

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, JANUARY 15, 2020**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, January 15, 2020 at 7 PM at the Village Hall located at 500 North Country Rd., St. James, NY 11780. Those present were the following members Mayor Douglas A. Dahlgard, Deputy Mayor Daniel W. White, Trustees L. Gordon Van Vechten, Judith C. Ogden and Trustee Jeffrey D. Fischer. Also in attendance Village Administrator/Clerk, Margaret O'Keefe; Police Chief, Charles M. Lohmann; Village Treasurer, Patricia Mulderig; Building Inspector, Robert O'Shea and Village Attorney, Anthony S. Guardino.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard

- Mayor Dahlgard convened the public hearing on this 15th day of January 2020, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of the tentative 2020/2021 Village Budget. Copies of said budget were made available to the public. Copies of the tentative budget reflected a tax rate of \$26.80; due to rounding issues, the budget was modified. The proposed 2020/2021 Village Budget in the amount of \$2,321,266.24 with a tax rate of \$26.79 per \$100 of assessed value. It was, upon motion by Deputy Mayor White, second by Trustee Fischer, and unanimously adopted:

RESOLUTION #137-19

RESOLVED, to adopt the proposed 2020/2021 in the amount of \$2,321,266.24 with a tax rate of \$26.79 per \$100 of assessed value.

It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted:

RESOLUTION #138-19

WHEREAS, the Board of Trustees requested proposals for village attorney legal services, and **WHEREAS**, Farrell Fritz, PC 100 Motor Parkway, Suite 136 Hauppauge, NY submitted a \$40,000 per annum retainer agreement dated December 30, 2019 that has meet with Board approval, **BE IT RESOLVED**, to authorize and direct Mayor Dahlgard to execute the agreement in his official capacity.

It was, upon motion by Trustee Van Vechten, second by Trustee Ogden, and unanimously adopted:

RESOLUTION #139-19

RESOLVED, that the village attorney is hereby authorized and directed to draft a local law to repeal local law #4 of 2019 “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”, and be it **FURTHER RESOLVED**, the village clerk is hereby authorized and directed to post and publish a public hearing for said local law to be held on Wednesday, February 19, 2020 at 7 P.M., time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.

- Deer program update to be mailed after counsel review. No action taken.
- Avalon Park & Preserve will be doing permitted repair work and there will be temporary closures. No action taken.
- Discussion regarding permit paperwork. No action taken.

2. Financials – Patricia A. Mulderig, Village Treasurer:

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:

RESOLUTION #140-19

RESOLVED, the village treasurer is commanded to receive and collect from the persons named in the assessment roll, the several sums named in the last column thereof opposite their respective name, **BE IT FURTHER RESOLVED**, the village treasurer shall cause to be published in the official paper of the Village, once a week for two consecutive weeks, a notice that such tax roll and Warrant have been left with her for the collection.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #141-19
RESOLVED, to adopt Abstracts #127323 through and including #127333 to be paid from the General Fund in the amount of \$46,238.71.
- It was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted:
RESOLUTION #142-19
RESOLVED, to adopt Abstract TA #160 and TA #161 in the total amount of \$9,052.47 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #143-19
RESOLVED, the village treasurer is authorized and directed to make budget modifications to the 2019/2020 budget totaling \$62,436.00 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR
2019/2020 BUDGET MODIFICATIONS
1/15/2020

		BUDGET	BUDGET	MODIFIED
		F/Y/E	ADJUSTMENT	BUDGET
		2/29/2020		2/29/2020
A1090	INTEREST & PENALTIES ON TAXES	(4,000.00)	(400.00)	(4,400.00)
A1620.5	VILLAGE HALL APPRAISAL	350.00	15.00	365.00
A1920.41	MUNICIPAL ASSOCIATION DUES	2,800.00	150.00	2,950.00
A3120.2	POLICE VEHICLES	6,000.00	4,800.00	10,800.00
A5110.223	STREET MAINTENANCE - OPERATIONS	9,500.00	500.00	10,000.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	10,000.00	2,000.00	12,000.00
A5112.3	PERMANENT IMP MULTI MODAL	0.00	5,601.00	5,601.00
A5142.411	HWY SNOW REMOVAL DOUBLE TIME	0.00	3,000.00	3,000.00
A8010.4	ZONING BOARD	600.00	1,000.00	1,600.00
A1990	CONTINGENCY	37,186.00	(16,656.00)	20,520.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>62,436.00</u>	<u>0.00</u>	<u>62,436.00</u>

