Board of Trustees Meeting  
Village of Baxter Estates  
via Zoom Videoconference with Telephonic Capability  
May 6, 2020  
7:30PM  

Meeting Minutes  

Participating via Videoconference:  
Mayor Nora Haagenson  
Deputy Mayor Charles Comer  
Trustee Doug Baldwin  
Trustee Christopher Ficalora  
Trustee Alice M. Peckelis  
Village Clerk-Treasurer Chrissy Kiernan  
Superintendent of Buildings Robert Barbach  
Village Attorney Christopher J. Prior, Esq. - departed at 8:15pm  

Absent: None  

Also Participating via Videoconference: Jennifer Devlin (court reporter), Jim Antonelli (Village Engineer)  

Mayor Haagenson opened the Meeting of the Board of Trustees hosted via Zoom videoconference with telephonic capability at approximately 7:30PM with a verification of a quorum and began the regular meeting with a roll call.  

1. Approval of Meeting Minutes of April 2, 2020  

On motion of Deputy Mayor Comer, seconded by Trustee Ficalora, it was unanimously RESOLVED to accept the minutes of the April 2, 2020 Meeting of the Board of Trustees, as amended, as presented by Clerk-Treasurer Kiernan.  

2. Covid-19 Pandemic Update as it related to Village Business  

Mayor Haagenson addressed the status of the Village of Baxter Estates operations during the Covid-19 Pandemic. The Mayor acknowledged the residents of the Village for following the guidelines of New York State. The Mayor also noted that, while the Village Office remains closed to the public, a Plexiglas shield will be installed for the Clerk’s desk in anticipation of reopening, to provide a barrier between Village staff and visitors to Village Hall.  

Mayor Haagenson also reported that she attended a videoconference meeting organized by Port Washington-Manhasset Office of Emergency Management Commissioner, Peter Forman, which included doctors from St. Francis Hospital, Manhasset, NY, who provided attendees with helpful information.  

3. 2020 Stormwater Report  

Village Engineer Jim Antonelli provided a review of the Village 2020 Stormwater Report he prepared at the request of the Village. He noted that he updated information from last year’s report, including an observation of outfalls and interconnects, defining water bodies, examining active sites of land disturbance including enforcement actions if they apply, municipal functions such as catch basin cleaning, and the data and activities provided by Nassau County and Manhasset Bay Protection Committee, which are able to be included in the Village’s report. Mr. Antonelli also discussed the 6 control measures of the report and confirmed that the Draft Report had been posted on the Village Website for comment prior to submission. The report is due on June 1, 2020 and will require the Mayor’s signature.
4. Resolution to Authorize Mayor Haagenson to Execute 2020 Stormwater Report

On motion by Trustee Ficalora, seconded by Deputy Mayor Comer, it was unanimously RESOLVED to authorize Mayor Haagenson to execute the 2020 Stormwater Report as presented by Village Engineer Jim Antonelli, and discussed by the Board of Trustees.

5. Hillside Avenue Roadwork - State and Municipal Facilities Grant Project ID #13162

Village Engineer Jim Antonelli presented the scope of work and a budget for roadwork on the upper portion of Hillside Avenue in follow-up to a contemplated project plan which, while discussed at the March Board Meeting, had been tabled.

Mr. Antonelli described the contemplated scope of the roadwork project for Hillside Avenue to include 520 linear feet of resurfacing from the intersection of Overlook and Hillside to the common lot line between #13 and #11 Hillside, including 140 feet of mortar curb replacement and 115 feet of curb resetting, which is the Base Project. The Board addressed with the Village Engineer the feasibility of expanding the project to include resurfacing beyond the Base Project, to the intersection of Shoreview Road and Hillside Avenue, the Extra Project, and the possibility of soliciting bids in the alternative, for the Base Project only, and for the Base Project plus the Extra Project.

6. Resolution Authorizing Hillside Avenue Roadwork - State and Municipal Facilities Grant Project ID #13162

BOARD OF TRUSTEES OF THE
VILLAGE OF BAXTER ESTATES
RESOLUTION IDENTIFYING DASNY GRANT FUNDED
PROJECT ID #13162
VILLAGE ROAD IMPROVEMENTS
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 6th day of May 2020.

1. WHEREAS, the Board desires to rehabilitate and/or replace portions of certain Village public roads and curbing;
2. WHEREAS, the Board has consulted with engineering consultants and contractors, 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 or rehabilitation of an existing structure or facility 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 or rehabilitation of existing Village roads and curbing 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 Trustee Baldwin, seconded by Trustee Ficalora 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, with bidders invited to submit proposals in the alternative, for the Base Project, and for the Base Project plus the Extra Project.

7. Resolution to file Village Tax Roll and Warrant for fiscal year 2020-2021 with Village Clerk-Treasurer and to authorize Village Clerk-Treasurer to publish Legal Notice for Tax Collection

On motion by Deputy Mayor Comer, seconded by Trustee Ficalora, it was unanimously RESOLVED to file the Village Tax Roll and Warrant for the fiscal year 2020-2021 with the Village Clerk-Treasurer and to authorize the Village Clerk-Treasurer to publish a Legal Notice for Tax Collection.

8. Resolution to Appoint Village Associate Justice Gale Berg

Village Attorney Prior addressed the need to re-appoint the Associate Village Justice, notwithstanding the Governor’s Executive Order automatically extending the terms of elected village officials through the re-scheduled village election, and the provisions of the New York State Public Officers Law, which address holdovers in elected and appointed positions. Mr. Prior advised that neither applies to the position of Associate Village Justice, and so the position has been vacant since the first Monday in April. Therefore the Village must act in order for Associate Village Justice Gale Berg to continue to serve in that capacity.

On motion by Deputy Mayor Comer, seconded by Trustee Ficalora, it was unanimously RESOLVED that Gale Berg be appointed Associate Village Justice for a term to expire one day before the April 2021 Annual Meeting.

9. Removal of Four (4) Village Trees on Village property located at 315 Main Street, Port Washington

Village Clerk-Treasurer Kiernan reported that Village Arborist Richard Gibney was asked to provide a tree condition analysis, attached hereto as Exhibit A, of trees on village owned property at 315 Main Street, Port Washington, at the request of the Village Engineer, in anticipation of repaving the driveway and parking lot, and replacing the retaining wall located on the westerly side of the property. The report concludes that four trees should be removed to accommodate the project, and that one of the four trees located near the retaining wall that will be replaced was in danger of falling onto Village Hall during excavation. Village Clerk-Treasurer Kiernan circulated five estimates received to remove the 4 trees.

On motion by Trustee Ficalora, seconded by Deputy Mayor Comer, it was RESOLVED that the Village award the work to We Care Tree Service, a licensed VBE groundskeeper, and the lowest responsible proposal in the amount of $2,500.00.

10. Resolution to Enter Into New York State Office of General Services (NYS OGS) Centralized Contract for Road Salt and Treated Salt Types 1 & 2

Village Clerk-Treasurer reported that the New York Office of General Service Procurement Services has put out to bid a contract for the purchase of road salt, which will be available to the Village if the Village elects to participate, as it did this past year. The Village would need to commit to purchase from the eventual contractor to whom the NYS Contract is awarded, at the awarded price. The minimum annual requirements are 22 tons (44,000 lbs.). The Village must purchase at least 70% of its requirement and is guaranteed the ability to purchase up to 150% of the filed requirement. Order quantities over 120% of the filed requirement are subject to a 10% price increase. Ordered quantities over 130% of the filed requirement will be subject to at least a 15% price increase.

After discussion, on motion by Deputy Mayor Comer, seconded by Trustee Ficalora, it was RESOLVED to enter into a NYS OGS General Services Centralized Contract for Road Salt and Treated Salt Types 1 & 2 between September 1, 2020 and August 31, 2021 with a seasonal commitment of 40 tons.
11. Resolution to Approve Proposal by Village's IT Servicer, Mitch Schwartz, Millenium Software LLP for the Purchase of Two Computers, Computer Monitors and Microsoft Office Software Licensing as Needed

After discussion, on motion by Trustee Baldwin, seconded by Trustee Ficalora, it was unanimously RESOLVED to approve the proposal for the purchase of two office computers provided by the Village's IT Servicer, Mitch Schwartz, Millenium Software LLP, in the form attached as an exhibit (Exhibit B) to these minutes, in an amount not to exceed $1,044.30 per computer, as well as monitors and Microsoft Office Software licensing, if needed as discussed, as presented in the proposal with the option to purchase either the computer model listed in the proposal or a comparable model with equivalent or better specifications.

12. Resolution To Approve Estimate for Fence Repair at Tianderah Road and Central Drive

Mayor Haagenson reported that Village Clerk-Treasurer has requested estimates for the repair of the Village owned fence located at the corner of Tianderah Road and Central Drive. The Village has received only one estimate to date, for $1,700, and will continue to seek additional estimates, but the Mayor requested authority to commit to the project at an amount not to exceed the sole proposal received to date.

After discussion, upon motion by Trustee Baldwin, seconded by Trustee Peckelis, it was unanimously RESOLVED to authorize Mayor Haagenson to cause the Village to enter into a contract for the repair of the Village owned fence located at the corner of Tianderah Road and Central Drive before fiscal year-end at a cost not to exceed $1,700.00, with a contractor deemed acceptable to the Mayor.

13. Deficit Bonding for Villages

Mayor Haagenson reported that the Executive Committee of the New York State Bar Association Section on Local and State Government Law legislative committee has drafted deficit-bonding legislation to be proposed to the New York State Legislature in anticipation that many local governments will see budget deficiencies in the present and coming years.

14. Budget Modification

Clerk-Treasurer Kiernan presented a proposed budget modification for the 2019-2020 Budget.

After discussion, upon motion by Trustee Baldwin, seconded by Trustee Ficalora, it was unanimously RESOLVED to approve the Budget Modification attached hereto as Exhibit C, as presented by Clerk-Treasurer Kiernan.

- A1110.1 · Village Court Personal Services  500.00 increased
- A1410.20 · Clerk Equipment  1,500.00 increased
- A1420.44b · Law Litigation - Other  -10,000.00 reduced
- A1420.46 · Law Codification  -5,225.00 reduced
- A1620.43 · Building Utilities  500.00 increased
- A1620.44 · Building Contractual  20,000.00 increased
- A1950.4 · Taxes on Municipal Property  -1,088.09 reduced
- A3410.43 · Fire Insurance  -830.17 reduced
- A3620.4 · Building Contractual  100.00 increased
- A5142.44 · Snow Removal Contractual  -8,170.00 reduced
- A5182.4 · Street Lighting  773.33 increased
- A8140.4 · Storm Sewers  2,695.00 increased
- A8510.4 · Community Beautification  3,552.00 increased
- A8560.4 · Shade Trees  -2,000.00 reduced
- A9040.8 · Workers Compensation  -1,190.68 reduced
- A9050.8 · Unemployment Insurance  -1,116.39 reduced

15. Approval of Voucher Claims
After discussion, upon motion made by Trustee Ficulora, seconded by Deputy Mayor Comer, it was unanimously RESOLVED that the Audited Vouchers dated May 6, 2020 for the General Fund totaling $35,822.21, be and hereby are approved as prepared by Clerk-Treasurer Kiernan.


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

17. Resolution to Authorize Purchase of Two Tablets for the Building Department

Upon motion by Trustee Ficalora, seconded by Deputy Mayor Comer, it was RESOLVED to purchase two tablets for the Building Department per the 2019-2020 approved Budget.

18. Public Works & Public Safety Report

Clerk-Treasurer Kiernan provided a public works and public safety report.

19. Update on Municity 5 Parcel Management Software

Trustee Baldwin communicated that the Municity 5 Parcel Management Cloud-based Software will eventually have a public facing view and noted that the Board will eventually provide recommendations to the Building Department and Clerk's Office on what that may look like.

20. International Municipal Clerk's Week

Mayor Haagenson noted that this week is International Municipal Clerk's Week and thanked Clerk-Treasurer Kiernan for her work in the Village.

There being no further business before the Board, on motion of Deputy Mayor Comer, seconded by Trustee Ficalora, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 8:39pm.

Christina R. Kiernan, Village Clerk-Treasurer
Ms. Chrissy Kiernan, Village Clerk-Treasurer  
Inc. Village of Baxter Estates  
315 Main Street  
Port Washington, New York 11050

Re: Trees at Village Hall

Dear Ms. Kiernan:

As per your request, I inspected the Village property adjacent to the Village Hall Building regarding the trees. The following are my observations and recommendations.

Observations
I looked at the Norway Maple tree southwest of the Village Hall Building at your request and I also looked at several other trees on the property that need attention. Including the Maple in question, there are four trees I would recommend for removal as described below:

Recommendations
The following is a list of trees I recommend for removal along with a description of their condition.

- The 25" caliper Norway Maple southwest of the building has a decaying base cavity and the proposed retaining wall work will further affect its stability. Its proximity to the structure make it a relatively high risk;

- The 23" caliper Sycamore Maple on the front/east property line is in poor condition with major trunk and limb defects;

- The 24" caliper Ash tree in the rear of the northeast corner of the building leans over the structure. Its high canopy and poor base condition make it a high risk to the structure in windy conditions;

- The 20" caliper Sycamore Maple adjacent to the Ash tree is in poor condition with major trunk and crown defects.

While the Norway Maple and the Ash trees are not unhealthy, they pose a threat to the historic structure. This threat should be eliminated as neither of these trees add any value to the property. I would recommend planting smaller scale trees within thirty feet of the building to minimize or eliminate the future threat of damage as the result of tree failure. We can assist with this planning if necessary.

Please call me with any questions.

Sincerely,

Richard W. Gibney RLA / ISA

RWG:dh
The description below is what I’d recommend. It’s $1,044.30. If we instead buy from the outlet, which is where I buy 95% of my machines, we can get the same machine, with double the hard drive space, for $915 each. Same 3 year on site warranty for both. If we go the outlet route, we should do it soon as it depends on current inventory.

OptiPlex 7070 Small Form Factor

$1,044.30

Intel® Core™ i7-9700 (8 Cores/12MB
1.8T/3.0GHz to 4.7GHz/65W); supports
Windows 10/Linux

Windows 10 Pro 64bit English, French, Spanish

16GB 1x16GB 2666MHz DDR4 Memory

M.2 256GB PCIe NVMe Class 40 Solid State
Drive

Starting Price $1,770.00

Total Savings $725.70

Price $1,044.30

Mitch Schwartz
VP Technical Services
Millenium Software Ltd.
1354 Port Washington Blvd.
Port Washington, NY 11050
516-526-4576
mschwartz@milleniumsoft.com
www.milleniumsoft.com
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*Note: 2020-2021 data is subject to audit. Fiscal year ends June 30, 2021.*