

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, August 18, 2021**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, August 18, 2021 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; Village Attorney, Anthony S. Guardino and Building Inspector, Robert O’Shea. Not in attendance Co-Counsel, Philip Butler.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard

Lovett/Silverman – Request for Board of Trustees to opine on Joint Coastal Commission inconsistent ruling. Applicant and Donna Meyer’s made a presentation to the Board and the public. Discussion ensued. Materials presented will be affixed to the official minutes. Further discussion ensued.

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

RESOLUTION #077-21

RESOLVED, to grant Board of Trustees approval of the application with the official determination to be filed in the Office of the Village Clerk.

- Minutes of July 21, 2021, 7 PM meeting of the Board of Trustees were presented.
It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #078-21
RESOLVED, to adopt the minutes of the above meeting as presented.
- Minutes of August 4, 2021, 7 PM work session of the Board of Trustees were presented.
It was, upon motion by Trustee Van Vechten, second by Deputy Mayor White, abstention by Trustees Ogden and Fischer and adopted (3-0-2):
RESOLUTION #079-21
RESOLVED, to adopt the minutes of the above meeting as presented.
 - Pin Oak – This item will be on the agenda of September 15, 2021. Letters were mailed certified return receipt to the interested parties. No action taken.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer abstention by Deputy Mayor White and adopted (4-0-1):
RESOLUTION #080-21
RESOLVED, to authorize Mayor Douglas A. Dahlgard, in his official capacity, to execute the liability insurance renewal agreement with U.S. Specialty Insurance Company, Application #: T006010014214 with a policy effective date of 8/28/2021-2022, presented through Salerno Brokerage Corp., 117 Oak Drive, Syosset, N.Y. in the amount of \$48,870.06, and
BE IT FURTHER RESOLVED, to authorize and direct the village treasurer to release payment in full.
 - Nissequogue sent a referral of their Local Law to opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses. Discussion ensued. No action taken.
 - Nissequogue sent a referral of their Local Law entitled “Registration and Maintenance of Vacant and Abandoned Property.” Discussion ensued. No action taken.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #081-21
WHEREAS, the Board of Trustees of the Village of Head of the Harbor is aware that the Village is eligible for receipt of funds from the Federal government associated with the ARPA (American Rescue Plan Act) Coronavirus Local Fiscal Recovery Fund, and
WHEREAS, the Board of Trustees is aware the funds will be distributed to the Village of Head of the Harbor in two installments, one in 2021 and one in 2022, and
WHEREAS, the Village of Head of the Harbor received on installment of \$74,464.99 on July 27, 2021 and anticipates the remaining balance to be issued to the Village of Head of the Harbor in the summer of 2022, and
WHEREAS, the Board of Trustees understands from U.S. Department of Treasury Reporting Guidance, dated June 24, 2021, Version: 1.1, those Non-entitlement Units (NEU – of which the Village of Head of the Harbor is designated) are not required to file an interim report by August 31, 2021, and
WHEREAS, the Board of Trustees understands project and expenditure reports for NEUs are due by October 31, 2021 and then annually thereafter, and
WHEREAS, all eligible recipients are also required to have active registration with the System for Award Management (SAM),
NOW THEREFORE BE IT RESOLVED, to assign the following user roles - Account Administrator, Village Clerk Margaret O’Keefe, with alternate Mayor Douglas A. Dahlgard; Point of Contact Reporting Village Treasurer Patricia Mulderig, with alternate Mayor Douglas A. Dahlgard; Authorized Representative for Reporting, Village Treasurer Patricia Mulderig, with alternate Mayor Douglas A. Dahlgard.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #082-21
WHEREAS, Michele Drake was appointed as a temporary part-time Justice Court Clerk, on a non-civil service basis, not to exceed 10 hours per week at the rate of \$28.00/hr., with office hours to coordinate with training of court personnel, and
WHEREAS, the Court has requested an extension of the training period,
BE IT RESOLVED, to extend said employment from August 31, 2021, until September 30, 2021.

