

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, JUNE 19, 2019**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, June 19, 2019 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 and Judith C. Ogden. Not in attendance this evening Trustee Jeffrey D. Fischer. Also in attendance Village Attorney, Anthony B. Tohill; Village Administrator/Clerk, Margaret O'Keefe; Police Chief, Charles M. Lohmann; Village Treasurer, Patricia Mulderig and Building Inspector, Robert O'Shea.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION # 038-19
Minutes of the Board of Trustees meeting of May 15, 2019 at 7PM were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #039-19
Minutes of the Board of Trustees work session June 5, 2019 at 7PM.
RESOLVED, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #040-19
RESOLVED, that the village attorney is hereby authorized and directed to draft a “A LOCAL LAW REPEALING VILLAGE CODE CHAPTER 125, PEDDLING AND SOLICITING, AND ENACTING CHAPTER 105, HAWKING, PEDDLING AND SOLICITING”, and be it **FURTHER RESOLVED**, the village clerk is hereby authorized and directed to post and publish a public hearing for Local Law (Intro.) NO.2 of 2019, “REPEALING VILLAGE CODE CHAPTER 125, PEDDLING AND SOLICITING, AND ENACTING CHAPTER 105, HAWKING, PEDDLING AND SOLICITING”. Said hearing is to be held on Wednesday, July 17, 2019 at 7PM , time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:
RESOLUTION #041-19
WHEREAS, PSEG has a rebate program for upgrades to LED lighting, and **WHEREAS**, the Board of Trustees has reviewed the proposal by ECON LED, and **WHEREAS**, said proposal will be subject to review by PSEG, and **WHEREAS**, the agreement has been approved in form by the village attorney, **BE IT RESOLVED**, to authorize and direct Mayor Dahlgard to execute the above agreement in his official capacity.

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

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #042-19
RESOLVED, to adopt Abstracts #127254 through and including #127262 in the total amount of \$27,458.45 to be paid from the General Fund.

Clerk's Note: Due to minor error in the treasurer's report the Trustees adopted the amount of \$27,458.45, inadvertently omitting \$407.34 from Abstract #127259. This item has been placed on the agenda of July 17, 2019 for correction.

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

RESOLUTION #043 -19

RESOLVED, to adopt Abstract TA #154 in the total amount of \$1,792.75 to be paid from the Trust & Agency Fund.

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

RESOLUTION #044-19

RESOLVED, the Village Treasurer is authorized and directed to make budget modifications to the 2018/2019 budget totaling \$33,988.00 for a net change of zero, as noted:

		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2019		2/28/2019
A2705.0	GIFTS & DONATIONS	0.00	(11,490.00)	(11,490.00)
A1450.4	ELECTIONS	1,200.00	50.00	1,250.00
A1990	CONTINGENCY	32,788.00	11,440.00	44,228.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>33,988.00</u>	<u>0.00</u>	<u>33,988.00</u>

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

RESOLUTION #045-19

RESOLVED, to authorize and direct the village treasurer to refund the taxes as per the successful grievances in the amount of \$299.40 as noted below:

