

Board of Trustees
Village of Baxter Estates
2 Harbor Road, Port Washington, New York
February 26, 2007
7:30PM

Present: Mayor John Maher
Trustee Charles Comer
Trustee Raymond Keenan
Trustee Alice M. Peckelis
Trustee Douglas Baldwin
Village Attorney Christopher Prior

Also present: Treasurer Laurence Tuck, Court Reporter Jim Gil, Councilman Fred Pollack, Tim Duffy, Legal Aide to Councilman Pollack, Tom Tobin, Chairman Port Washington Fire Department, Donald Alexander, Trustee Protection Engine Company, Tom McDonough, Assistant Chief, PWFD, Frank Pavlak, Trustee, Protection Engine Company, John Olszewski, Flower Hill Hose Company, John Walters III, Assistant Chief, PWFD, Martin Masarek, Executive Director, Flower Hill Hose Company, John R. Fin, Atlantic Hook and Ladder, Charles Cella, Trustee, Atlantic Hook and Ladder, James F. Penrose, Fire Marshal PWFD, Beverly Reese, Fire Medic, Robert Reese, Stuart Rosen

Open Public Hearing: Port Washington Fire Department Contract

Mayor Maher opened the public hearing. The Board heard a presentation by representatives of the Port Washington Fire Department relating to the proposed Fire Protection Contract for the year 2007 in the amount of \$84, 856.00. A verbatim transcript of the public hearing is annexed to these minutes.

Mayor Maher closed the Public Hearing.

On the motion of Mayor Maher, seconded by Trustee Keenan, it was unanimously RESOLVED that the Village accept and, through the Mayor's signature, sign the contract from the Port Washington Fire Department for the year 2007 in the amount of \$84,856.00.

Open Regular Meeting

1. Clerk

A. Minutes

On the motion of Mayor Maher, seconded by Trustee Comer, it was unanimously RESOLVED that the reading of the Minutes of the

January 22, 2007 meeting be waived and that they be and hereby are approved as presented by Clerk Whitcomb.

On the motion of Mayor Maher, seconded by Trustee Keenan, it was unanimously RESOLVED that the reading of the minutes of the Special Meeting of the Board of Trustees on January 31, 2007 be waived and that they be and hereby are approved as presented by Clerk Whitcomb.

2. Treasurer

A. Abstract of Vouchers

On the motion of Mayor Maher, seconded by Trustee Comer, it was unanimously RESOLVED that the Abstract of Audited Vouchers dated February 26, 2007 for the General Fund, totaling \$ 21,133.62 be and hereby is approved as prepared by Treasurer Tuck.

3. New Business

A. Councilman Fred Pollack

Councilman Fred Pollack addressed the Board on the proposed parking garage for the town of Port Washington. He stated that Port Washington is short approximately 271 parking spaces. The proposed garage would create 450-500 new parking spaces, and would result in an estimated tax increase of \$40-\$50.00 per taxpayer per year. Councilman Pollack will submit a fact sheet on the issue for the Village.

B. Board of Trustees Meeting date change

On the motion of Mayor Maher, seconded by Trustee Comer, it was unanimously RESOLVED that the next meeting of the Board of Trustees be changed to Monday, March 26, 2007 at 7:30PM.

C. Code Enforcer's Report

The Board reviewed the report submitted by Village Code Enforcer Robert Rockelein.

D. MTS Report

Treasurer Laurence Tuck presented the report on the status of the Municipal Tracking System.

E. Dejana-Village Snow Contract

The Village Clerk informed the Board that a possible excessive use of sand and salt by Dejana Industries existed. The Board directed Village Attorney to draft a letter to Dejana requesting an accounting of same.

F. 50 Sandy Hollow Road

The Board directed Village Attorney Chris Prior to clarify for the Building Inspector the situation regarding construction at 50 Sandy Hollow Road and the variance granted by the Board of Zoning Appeals and the expired building permit.

4. Old Business

A. Building Inspector's (Recommendations) Letter

The Board reviewed the proposals of Building Inspector Joseph Saladino regarding building extension fees.

On the motion of Mayor Maher, seconded by Trustee Keenan, it was unanimously RESOLVED that a building permit may be extended once for a period of nine months at a flat fee of 50% of the original cost.

B. Trustee Keenan

Trustee Keenan reported on the existing signage on Locust Avenue. The matter was postponed until March 26, 2007 at which time the Board will review it and make a proposal to be voted on at a public hearing.

C. Charles Comer-Update on Building Moratorium

Trustee Comer reported that many properties in the Village were non-compliant with existing Village Zoning. In view of the fact that the data provided by Nassau County is not as reliable as previously believed, additional time is needed to propose effective changes to the zoning code.

Attorney Chris Prior noted that the Board must consider and adopt a new Local Law to extend the present building moratorium, and that he has prepared a draft of a bill for that purpose.

D. Village Attorney Chris Prior

Attorney Chris Prior presented the Board with a draft of a proposed local law amending the Code of the Village of Baxter Estates to include a new Chapter 150 on Stormwater Management and Erosion and Sediment Control.

Trustee Comer introduced same as Bill No. 1 of 2007. On the motion of Trustee Comer, seconded by Mayor Maher, it was unanimously RESOLVED to schedule **Bill No 1 of 2007** for a public hearing to be held on March 26, 2007 at the Village Hall at 7:30PM.

Attorney Prior then presented to the Board a draft of a proposed Local Law extending the pending building moratorium. Trustee Comer introduced the draft as Bill No 2 of 2007. Discussion ensued, in which counsel was directed to increase the scope of exceptions to the moratorium.

On the motion of Trustee Keenan, seconded by Trustee Comer, it was unanimously RESOLVED to schedule **Bill No 2 of 2007** for a public hearing to be held on March 26, 2007 at the Village Hall at 7:30PM.

E. Building Department Report

The Board reviewed the Building Department Report for the month of December 2006.

The Board entered into **Executive Session**.

At 10:30PM, Mayor Maher noted that the public session of the meeting was re-opened, and that no action had been taken during executive session.

There being no further business before the Board, on motion of Mayor Maher, seconded by Trustee Comer, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 10:30PM.

Yvonne Whitcomb
Village Clerk