

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, February 28, 2018 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, February 28, 2018 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 Judith C. Ogden, L. Gordon Van Vechten and Jeffrey D. Fischer. Also in attendance Village Attorney Anthony B. Tohill, Village Clerk Margaret O'Keefe, Police Charles M. Lohmann and Village Treasurer Patricia Mulderig.

1. Mayor – Douglas A. Dahlgard:

- Mayor Dahlgard convened the public hearing on Local Law (Intro.) #1 of 2018, “A LOCAL LAW CLARIFYING THE IMPOSITION OF FEES”. Discussion ensued. There being no further comments it was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:

RESOLUTION #205-17

RESOLVED, to close the public hearing on Local Law (Intro.) #1 of 2018, “A LOCAL LAW CLARIFYING THE IMPOSITION OF FEES”.

- Mayor Dahlgard convened the monthly meeting of the Board of Trustees.
- A public hearing was concluded on the 28th day of February 2018, at 7:00 P.M., at the Village Hall, 500 North Country Road, Head-of-the-Harbor, New York, to consider the adoption of Local Law # 1 of 2018, “A LOCAL LAW CLARIFYING THE IMPOSITION OF FEES”
It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:

RESOLUTION #206-17

RESOLVED, LOCAL LAW NO. #1 OF 2018, “A LOCAL LAW CLARIFYING THE IMPOSITION OF FEES” BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD-OF-THE-HARBOR AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this local law is to clarify and update the various Village Code subsections addressing application fees.

SECTION 2. ENACTMENT OF SECTION 59-34, FEES.

§ 59-34, Fees.

Any application under this chapter shall require payment of a fee fixed from time to time by resolution of the Board of Trustees.

SECTION 3. REPEAL AND REPLACEMENT OF SECTION 165-81 APPROPRIATIONS; FEES.

Section 165-81 in its present text is repealed and replaced as follows:

§ 165-81. Fees. Any application to the Planning Board shall require payment of fees fixed from time to time by resolution of the Board of Trustees.

SECTION 4. SEQRA.

Enactment of this local law is a Type II action under 6 NYCRR 617.5(c)(20).

SECTION 5. SEVERABILITY.

Should any part or provision of this local law be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the local law as a whole nor any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 6. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State as provided by law.

- Minutes of January 17, 2018 7 PM meeting of the Board of Trustees were presented.
It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:

RESOLUTION # 207-17

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

- Minutes of February 7, 2018, 7 PM meeting of the Board of Trustees were presented. It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:
RESOLUTION # 208-17
RESOLVED, to adopt the minutes of the above meeting amending date to read February 7, 2018.

2. Financials – Patricia Mulderig, Treasurer:

- Report submitted to Board.
- Abstract Report present. Discussion ensued. On Abstract #127079, voucher #20170788 in the amount of \$349.00 is to be voided. It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:

RESOLUTION # 209-17

RESOLVED, to adopt Abstracts #127073 through and including #1270784 in the total amount of \$57,515.48 to be paid from the General Fund.

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

RESOLUTION #210-17

RESOLVED, to authorize and direct the Village Treasurer to refund the taxes as per the successful grievances in the amount of \$199.50 as noted below:

3.	1	11	James & Danielle Michel	26-Jan-18	17-Dec-17	11950	11465	(485)	(115.18)
7.	4	4.20	Michael & Kelly Chokowsky	26-Jan-18	16-Jan-18	10575 *	10220	(355)	(84.31)
ASSESSMENT ADJUSTMENT - FEBRUARY 26, 2018								(840)	(199.50)

- 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 Van Fischer and unanimously adopted:

RESOLUTION #211-17

RESOLVED, to authorize and direct the Village Treasurer to refund the taxes as per the successful grievances in the amount of \$1,262.05 as noted below:

SECTION	BLOCK	LOT	HOMEOWNER	ASSESSOR LETTER	ASSESSOR'S DATE	CURRENT ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	2018/2019 ADJUSTMENT
2	2	3.1	William Anderson	26-Nov-17	20-Nov-17	28200	25188	(3,012)	(735.83)
2	2	3.2	William Anderson	26-Nov-17	20-Nov-17	7750	6737	(1,013)	(247.48)
2	2	3.3	William Anderson	26-Nov-17	20-Nov-17	11154	10758	(396)	(98.74)
3	1	11	James & Danielle Michel	26-Jan-18	17-Dec-17	11950	11465	(485)	(118.48)
7	4	4.20	Mustafa Sayar & Daniela Giordano	26-Jan-18	16-Jan-18	10480 *	10220	(260)	(63.52)
ASSESSMENT ADJUSTMENT - FEBRUARY 26, 2018								(5,166)	(1,262.05)

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

RESOLUTION # 212-17

RESOLVED, the Village Treasurer is authorized and directed to make budget modifications totaling \$11,417.87 for a net change of zero, as noted below:

		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2018	2/28/2018	2/28/2018
A1560.1	CELL TOWER REVENUE	(109,000.00)	(6,002.31)	(115,002.31)
A1565	ZBA HEARING FEES	(1,000.00)	1,000.00	0.00
A2110	ZONING FEES	0.00	(2,000.00)	(2,000.00)
A2115	PLANNING BOARD FEES	(1,900.00)	(4,300.00)	(6,200.00)
A2401	INTEREST & EARNINGS	(3,700.00)	(300.00)	(4,000.00)
A2610.0	COURT FINES	(63,237.50)	(8,990.00)	(72,227.50)
A2770	MISCELLANEOUS REVENUE	0.00	(1,050.00)	(1,050.00)
A1010.46	BOARD OF TRUSTEES	1,450.00	151.00	1,601.00
A1110.1	JUSTICE COURT PERSONAL SVC	18,743.89	456.11	19,200.00
A1110.2	JUSTICE COURT SUPPLIES & MATERIALS	4,000.00	250.00	4,250.00
A1110.8	JUSTICE COURT BENEFITS	1,433.91	150.00	1,583.91
A1325.4	TREASURER - SOFTWARE	4,000.00	1,510.00	5,510.00
A1820.25	VILLAGE HALL EQUIPMENT	1,000.00	300.00	1,300.00
A1620.8	VILLAGE HALL - REPAIRS & MAINTENANCE	5,100.00	3,300.00	8,400.00
A1820.41	MUNICIPAL ASSOC. DUES - GENERAL	2,500.00	100.00	2,600.00
A1930.4	JUDGEMENTS & CLAIMS	7,800.00	200.00	8,000.00
A3620.1	BUILDING INSPECTOR - PERS SERVICES	30,905.60	4,100.00	35,005.60
A3620.8	BUILDING INSPECTOR - BENEFITS	2,364.28	312.00	2,676.28
A5110.223	STREET MAINT - OPERATIONS	1,800.00	150.00	1,950.00
A5110.225	STREET MAINT - EQUIPMENT < \$1,000.00	1,500.00	1,200.00	2,700.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	5,000.00	1,200.00	6,200.00
A8020.41	PLANNING BOARD CONSULTANTS	0.00	115.03	115.03
A8050.00	GRANT WRITER	7,700.00	3,000.00	10,700.00
A1990	CONTINGENT ACCOUNT	95,257.89	5,148.17	100,405.86
		0.00	0.00	0.00
		11,417.87	(0.00)	11,417.87

- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted:
RESOLUTION # 213-17
RESOLVED, in accordance with Trustees resolution #112-15 and 155-16, the village treasurer is authorized and directed to make Bond Anticipation Note payment of \$48,000.00 plus interest of \$883.30, and
BE IT FURTHER RESOLVED, to authorize and direct the village treasurer to issue a Bond Anticipation Note in the amount of \$36,000.00 dated February 22, 2018 for Village Hall and Highway Building.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:
RESOLUTION # 214-17
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 2018; in the contracted amount of \$11,000.00.

