

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, May 21, 2014 at 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, May 21, 2014 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 and L. Gordon Van Vechten. Not in attendance this evening Trustee Jeffrey D. Fischer. Also in attendance Village Clerk Margaret O'Keefe, Village Treasurer Patricia Mulderig, and Village Attorney Anthony B. Tohill.

1. Mayor – Douglas A. Dahlgard:

- The Board of Trustees presented a plaque to J. Ted Naughton in recognition of his faithful years of service to the village of Head of the Harbor as Highway Commissioner and Trustee.
- **Minutes of April 16, 2014 7 PM** Trustees meeting were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #023-14
RESOLVED, to adopt the minutes of the above referenced meeting as presented.
- **Minutes of May 7, 2014 7 PM** Trustees work session were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #024-14
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 #025-14
RESOLVED, to authorize Mayor Dahlgard to sign the agreement for the removal of solid waste by Progressive Waste Solutions in his official capacity.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #026-14
RESOLVED, to authorize Mayor Dahlgard, in his official capacity, to sign the annual agreement with the Town of Smithtown to provide for the repair and maintenance of village roads.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #027-14
In accordance with General Municipal Law §803 Article 18 and Village Code §24 Code of Ethics a disclosure notice has been filed by Environmental Conservation Board member, Peter Shepherd.
WHEREAS, Mr. Shepherd has disclosed his involvement in an Article 78 proceedings against the village of Head of the Harbor, and
WHEREAS, the Environmental Conservation Board is an advisory board only,
THEREFORE, the Board of Trustees has determined that this will not be a conflict of interest between Mr. Shepherd's public duties and private financial interests,
THEREFORE BE RESOLVED, the Board of Trustees acknowledges this filing and will retain a copy in the village records.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #028-14
WHEREAS, the Village of Head of the Harbor and Suffolk Cable of Smithtown ("Cablevision) and Verizon New York, Inc. ("Verizon) have previously entered into Cable Television Franchise Agreements dated August 17, 2011 and September 21, 2007 respectively, and
WHEREAS, Section 6.1 of the Agreement allows for payment to the village Head of the Harbor for franchise fees,
NOW, THEREFORE BE IT RESOLVED, to amend both agreements to reflect Franchise Fees of five percent (5%) and to authorize the village Mayor to execute said amendments and direct the Treasurer to collect said fees. This resolution is effective immediately.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #029-14
RESOLVED, to authorize Mayor Dahlgard, in his official capacity, to sign the annual agreement with the Town of Smithtown to provide for pavement markings and installation of street signs.

- It was, upon motion by Mayor Dahlgard, second by Trustee Ogden and unanimously adopted:
RESOLUTION #030-14
WHEREAS, the emergency preparedness committee has identified a need to install copper wired telephone lines (POTS), and
WHEREAS, the recommendation includes connection to the burglary/fire systems central station monitoring and several communications lines, and
WHEREAS, the current estimated per line expense is \$39.99 (plus taxes and fees to equal \$55.15)
THEREFORE BE IT RESOLVED, upon the recommendation by Deputy Mayor White, the village clerk is hereby authorized to contract with Verizon for the installation of not less than two, but no more than six, copper-wired communication lines.

2. Legal Matters – Anthony B. Tohill, Esq.:

- No report at this time.

3. Financials – Patricia Mulderig, Treasurer:

- Report submitted to the Board.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #031-14
RESOLVED, to adopt Abstract #126686 through and including Abstract #126695 in the total amount of \$31,085.56 to be paid from the General Fund. (NOTE: Abstract #126692, vouchers #20140143-20140149, checks #22295-22312 were voided and rerun due to printer error).
- It was, upon motion by Trustee White, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION # 032-14
RESOLVED, Village Treasurer, Patricia Mulderig, is hereby authorized and directed to make modifications to the 2014/2015 budget as itemized below.

