

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

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, April 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; Village Treasurer, Patricia Mulderig and Village Attorney, Anthony S. Guardino and co-counsel Philip Butler; Police Chief, Charles M. Lohmann (late 7:11 PM) and Building Inspector, Robert O'Shea.

**PUBLIC HEARINGS**

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #001-20**  
**WHEREAS**, due to the Governor's PAUSE NY orders the public hearings for LL # 2 & 3 are postponed  
**BE IT RESOLVED**, to authorize and direct the village clerk to post and publish hearings to be held on Wednesday, May 20, 2020 at 7 PM on Local Law (Intro.) #2 of 2020, "A Local Law Amending Chapter 88 of The Code of The Village Of Head of the Harbor With Respect To Fees And Deposits In Connection With The Review of Land Use Applications" and (Intro.) #3 of 2020, "A Local Law Amending Chapter 59, 81, 143 and 165 of The Code of The Village Of Head of the Harbor With Respect To Fees And Deposits In Connection With The Review of Land Use Applications". Said hearings will be held via video conferencing on Zoom platform <https://us02web.zoom.us/j/89992160652?pwd=Y2xta0RKeWVSYS3RQWWpJQ2VqY0tDUT09> Meeting ID: 899 9216 0652, Password: 546654, Dial +1 646 558 8656 US (New York).

**1. Mayor – Douglas A. Dahlgard**

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION #002-20**  
**WHEREAS**, the village benefits from the Town of Smithtown's performance of certain services, and  
**WHEREAS**, an Inter-Municipal Agreement has been submitted to the Board of Trustees for Non-Residential Solid Waste Collection and Disposal Services, and  
**WHEREAS**, said agreement has been approved in form by the village attorney,  
**BE IT RESOLVED**, to authorize Mayor Dahlgard to execute said Inter-Municipal Agreement in his official capacity.
- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, and unanimously adopted:  
**RESOLUTION # 003-20**  
**WHEREAS**, that the village of Head-of-the Harbor requested a Multi-Modal Transportation Fund grant in the amount of \$50,000.00 for the financing of improvements on Harbor Road, and  
**WHEREAS**, the village engineer has received a copy and is to draft all documents in the manner as described therein, and  
**WHEREAS**, the supporting documents will be provided to the State in the form requested,  
**BE IT RESOLVED**, that the village does hereby designate Douglas A. Dahlgard, Mayor to authorize and act as the applicant and to execute all documents and agreements necessary to obtain the requested grant.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 004-20**  
**WHEREAS**, the website hosting and maintenance is currently provided by DNT Technologies, and  
**WHEREAS**, the Board of Trustees acknowledges DNT Technologies expertise and professionalism,  
**THEREFORE BE IT RESOLVED**, that the Board of Trustees authorize Mayor Dahlgard to execute the renewal contract to be effective from April 1, 2020 through March 31, 2021 in the total amount of \$2,875.00.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 005-20**  
**WHEREAS**, on February 5, 2020 the Board of Trustees authorized the Village Treasurer is to open an account with NYCLASS, 717 17th Street, Suite 1850, Denver, CO 80202, and  
**WHEREAS**, the village wishes to assign the village clerk Margaret O’Keefe as a second signatory,  
**BE IT RESOLVED**, to authorize and direct the addition of the Village Clerk as a signature on the above referenced account effective retroactively to March 11, 2020.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION # 006-20**  
Minutes of March 11, 2020 7 PM meeting of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Trustee Fischer, second by Deputy Mayor White, and unanimously adopted:  
**RESOLUTION # 007-20**  
**WHEREAS**, the Board of Trustees is in receipt of Robert O’Shea Building Inspector’s report dated October 21, 2019 concerning the condition of 3 Pin Oak Lane, and  
**WHEREAS**, the Board of Trustees has reviewed the content of said letter which finds the premises unsafe.  
**NOW THEREFORE**, it is  
**RESOLVED**, the Building Inspector shall forthwith give written notice in form annexed to the owner Scott Felicetti at each address maintained by the Village for Scott Felicetti, which said notice shall be sent by certified mail a copy of which shall be posted at 3 Pin Oak Lane, and it is further  
**RESOLVED**, said notice shall be filed at the Suffolk County Clerk's Office.  
It is further,  
**RESOLVED**, the Board Trustees will hold a public hearing pursuant to Chapter 66 of the Village Code on May 20, 2020 at 7 PM to determine whether the building or structures located at the premises are unsafe or dangerous to the public or unsanitary pursuant to the provisions of Chapter 66 and must be removed, and further assess whether the condition of the structures on the premises pose a risk or threat to the health and safety of the general public. As authorized by Executive Order No. 202.1-202.15, signed by Governor Andrew M. Cuomo, said hearing will be conducted via video conferencing utilizing Zoom platform, <https://us02web.zoom.us/j/89992160652?pwd=Y2xta0RKeWVSY3RQWWpJQ2VqY0tDUT09> Meeting ID: 899 9216 0652, Password: 546654, Dial +1 646 558 8656 US (New York). A free version of Zoom is available at <https://zoom.us/signup>. The public will not be permitted to attend the meeting in-person.

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

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION # 008-20**  
**RESOLVED**, to adopt Abstracts #127358 through and including #127367 in the total amount of \$34,352.84 be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 009-20**  
**RESOLVED**, to adopt Abstract #164 in the total amount of \$1,265.00 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION # 010-20**  
**WHEREAS**, the LIPA Reform Act of 2013 (the “Act”) obligates LIPA to make annual payments to the Village of Head-of-the-Harbor in lieu of the real property taxes that would otherwise be assessed against its property within the Village; and  
**WHEREAS**, Section 1020-Q of the Act prohibits the Village from increasing LIPA’s annual payment-in-lieu by more than 2% of the payment for the immediately preceding year; and

**WHEREAS**, the Village has invoiced LIPA for a payment in lieu of taxes for the 2020-2021 fiscal year in the amount of \$6,125.81; and

**WHEREAS**, LIPA has tendered payment to the Village in the amount of \$5,815.51 on the grounds that said reduced payment complies with the aforementioned 2% cap; and

**WHEREAS**, the Village Treasurer has reviewed this matter and confirms that the tendered payment of \$5,815.51 represents a 2% increase over the payment-in-lieu paid by LIPA for the 2019-2020 fiscal year;

**NOW THEREFORE**, be it resolved, that the Board of Trustees of the Village of Head-of-the-Harbor:

**FINDS** that the Village is authorized to accept the aforesaid payment of \$5,815.51, which complies with the 2% cap set forth under the Act; and

**ACCEPTS** the aforesaid payment on behalf of the Village notwithstanding that it is \$310.30 less than the amount previously invoiced to LIPA. Filed in the Office of the Village Clerk on the 15th day of April, 2020.

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

**RESOLUTION # 011-20**

**RESOLVED**, to authorize and direct the Village Treasurer to release payment to Randall Tree Services in the amount of \$1,800.00.

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

**RESOLUTION # 012-20**

**WHEREAS**, as authorized by Executive Order No. 202.1-202.15, signed by Governor Andrew M. Cuomo, the Board of Trustees of the Incorporated Village of Head of the Harbor wishes to protect the public health while continuing to perform necessary government functions,

**RESOLVED**, the Board of Trustees of the Village of Head of the Harbor will be conducting a work session via video conferencing on the 6<sup>th</sup> of May, 2020 at 7 PM, utilizing the Zoom platform, <https://us02web.zoom.us/j/81528175360?pwd=MEJpYTJabmdRUFpUeWxLaXpxM0czUT09>, Meeting ID 815 2817 5360, Password 364109, dial in +1 646 558 8656 US (New York).

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

**RESOLUTION # 013-20**

**BE IT RESOLVED**, the Board of Trustees will be conducting their regularly monthly meeting, and any other issues that may come before the Board, via video conferencing on the 20<sup>th</sup> of May, 2020 at 7 PM, utilizing the Zoom platform,

<https://us02web.zoom.us/j/89992160652?pwd=Y2xta0RKeWVSy3RQWWpJQ2VqY0tDUT09> Meeting ID 373 403 065, Password 885134, dial in +1 646 558 8656 US (New York), and

**BE IT FURTHER RESOLVED**, that the Village Clerk is hereby authorized and directed to post said notices as required.

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

- Highway department functioning well under the current conditions.
- Spring maintenance activities to commence.

### **4. Building Department- Robert O’Shea, Building Inspector:**

- PSEG requested a road-opening permit for Moriches Rd.; the Village Engineer is reviewing the application.
- Due to the Governor’s Executive Orders, non-essential work is prohibited; landscape maintenance is allowed.

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

- Deputy Mayor White commended the police force for the continued dedication to the residents of Head of the Harbor during the COVID pandemic.
- Criminal mischief being investigated at Hitherbrook extension and nearby guardrail.
- There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted, to adjourn the meeting at 7:25 PM.

Respectfully Submitted,

---

Margaret O'Keefe  
Village Administrator/Clerk