

Board of Trustees  
Village of Baxter Estates  
2 Harbor Road, Port Washington, New York  
September 11, 2006

Present: Mayor John Maher  
Trustee Douglas Baldwin  
Trustee Charles Comer  
Trustee Raymond Keenan  
Village Clerk Yvonne Whitcomb  
Attorney Christopher Prior  
Excused: Trustee Vivian Schneck

Also present: Treasure Laurence Tuck, Court Reporter Francis Baxter, Muriel Landsberg, Dolores Kazanijian O'Brien of the Port Washington News, Fred Nicholson, Stuart Rosen, Margaret Murphy, Alicia McCarthy, Kevin Wu, Sabrina Wu.

Open Public Hearing

Mayor Maher opened the Public Hearing to consider the adoption of Bill No. 4 of 2006, amending certain provisions of Chapter 161 of the Code of the Village of Baxter Estates with regard to illegally removing or destroying trees.

A stenographic transcript of the public hearing was made and is appended to these minutes. All those present wishing to speak having been heard, Mayor Maher closed the public hearing.

On motion of Mayor Maher, seconded by Trustee Raymond Keenan, it was unanimously RESOLVED that Bill No. 4 of 2006 be, and hereby is, adopted as Local Law 4 of 2006.

Close Public Hearing-Open Regular Meeting

1. Clerk

A. Minutes

On the motion of Trustee Keenan, seconded by Mayor Maher, it was unanimously RESOLVED that the reading of the minutes of the August 7, 2006 meeting of the Board of Trustees be tabled.

2. Treasurer

A. Abstract of Vouchers

On the motion of Trustee Comer, seconded by Trustee Keenan, it was unanimously RESOLVED that the Abstract of Audited Vouchers dated

September 11, 2006, for the General Fund, totaling \$26,007.87 be and hereby is approved as prepared by Treasurer Tuck.

**B. Management Discussion and Analysis Letter/ Skinnon and Faber**

Treasurer Tuck presented the Annual Report by Skinnon and Faber, attached hereto, to the Board. He stated that he supported their recommendations that Village Court reports be filed electronically and that all Court records should be kept at the Village Hall.

On the motion of Trustee Comer, seconded by Maher Maher, it was RESOLVED that the Board adopt the Management Discussion and Analysis in the form proposed by Skinnon and Faber for the Village of Baxter Estates. (Draft appended hereto)

John Maher	Aye
Charles Comer	Aye
Douglas Baldwin	Aye
Raymond Keenan	Abstained

**New Business**

**A. Board of Trustees Monthly Meeting**

On the motion of Trustee Comer, seconded by Trustee Keenan, it was unanimously RESOLVED that the monthly meeting of the Board of Trustees be held on the third Monday of each month.

**B. \$10,000.00 Grant**

Clerk Whitcomb announced that a grant for \$10,00.00 was made available to the Village of Baxter Estates by Assemblyman DiNapoli's office for Village road improvements.

**C. Sabrina Wu-Subdivision of Baxter House**

The Board will review the subdivision forms and applications prepared by Attorney Christopher Prior and consider for approval by resolution of the Planning Board at the October meeting.

**D. Muriel Landsberg:**

Muriel Landsberg addressed the Board on the issues of unsightly and unsanitary garbage and possible code violations on neighboring properties.

**E. Dolores Kazanjian O'Brien:**

Dolores Kazanijian O'Brien, a reporter with the Port Washington News, questioned the Board on the Storm Water Reports and the temporary building moratorium.

F. Parking Signs on Locust Avenue: Draft Resolution for consideration at October meeting.

G. Alice Peckelis:

Mayor Maher introduced Alice Peckelis to the Board and stated that she would be contributing to the Village web site on a regular basis.

H. Leaf Removal Contract:

On the motion of Trustee Comer, seconded by Trustee Keenan, it was unanimously RESOLVED that the bids for the Leaf Removal Contract for the year 2006 will be received at the Village Hall of the Village of Baxter Estates, 2 Harbor Road, until 10:00 a.m. on September 28, 2006, at which time all bids will be publicly opened and read aloud.

## **Old Business**

A. Code Enforcer

On the motion of Trustee Comer, seconded by Mayor Maher, it was unanimously RESOLVED that Robert Ryder and Thomas McDonough be hired as Code Enforcers for the Village of Baxter Estates for a term of one year, to ensure and enhance the quality of life of Village residents by requiring owners of property in non-compliance with Village codes to come into compliance.

B. Verizon FIOS

Clerk Whitcomb addressed the Board. John Harrington of Verizon stated that bringing FIOS to the residents of the Village of Baxter Estates would be a lengthy process as it would involve the creation of a franchise agreement. No action will be taken at this time.

C. Signs

Trustee Keenan stated that the Village signs were ready to be installed. They will be placed at the following locations:

Central Drive  
Central Drive and Shore Road

Shore Road and Main Street  
Shore Road and Harbor Road  
Shore Road and Bayside Avenue  
Main Street and High Street  
Harbor Road and Sandy Hollow Lane  
Main Street near library entrance  
Harbor and Sandy Hollow Road

D. MS4 Stormwater Report 2006

On the motion of Mayor Maher, seconded by Trustee Baldwin, it was unanimously RESOLVED that a draft of the 2006 Village of Baxter Estates Storm Water Report be deposited at the Port Washington Public Library for public review and comment for a period of thirty days.

E. North Shore Heritage

The Mayor noted that Freda Eisenberg was in attendance to present to the Board on behalf of the North Shore Heritage Area Planning Commission (the “NSHAP Commission”). The NSHAP Commission representative described to the Board the origin and purpose of the North Shore Heritage Area Planning Commission, and noted that it was in the process of pursuing from the various municipalities located within the Heritage Area resolutions approving the Heritage Area Management Plan. The representative provided a sample resolution for consideration by the Board.

The Board members expressed their general sense that the purpose of the NSHAP Commission to develop a management plan that local governments within the heritage area can use to plan, preserve and enhance the heritage area, was laudable and in the interests of the Village and its residents. The Board members noted that the Village of Baxter Estates is a small village, with limited resources, and was concerned that adopting the proposed resolution might trigger a monetary obligation on the part of the Village. The NSHAP Commission representative assured the Board that there would be no financial obligation associated with adoption of the resolution, and that, in the event the NSHAP Commission at some point sought financial contributions from its members, the Village could opt out at any time. The representative also noted that participation by the Village permitted the Village to be eligible for certain grants, to have representation on an advisory board. She also noted that the Village could obtain technical assistance from the NSHAP Commission and New York State. She noted that the Heritage Area extends from the Nassau-Queens border to Orient Point, and includes sixty five separate municipalities.

After discussion, upon motion duly made by Trustee Baldwin and seconded by Trustee Comer, it was RESOLVED, as follows:

WHEREAS, in 1998, the New York State Legislature established the Long Island North Shore Heritage Area for the purpose of preserving and enhancing the historic, cultural and natural resources of Long Island's North Shore; and

WHEREAS, along with such establishment, the Long Island North Shore Heritage Area Planning Commission (the "Commission") was created, and charged with developing a management plan that local governments within the heritage area can utilize for planning, preservation and enhancement of the heritage area; and

WHEREAS, the Commission has represented to the Village that its management plan was professionally prepared with extensive public participation involving more than five hundred residents and civic leaders from throughout the heritage area; and

WHEREAS, the Commission has represented to the Village that the management plan is a source book of inventories, interpretative themes, and strategies for preservation, protection and celebration of the North Shore's intrinsic resources; and

WHEREAS, the Commission, acting as lead agency, prepared a Generic Environmental Impact Statement ("GEIS"), that examines the environmental impacts and social and economic considerations associated with the Plan; and

WHEREAS, after conducting a review process under SEQRA, that increased public involvement and resulted in a final GEIS, the Commission is now ready to submit the completed management plan to local governments for their approval; and

WHEREAS, local approval of the management plan will not impact local autonomy; and

WHEREAS, representatives of the Commission have represented to the Village that adoption of this resolution and approval of the management plan of the Commission will not create any obligation whatsoever on the part of the Village to make financial contributions or expenditures in connection with the Commission or such plan, or otherwise; and

WHEREAS, the Commission has represented to the Village that approval by the Village of the management plan will lead to a variety of benefits for the North Shore region, including but unlimited to: (i) strengthening its cultural and historical identity; and (ii) technical assistance and increased funding opportunities for projects within the Heritage Area; and

WHEREAS, the Village is a municipality that falls wholly within the boundaries of the North Shore Heritage Area; and

WHEREAS, pursuant to the State Environmental Quality Review Act ("SEQRA"), and the rules and regulations adopted thereunder, the Village is an "involved agency" with respect to approval of the Management Plan;

NOW, THEREFORE, it is hereby determined that, having considered the relevant environmental impacts, facts and conclusions as set forth in the final GEIS, and having weighed and balanced the relevant environmental impacts with the social, economic and other considerations, the Village hereby makes the following SEQRA findings with regard to approval of the Long Island North Shore Heritage Area Management Plan:

1. That the requirements of SEQRA and the regulations promulgated thereunder have been met.
2. That adverse environmental impacts have been avoided or minimized to the maximum extent practicable, and all practicable mitigation measures have been incorporated.
3. The Village supports the mission of the Long Island North Shore Heritage Area Planning Commission to preserve and protect the region's historic, natural and maritime resources.
4. The Village hereby approves the Long Island North Shore Heritage Area Management Plan.
5. A copy of this resolution shall be forwarded to the Long Island North Short Heritage Area Planning Commission Office at the following address:

Long Island North Shore Heritage Area Planning Commission  
Planting Fields Arboretum State Historic Park  
P.O. Box 58  
Oyster Bay, New York 11771

Resolution offered by: Douglas Baldwin  
Resolution seconded by: Charles Comer  
Vote on the resolution: Unanimously accepted  
Date of adoption of resolution: September 11, 2006  
Name of Village: Village of Baxter Estates

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

The Board entered into Executive Session

Yvonne Whitcomb, Village Clerk