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	<u>2/28/2015</u>		<u>2/28/2015</u>
JUSTICE COURT ASSISTANCE PROGRAM	0.00	(12,785.00)	(12,785.00)
JUSTICE COURT ASSISTANCE PROGRAM 2014	0.00	12,785.00	12,785.00
POLICE GRANTS & FEES	0.00	(29,544.26)	(29,544.26)
POLICE VEHICLES	0.00	29,544.26	29,544.26
TREASURER - PERSONAL SERVICE	42,015.74	964.08	42,979.82
CLERK - PERSONAL SERVICE	65,647.70	964.08	66,611.78
CONTINGENCY	18,382.78	(1,928.16)	16,454.62
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<u>126,046.22</u>	<u>0.00</u>	<u>126,046.22</u>

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #033-14
WHEREAS, the Justice Court has been awarded a JCAP grant in the amount of \$12,785.00, and
WHEREAS, said funds are currently deposited in the village’s Capital One General fund, and
WHEREAS, a monthly accounting of said funds will be provided by the village treasurer to the village clerk, and
WHEREAS, the village clerk will provide the village Justice a copy of the account at her request, and
WHEREAS, all purchases against said funds will be incurred by court personnel only, in conjunction with the villages procurement policy, and
WHEREAS, Justice Court personnel will solely be responsible for the offering, negotiating, and installation of items purchased with Justice Court Grant funds,
BE IT RESOLVED, that the Justice Court is solely responsible for the administration of said grant,
IT IS FURTHER RESOLVED, the village treasurer is hereby authorized and directed to transfer \$12,785.00 from Head of the Harbor’s Capital One General fund checking account to a Justice Court Grant Account to be opened at Bridgehampton National Bank, with signatories being the Mayor, Deputy Mayor, Village Clerk, and Village Treasurer.

May 21, 2014

Mayor Douglas A. Dahlgard	AYE
Trustee Daniel W. White	AYE
Trustee Judith C. Ogden	AYE
Trustee L. Gordon Van Vechten	AYE
Trustee Jeffrey D. Fischer	NOT PRESENT

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

RESOLUTION #034-14

Adjustments to tax assessments received from the Town of Smithtown subsequent to the acceptance of the tax rolls.

RESOLVED, to authorize and direct the Village Treasurer to refund the taxes as per the successful grievances as follows:

PROPERTY ID	SECTION	BLOCK	LOT	HOMEOWNER	ASSESSOR'S DATE	CURRENT ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	2013/2014 ADJUSTMENT	2014/2015 ADJUSTMENT
10300	2	2	9	FISCHER, HARLAN & OLIVIA 13/14	31-Jan-13	15625	14720	(905)	(193.40)	
39900	7	1	12.4	LACHMAN, CHARLES & MILANKA 13/14	31-Jan-13	14160	12735	(1,425)	(304.52)	
ASSESSMENT ADJUSTMENT - MARCH 19, 2014									(497.92)	
10500	2	2	11	BLINN, GEORGE & CAROL	10-Feb-14	11755	11508	(247)		(55.28)
18300	4	1	9	LAYBURN, GEORGE	10-Feb-14	13755	13015	(740)		(165.61)
29600	5	2	34.14	SALIERNO, PHILIP & MARISSA	10-Feb-14	9590	8905	(685)		(153.30)
41400	7	2	7	PERTILE, ROY	19-Feb-14	11550	11218	(332)		(74.30)
ASSESSMENT ADJUSTMENT - MARCH 19, 2014										(448.50)
24000	5	1	13.1	SCHWARTZ, SCOTT & LORRAINE	3/13/2014	20875	19200	(1,675)		(374.87)
11900	3	1	6	CRACCHIOLA, KENNETH & EILEEN	3/11/2014	12100	11234	(866)		(193.81)
ASSESSMENT ADJUSTMENT - MAY 21, 2014										(568.68)

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #035-14
RESOLVED, to fill a vacancy on the Environmental Conservation Board, the Board of Trustees hereby appoints Munira Fuhrman. Said term expires in 2016.

