

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, February 15, 2017 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, February 15, 2017 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 and Judith C. Ogden. Not in attendance this evening, Trustee Jeffrey D. Fischer. Also in attendance Village Clerk Margaret O'Keefe, Village Attorney Anthony B. Tohill, Chief Charles M. Lohmann and Village Treasurer Patricia Mulderig.

Pledge of Allegiance.

**1. Mayor – Douglas A. Dahlgard:**

- **Minutes of January 18, 2017, 7 PM** Trustees meeting were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten, abstention by Trustee Ogden and adopted (4-0-1):

**RESOLUTION #161-16**

**RESOLVED**, to adopt the minutes of the above referenced meeting as presented.

- **Minutes of February 1, 2017, 7 PM** Trustees meeting were presented. It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:

**RESOLUTION #162-16**

**RESOLVED**, to adopt the minutes of the above referenced meeting as presented.

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

**RESOLUTION #163-16**

**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 you for the collection.

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

**RESOLUTION #164-16**

**WHEREAS**, the Board of Trustees has reviewed several quotes for cyber insurance coverage, **NOW THEREFORE BE IT RESOLVED**, to authorize the Mayor to contract for cyber insurance with underwriters North Island Facilities (NIF PRO) and to authorize and direct the village treasurer to released payment in the amount \$1,141.00 to broker Williams and Williams.

- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:

**RESOLUTION #165-16**

**WHEREAS**, the Board of Trustees wishes to adopt amendments to its timekeeping policy, **BE IT RESOLVED**, to adopt the amendments reviewed on February 1, 2017 attached to the official minutes of this meeting.

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

**RESOLUTION #166-16**

On Wednesday, February 15, 2017, a drawing for ballot placement for the village's General Election was held. Sample paper ballot provided to the Board.

**RESOLVED**, to approve of the sample ballot to be used for the General Election to be held on Tuesday, March 21, 2017. Said sample shall be affixed to the official minutes.

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #167-16**  
**WHEREAS**, Police Chief Charles M. Lohmann has put forth the name of Thomas Lohmann, Jr. as a new hire,  
**BE IT RESOLVED**, the Board of Trustees appoints Thomas Lohmann, Jr., as a probationary police officer, is a non-exempt, part-time this position, 20 hours a week maximum, current remuneration rate of \$30.42/hr., this resolution is retroactively effective to February 1, 2017.

**2. Legal –Anthony B. Tohill:**

- Village Code § 136 Garbage Disposal being reviewed.

**3. Financials – Patricia Mulderig, Treasurer:**

- Report submitted to the Board.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #168-16**  
**RESOLVED**, to adopt Abstracts #126947 through and including #126956, with voucher #20160703 being held until approved by Trustee Ogden, in the total amount of \$73,895.35 to be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:  
**RESOLUTION #169-16**  
**RESOLVED**, the amount of \$135,257.17 with a net change of zero, as noted below:

VILLAGE OF HEAD OF THE HARBOR  
2016/2017 BUDGET MODIFICATIONS

		15-Feb-17		
		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2017		2/28/2017
A1520	POLICE GRANTS & FEES	(33,019.04)	(5.00)	(33,024.04)
A1560	BUILDING PERMITS	(72,811.72)	(3,414.50)	(76,226.22)
A1560.1	CELL TOWER REVENUE	(105,875.93)	(875.93)	(106,751.86)
A3002.00	JUSTICE COURT ASSISTANCE GRANT 2017	0.00	(7,895.00)	(7,895.00)
A1620.5	VILLAGE HALL APPRAISAL	(1,050.25)	1,360.25	310.00
A1110.28	JUSTICE COURT ASSISTANCE GRANT 2017	0.00	7,895.00	7,895.00
A1410.22	CLERK - OFF SUPP., TELEPHONE	7,000.00	1,000.00	8,000.00
A1620.8	VILLAGE HALL REPAIRS & MAINTENANCE	5,000.00	1,000.00	6,000.00
A1920.41	MUNI ASSOC DUES - GENERAL	2,542.00	100.00	2,642.00
A930.4	JUDGEMENTS & CLAIMS	7,500.00	24,275.63	31,775.63
A3120.23	POLICE - UNIFORMS, SUPPLIES	6,500.00	200.00	6,700.00
A3120.24	POLICE - GAS, OIL REPAIR	32,985.46	(200.00)	32,785.46
A3620.2	BLDG INSPECTOR EXP, TEL	1,200.00	250.00	1,450.00
A5110.12	STREET MAINT - PERSONAL SERVICE	179,215.51	(15,957.91)	163,257.60
A5110.12	STREET MAINT - PERSONAL AGREEMENT	13,735.71	12,448.69	26,184.40
A5110.21	STREET MAINTENANCE TRUCK REPAIRS	39,324.20	(2,000.00)	37,324.20
A5110.221	STREET MAINT - NORM MAT & MAINTENANCE	22,500.00	2,000.00	24,500.00
A8710.5	HISTORY COMM	100.00	80.00	180.00
A9020.8	PAYCHEX PAYROLL SERVICE	3,500.00	150.00	3,650.00
A9050.8	UNEMPLOYMENT INSURANCE	5,500.00	1,000.00	6,500.00
A1990	CONTINGENCY	21,411.23	(21,411.23)	0.00
		0.00	0.00	0.00
		<u>135,257.17</u>	<u>0.00</u>	<u>135,257.17</u>

- It was, upon motion by Trustee Ogden second by Trustee Van Vechten and unanimously adopted:  
**RESOLUTION #170-16**

BOND RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, ADOPTED FEBRUARY 15, 2017, AUTHORIZING THE ACQUISITION OF A TRUCK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$70,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$70,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD OF THE HARBOR, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Head of the Harbor, in the County of Suffolk, New York (herein called the "Village"), is hereby authorized to acquire a truck. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$70,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal of not to exceed \$70,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$70,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law,

constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a)

the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Smithtown News*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF HEAD OF THE HARBOR, NEW YORK

PLEASE TAKE NOTICE that on February 15, 2017, the Board of Trustees of the Village of Head of the Harbor, in the County of Suffolk, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Head of the Harbor, New York, adopted February 15, 2017, authorizing the acquisition of a truck, stating the estimated maximum cost thereof is \$70,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$70,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to acquire a truck; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$70,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in a principal of not to exceed \$70,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in a principal amount of not to exceed \$70,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: February 15, 2017

Margaret O’Keefe  
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Trustee L. Gordon Van Vechten  
AYES: Trustee Judith C. Ogden  
Deputy Mayor Daniel W. White  
Mayor Douglas A. Dahlgard  
NOES: ----NONE----

The resolution was declared adopted.

**4. Building Department –Gerard Harris, Building Inspector:**

- ARB and JCC have several applications under review

**5. Highway Department – Highway Commissioner Judith C. Ogden:**

- Successful snow removal reported

**6. Public Comment:**

- Discussion regarding road openings for utilities.
- De-obligation from FEMA
- Review of snow removal and road repair
- Update of Avalon Parks and deer immunocontraception.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted, to move to executive session to discuss personnel. No action taken. It was, upon motion by Trustee White, second by Trustee Van Vechten, and unanimously adopted, to move to public session.

There being no other matters to be brought before the Board; it was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted, to adjourn the meeting at 9:40 PM.

Respectfully Submitted,

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Margaret O'Keefe  
Village Clerk