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #144-19
RESOLVED, extending the residency requirement to include the County of Suffolk, the following individuals are appointed to serve as election inspectors for the Wednesday, March 18, 2020 General Election, namely Tracie Villani, Margaret Shutka, Dennis Daly, Janet Hayden, and Cynthia Ruelle Chief Inspector. The Chief Election Officer is Margaret O'Keefe. Shifts shall be from 11:30 A.M. until 9:30 P.M., compensation to be \$18.00 per hour. Oaths of Office are to be filed with the village clerk; W-9 forms are to be filed with the village treasurer.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #145-19
WHEREAS, on October 16, 2019 the village adopted an Employee Manual, which was further amended on November 20 2019, and
WHEREAS, NYS Labor Law now requires the inclusion of NYS Labor Law §203-e in said manual, and
WHEREAS, the Board of Trustees of the village of Head of the Harbor wishes to be in compliance of said regulation,
BE IT RESOLVED, the Board hereby adopts NYS Labor Law §203-e and authorizes and directs the village clerk to include said amendment into the official policy and provide copies of the amendment and acknowledgement, to be signed by each employee of the village as condition their of employment, and maintain those signed copies as part of the village records.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #146-19
RESOLVED, a resolution authorizing the Mayor to send a home rule request to the New York State legislature for special legislation authorizing the Town of Smithtown, County of Suffolk, to extend the boundaries of the St.

James Fire District to include the territorial boundaries of the Incorporated Village of Head-of-the-Harbor for the purpose of providing fire protection.

RESOLVED, to authorize and direct mayor Dahlgard to execute the Home Rule Request in his official capacity. A vote on roll call,

Trustee Fischer	AYE
Trustee Van Vecthen	AYE
Trustee Ogden	AYE
Deputy Mayor White	AYE
Mayor Dahlgard	AYE

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted:

RESOLUTION #147-19

RESOLVED, that John Zollo, Esq. and Kevin Foremen, Esq. are retained to take such steps as appropriate including commencement of an enforcement action in Supreme Court to compel compliance with the Village Code at 445 North Country Road with all such services at an hourly rate of \$250.00 per hour and with invoices as required under Village Law §5-524 submitted monthly. This resolution is retroactive to December 15, 2019.

- It was, upon motion by Deputy Mayor White, second by Trustee Van Vecthen and unanimously adopted:

RESOLUTION #148-19

Minutes of December 18, 2019 7:00 P.M. meeting of the Board of Trustees were presented.

RESOLVED, the minutes were adopted with a correction to be made. The Village Treasurer was not in attendance; Maureen Wiedersum, Deputy Treasurer, presented the Treasurer's report.

3. Building Department – Robert O'Shea, Building Inspector:

- Winter is a slow time – Architectural Review Board did not meet.
- Planning Board is scheduled to reconvene January 28, 2020.

4. Police Department – Charles M. Lohmann, Police Chief

- Track-E System installation should be completed shortly.
- Head-of-the-Harbor Police Officer assisted Suffolk County PD with an arrest on Lake Avenue.

5. Public Comment:

- Troy Rosasco spoke about Gyrodyne & St. James Fire District.

6. Highway Department – Judith C. Ogden, Highway Commissioner:

- Cobble & cement work being done in the mild temperatures.
- It was, upon motion by Deputy Mayor White, second by Mayor Dahlgard and unanimously adopted, to move to executive session to discuss pending litigation at 7:49 PM. No action taken. It was, upon motion by Deputy Mayor White, second by Trustee Van Vecthen and unanimously adopted, to move back to public session.
- There being no other matters to be brought before the Board; it was, upon motion by Mayor Dahlgard, second by Trustee Fischer and unanimously adopted, to adjourn the meeting at 8:32 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk