

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, JUNE 15, 2022**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, June 15, 2022 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 Trustee Jeffrey D. Fischer. Also in attendance Village Administrator/Clerk, Margaret O'Keefe; Police Chief, Charles M. Lohmann; Village treasurer, Patricia Mulderig and Co-Counsel, Philip Butler. Not in attendance Building Inspector, Robert O'Shea and Village Attorney, Anthony S. Guardino.

Pledge of Allegiance

1. Mayor – Douglas A. Dahlgard

- It was, upon motion by Trustee Fischer, second by Deputy Mayor White, and unanimously adopted:
RESOLUTION #043-22

**VILLAGE OF HEAD OF THE HARBOR
BOARD OF TRUSTEES**

**RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF A LEASE OF
SURPLUS SUBTERRANEAN LAND TO AVALON NATURE PRESERVE**

WHEREAS, the Village of Head of the Harbor (the "Village") owns and controls certain subterranean lands beneath Harbor Road in the Village; and

WHEREAS, Avalon Nature Preserve, Inc. ("Avalon") wishes to lease approximately seven hundred (700) square feet of subterranean land beneath Harbor Road for the construction and maintenance of a pedestrian underpass that will connect certain portions of the Avalon Nature Preserve (SCTM: 801-1-1-3.2 and 801-3-3-1.1); and

WHEREAS, a written lease agreement has been prepared and presented to the Board of Trustees for review and approval; and

WHEREAS, the Village of Head of the Harbor Board of Trustees finds that the continuation and improvement of the Avalon Nature Preserve is a benefit to the Village, its residents, and to the public-at-large; and

WHEREAS, the Village has no current or foreseeable use for the subterranean lands in question; and

WHEREAS, the proposed lease to Avalon is a Type II Action for purposes of the State Environmental Quality Review Act and its implementing regulations (SEQRA), and therefore, no further environmental review is required and no environmental impact study shall be prepared.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees declares the subterranean lands in question to be surplus real property of the Village; and be it

FURTHER RESOLVED, that the Board of Trustees hereby approves the lease, as presented, and authorizes and directs the Mayor to execute and enter into the lease on the Village's behalf.

The Board of Trustees adopted the foregoing resolution at a duly noticed public meeting held on June 15, 2022, upon the following vote:

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

Filed in the Office of the Village Clerk on the 15th day of June, 2022.


Margaret O'Keefe, Village Clerk

- Minutes - Discussion ensued. Resolution #041-22 to be amended to read June 30th, not June 3rd. It was, upon motion by Trustee Van Vechten, second by Deputy Mayor White, abstention by Trustee Fischer and adopted (4-0-1):

RESOLUTION #044-22

RESOLVED, to adopt the minutes of the May 18, 2022, 7 PM meeting of the Board of Trustees as amended.

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer, and unanimously adopted: **RESOLUTION #045-22**
RESOLVED, to adopt the minutes of the May 25, 2022 7 PM meeting of the Board of Trustees as presented.

- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #046-22**

WHEREAS, the village benefits from the Town of Smithtown’s performance of certain Road Repair and Maintenance projects, 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 Inter-Municipal Agreement for Road Repair and Maintenance in his official capacity.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: **RESOLUTION #047-22**

WHEREAS, the village benefits from the Town of Smithtown’s performance of certain Pavement Markings, 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, in his official capacity, said Inter-Municipal Agreement for Installation of Traffic Signs & Application of Pavement Markings.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted: **RESOLUTION #048-22**

WHEREAS, on April 20, 2022 the Board of Trustees authorized the advertisement of Requests for Bids for the roof repairs and replacement at Village Hall, and

WHEREAS, said results were publicly opened on June 15, 2022, and

WHEREAS, all the following proposals were presented to, and reviewed by, the Board of Trustees,

| Contractor | Proposal Total |
|-----------------------|----------------|
| A-1 Roofing | \$ 65,750.00 |
| VAD Contractors, Inc. | \$114,000.00 |

And,

WHEREAS, Daniel Falasco, Village Engineer has deemed the best value for the Village to be the proposal provided by A-1 Roofing,

NOW THEREFORE, BE IT RESOLVED, the Board of Trustees of the Village of Head of the Harbor on behalf of the village hereby awards the contract to A-1 Roofing and the Board of Trustees hereby authorizes Mayor Douglas A. Dahlgard to execute the contract documents in his official capacity, and

BE IT FURTHER RESOLVED, to authorize and direct the village treasurer to release payment to A-1 Roofing immediately upon the project’s completion.

- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, and unanimously adopted:
RESOLUTION #049-22
WHEREAS, the Board of Trustees has determined that 1). Saneck Road (off Bacon Road) - approx. 2,500 sy 2). Nadia Court (off Saneck Road) – approx. 850 sy, and 3). Victoria Court (off Saneck Road) – approx. 850 sy, should be repaved as part of the Village’s 2022 Road Repaving Program, and
WHEREAS, Daniel Falasco, Village Engineer has received from Rosemar Contracting, Inc., a cost proposal, dated May 31, 2022, inclusive of the application of 550 tons of asphalt concrete, 250 gallons of diluted tack coat, 4,200 sy cold milling pavement, and 550 tons asphalt/fuel adjustment, and
WHEREAS, the Village given the conditions of the marketplace including limited availability of vendors, use of a County of Suffolk contract price 7-17.4.13, product supply and seasonality has elected to utilize as its vendor Rosemar Contracting, Inc., which has assured its ability to commence and conclude the work immediately, and
WHEREAS, the Board has received and considered the advice of the Village Engineer and the Commissioner of Highways,
NOW THEREFORE it is
RESOLVED, the Village herewith engages Rosemar Contracting, Inc., at a cost of \$68,629.00, as outlined in their proposal dated May 31, 2022 to perform the work described hereinabove, with all work to be completed during 2022 in a fit and workmanlike manner, in accord with industry standards and with the specifications of the Village Engineer, and to the satisfaction of the Village Engineer, and with any payment subject to submission and approval of voucher as required by Village Law §5-524.

- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, and unanimously adopted:
RESOLUTION #050-22
WHEREAS, the Board of Trustees has determined that the Village Hall parking lot, located at 500 North Country Rd., St. James, NY 11780, be repaved as part of the Village’s 2022 Road Repaving Program, and
WHEREAS, Daniel Falasco, Village Engineer has received from Rosemar Contracting, Inc., a cost proposal, dated May 31, 2022, inclusive of 3,400/sy Full Depth Reclamation, 335 cy, Unclassified Excavation, 400 tns Type 3 Binder Course (2.5”), 300 tns Type 6 Top Course, 700 tns Asphalt/Fuel Adjustment, and
WHEREAS, the Village given the conditions of the marketplace including limited availability of vendors, use of a County of Suffolk Letting No. 19/0334LPWI, product supply and seasonality has elected to utilize as its vendor Rosemar Contracting, Inc., which has assured its ability to commence and conclude the work immediately, and
WHEREAS, the Board has received and considered the advice of the Village Engineer and the Commissioner of Highways,
NOW THEREFORE it is
RESOLVED, that the Village herewith engages Rosemar Contracting, Inc., at a cost of \$108,347.00 as outlined in their proposal dated May 31, 200 to perform the work described hereinabove, with all work to be completed during 2022 in a fit and workmanlike manner, in accord with industry standards and with the specifications of the Village Engineer, and to the satisfaction of the Village Engineer, and with any payment subject to submission and approval of voucher as required by Village Law §5-524.

2. Financials – Patricia Mulderig, Treasurer:

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #051-22
RESOLVED, to adopt Abstracts #127649 through and including #127654 in the total amount of \$53,033.56 paid from the General Fund.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #052-22
RESOLVED, the Village Treasurer is authorized and directed to make modifications to the 2021/2022 budget in the amount totaling \$286,012.95 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR
2022/2023 BUDGET MODIFICATIONS
6/15/2022

| | | BUDGET F/Y/E | BUDGET ADJUSTMENT | MODIFIED BUDGET |
|-----------|-----------------------------------|-------------------|----------------------|--------------------|
| | | <u>2/28/2022</u> | | <u>2/28/2022</u> |
| A1410.22 | CLERK- OFFICE SUPPLIES, TELEPHONE | 9,500.00 | (180.00) | 9,320.00 |
| A1410.221 | CLERK- MISCELLANEOUS COVID 19 | 0.00 | 180.00 | 180.00 |
| A3120.21 | POLICE EQUIP, RADIOS | 2,600.00 | 5,000.00 | 7,600.00 |
| A5110.1 | STREET MAINT - PERS SERVICE | 209,275.04 | (5,000.00) | 204,275.04 |
| A5110.11 | STREET MAINT - OVERTIME | 5,000.00 | 5,000.00 | 10,000.00 |
| A8020.2 | PLANNING BOARD OFFICE SUPPLIES | 0.00 | 150.00 | 150.00 |
| A11990.0 | CONTINGENCY | 59,637.91 | (5,150.00) | 54,487.91 |
| | | 0.00 | 0.00 | 0.00 |
| | | 0.00 | 0.00 | 0.00 |
| | | 0.00 | 0.00 | 0.00 |
| | | <u>286,012.95</u> | <u>0.00</u> | <u>286,012.95</u> |

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #053-22
RESOLVED, to adopt Abstract TA #201 in the total amount of \$3,051.72 to be paid from the Trust & Agency Fund.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #054-22
RESOLVED, the Village Treasurer is authorized and directed to reissue the following checks to Kyle & Tiffany Soltis for \$58.19, William & Mindy Newton \$168.40 and Daniel & Andrea Said \$146.01.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #055-22
RESOLVED, the Village Treasurer is authorized and directed to pay the \$34,000.00 BAN payment and interest of \$680.00 for a total of \$34,680.00 and reissue a BAN in the amount of \$14,000.00 on or before July 13, 2022.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #056-22
RESOLVED, the Village Treasurer is authorized and directed to pay the \$45,000.00 Bond payment and interest not to exceed \$6,903.00 for a total of \$51,903.00 on or before July 17, 2022.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #057-22
RESOLVED, the Village Treasurer is authorized and directed to release payment to Dime Bank in the amount of \$483.62 and Kings Park Asphalt in the amount of \$112.76.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #058-22
RESOLVED, to authorize and direct the Village Treasurer to transfer \$13,500.00 from the T & A Fund to the General Fund to correct accounting error.

3. Planning Board:

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #059-22
RESOLVED, to appoint Sally A. Lynch as a member of the Planning Board to fulfill the current vacancy; this appointment has a term until 2023.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #060-22
WHEREAS, in accordance with Village policy, Avalon Park & Preserve, 200 Harbor Road, Stony Brook, New York deposited \$2,000.00 with the village for Planning Board site plan review of a boardwalk restoration, and
WHEREAS, the matter has been finalized with the issuance of C/C #1245, and all consultant invoices have been satisfied,
BE IT RESOLVED, to authorize and direct the Village Treasurer to release the balance in the amount of \$596.25 in accordance with her report dated June 15, 2022.

4. Police Department – Chief Charles M. Lohmann:

- It was, upon motion by Mayor Dahlgard, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #061-22
BE IT RESOLVED, that the Village Board has set the following penalty schedule for parking violations issued by the Village Police Department and other authorized law enforcement agencies; \$50.00 for parking anywhere on a village street, \$75.00 for parking within a fire zone and \$100.00 for unauthorized parking in a handicap spot.

It was, upon motion by Trustee Fischer, second by Deputy Mayor White and unanimously adopted, to enter into Executive Session at 8:23 PM to discuss personnel.

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #062-22

**VILLAGE OF HEAD OF THE HARBOR
 BOARD OF TRUSTEES**

**RESOLUTION AMENDING VILLAGE HOLIDAY SCHEDULE
 TO ADD “JUNETEENTH” AS AN OFFICIAL, RECOGNIZED HOLIDAY**

WHEREAS, “Juneteenth” is now a holiday recognized by the United States Government and the Government of the State of New York; and

WHEREAS, the Village of Head of the Harbor Board of Trustees wishes to emulate and further the spirit of freedom, inclusivity, and unity that Juneteenth represents; and

WHEREAS, the Board of Trustees finds that it shall, therefore, be in the best interests of the Village and its residents to recognize Juneteenth as an official holiday in the Village of Head of the Harbor; and

WHEREAS, the proposed action is a Type II Action for purposes of the State Environmental Quality Review Act and its implementing regulations (SEQRA), and accordingly, no further environmental review shall be conducted and no environmental impact statement shall be prepared.

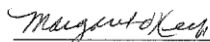
NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby declares Juneteenth a recognized holiday in the Village of Head of the Harbor, which holiday shall be observed in this calendar year (2022), and each year thereafter, in the same manner as all other holidays recognized by the Village; and be it

FURTHER RESOLVED, that the Village of Head of the Harbor Policy Manual is hereby amended to add “Juneteenth” to the schedule of recognized holidays set forth therein; and be it

FURTHER RESOLVED, that Juneteenth shall be observed in the same manner as the list of recognized/observed holidays set forth in said policy.

WHEREUPON, on motion by Deputy Mayor White, seconded by Trustee Ogden, the Board of Trustees adopted the foregoing resolution by affirmative majority vote taken at a duly noticed public meeting of the Board held on June 15, 2022.

Filed in the Office of the Village Clerk on the 16th day of June, 2022.


 Margaret O'Keefe, Village Clerk

It was, upon motion by Deputy Mayor White, second by Trustee Fischer 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 8:46 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk