

Board of Trustees Meeting
Village of Baxter Estates
March 9, 2023
6:45 PM

Meeting Minutes

Present: Mayor Nora Haagenson
Deputy Mayor Charles Comer
Trustee Alice Peckelis
Trustee Maria Branco
Village Clerk-Treasurer Meghan Kelly
Village Attorney Christopher Prior, Esq.

Absent: Trustee Jeffrey Eluto

Also Present: Todd Drucker, Phil Daly, Cameryn Oakes

1. Work Session

The Board convened their work session at 6:45PM and discussed the 2023 Tentative Budget and various grant opportunities.

2. Executive Session

The Board entered Executive Session at 7:08 PM to discuss legal issues pertaining to a pending contract negotiation.

At 7:29 PM, Mayor Haagenson stated that Executive Session had concluded and that no action had been taken.

3. Public Hearing – Bill 1 of 2023, a proposed local law amending the Village Code, to add a new Chapter 146, “Rental Dwelling Units,” to regulate the rental of residential property within the Village.

At approximately 7:30 PM Mayor Haagenson opened the Public Hearing duly advertised in the February 15, 2023, issue of the Port Washington News to consider Bill 1 of 2023.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to adjourn the Public Hearing to the April 4, 2023 Board of Trustees Meeting at 7:30 PM.

A verbatim transcript of the Public Hearing is annexed to and incorporated into these minutes.

4. Mayor’s Statement on Governor Kathy Hochul’s New York Housing Compact

If Governor Kathy Hochul’s New York Housing Compact, included by the Governor in her proposed 2023/24 State budget, is enacted, Baxter Estates would not have the ability to prohibit multi-family housing within the residential areas of the village. This mandate creates a very slippery slope. There are many negative consequences to this proposal, too numerous to list here.

The mandate takes away Home Rule, provided in Article IX of the New York State Constitution. Therefore, Baxter Estates is opposed to the New York Housing Compact as written. It would destroy the fabric of our community and the quality of life that village residents have enjoyed since our village was incorporated in 1931.

The Mayor reported on the series of public events for Long Island government officials opposing the proposal in recent weeks that she has attended on behalf of the Village.

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Deputy Mayor Comer and Trustee Branco reported that they had been in contact with New York State Assemblywoman Sillitti and NYS Senator Jack Martins to express their opposition to the proposal.

5. Public Comment

Residents Todd Drucker and Phil Daly were in attendance and expressed their support for the Mayor and the actions taken to oppose the mandate.

6. Approval of Meeting Minutes of February 1, 2023.

On a motion by Trustee Peckelis, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED** to accept the draft minutes of the February 1, 2023, Regular Meeting of the Board of Trustees.

7. Approval of Meeting Minutes of February 28, 2023.

On a motion by Deputy Mayor Comer, seconded by Trustee Peckelis, it was unanimously **RESOLVED** to accept the draft minutes of the February 28, 2023, Special Meeting of the Board of Trustees.

8. Approval of Meeting Appeal by Todd and Sherene Drucker of 5 Overlook Drive of Building Fees Assessed

After discussion, on a motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED**, that the building fee calculated by the Village Superintendent of Buildings with respect to the building permit sought by residents Todd and Sherene Drucker of 5 Overlook Drive to perform substantially the same work completed in November 2021, under a separate building permit as to which all required fees were paid, but which was damaged in a recent severe weather event, shall be reduced from \$1,064.10 to \$ 500, in light of all relevant circumstances.

9. Village Parkland Discussion

A potential volunteer clean-up of the Village Parkland was discussed with resident Phil Daly.

10. Resolution to Amend the January 4, 2023 Resolution, to Approve the Port Washington Fire & EMS Protection Contract commencing January 1, 2023 and ending December 31, 2023.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED**, that the resolution adopted on January 4, 2023, approving a prior draft of the 2023 Port Washington Volunteer Fire & EMS Protection Contract commencing January 1, 2023 and expiring December 31, 2023, be, and it hereby is, rescinded, and the Board hereby approves the 2023 Port Washington Volunteer Fire & EMS Protection Contract commencing January 1, 2023 and expiring December 31, 2023, at a cost to the Village of \$120,502.00 which does not include contributions made towards the Length of Service Awards Program (LOSAP), with such amendments thereto as are acceptable to the Mayor and the Village Attorney, as discussed with PWFD representative Chris Bollerman.

11. Resolution to Accept Proposal from Hefferin Tree for Removal of Dangerous Tree in front of 10 Hillside Avenue.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept the proposal from Hefferin Tree in the amount of \$3,750.00 to remove the dangerous tree in front of 10 Hillside Avenue and to grind the stump below grade.

12. Resolution to Accept 2023 Landscaping Contract Proposal from Creative Landscaping by Cow Bay Inc.

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On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept the proposal from Creative Landscaping by Cow Bay Inc. in the amount of \$5,475.00 for landscaping on Village owned properties for the 2023 Season.

13. Resolution to Schedule a Public Hearing on April 4, 2023, to consider the 2023-2024 Village Budget for the year commencing June 1, 2023, and ending May 31, 2024.

On motion by Trustee Peckelis, seconded by Deputy Mayor Comer, it was unanimously **RESOLVED** to schedule a public hearing on April 4, 2023, to consider the 2023-2024 Village Budget for the year commencing June 1, 2023, and ending May 31, 2024.

14. Resolution to Re-Open Tianderah Road on April 1, 2023, subject to weather conditions as determined by the Mayor.

On motion by Deputy Mayor Comer, seconded by Trustee Peckelis, it was **RESOLVED** to re-open Tianderah Road on April 1, 2023, subject to weather conditions, as determined by the Mayor.

15. Resolution to Accept Home Run Electric's Proposal for Backyard Electric Work

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept the proposal from Home Run Electric in the amount of \$3,500.00 for backyard electric work, to include extra lighting and a new outlet in the shed.

16. Resolution to Accept Village Engineer Jim Antonelli's Proposal for 2023 MS4 Annual Report Services.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to accept Village Engineer Jim Antonelli's proposal in the amount of \$2,800.00 to prepare the Village's 2023 Annual MS4 Report.

17. Approval of Vouchers

On motion made by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** that the Abstract of Audited Claims, dated March 9, 2023, for the General Fund totaling \$66,613.98 are approved for payment.

18. Financial Report & Audit

Clerk-Treasurer Kelly provided the Board of Trustees with the Financial Report and recommended budget modifications.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to authorize Village Clerk-Treasurer Kelly to make the following budget modifications for the 2022-2023 Fiscal Year:
\$2,000.00 from A5182.4 – Street Lighting to A1410.44 – Clerk Contractual Expenses

19. Clerk's Public Works & Public Safety Report

Village Clerk-Treasurer Kelly provided a Public Works & Public Safety Report.

20. Resolution to Allow Village Clerk Treasurer to Solicit Bids to Repair Hilltop Road Catch Basins

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to authorize the Village Clerk-Treasurer to solicit bids in accord with competitive bidding requirements to

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repair the catch basins on the bottom of Hilltop Road and to repair the undermined roadway above it, per the specifications of SHL Engineering.

There being no further business before the Board, on motion made by Deputy Mayor Comer, seconded by Trustee Peckelis, it was unanimously, **RESOLVED** that the meeting be and hereby is adjourned at 9:20 PM.

Meghan Kelly, Village Clerk-Treasurer