

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, FEBRUARY 17, 2021**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, February 17, 2020 at 7 PM via Zoom. 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 (late 7:08 PM). Also, in attendance Village Administrator/Clerk, Margaret O'Keefe; Village Treasurer, Patricia Mulderig; Co-Counsel, Philip Butler; Police Chief, Charles M. Lohmann (late) and Building Inspector, Robert O'Shea. Not in attendance this evening Village Attorney, Anthony S. Guardino. Also attending resident Kathleen Diana.

1. Mayor – Douglas A. Dahlgard

- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #161-20**
RESOLVED, in his official capacity Mayor Dahlgard is hereby authorized to execute the engagement letter with Cullen & Danowski, LLP to audit the financial statements for year-end February 2021; in the contracted amount of \$12,500.00.
- Cyber Security Policy - Tabled
- It was, upon motion by Trustee Van Vechten, second by Deputy Mayor White and unanimously adopted: **RESOLUTION #162-20**
RESOLVED, to authorize the Mayor, Douglas A. Dahlgard, to sign in his official capacity the annual maintenance agreement for the removal of solid waste with Winter Brothers Waste Systems in the amount of \$67.53 monthly.

Clerk's Note: Trustee Fischer joined 7:08 PM.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #163-20**
Resolution regarding accrued, unused vacation time for the calendar year 2020 deemed read into the record in its entirety.

**BOARD OF TRUSTEES
INCORPORATED VILLAGE OF HEAD OF THE HARBOR
A RESOLUTION REGARDING ACCRUED, UNUSED VACATION TIME
FOR THE CALENDAR YEAR OF 2020**

WHEREAS, the Incorporated Village of Head of the Harbor ("the Village") entitles full-time employees and salaried part-time employees to paid vacation benefits based upon his or her years of service with the Village; and

WHEREAS, the Village's Municipal Policies and Employee Manual includes a written policy relating to vacation benefits and provides, in relevant part, that "any unused vacation at the end of the calendar year will not carry over into the next year and will be forfeited, absent extenuating circumstances and approval by the Board of Trustees"; and

WHEREAS, Patricia Mulderig has served as the Village Treasurer since July 7, 2007 and has 25 hours of accrued, unused vacation time that will expire on January 1, 2021; and

WHEREAS, Margaret O'Keefe has served as Village Administrator/Clerk since April 2, 2002 and has 112 hours of accrued, unused vacation time that will expire on January 1, 2021; and

WHEREAS, Robert O'Shea has served as Building Inspector since August 1, 2017 and has 7.5 hours of accrued, unused vacation time that will expire on January 1, 2021; and

WHEREAS, Charles Lohmann has served as Chief of Police since December 28, 2009 and has 60 hours of accrued, unused vacation time that will expire on January 1, 2021; and

WHEREAS, the COVID-19 pandemic has unexpectedly impacted the Village's

operations and ability for Patricia Mulderig, Margaret O'Keefe, Robert O'Shea, and Charles Lohmann to utilize their accrued, unused vacation time before January 1, 2021; and

WHEREAS, the Board of Trustees of the Village of Head of the Harbor ("Village Board") believes that because of the extenuating circumstances caused by the COVID-19 pandemic, Patricia Mulderig, Margaret O'Keefe, Robert O'Shea, and Charles Lohmann shall be offered payment for up to 50% of their respective accrued, unused vacation benefit for the 2020 calendar year and shall be permitted to use the remainder of their respective 2020 vacation leave benefits until July 1, 2021, after which date they shall expire;

WHEREAS, a Resolution is believed required to reflect the Village Board's approval and authorization of such one-time payment of vacation benefits for the 2020 calendar year;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board approves and authorizes a one-time payment to Patricia Mulderig, Margaret O'Keefe, Robert O'Shea, and Charles Lohmann for up to 50% of their respective accrued, unused vacation leave benefits for the 2020 calendar year. All remaining accrued, unused vacation leave benefits for the 2020 calendar year shall roll over to the current calendar year (2021), but shall expire unless used on or before July 1, 2021.

WHEREFORE, the Village Board notes that such authorization is for the 2020 calendar year only and shall not alter, change, or otherwise modify the vacation policy as set forth in the Village's Municipal Policies and Employee Manual.

On motion by Trustee White, seconded by Trustee Van Vechten, the foregoing resolution was adopted by vote as follows:

Douglas A. Dahlgard, Mayor	AYE
Daniel W. White, Deputy Mayor	AYE
Judith C. Ogden, Trustee	AYE
L. Gordon Van Vechten, Trustee	AYE
Jeffrey D. Fischer, Trustee	AYE

Dated: Head of the Harbor, New York
February 17, 2021

- It was, upon motion by Trustee Fischer, second by Deputy Mayor White and unanimously adopted:
RESOLUTION #164-20
Resolution to appoint Amanda Cull as Justice Court Clerk.

**BOARD OF TRUSTEES
INCORPORATED VILLAGE OF HEAD OF THE HARBOR
RESOLUTION REGARDING THE RESIGNATION, APPOINTMENT
AND TRAINING OF JUSTICE COURT PERSONNEL**

WHEREAS, Ms. Tracie Villani currently serves as the Clerk of the Court to the Village of Head of the Harbor Justice Court; and

WHEREAS, Ms. Villani has submitted her resignation to the Village to accept full-time employment with another agency; and

WHEREAS, the Village Justice Court continues to have need of Ms. Villani's services on an interim basis to train the individual who will serve as the new Clerk of the Court,
NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby accepts Ms. Villani's resignation, effective immediately, and hereby re-appoints her, on a non-civil service basis, as a Justice Court Clerk not to exceed 5 hours per week, at the rate of \$26.00/hr., to train replacement court personnel. Said employment is offered from February 17, 2021 to April 30, 2021, and be it

FURTHER RESOLVED, that the Board of Trustees hereby appoints Ms. Amanda Cull as a part-time Justice Court Clerk, on a non-civil service basis, not to exceed 20 hours per week at the rate of \$20.00/hr., with mandatory public office hours and days to be Tuesdays and Thursdays, each week, from 9 am until 2 pm, and the remaining ten hours to be determined by the Village Justice. Said employment is contingent upon Ms. Cull successfully passing a

background investigation. This appointment is effective immediately.

On motion by Trustee Fischer, seconded by Trustee White, the foregoing resolution was adopted by vote as follows:

Douglas A. Dahlgard, Mayor	AYE
Daniel W. White, Deputy Mayor	AYE
Judith C. Ogden, Trustee	AYE
L. Gordon Van Vechten, Trustee	AYE
Jeffrey D. Fischer, Trustee	AYE

Dated: Head of the Harbor, New York
February 17, 2021

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #165-20
WHEREAS, the Village continues to use paper ballots for its General Election, and
WHEREAS, a sample paper ballot has been provided to the Board,
BE IT RESOLVED, to approve of the ballot to be used for the General Election, which is to be held on Tuesday, March 16, 2021. Said sample ballot shall be affixed to the official minutes.
 - As of February 2021, Head of the Harbor is a member of the St. James Fire District; liaisons to be Trustees Van Vechten and Fischer.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #166-20
RESOLVED, that the village attorney is hereby authorized and directed to draft a “**A LOCAL LAW TO ALLOW SPECIAL DEFERMENTS AND INSTALLMENT PAYMENTS DURING THE COVID-19 STATE OF EMERGENCY**”, and be it
FURTHER RESLOVED, the village clerk is hereby authorized and directed to post and publish a public hearing for Local Law (Intro.) NO. 2 of 2021, “**A LOCAL LAW TO ALLOW SPECIAL DEFERMENTS AND INSTALLMENT PAYMENTS DURING THE COVID-19 STATE OF EMERGENCY**”, said hearing is to be held on Wednesday, March 17, 2021 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.
- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted:
RESOLUTION #167-20
Minutes of January 20, 2020 7:00 PM meeting of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.
 - Cordwood Path project moving forward. No action taken.
 - Board of Trustees and residents participated in Town of Smithtown meeting regarding the Town’s Master Plan. No action taken.
 - Immunocontraception project is entering year 3. No action taken.

