

Board of Trustees Meeting
Village of Baxter Estates
April 3, 2024
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 J. Prior, Esq.

Also Present: Yasmine Legendre, Hon. Corey Worcester, Joseph Zirpolo, Kimberly Keiserman, Barbara Cohen, Gary Cohen

Absent: Trustee Alexander Price

1. Work Session

The Board convened their work session at 6:45 PM and discussed several topics including property maintenance issues, building repairs, and Hilltop Road remediation.

2. Public Hearing - Budget for the Fiscal Year commencing June 1, 2024, and ending May 31, 2025

Mayor Haagenson opened the public hearing duly advertised in the February 21, 2024, issue of the Port Washington News, to consider the Budget for the Village's fiscal year commencing June 1, 2024, and ending May 31, 2025.

At 7:32 PM, on motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to close the public hearing.

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to adopt the 2024-2025 Tentative Budget for the fiscal year commencing June 1, 2024, and ending May 31, 2025, attached hereto as Exhibit A. Total appropriations in the newly adopted budget are \$915,659.00 which includes Estimated Revenues, other than Real Property taxes, of \$117,620.00 and Unrestricted Surplus to be appropriated in the amount of \$106,152.00 and a total tax levy of \$691,887.00 which is within the 2% Tax Cap. The established tax rate is \$118.380 per one hundred dollars of assessed valuation.

3. Village Appointments

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** that the appointments listed below, as made by Mayor Haagenson, are hereby approved.

MAYORAL APPOINTMENTS

Village Attorney Christopher Prior administered the oath of office to the elected and appointed officials who attended the meeting.

On a motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** that the appointments listed below, as made by Mayor Haagenson, are hereby approved.

MAYORAL APPOINTMENTS

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VBE Boards

Board of Zoning Appeals, 5 Year Term (2024-2029)	Joseph Zirpolo
Planning Board, 5 Year Term (2024-2029)	Kimberly Keiserman
Landmark Preservation Committee, 5 Year Term (2024-2029)	Peter Salins
Board of Zoning Appeals, Alternate, 1 Year Term	Ron Lefton
Tree Commissioner, 1 Year Term	Josh Speisman
Tree Commissioner, 1 Year Term	Michael Malloy
Tree Commissioner, 1 Year Term	Pedro Avila
Alternate Tree Commissioner, 1 Year Term	David Abrams

Chairpersons for a one-year term to expire one day prior to the April 2025 Organizational Meeting:

Dr. William Haagenson, Chairperson, Board of Zoning and Appeals
Kimberly Keiserman, Chairperson, Planning Board
Dr. Peter Salins, Chairperson, Landmarks Preservation Commission
Joshua Speisman, Chairperson, Tree Commission

Village Representatives for a one-year term to expire one day prior to the April 2025 Organizational Meeting:

Associate Village Justice	Gale D. Berg
Commissioner of Public Works	Alice Peckelis
Snow Commissioner	Maria Branco
Fiscal Officer	Mayor Haagenson
Road Commissioner	Charles Comer
Deputy Mayor	Charles Comer
Deputy Registrar of Vital Statistics	Town of North Hempstead's Deputy Clerk
Flagmaster	Laurence Tuck
Manhasset Bay Protection Committee	Mayor Haagenson, Maria Branco
Nassau County Village Officials Assoc.	Mayor Haagenson, Trustees, Clerk-Treasurer Kelly
Chamber of Commerce	Mayor Haagenson, Clerk-Treasurer Kelly
Emergency Management	Mayor Haagenson, Alice Peckelis
Registrar of Vital Statistics	Town of North Hempstead's Clerk Ragini Srivastava
Storm Water Runoff Officer	Charles Comer
Village Arborist	Richard Gibney
Village Attorney	Christopher J. Prior
Village Prosecutor	MaryBeth Malloy

Village Staff:

Deputy Village Clerk, 1 year term	Elisabeth Roberts
Village Court Clerk, 1 year term	Dawn Ward
Superintendent of Buildings, 1 year term	Robert Barbach
Code Enforcement Official, 1 year term	Joshua Speisman

4. Presentation of 25 Year Certificate to Deputy Mayor Charles Comer

Mayor Haagenson presented Deputy Mayor Charles Comer with a Certificate of Twenty-Five Years of Public Service, recognized by the New York State Conference of Mayors (NYCOM), in appreciation for his dedication and many years of service to the Village.

5. Organizational Meeting Resolutions

After discussion and on motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously, **RESOLVED** as follows:

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To accept the Code of Ethics, originally adopted by the Board of Trustees of the Village of Baxter Estates on January 21, 1971, and amended where noted. Clerk-Treasurer Kelly was instructed to distribute said Code of Ethics to all public officers and employees of the Village of Baxter Estates for signature; and

FURTHER RESOLVED that the Village Board of Trustees re-adopts the Rules and Procedure for the Village of Baxter Estates originally adopted by the Board of Trustees on April 7, 2016, in accordance with Village Law § 4-412; and

FURTHER RESOLVED that the Board of Trustees designate April 2, 2025, as the date of the next Village Organizational Meeting; and

FURTHER RESOLVED to appoint the law firm of McLaughlin & Stern LLP to provide legal services for the Village's official year ending April 2025 under the retainer agreement dated February 14, 2024; and

FURTHER RESOLVED that the Port Washington News be and hereby is designated as the official newspaper for the Village of Baxter Estates for the official year ending April 2025; and

FURTHER RESOLVED that The First National Bank of Long Island be and hereby is designated as the authorized depository for Village funds for the year ending April 2025 and that the Village is authorized to accept from the bank letters of credit in forms to the extent permitted under NYS General Municipal Law Section 39, as collateral to secure Village funds deposited with such depository; and;

FURTHER RESOLVED that Mayor Nora Haagenson, Deputy Mayor Charles Comer and Clerk-Treasurer Meghan Kelly be the sole officials hereby authorized on all Village accounts, requiring any two signing together, with The First National Bank of Long Island for the year ending April 2025; and

FURTHER RESOLVED that Mayor Nora Haagenson, Deputy Mayor Charles Comer, Clerk-Treasurer Meghan Kelly, and Elisabeth Roberts, be the sole officials hereby authorized to hold Village Visa ® credit cards with The First National Bank of Long Island for the year ending April 2025; and

FURTHER RESOLVED that Chase Bank be and hereby is designated as the authorized depository for Justice Richard Corey Worcester for Village Court Funds and First National Bank of Long Island for Associate Justice Gale Berg for the year ending April 2025; and

FURTHER RESOLVED to re-adopt the following Village Policies, as prepared and presented by Village Attorney Prior

- Investment Policy
- Capitalization Policy
- Procurement Policy
- Freedom of Information Law (FOIL); and

FURTHER RESOLVED to re-adopt the Village's Comprehensive Emergency Management Plan, as prepared and presented by Mayor Haagenson, available in the Clerk's Office; and

FURTHER RESOLVED to re-adopt the Village's Nondiscrimination, Anti-Harassment, and Workplace Violence Prevention Policy and Complaint Procedure, as prepared and presented by Mayor Haagenson; and

FURTHER RESOLVED to re-adopt the Village's Sexual Harassment Prevention Policy and Complaint Procedure, as prepared and presented by Mayor Haagenson; and

FURTHER RESOLVED that pursuant to Village Law § 5-524(6), this Board authorizes certain payments in advance of its audit of claims, in order to provide for the smooth, continuous and proper operation of the

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Village's affairs; the Clerk-Treasurer is hereby authorized to make payment in advance of audit of claims for payroll, employee benefits, postage, electric, gas, water, sewer, telephone and internet services, cable, village credit cards, freight and express charges; and all such claims shall be presented at the next regular meeting for audit; and the claimant and the officer incurring or approving the claim shall be jointly and severally liable for any amount disallowed by this Board and that this resolution be effective immediately; and

FURTHER RESOLVED that the following officers and employees, Meghan Kelly and Elisabeth Roberts, are authorized to attend the following schools and conferences with prior approval of the Mayor to the extent contemplated by the budget: a) New York Municipal Clerks Institute (NYMCI) b) NYCOM's Fall Training School, and c) the following association meetings and conferences: Long Island Village Clerks & Treasurers Association and the Nassau County Village Officials Association and that this resolution be effective immediately; and

FURTHER RESOLVED that pursuant to Village Law § 5-524(7), the actual and necessary expenses of the Village Clerk-Treasurer, Mayor, Deputy Village Clerk, Superintendent of Buildings and Code Enforcement Official incurred when performing their official duties are a village charge, therefore the Board of Trustees has determined to pay a fixed standard rate for mileage at a rate equal to the most up-to-date rate as established by the Internal Revenue Service (IRS), as reimbursement to the Village Clerk-Treasurer, Mayor, Deputy Village Clerk, Superintendent of Buildings and Code Enforcement Official when they use their personal automobiles while performing their official village duties.

6. Approval of Budget Workshop Meeting Minutes of March 6, 2024

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was **RESOLVED** to accept the minutes of the March 6, 2024, budget workshop meeting of the Board of Trustees.

7. Approval of Meeting Minutes of March 6, 2024

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was **RESOLVED** to accept the minutes of the March 6, 2024, meeting of the Board of Trustees.

8. Public comment period

Mayor Haagenson invited public comment and noted that there were no comments from members of the public.

9. Audit of Proposed Assessment for Property Maintenance at 133 Main Street

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to approve the proposal from Robert Keogh, Inc. in the amount of \$215.00 to board up the open window at 133 Main Street, following the failure of the record owner to respond to notices sent by the Village to such owner to remedy conditions creating health and safety concerns.

10. Resolution to Approve an Expenditure to Clean and Maintain Village Parkland Property

On motion Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to approve the proposal from Robert Keogh Inc. in the amount of \$730.00 to clean and maintain the Village Parkland Property and remove the existing debris.

11. Resolution to Approve an Expenditure to Purchase New Furniture for the Clerk's Office on State Contract

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On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to approve the proposal from Waldner's Furniture to deliver and install new furniture for the Clerk's Office under State Contract C000712 in the amount of \$1,470.00.

12. Resolution to Approve an Expenditure to Install Lighting in Village Basement

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to approve the proposal from Salerno Electric, in the amount of \$4,070.00, to install new lighting in the basement.

13. Resolution to Approve an Expenditure to Repair Village Hall Back Gate

On motion by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** to approve the proposal from Creative Landscaping by Cow Bay, in the amount of \$485.00, to repair the backyard gate at Village Hall.

14. Approval of Abstract of Audited Claims

After discussion, upon motion made by Deputy Mayor Comer, seconded by Trustee Peckelis, it was unanimously **RESOLVED** that the Abstract of Audited Claims, dated April 3, 2024, for the General Fund totaling \$37,519.40 are approved for payment.

15. Financial Report & Audit

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

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 2023-2024 Fiscal Year:

\$1,500.00 from A1990.0 – Contingent Account to A5410.4 – Sidewalks

16. Clerk's Public Works & Public Safety Report

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

There being no further business before the Board, on motion made by Deputy Mayor Comer, seconded by Trustee Branco, it was unanimously **RESOLVED** that the meeting be and hereby is adjourned at 8:45 PM.

Meghan Kelly, Village Clerk-Treasurer