PROPERTY ID	SECTION	BLOCK	LOT	HOMEOWNER	Address	ASSESSOR LETTER	ASSESSOR'S DATE	CURRENT ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	2019/2020 ADJUSTMENT	
1	34100	8	1	14	William & Mindy Newton	21 Hitherbrook Rd, SB	18-Jan-19	20-Feb-19	10412	9936	(736)	155.50
2	47200	7	4	4.9	Joseph & Jan Bartow	3 Deepwells Lane, SJ	18-Jan-19	20-Feb-19	9500	9594	(326)	79.25
3	47500	7	4	4.12	Edward & Doreen Metz	11 Deepwells Lane	18-Jan-19	20-Feb-19	10300	9594	(706)	162.65
4	49600	7	5	3	John & Debbie Reid	6 Wicks Lane, SJ	18-Jan-19	20-Feb-19	14700	13899	(801)	223.00
5	1200	1	1	13	William & Kathleen Mich	18 Emmet Drive, SB	10-Jan-19	20-Feb-19	32100	26300	(2,800)	725.20
6	70002	2	1	17.13	Boh Sperber	1 Piper Lane, SJ	10-Jan-19	20-Feb-19	18068	17200	(1,468)	380.21
7	20100	5	1	23.15	Carmela Luzzo	8 Farmer's Lane, SJ	10-Jan-19	20-Feb-19	15620	14497	(1,123)	290.89
8	27400	5	2	10	Catherine Kirzky	12 Three Sisters Rd., SJ	10-Jan-19	20-Feb-19	14520	13000	(1,520)	353.88
9	28700	5	2	24.2	Raymond Bernard & RAK Tebaud	11 Three Sisters Rd, SJ	10-Jan-19	20-Feb-19	30550	9422	(1,128)	292.15
10	48400	7	4	4.21	Donna Teereno	29 Deepwells Lane	10-Jan-19	20-Feb-19	11770	10150	(1,620)	419.58
11	3850	1	2	14	John Campbell	14 Saddle Road, SB	1-Feb-19	20-Feb-19	15755	14402	(1,263)	327.12
12	14500	3	2	12	Jonathan & Maria Coyote	12 Seneck Road, SJ	1-Feb-19	20-Feb-19	15400	11550	(3,650)	997.15
ASSESSMENT ADJUSTMENTS - MARCH 20, 2019										(17,401)	4,506.86	
13	45800	7	3	29.5	Josephine Milwilo	2 Timothy Woods Rd SJ	17-Apr-19	25-Mar-19	17628	16200	(738)	191.14
14	1750	1	1	17.4	Daniel & Bianca Dresch	1 Mill Creek Road SB	17-Apr-19	8-Apr-19	12425	11685	(740)	191.66
ASSESSMENT ADJUSTMENTS - MAY 15, 2019										(1,478)	392.80	
15	1900	1	1	18	Stephen & Ellen Rappaport	15 Emmet Way, SB	13-Jun-19	5-May-19	12870	11995	(875)	226.53
16	27000	5	2	6	Stelios & Maria Zodiatis	8 Farm Road SJ	13-Jun-19	23-Apr-19	12278	11995	(283)	72.79
ASSESSMENT ADJUSTMENTS - JUNE 19, 2019										(1,158)	296.40	

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

RESOLUTION #046-19

WHEREAS, on June 5, 2019 the village clerk polled each member for conflict of interest with Greene County Commercial Bank and by affirmative vote they do hereby attest that as a member of the Board of Trustees of the Inc. Village of Head of the Harbor no conflict of interest, as defined pursuant to Article 18 of the General Municipal Law, exists with respect to the contract of sale of the Bond with Greene County Commercial Bank authorized and directed by said Board, **BE IT RESOLVED**, village treasurer is authorized and directed to replace the \$405,000.00 FNBLI BAN for the 2018 Road Program and assume a Bond in the amount of \$360,000.00, with Greene County Commercial Bank, terms below:

Principal Sum: \$360,000.00
NIC Rate: 2.6519%
Closing Date: July 17, 2019
First Maturity Date: July 17, 2020

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #047-19
WHEREAS, on August 1, 2018 the village treasurer was authorized and directed to assume a Bond Anticipation Note with First National Bank of Long Island in the amount of \$52,000.00, terms below:

Principal Sum: Fifty-two thousand dollars (\$52,000.00)
Interest Rate: Two and fifty hundredths per centum (2.50%) per annum
Date of Issue: August 1, 2018
Maturity Date: August 1, 2019 and

WHEREAS, on May 15, 2019 the village treasurer was authorized and directed to assume a Bond Anticipation Note with First National Bank of Long Island in the amount of \$35,000.00, terms below:

Principal Sum: Thirty-five thousand dollars (\$35,000.00)
Interest Rate: Three per centum (3.00%) per annum
Date of Issue: May 29, 2019
Maturity Date: August 1, 2019 and

NOW THEREFORE BE IT RESOLVED, to authorize and direct the village treasurer to cause to have issued a Bond Anticipation Note with First National Bank of Long Island in the sum of \$74,000.00.

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

- It was, upon motion by Trustee Ogden, second by Deputy Mayor White and unanimously adopted:
RESOLUTION #048-19
RESOLVED, to authorize and direct the status change of Jake Myhre from part-time, **call-in** highway laborer, to part-time, **seasonal**, highway laborer. This resolution is in accordance with Trustees resolution of June 5, 2019 and effective retroactively to June 4, 2019.

4. Police Department – Charles M. Lohmann, Police Chief:

- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #049-19
WHEREAS, Officer Richard Raynock has submitted his resignation, effective subsequent to his last shift of January 2, 2019, for purposes of retirement, and
WHEREAS, the Board of Trustees is thankful and grateful of his past service,
THEREFORE BE IT RESOLVED, the Board of Trustees hereby appoints Richard Raynock as an at-will, part-time police officer retroactively for an effective date of January 7, 2019. This resolution is effective immediately.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #050-19
BE IT RESOLVED, to appoint John Delaney to the Joint Coastal Commission to fulfill the current vacancy; this term expired April 2022. This resolution is effective retroactively to April 4, 2019.

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

RESOLUTION #051-19

WHEREAS, Avalon Park & Preserve has submitted a site-plan application to the Planning Board seeking approval of among other things a crosswalk over Harbor Road and,

WHEREAS, any approval of such as a private or proposed use or proposed alteration of a public asset would require approval of the Board to Trustees and,

WHEREAS, any consideration to such a crosswalk would require the services of a traffic engineer,

NOW THEREFORE, the Board hereby engages in Patrick Lenihan of VHB Engineering of Hauppauge, New York with all said services be in accordance with the VHB schedule a copy which has been provided the village clerk this date and with all said charges to be submitted on a monthly Village Voucher and processed in accordance with Village Law §5-524 and,

IS FURTHER RESOLVED, any said engagement is subject to deposit by Avalon Park & Preserve in the sum of \$7,500.00 into the Trust & Agency Account in Avalon Park/Shore Farm maintenance of reserves sufficient in view of the Planning Board and,

IT IS FURTHER RESOLVED, the village clerk shall schedule a special meeting in accordance with §72 of the Public Offices Law to enable a prompt meeting of the Board of Trustees with Patrick Lenihan and representatives of Avalon Park & Preserve and,

IT IS FURTHER RESOLVED, that the village clerk shall send a copy of this resolution immediately to Anthony Guardino, Esq.; Patrick Lenihan, PE; Dan Falasco, PE and Richard P. Warren, AICP.

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

RESOLUTION #052-19

WHEREAS, Harbor County Day School has submitted a site plan to the Planning Board addressing parking and ingress and egress and,

WHEREAS, any Planning Board review would require services of traffic engineer,

NOW THEREFORE IT IS RESOLVED, Patrick Lenihan of VHB Engineering is hereby engaged to provide said services with all fees payable by the Day School pursuant to Village Code Chapter 88 and with accordance with Village Law §5-524 with the fees as per scheduled delivered by VHB Engineering to the village clerk to this date and,

IT IS FURTHER RESOLVED, voucher shall be submitted monthly and,

IT IS FURTHER RESOLVED, any services are subject to the Day School of a sufficient deposit of monies Trust & Agency Account with the commencement of services conditioned upon an initial deposit of \$7,500.00 and any further deposit as required by resolution of the Planning Board and,

IS FURTHER RESOLVED, village clerk shall forward a copy of this resolution immediately to John Cissel, Head Master Harbor County Day School, Patrick Lenihan, PE, Dan Falasco, PE and Richard P. Warren, AICP.

5. Public Comment:

- Highland Avenue Residents - Rosasco, Schmidt, Lenard and Boyd expressed concerns regarding speeding traffic and water runoff issues on Highland Avenue. Chief Lohmann and Highway Commissioner Ogden to investigate, respectively.
- Ms. Creedon posed questions regarding Hitherbrook Extension.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted, to move to executive session to discuss personnel at 8:36PM. No action taken. It was, upon motion by Mayor Dahlgard, second by Deputy Mayor White and unanimously adopted to move back to public session.

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

RESOLUTION #053-19

WHEREAS, Village of Head of the Harbor maintains employee policy handbook and,
WHEREAS, said policy handbook in section 5 addresses vacation time, in section 6 personal days and in section 7 addresses sick days and,

WHEREAS, each of these benefits is dependent on years of employment and,

WHEREAS, Charles Lohmann had been a part-time hourly Police Officer for the Village of Head of the Harbor since December 29, 2009 and,

WHEREAS, he has been promoted to Chief of Police, a part-time salaried employee since April 04, 2016 and,

NOW THEREFORE, in order to resolve any ambiguity or doubt with respect to the application of the time periods in sections 5, 6 and 7 be aforesaid Employee Policies with respect the Chief of Police it is the consensus of this Board and the understanding of this Board that the number of years of service of the Chief of Police, both as a part-time Police Officer and as Chief of Police, shall be deemed accumulative and the total of all years of service shall be applied when addressing the award of vacation days, personal days and sick days of the Chief of Police and,

IT IS FURTHER RESOLVED, that this resolution be subject to any further or different resolution that the Board of Trustees may adopt here afterwards in respect to the same subject covered in this resolution.

- There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor White, second by Mayor Dahlgard and unanimously adopted, to adjourn the meeting at 9:11 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk