk-Treasurer Kiernan.

13. Financial Report & Audit

Clerk-Treasurer Kiernan provided the Board of Trustees with a Financial Report & Audit.

14. BZA Refund

After discussion, upon motion duly made by Trustee Comer, seconded by Trustee Baldwin, it was RESOLVED, to refund Board of Zoning and Appeals Applicant Dr. Peter Salins, as resident of 20 Overlook Drive, in the amount of \$218.02 in connection with excess funds remaining from a Board of Zoning and Appeals (BZA) deposit of a BZA application now closed before the Village of Baxter Estates Zoning Board.

15. Holiday Party Budget

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to approve a budget for a Holiday Party, as presented by Clerk-Treasurer Kiernan, to be held on Wednesday, December 7th, 2016 to commemorate the 85th anniversary of the incorporation of the Village of Baxter Estates at Village Hall, open to all residents, in an amount not to exceed \$500.

16. Court Grant

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Baldwin, RESOLVED that the Village of Baxter Estates is hereby authorized to submit an application to the New York State Court System for a Justice Court Assistance Program Grant in an amount not to exceed \$30,000.

17. Audited Financial Statements

This item was tabled until the next Board of Trustees Meeting.

18. Public Works & Public Safety Report Prepared by Clerk-Treasurer Kiernan

Public Works Report: Prepared by Clerk-Treasurer Kiernan

1. PW Water Pollution Control District- Nothing to report.
2. Meadow Carting- Garbage- Nothing to report.
3. Trees- Two trees deemed dangerous were removed on village property adjacent to 33 Bayside.
4. Landscaping- Poison ivy was sprayed at the north and south intersections of Hilltop and Overlook Drive.

5. Public Works- Miscellaneous- Nothing to report.
6. Catch Basin/Road/Curb Projects - Clerk-Treasurer Kiernan is evaluating which catch basins are in need of reconstruction this year based on a report provided by Robert Keogh Inc. in consultation with Building Inspector Joe Saladino.
7. Solid Waste Management- NH Recycling Center on West Shore Road-Nothing to report.
8. Albertson Electric- Lighting Poles- A line was respliced between 5 and 7 Overlook Drive.
9. Signs- Nothing to report.

Public Safety Report

1. Police - The Police Department asked if the village could reach out to Nassau County to have stop lines painted at stop signs on Central Drive. Clerk-Treasurer Kiernan has contacted the Nassau County Road Maintenance Department and was told it would be taken care of.
2. Fire Department - No report provided.

Utility Report

1. PSEG Long Island- Mayor Haagenson was notified that PSEG will be going around the village and trimming trees in dangerous areas.
2. National Grid- Clerk-Treasurer Kiernan has continued to monitor the road repair on Locust Avenue with National Grid.
3. Port Washington Water District- Nothing to report.

On motion of Mayor Haagenson seconded by Trustee Baldwin, it was RESOLVED to enter into Executive Session to discuss potential litigation.

Executive Session

At 9:35PM, Mayor Haagenson stated that Executive Session had concluded and that no action had been taken.

19. Appointment of Chuck Idol to the Manhasset Bay Protection Committee

On motion of Deputy Mayor Comer, seconded by Trustee Baldwin, it was unanimously RESOLVED to confirm the appointment of Chuck Idol as a representative to the Manhasset Bay Protection Committee, for an unexpired term set to expire one day prior to the next organizational meeting.

20. Survey for property adjacent to 13B Hillside Avenue

On motion of Mayor Haagenson, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to approve a title search not to exceed \$500 for a portion of property situated between 13B Hillside Avenue and Hillside Avenue as described by Attorney Prior.

There being no further business before the Board, on motion of Mayor Haagenson, seconded by Trustee Peckelis, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:35PM.


Chrissy Kiernan, Village Clerk-Treasurer
Clerk to the Board

Exhibit A

Fee Paid
350
10/14/16

Incorporated Village of Baxter Estates

APPLICATION FOR TREE REMOVAL PERMIT

A TREE MAY NOT BE REMOVED WITHOUT A PERMIT IF:

It has a trunk twenty (20) inches or greater in circumference at a point three (3) feet above grade. For further requirements see Section 161.12 of Article II of the Zoning Ordinance.

DATE 9/16/16

OWNER NAME: Rub Mosquera TEL. NO 576 510 9770
ADDRESS 19 Shore Road

TREE REMOVAL COMPANY
NAME Tericho Contractor TEL. NO 576 888 4999
ADDRESS _____

REASON FOR REMOVAL (If reason is disease, submit written statement by qualified persons stating nature and prognosis of disease).

MARK TREES REQUESTED TO BE REMOVED.

- SUBMIT:**
1. Survey of property.
 2. Sketch a plan of area indicating:
 - a) location and size of trees to be removed.
 - b) location of any proposed improvement on the property.
 - c) Any additional information the Board of Trustees may deem necessary for evaluation of the application including documentation as to the condition of the tree.

PROPERTY OWNER GIVES PERMISSION FOR THE TREE COMMITTEE TO INSPECT THE TREE IN THE OWNERS ABSENCE.

Property Owner Signature [Signature]

TREE STUMP MUST BE REMOVED TO GROUND LEVEL

This application is for a permit authorizing the removal of the specific trees identified by the applicant. Once issued the permit will authorize the removal of the specifically identified trees and none other.

APPROVED BY Chrissy Keenan
 DISAPPROVED DATE October 14, 2016

IMPORTANT: NO TREE IS TO BE REMOVED UNTIL AN AUTHORIZED SIGNED PAID PERMIT IS IN THE POSSESSION OF THE PROPERTY OWNER OR THEIR AGENT