

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, May 17, 2017 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, May 17, 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 Judith C. Ogden, L. Gordon Van Vechten and Jeffrey D. Fischer. Not in attendance this evening, Building Inspector Gerard Harris. Also in attendance Village Clerk Margaret O'Keefe, Chief Charles M. Lohmann, Village Attorney Anthony B. Tohill and Village Treasurer Patricia Mulderig.

Pledge of Allegiance.

**1. Mayor – Douglas A. Dahlgard:**

- **Minutes of April 3, 2017 7 PM** Board of Trustees meeting were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten, abstention by Trustee Fischer and adopted (4-0-1):  
**RESOLUTION #040-17**  
**RESOLVED**, to adopt the minutes of the above referenced meeting as presented.
- **Minutes of April 19, 2017 7 PM** Board of Trustees meeting were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten, abstention by Trustee Fischer and adopted (4-0-1):  
**RESOLUTION #041-17**  
**RESOLVED**, to adopt the minutes of the above referenced meeting as presented.
- **Minutes of May 3, 2017 7 PM** Board of Trustees meeting were presented. It was, upon motion by Trustee Fischer, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #042-17**  
**RESOLVED**, to adopt the minutes of the above referenced meeting as presented.
- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted:  
**RESOLUTION #043-17**  
**WHEREAS**, the Board of Trustees has received the Annual Inter-municipal Agreement with the Town of Smithtown Town of Smithtown Road Repair and Maintenance, and  
**WHEREAS**, entering into such an agreement 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**, the form of said agreement is acceptable to the village attorney,  
**NOW THEREFORE BE IT RESOLVED**, to authorize and direct Mayor Dahlgard to execute said agreement in his official capacity.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:  
**RESOLUTION #044-17**  
**IN ACCORDANCE WITH RESOLUTIONS #030-17 and #031-17,**  
**WHEREAS**, the Board of Trustees finds that the police department's 2008 Jeep Grand Cherokee, and the 2011 Ford Crown Victoria to be surplus vehicles and should be placed for sale, and  
**WHEREAS**, the Chief of Police has confirmed that said vehicles are surplus, and  
**WHEREAS**, the Board of Trustees finds that the highway department's 2001 Mack Dump truck, to be a surplus vehicles and should be placed for sale, and  
**WHEREAS**, the Highway Commissioner has confirmed that said vehicle is surplus, and  
**WHEREAS**, the comparable values have been identified by Kelly Blue Book and NADA,  
**BE IT RESOLVED**, the Board of Trustees and does hereby authorize Margaret O'Keefe, Village Clerk to list said items for auction with Auctions International in accordance with the agreement executed June 2016.
- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:  
**RESOLUTION #045-17**  
**WHEREAS**, pursuant to General Municipal Law § 119-0, local governments are authorized to enter into municipal cooperation agreements for the performance among themselves or one for the other of their respective functions, and

**WHEREAS**, it has been proposed that the Board of Cooperative Education Services of Nassau County and the Village of Head-of-the-Harbor enter into an agreement for the purchase of a motor vehicle, and

**WHEREAS**, this agreement is authorized by the Board of Trustees,

**WHEREAS**, the purpose is to enable the purchase of a vehicle at the lowest available price,

**NOW THEREFORE BE IT RESOLVED**, that Mayor Douglas Dahlgard is authorized to execute any such agreement on behalf of the Village

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

- Treasurer’s report submitted to the Board.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #046-17**  
**RESOLVED**, to adopt Abstracts #126983 through and including #126992 in the total amount of \$64,415.06 to be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #047-17**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications totaling \$67,125.93, for a net change of zero, as noted below:

	BUDGET F/Y/E	BUDGET		MODIFIED
		2/28/2018	ADJUSTMENT	BUDGET 2/28/2018
A3120.2	POLICE VEHICLES	33,000.00	10,801.20	43,801.20
A8050.0	GRANT WRITER	2,500.00	1,313.05	3,813.05
A1990	CONTINGENCY	31,625.93	(12,114.25)	19,511.68
		0.00	0.00	0.00
		<u>67,125.93</u>	<u>0.00</u>	<u>67,125.93</u>

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #048-17**  
**IN ACCORDANCE WITH RESOLUTION #032-17**  
**RESOLVED**, the village treasurer is authorized and directed to release payment for a Ford F550 in the reduced amount of \$65,555.02, purchased under bid contract 16/17-008R from Ford of Huntington.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #049-17**  
**BOND RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, ADOPTED MAY 17, 2017, AUTHORIZING THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,000,000 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 construct various road improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000 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 \$1,000,000 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 \$1,000,000 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. 20 (c) 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 May 17, 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 May 17, 2017, authorizing the construction of various road improvements, stating the estimated maximum cost thereof is \$1,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,000,000 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 construct various road improvements; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in a principal of not to exceed \$1,000,000 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 \$1,000,000 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: May 17, 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:

AYES: Trustee Fischer  
Trustee Van Vechten  
Trustee Ogden  
Deputy Mayor White  
Mayor Dahlgard

NOES: --none--

The resolution was declared adopted.

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

- Spring highway activities reviewed.
- Cobble repair to begin.
- Update of potential grant opportunities.

**4. Public Comment:**

- Residents concerns reviewed.
- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted, to move to executive session at 7:45 PM 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.

There being no other matters to be brought before the Board; it was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted, to adjourn the meeting at 8:37 PM.

Respectfully Submitted,

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Margaret O'Keefe  
Village Clerk