3. Mayor – Douglas A. Dahlgard:

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION # 215-17
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 release payment in the amount \$1,141.00 to broker Williams and Williams.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:
RESOLUTION # 216-17
RESOLVED, to authorize and direct the village treasurer to released payment in the amount \$200.00 to broker Williams and Williams, in accordance with RESOLUTION #215-17, for service fees due.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION # 217-17
WHEREAS, the Town of Smithtown has been awarded two grants from the State of New York for the construction of a Regional Fueling Facility, and
WHEREAS, entering into shared services is beneficial to the Village of Head of the Harbor, and
WHEREAS, such shared services are recommended, approved, and encouraged by the State of New York, and
WHEREAS, an Inter-Municipal Agreement has been submitted to the Board of Trustees, and
WHEREAS, said agreement has been approved in form by the village attorney,
BE IT RESOLVED, to authorize Mayor Dahlgard to execute said Regional Fuel Facility in his official capacity.
- IMA Town of Smithtown Non-Residential Solid Waste Disposal Capacity Generation Fee System.
Tabled for further review.
- It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:
RESOLUTION # 218-17
On Monday, February 26, 2018, 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 20, 2018. Said sample shall be affixed to the official minutes.
- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:
IN ACCORDANCE WITH RESOLUTION #171-17
RESOLUTION # 219-17
WHEREAS, the village has identified the need to extend the temporary additional assistance within the village court, and
WHEREAS, Amy Prokop, has proven to be an exemplary employee,
BE IT RESOLVED, to extend the employment of Amy Prokop as a temporary part-time Court Clerk, on a non-civil service basis, not to exceed 5 hours per week at the rate of \$25.00/hr., with office hours to be on Wednesday’s to coordinate with training of court personnel. Said employment is extended until May 31, 2018. This resolution is effective immediately.

4. Building Department – Robert O’Shea:

- Several applications being reviewed.
- Report on open permits submitted.

5. Police Department – Chief Charles M. Lohmann:

- St. James Fire Department will hold their Annual Race on Saturday, April 21, 2018.

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

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

RESOLUTION # 220-17

WHEREAS, The Village of Head of the Harbor wishes to apply for available grants, and **WHEREAS**, the services of GEI Consultants, Inc. are highly known and recommended, and **WHEREAS**, the Office of the State Comptroller allows for the hiring of professional staff without a formal bidding process,

BE IT RESOLVED, the Board of Trustees accepts GEI Consultants proposal #610027 dated January 4, 2018 for the 50 Acre Rd Stormwater Green Infrastructure Improvement Grant Proposal, and proposal #610027 dated February 22, 2018 for the NYSDEC Urban & Community Forestry Grant Proposal, and

BE IT FURTHER RESOLVED, to authorize Mayor Douglas A. Dahlgard to execute the above service agreements in his official capacity.

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

RESOLUTION # 221-17

RESOLVED, having reviewed three bids for the installation of a burglar alarm for the village highway department building the village Board has determined to accept the bid by the lowest responsible bidder, Goldshield, in the amount of \$797.31, and

BE IT FURTHER RESOLVED, that the village treasurer is authorized and directed to pay the above invoice from Goldshield after the completion of the work, and the bill for monitoring services as it comes in, in the ordinary course.

It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted, to move to executive session to discuss personnel. No action taken. It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted, to move to public session.

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

RESOLUTION # 222-17

WHEREAS, the Board of Trustees has heretofore adopted a resolution authorizing the village treasurer to increase the pay of a highway department employee, to wit Ryan Miller, at the rate of \$1.00 per hour effective the first of March 2018, and

WHEREAS, the Board with the further understanding of adopting said resolution was that said Ryan Miller would have procured his NYS CDL prior to receiving said increase in said wages, and

WHEREAS, Ryan Miller has not yet received his CDL license,

NOW THEREFORE BE IT RESOLVED, that the prior resolution is as it applies to Ryan Miller is suspended with the understanding that it will be restored effective without further resolution upon Ryan Miller’s receipt of the issuance of a CDL from the State of New York.

There being no other matters to be brought before the Board; it was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted, to adjourn the meeting at 9:15 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Clerk