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

- It was, upon motion by Trustee Ogden, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #083-21
RESOLVED, to adopt Abstracts #127542 through and including #127549 in the total amount of \$241,882.21 be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #084-21
RESOLVED, to adopt Abstract TA #188 in the total amount of \$1,055.00 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Fischer, second by Deputy Mayor White, and unanimously adopted:
RESOLUTION #085-21
RESOLVED, the Village Treasurer is authorized and directed to make modifications to the 2021/2022 budget in the amount totaling \$118,014.88 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR
 2021/2022 BUDGET MODIFICATIONS
 8/18/2021

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	2/28/2022	2/28/2022	2/28/2022
A1560	BUILDING PERMITS	(52,500.00)	(10,000.00)
A2110	ZONING FEES	0.00	(2,000.00)
A2115	PLANNING BOARD FEES	(3,500.00)	(200.00)
A2705.00	GIFTS & DONATIONS	(104,500.00)	(7,701.65)
A3501	CONSOLIDATED HIGHWAY AID	(90,000.00)	(155,823.32)
A3505	MULTIMODAL AID	(25,000.00)	(25,000.00)
A1410.22	CLERK MISCELLANEOUS COVID 19	75.00	75.00
A5112.2	PERMANENT ROAD IMPROVEMENTS	90,000.00	155,823.32
A5112.3	PERMANENT ROAD IMP- MULTI MODAL	25,000.00	25,000.00
A8989.4	DEER PROGRAM	500.00	7,701.65
A8010.4	ZONING BOARD	500.00	100.00
A8020.2	PLANNING BOARD OFFICE SUPPLIES	0.00	250.00
A1990	CONTINGENCY	41,410.12	11,775.00
		0.00	0.00
		(118,014.88)	0.00
			(118,014.88)

- Adjustments to tax assessments were received for 2021/2022 from the Town of Smithtown subsequent to the acceptance of the tax rolls. It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:

RESOLUTION #086-21

RESOLVED, to authorize and direct the village treasurer to refund the taxes as per the successful grievances in the amount of \$1,421.36 as noted below:

27	7100	2	1	14	Loretta Bertucelli	91 Harbor Road, SJ	23-Jul-21	11-Jun-21	11875	10925	(950)	271.04	
28	47000	7	4	4.7	Ryan & Alexandra Truncali	1 Deepwells Lane, SJ	23-Jul-21	11-Jun-21	13015	12400	(615)	176.46	
29	14100	3	2	8	Corey Kay	6 Victoria Ct, SJ	23-Jul-21	26-May-21	12792	11903	(889)	253.83	
30	54800	8	2	12	Marla Pipia	12 The Chase	23-Jul-21	12-Jul-21	15360	14665	(695)	198.28	
31	39300	7	1	6	John & Julie Wolf	24 Branglebrink Rd, SJ	23-Jul-21	19-May-21	11739	11328	(411)	117.28	
32	40400	7	1	12.9	Wei & Emily Kao	9 Meadow Gate West	23-Jul-21	19-May-21	12320	11328	(992)	283.02	
33	44000	7	3	24.7	Alice Mc Hale	2 Meadow Gate East	23-Jul-21	19-May-21	12380	11960	(420)	122.68	
											ASSESSMENT ADJUSTMENTS - AUGUST 16, 2021	(4,982)	1,421.36

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

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

RESOLUTION #087-21

WHEREAS, Frank Prinzevalli, Highway Crew Leader has proved to be an exceptional employee,

BE IT RESOLVED, the Board of Trustees hereby bestows upon Frank Prinzevalli the honorary title of Director of Highway Operations. This resolution is effective immediately.

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

RESOLUTION #088-21

Resolution awarding contract for the Creation of a Phase I Tree Inventory & Community Forest Management Plan

WHEREAS, Trustee’s RESOLUTION #055-21 authorized the advertisement of Requests for Proposals for the Creation of a Phase I Tree Inventory & Community Forest Management Plan, and

WHEREAS, said results were publicly opened on July 19, 2021, and

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

Agency	Proposal Total
GEI Consultants	\$42,000.00
CNUC	\$50,000.00
Davey Resource Group	\$65,000.00
Arbor-Pro., Inc.	\$47,975.00

And,

WHEREAS, the Tree Board Chairperson has deemed the best value for the Village to be the proposal provided by Arbor-Pro Inc. 22605 East LaPalma Ave., Suite 509, Yorba Linda, CA 92887,

NOW THEREFORE, BE IT RESOLVED, as follows:

- The Board of Trustees of the Village of Head of the Harbor on behalf of the village hereby awards the contract to Arbor-Pro Inc.
- The Tree Board is directed to issue the Notice of Award to Arbor-Pro Inc., in the amount of \$47,975.00.
- Upon receipt of Village Counsel approved contract and insurances from Arbor-Pro Inc., the Board of Trustees hereby authorizes Mayor Douglas A. Dahlgard to execute the contract documents in his official capacity.

- o Tabled – Discussion regarding outside assistance with snow removal for 2021/2022.

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

RESOLUTION #089-21
AMENDMENT TO ADD FIFTY ACRE EXPENDITURES TO PREVIOUS RESOLUTION
WHEREAS, on Wednesday, August 4, 2021, the Board of Trustees adopted RESOLUTION #072-21, approving Rosemar Contracting, Inc.'s proposal dated July 19, 2021, at a cost of \$53,970.00, for the paving of Branglebrink Road from Fifty Acre Road, and
WHEREAS, the Village wishes to include the paving of Fifty Acre Road as described in the proposal dated October 13, 2020, to the Village Engineer from Rosemar Contracting, Inc., a cost proposal inclusive of the application 900 tons of asphalt concrete, 375 gallons of diluted tack coat, 7,500 sy cold milling pavement, and 900 tons asphalt 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., 56 Pine Street, East Moriches, N.Y. 11940 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 \$92,787.00, as outlined in their proposal dated October 13, 2020 to perform the work described hereinabove with all work to be completed during 2021, 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 Trustee Fischer, and unanimously adopted:

RESOLUTION #090-21
WHEREAS, the Board of Trustees has determined that 1) Carman Lane (Cordwood Path to Cul-de-sac), 2) Cordwood Path (Moriches Road to Harbor Road) and 3) Harbor Road (Cordwood Path to 300' w/o Harbor Hill Road), should be repaved as part of the Village's 2021 Road Repaving Program, and
WHEREAS, the Village Engineer has received from Rosemar Contracting, Inc., a cost proposal, dated August 10, 2021, inclusive of the application of 1,300 tons of asphalt concrete, 660 gallons of diluted tack coat, 11,000 sy cold milling pavement, and 1,300 tons asphalt 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., 56 Pine Street, East Moriches, N.Y. 11940 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 \$142,661.00, as outlined in their proposal dated August 10, 2021 to perform the work described hereinabove with all work to be completed during 2021 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 Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:

RESOLUTION #091-21
WHEREAS, the Village of Head of the Harbor and the Village of Nissequogue share Cordwood Path and
WHEREAS, both villages have identified Cordwood Path as a paving project for 2021,
BE IT RESOLVED, to authorize and direct the village attorney to draft a proposed Inter-Municipal Agreement between the Village of Head of the Harbor and the Village of Nissequogue for a 50/50 share of the paving provided by Rosemar Inc., and the expenditures incurred by the Head of the Harbor Highway Department for work related to preparation of paving the above.

- Paving Cordwood Beach parking area to be discussed with Town of Smithtown. No action taken.

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

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #092-21

WHEREAS, the Board of Trustees wishes to acknowledge and thank Officer Arthur Rall for his years of dedicated service to the residents of Head of the Harbor, and

WHEREAS, Officer Rall has submitted his resignation,

BE IT RESOLVED, to accept Officer Rall’s resignation retroactively effective to July 13, 2021.

- Discussion of Officer Smith tabled.
- There being no other matters to be brought before the Board; it was, upon motion by Trustee Fischer, second by Deputy Mayor White and unanimously adopted, to adjourn the meeting at 9:33 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Administrator/Clerk