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

- Adjustments to tax assessments received from the Town of Smithtown subsequent to the acceptance of the tax rolls. It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:

RESOLUTION #168-20

RESOLVED, to authorize and direct the village treasurer to refund the taxes as per the successful grievances in the amount of \$1,539.62 as noted:

21	39100	7	1	4	OaVkt & DonizeHannch	29 Branglebnk Rd SJ	21-Jan-21	2-Nov-20	19875	12000	(1,975)	52910
22	39530	7	1	12	Charlie & Nancy Kasten	3 Meadow Gate West, SJ	21-Jun-21	2-Nov-20	14460	13059	(1,398)	37238
23	31649	7	5	9	Marla Kyrani Banetos	3 Weeks Care, SJ	21-Jan-21	16-Nov-20	26230	17948	(2,382)	838 14
ASSESSMENT ADJUSTMENTS FEBRUARY 17, 2021											(5,747)	1,539.62

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #169-20
RESOLVED, to adopt Abstracts #127475 through and including #127483 in the total amount of \$31,592.30 be paid from the General Fund.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #170-20
RESOLVED, to adopt Abstract TA #179 in the amount of \$1,340.00 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #171-20
RESOLVED, the village treasurer is authorized and directed to make budget modifications to the 2020/2021 budget totaling \$ 116,195.72 for a net change of zero, as noted:

	BUDGET F/YE	2/28/2021	BUDGET ADJUSTMENT	MODIFIED BUDGET 2/28/2021
A1325.4	TREASURER - PERSONAL SERVICE	59,900.51	1,100.00	60,000.51
A1440.221	CLERK - MISCELLANEOUS COVID 19	150.00	80.00	200.00
A1420.42	LAW - CODE ENFORCEMENT	1,000.00	1,400.00	2,400.00
A1920.24	JANITORIAL SUPPLIES	0.00	100.00	100.00
A1920.41	MUNI ASSOC DUES - GENERAL	2,700.00	100.00	2,800.00
A1950.4	TAXES & ASSESSMENTS ON MUNI PROP	0.00	100.00	100.00
A5110.21	STREET MAINT - TRUCK REPAIRS	9,000.00	1,500.00	10,500.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	17,500.00	5,000.00	22,500.00
A5110.5	STREET MAINTENANCE - UNIFORMS	700.00	50.00	750.00
A8010.2	ZONING BOARD OFFICE SUPPLIES	100.00	100.00	200.00
A8010.4	ZONING BOARD	950.00	200.00	1,150.00
A8220.2	PLANNING BOARD OFFICE SUPPLIES	400.00	150.00	550.00
A8000.5	ARB CLERK BENEFITS	175.55	75.00	251.55
A1990	CONTINGENCY	24,818.55	(8,925.00)	14,893.55
		0.00	0.00	0.00
		<u>116,195.72</u>	<u>0.00</u>	<u>116,195.72</u>

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

- Regular winter activities. No action taken.
- Tree City & Urban Forestry Grant. Discussion ensued regarding activities for Tree City & Urban Forestry Grant. No action taken.

4. Building Inspector – Robert O’Shea:

- Two site plan applications being reviewed. No action taken.
- Code Enforcement. One matter going to District Court, another being reviewed. No action taken.

5. Police Department – Charles M. Lohmann, Police Chief:

- Discussion regarding equipment. No action taken.

6. Public Comment:

- Kathleen Diana thanked the Mayor and Board for their involvement in the Town of Smithtown’s Master Plan meeting. No action taken.
- Draft of a resident handbook being developed. No action taken.
- Village treasurer to enroll the village in E-Pay enrollment.
- It was, upon motion by Mayor Dahlgard, second by Deputy Mayor White and unanimously adopted, to move to executive session at 8:08 PM to discuss personnel. No action taken. It was, upon motion by Trustee Fischer, second by Trustee Van Vechten 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 Deputy Mayor White, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 8:15 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Administrator/Clerk