

Board of Trustees
Village of Baxter Estates
2 Harbor Road, Port Washington, New York
August 20, 2007
7:30p.m.

Present: Mayor Frederick E. Nicholson
Trustee Charles Comer
Trustee Douglas Baldwin
Trustee Alice M. Peckelis
Village Attorney Christopher Prior
Treasurer Laurence Tuck

Excused: Trustee Raymond Keenan

Also present: Stuart Rosen, Patrick Griffin, Lance Wagner, Lauren Marinelli, Sally Olds, Mark Olds

1. Village Clerk

On motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED that the reading of the minutes of the July 16, 2007 Board of Trustees meeting be waived, and that said minutes hereby are approved as corrected.

2. Treasurer

A. Abstract of Vouchers

On motion of Mayor Nicholson, seconded by Trustee Comer, it was unanimously RESOLVED that the Abstract of Audited Vouchers, dated August 20, 2007, for the General Fund, totaling \$25, 299.66, be and hereby is approved as prepared by Treasurer Tuck.

B. Budget Modification

On motion of Trustee Comer, seconded by Mayor Nicholson, it was unanimously RESOLVED that the Board approve the Budget Modification for the fiscal year 2006-2007 as presented by the Treasurer.

C. Office Equipment

The Village Treasurer and the Village Clerk confirmed that three (3) old computer monitors (CRT's), which were replaced with LCD flat panels, are no longer in use by the Village and are without value.

On motion of Trustee Comer, seconded by Mayor Nicholson, it was unanimously RESOLVED, that the three CRT's be discarded in a manner deemed appropriate by the Village Clerk.

D. Skinnon, Faber and Heck

The Board reviewed the independent auditor's financial statements presented by Treasurer Tuck and determined that it would address approval of the management discussion and analysis letter at its September meeting. (attached)

3. Old Business

A. Building Moratorium

On motion of Mayor Nicholson, seconded by Trustee Comer, it was unanimously RESOLVED to hold a Public Hearing on September 17, 2007 to consider Bill No. 4 of 2007 to amend Chapter 175, "Zoning," of the Code of the Village of Baxter Estate, with respect to Building Height and Floor Area Restrictions.

The Board discussed with counsel the likelihood that additional changes would be sought by the Board, which likely will require an extension of the public hearing to the October 2007 Board meeting.

B. Baxter House

The Board discussed the three proposals it had received, and noted that, of the two recommended by Village property owner and developer John Maura, the proposal of Carlo Strangolagalli was the lower one.

On motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED that the Village accept the bid of mason contractor Carlo Strangolagalli for the repair of the stone wall at 15 Shore Road for a total cost of \$3,300.00, subject to confirmation of reimbursement by the Village Insurance company.

C. Hilltop Road-Water Runoff

Mayor Nicholson informed the Board he had consulted with Village Engineer Nicholas DeSantis, who is preparing plans for the project to

be presented to the Board at the next meeting of the Board of Trustees to be held on September 17, 2007.

He instructed the Village Clerk to contact the New York State Department of Transportation to ascertain what expenses might be eligible for reimbursement under their Consolidated Local Streets and Highway Improvement Program (CHIPS), including whether engineering expenses might be eligible.

D. Sally Olds-Village Parking Letter

The Board reviewed the letter submitted by Sally Olds regarding parking on Locust Avenue and North Washington Street for the Port Washington Public Library. The Board discussed the letter with Ms Olds, who was present, and advised her that the Board would consider her recommendations.

E. Central Drive-water runoff

Mayor Nicholson reported that the project is moving forward. Village Engineer Nicholas DeSantis will submit plans to Nassau County for their approval.

4. New Business

A. General Code update

The Board discussed changes to be sent to General Code. Many changes are still under consideration. The matter will be re-addressed at the Board of Trustees meeting on November 19, 2007.

B. Lauren Marinelli-4 Hillside Avenue

Lauren Marinelli addressed the Board regarding the removal of three trees on her property. Lance Wagner, Tree Commissioner, informed the Board that he had inspected the trees and found them to be healthy, but recommended their removal due to hardship. Two of the trees must be removed in order for an unused oil tank to be abandoned in accordance with the rules for abandonment of the Nassau County Department of Health and because of rainwater leaking into the basement. The third tree is causing the collapse of a rear retaining wall. Mrs. Marinelli noted that she is quite willing to replace the trees with new plantings, but that a landscape plan could not be finalized until the project was further along.

On the motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED that Lauren Marinelli, 4 Hillside Avenue, be granted permission by the Board of Trustees, upon recommendation of Lance Wagner, member of the tree committee, to remove three trees, on the condition that three “replacement” trees be planted, subject to the approval of the building inspector.

C. Baxter Beach Tree

On motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED that the contract for removal of the tree on Baxter Beach which was uprooted in a storm be awarded to Hefferin Tree and Landscape Contractors, Inc., for a total cost of \$350.00.

D. Nassau County Planning Commission request for letter of Non Jurisdiction

On motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED to send the letter of non jurisdiction for the subdivision of 54 Irma Avenue, Port Washington, as prepared by Village Attorney Christopher Prior, to the Nassau County Planning Commission.

D. Town of North Hempstead Inter-Municipal Agreement

Attorney Chris Prior will contact the Town Attorney with some recommended changes to the proposed agreement and update the Board at the next Board of Trustees meeting on September 17, 2007.

E. Leaf Removal Contract

On motion of Trustee Comer, seconded by Mayor Nicholson, it was unanimously RESOLVED that Attorney Chris Prior would revise the Leaf Removal Contract to authorize leaf pickup from certain parcels fronting busy roads and to eliminate a provision for reduced fees if multiple pick-ups are made. The Clerk will then publish notice, soliciting bids. Bids will be received at the Village Hall of the Village of Baxter Estates, 2 Harbor Road, until 10:00a.m. on September 13, 2007, at which time the bids will be publicly opened and read aloud.

F. Building Department Report

Trustee Baldwin gave his report on the Building Department for the month of July 2007.

G. Code Enforcer Report

The Board reviewed the report submitted by Village Code Enforcer Robert Rockelein for the period 7/16/07 - 8/15/07.

On motion of Mayor Nicholson, seconded by Trustee Comer, the Board entered into **Executive Session** to discuss personnel matters.

At 11p.m., Mayor Nicholson announced that the Executive Session was concluded, and that no action had been taken.

There being no further business before the Board, on motion of Mayor Nicholson, seconded by Trustee Baldwin, it was unanimously RESOLVED that the meeting be and hereby is adjourned at 11:00p.m.

Yvonne Whitcomb
Village Clerk