4. Highway Department- Judith C. Ogden, Commissioner:

- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:
RESOLUTION #036-14
WHEREAS, the Board of Trustees previously awarded a drainage contract to D. F. Stone, and
WHEREAS, the village engineer has provide a report to the Board dated April 22, 2014 for drainage structures on Moriches Rd. and Watercrest, and
WHEREAS, the required funds of \$16,000.00 have been budgeted for the 2014/2015 fiscal year,
NOW THEREFORE BE IT RESOLVED, to authorize and direct the village engineer Dan Falasco to schedule the annexed projects with said contractor immediately.
- It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted:
RESOLUTION #037-14
WHEREAS, the Board of Trustees previously awarded a paving contract to Kings Park Industries, and
WHEREAS, the village engineer has provide a report to the Board dated April 22, 2014 for paving portions of Harbor Hill Rd, Fells Way, Farm Rd., Hilltop Rd., and
WHEREAS, the required funds of \$180,500.00 have been budgeted for the 2014/2015 fiscal year,
NOW THEREFORE BE IT RESOLVED, to authorize and direct the village engineer Dan Falasco to schedule the annexed projects with said contractor immediately.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #038-14
WHEREAS, the Board of Trustees has entered into an Intermunicipal Agreement with the Town of Smithtown for road markings, and
WHEREAS, the highway commissioner and highway superintendent have identified the need to stripe 30,583' of road in the annexed report, and
WHEREAS, the required funds are not to exceed \$6,000.00 and have been budgeted for in the 2014/2015 fiscal year,
NOW THEREFORE BE IT RESOLVED, to authorize and direct the highway superintendent to schedule the annexed projects with the Town of Smithtown immediately.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #039-14
WHEREAS, the Board of Trustees wishes to extend the Verizon Wireless Account to include service to employee John Precht,
BE IT RESOLVED, to provide the above referenced employee with a village owned cell phone on the Verizon Wireless Account (585125732-00001). This resolution is effective immediately.

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #040-14
WHEREAS, resolution #146-13 allowed any employee with outstanding vacation days to carry them over to the 2014 calendar with a 90 days expiration, and
WHEREAS, subsequent storm conditions did not allow all employees to meet this expiration date,
NOW THEREFORE BE IT RESOLVED, to allow for a final extension of 2013 vacation day carryover until May 16, 2014.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #041-14
WHEREAS, the Board of Trustees wishes to discontinue the use of AT & T for mobile phones,
BE IT RESOLVED, the village clerk is hereby authorized and directed to cancel AT & T contract (287237339527). This resolution is effective immediately.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:
RESOLUTION #042-14
RESOLVED, to approve of the expenditure of \$245 for postage for the mailing of postcards by the Roadside Beautification Committee. A special thank you to Trustee Van Vechten for absorbing the printing expense.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #043-14
RESOLVED, that the \$75,000.00 performance bond of Robert and Diana Mercer and International Fidelity Insurance Company dated May 5 and May 12, 2014 is accepted in replacement of a prior bond submitted by Kycia Associates, Inc. and Jadwiga Helen Kycia, each offered with respect to road and drainage improvements at Subdivision Map for Uplands, and it is further,
RESOLVED, the Village Clerk and Treasurer are each authorized to release the prior performance bond to Kycia Associates, Inc.

May 21, 2014

Mayor Douglas A. Dahlgard	AYE
Trustee Daniel W. White	AYE
Trustee Judith C. Ogden	AYE
Trustee L. Gordon Van Vechten	AYE
Trustee Jeffrey D. Fischer	NOT PRESENT

5. ARB, ECB, JCC – Gerard Harris, Building Inspector:

- Several applications reviewed.

6. Planning Board –Harlan J. Fischer, Chair:

- No meeting.

7. Police Department – Chief Martin J. Thompson:

- Officer Jernigan made arrests for burglary and trespass.
- Traffic conditions at Edgewood/Fifty acre improving.

There being no other matters to be brought before the Board; it was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 8:06 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk