

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
WEDNESDAY, AUGUST 19, 2020**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, August 19, 2020 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, Judith C. Ogden and Trustee Jeffrey D. Fischer. Also in attendance Village Administrator/Clerk, Margaret O’Keefe; Village Treasurer, Patricia Mulderig; Village Attorney, Anthony S. Guardino; Co-Counsel, Philip Butler and Police Chief, Charles M. Lohmann. Not in attendance this evening Building Inspector, Robert O’Shea.

Pledge of Allegiance.

**1. Mayor – Douglas A. Dahlgard**

Mayor Dahlgard convened PROPOSED LOCAL LAW NO. 4 OF 2020 AMENDING CHAPTER 165 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING DRIVEWAYS AND CURBS AND RETENTION/DETENTION OF STORMWATER. Comments from the Board & public. Discussion ensued. There being no further comments the Mayor closed the public hearing.

Mayor Dahlgard convened PROPOSED LOCAL LAW NO. 5 OF 2020 CREATING A NEW CHAPTER 149 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING TREES. Comments from the Board & public. Discussion ensued. There being no further comments the Mayor closed the public hearing.

- Move to the meeting of the Board of Trustees.
- It was, upon motion by Trustee Fischer, second by Deputy Mayor White, and unanimously adopted: **RESOLUTION #063-20**  
**RESOLVED**, to adopt SEQRA Negative Declaration in regard to LOCAL LAW NO. 4 OF 2020 AMENDING CHAPTER 165 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING DRIVEWAYS AND CURBS AND RETENTION/DETENTION OF STORMWATER.
- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, and unanimously adopted: **RESOLUTION #064-20**

**INCORPORATED VILLAGE OF HEAD OF THE HARBOR  
BOARD OF TRUSTEES  
RESOLUTION ADOPTING LOCAL LAW 4\_ OF 2020  
AMENDING CHAPTER 165 OF THE VILLAGE CODE WITH RESPECT TO  
DRIVEWAYS AND IMPERVIOUS SURFACES**

**WHEREAS**, the Board of Trustees of the Village of Head of the Harbor (the “Board of Trustees”) is considering Local Law No. 4 of 2020 (the “Local Law”), which would amend Chapter 165 of the Village Code (Zoning) as it pertains to the installation and modification of driveways and other impervious surfaces on properties within the Village; and

**WHEREAS**, notice of a public hearing on the Local Law was timely published in the Smithtown News newspaper on August 6, 2020; and

**WHEREAS**, on August 19, 2020, the Board of opened the duly noticed public hearing on the Local Law, at which time all persons in attendance were given an opportunity to be heard; and

**WHEREAS**, the Board of Trustees closed the public hearing on August 19, 2020; and

**WHEREAS**, the Trustees have reviewed and considered the following materials in addition to the testimony received at the public hearing:

1. The Local Law; and
2. Completed Short Environmental Assessment Form, Parts 1 and 2.

**WHEREAS**, the Local Law has been on the Trustees' desks in final form for at least seven days prior to the date hereof; and

**WHEREAS**, the Local Law is an Unlisted Action for purposes of environmental review pursuant to the State Environmental Quality Review Act and its implementing regulations (SEQRA).

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees hereby:

1. Adopts the attached SEAF Part 3 and the Reasoned Elaboration annexed thereto.
2. Adopts a Negative Declaration of Environmental Significance for purposes of SEQRA; accordingly, no further environmental review is required and no environmental impact statement shall be prepared.
3. Adopts the Local Law as drafted.
4. Directs the Village Clerk to file the Local Law with New York Secretary of State.

Upon motion by Trustee Ogden, seconded by Deputy Mayor White, the foregoing resolution was adopted by a vote of 5 to 0 of the Trustees at a regular meeting of the Board held on August 19, 2020.

Voting:	Douglas A. Dahlgard, Mayor:	AYE
	Daniel W. White, Deputy Mayor:	AYE
	Judith C. Ogden, Trustee:	AYE
	L. Gordon Van Vechten, Trustee:	AYE
	Jeffrey D. Fischer, Trustee:	AYE

Filed in the Office of the Village of Head of the Harbor Village Clerk on August 19, 2020.

---

Margaret O'Keefe

Village Clerk

**LOCAL LAW NO. 4 OF 2020 AMENDING CHAPTER 165 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING DRIVEWAYS AND CURBS AND RETENTION/DETENTION OF STORMWATER**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Head of the Harbor as follows:

**Section 1. Amendments.**

Article VIII (Supplementary Regulations) of Chapter 165 of the Code of the Village of Head of the Harbor (Zoning and Land Development) is hereby amended as follows:

Article VIII Supplementary Regulations

\* \* \*

§ 165-34.3 On-site stormwater retention/detention

- A. All construction projects that increase the total area of impervious surfaces on a lot shall include on-site stormwater retention/detention facilities to accommodate a three (3) inch rainfall.
- B. All construction projects that increase the total area of impervious surfaces on a lot by 750 square feet or more, including, but not limited to, the construction of new homes, additions, accessory structures, patios, and driveways, shall be referred to the Planning Board for site plan approval.
- C. Retention/detention shall be provided by either:
  - 1. Subsurface stormwater drainage structures, such as dry wells and storage chambers.
  - 2. Alternative methods approved by the Planning Board, with the advice and recommendation of the Village Engineer.

§ 165-34.4 Driveways and curbs.

A. Purpose.

The purpose of this section is to assure the sound design and proper maintenance of driveways and curbs installed in the Village, with particular emphasis on protection of the environment, stormwater runoff, and pedestrian and vehicular safety.

B. Definitions.

For purposes of this section, the following terms shall have the following specified meanings:

CURB

A border along the edge of a driveway or street, which may serve to restrain and/or control driveway improvements and water runoff.

DRIVEWAY

A travelled way designed primarily for vehicular traffic leading from a street to a residence, garage, or other building. Driveway aprons and curb cuts shall be considered part of a driveway.

SHOULDER

The portion of a street that lies between the paved portion of the street and adjoining property lines.

## STREET

A public or private right-of-way.

### C. Driveway and curb permit required.

- (1) No driveway or curb shall be installed, constructed, enlarged, modified, reconfigured, reconstructed or resurfaced without a driveway and curb permit from the Building Inspector.
- (2) The application fee for a permit pursuant to this section shall be set by resolution of the Board of Trustees.

### D. Site Plan Approval Required.

The Building Inspector shall review all applications for driveway and curb permits. If an application seeks to (a) construct a new driveway (b) relocate or reconfigure an existing driveway; or (c) increase the driveway area by 750 square feet or more, the Building Inspector shall refer the application to the Planning Board for site plan approval. Site plan approval shall not be required for the reconstruction or resurfacing of an existing driveway in the same location, or the reconstruction of an existing curb that was previously approved by the Village or is a legal nonconforming structure.

### E. Standards.

- (1) Limitation on number of curb cuts. Each residential building lot in the Village shall have no more than one curb cut.
- (2) Location of driveways. Driveways shall not be located within a required buffer area, except for that portion of the driveway that connects the street with the balance of the driveway.
- (3) Width and location of curb cuts. The width of a curb cut shall not exceed 22 feet. No curb cut shall be located less than 40 feet from the paved portion of any street intersection.
- (4) Stormwater runoff. New, enlarged, modified and reconfigured driveways and curbs that increase the total area of impervious surfaces on a lot must provide on-site stormwater retention/detention facilities in accordance with Section 165-34.3 of this Chapter. Driveways and curbs that channel and/or redirect stormwater runoff to or from adjacent streets or properties are strictly prohibited.
- (5) Pavement. That portion of a driveway and/or apron within 2 feet of the edge of the paved street or 12 feet of the centerline of the paved street, whichever distance is less, shall be paved in a manner that complies with the construction specifications approved by the Village Engineer.
- (6) Entry gates, gate posts and driveway piers. Entry gates, gate posts and driveway piers shall not exceed seven (7) feet in height, measured from the natural grade, and shall be setback from the paved portion of any street as follows:
  - a. Entry gates and gate posts: 20 feet.
  - b. Driveway piers (without gates): 10 feet

- (7) Structures prohibited in right of ways: No entry gates, gate posts or driveway piers shall be constructed or installed within the right of way of a public road or a private road open to the public.

## **Section 2. Severability.**

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

## **Section 3. Effective date.**

This local law shall take effect immediately upon filing with the New York Secretary of State.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #065-20 RESOLVED**, to adopt SEQRA Negative Declaration in regard to LOCAL LAW NO. 5 OF 2020 CREATING A NEW CHAPTER 149 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING TREES.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #066-20**

**INCORPORATED VILLAGE OF HEAD OF THE HARBOR  
BOARD OF TRUSTEES  
RESOLUTION ADOPTING LOCAL LAW (Intro) #5 OF 2020  
ADOPTING CHAPTER 149 OF THE VILLAGE CODE CONCERNING TREES**

**WHEREAS**, the Board of Trustees of the Village of Head of the Harbor (the “Board of Trustees”) is considering Local Law No. (Intro) #5 of 2020 (the “Local Law”), which would create Chapter 149 of the Village Code (Trees) regulating the clearing of properties within the Village, and in particular, the removal of trees, understory and other vegetation; and

**WHEREAS**, notice of a public hearing on the Local Law was timely published in the Smithtown News newspaper on August 6, 2020; and

**WHEREAS**, on August 19, 2020, the Board of Trustees opened the duly noticed public hearing on the Local Law, at which time all persons in attendance were given an opportunity to be heard; and

**WHEREAS**, the Board of Trustees closed the public hearing on August 19, 2020; and

**WHEREAS**, the Trustees have reviewed and considered the following materials in addition to the testimony received at the public hearing:

1. The Local Law; and
2. Completed Short Environmental Assessment Form, Parts 1 and 2.

**WHEREAS**, the Local Law has been on the Trustees’ desks in final form for at least seven days prior to the date hereof; and

**WHEREAS**, the Local Law is an Unlisted Action for purposes of environmental review pursuant to the State Environmental Quality Review Act and its implementing regulations (SEQRA).

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Trustees hereby:

1. Adopts the attached SEAF Part 3 and the Reasoned Elaboration annexed thereto.
2. Adopts a Negative Declaration of Environmental Significance for purposes of SEQRA; accordingly, no further environmental review is required and no environmental impact statement shall be prepared.
3. Adopts the Local Law as drafted.
4. Directs the Village Clerk to file the Local Law with New York Secretary of State.
5. Chapter 149 of the Village Code, entitled “Trees,” is hereby repealed in its entirety and is replaced by the provisions set forth below.

Upon motion by Trustee Ogden, seconded by Van Vechten, the foregoing resolution was adopted by a vote of 5 to 0 of the Trustees at a regular meeting of the Board held on August 19, 2020.

Voting:	Douglas A. Dahlgard, Mayor:	AYE
	Daniel W. White, Deputy Mayor:	AYE
	Judith C. Ogden, Trustee:	AYE
	L. Gordon Van Vechten, Trustee:	AYE
	Jeffrey D. Fischer, Trustee:	AYE

Filed in the Office of the Village of Head of the Harbor Village Clerk on August 19, 2020.

---

Margaret O’Keefe

Village Clerk

**LOCAL LAW NO. 5 OF 2020 REPEALING CHAPTER 149 OF THE VILLAGE OF HEAD OF THE HARBOR VILLAGE CODE AND CREATING A NEW CHAPTER 149 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR REGARDING TREES**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Head of the Harbor as follows:

**Section 1. Repealer.**

Chapter 149 of the Village Code, entitled “Trees,” is hereby repealed in its entirety and is replaced by the provisions set forth below.

**Section 2. Enactment.**

Chapter 149 of the Village Code, entitled “Trees,” is hereby adopted as follows:

**§ 149-1. Legislative Intent and Purpose.**

- A. The Board of Trustees of the Incorporated Village of Head of the Harbor hereby finds that there is a direct relationship between the preservation of and the planting of trees and vegetation in sufficient

number in populated areas of the Village and the health, safety and welfare of Village residents and that trees are related to the natural, scenic and aesthetic values and the physical and visual qualities of the environment which the Village is obligated to protect. Trees reduce noise, provide welcome shade and privacy to Village residents, preserve the balance of oxygen in the air by removing carbon dioxide and fostering air quality and create a bucolic and rural atmosphere in the Village. Vegetation also stabilizes the soil and controls water pollution by preventing soil erosion and flooding and provides a natural habitat for wildlife.

- B. The destructive and indiscriminate removal of trees and other woody vegetation causes increased Village costs for proper drainage control, impairs the benefits of occupancy of existing residential properties, impairs the stability and value of both improved and unimproved real property in the area of the destruction and adversely affects the health, safety and general welfare of the residents of the Incorporated Village of Head of the Harbor.

#### **§ 149-2. Definitions.**

For purposes of this chapter, the following terms, phrases and words shall have the following meanings:

##### **APPLICANT**

The owner, contract vendee or lessee of real property or his duly authorized agent.

##### **IMPROVED REAL PROPERTY**

Any real property on which a residential structure, or other place of public assembly has been erected.

##### **MATURE TREE**

A woody perennial plant having a single, usually elongate main stem, generally with few or no branches on its lower part, and having a sufficient size depending on the following three categories of trees: canopy, understory or evergreen.

- A. Canopy trees (e.g., *Acer rubrum*, *Fagus grandifolia*, *Tilia*, *Liriodendron*, *Quercus*) having a trunk circumference of 20 inches or greater measured at a point four feet six inches above ground level, except in the case where a tree has been removed without benefit of a permit, in which case the trunk circumference shall be measured at the highest point remaining at or above ground level.
- B. Understory trees (e.g., *Cornus florida*, *Cercis*, *Carpinus*, *Nyssa*) having a trunk circumference of 10 inches or greater measured at a point four feet six inches above ground level, except in the case where a tree has been removed without benefit of a permit, in which case the trunk circumference shall be measured at the highest point remaining at or above ground level.

- C. Evergreen trees (e.g., Juniperus virginiana, Ilex opaca, Pinus strobus) having a height of 10 feet or greater.

#### PERSON

Any resident of Head of the Harbor or any individual firm, partnership, association, corporation, company, public agency, public utility or organization of any kind or agent thereof.

#### REAL PROPERTY

Includes all unimproved and improved real property within the Incorporated Village of Head of the Harbor.

#### SUBSTANTIAL ALTERATION

Any cutting or drastic pruning of a mature tree which impairs, destroys or endangers the life of such tree or its natural symmetry and shall include but shall not be limited to heavy or unnecessary cutting of top branches and cutting of major lower limbs.

#### SUBSTANTIAL CLEARING

Any cutting or drastic pruning of brush or woody vegetation on a property which alters the runoff pattern of stormwater, or impairs, destroys or endangers the life of such brush or vegetation or its role as a natural habitat.

#### UNIMPROVED REAL PROPERTY

Any real property on which no residential structure, or other place of public assembly has been erected.

#### **§ 149-3. Prohibited acts; permit required; exceptions.**

- A. Permit for substantial alteration or removal of mature trees. It shall be unlawful for any person to remove, destroy or substantially alter or to cause the removal, destruction or substantial alteration of any mature tree located on any real property within the Village of Head of the Harbor without a permit.
- B. Permit for substantial clearing. It shall be unlawful for any person to perform a substantial clearing of brush or woody vegetation on any real property located within the Village of Head of the Harbor without a permit.
- C. The foregoing provisions of this section shall not apply to:
  - (1) Horticultural pruning done pursuant to customarily accepted ornamental or therapeutic practice, which does not substantially alter the habitat of the tree.



- (2) Any emergency situation in which the removal, destruction or substantial alteration of any tree is necessary to prevent imminent danger to human life or property.
- (3) The removal of a dead tree.
- (4) Approved removal of invasive species.
- (5) The removal or substantial alteration of any tree or substantial clearing of brush or woody vegetation required for the maintenance of any road or utility right-of-way or easement.

**§ 149-4. Application procedure; criteria for permit issuance.**

- A. Application for a permit shall be made to the Building Inspector.
- B. The application shall be made on such forms as may be prescribed by the Building Inspector and shall include but not be limited to the following:
  - (1) The name and address of the applicant.
  - (2) The purpose of the proposed removal or alteration.
  - (3) The site of the proposed removal or alteration.
- C. A sketch or plan of the area indicating the following may be required by the Building Inspector when deemed necessary to carry out the provisions of this chapter:
  - (1) An outline of existing heavily wooded areas on the site, showing the tree type and range of sizes.
  - (2) The location and size of trees to be removed and the perimeter of areas which are not to be disturbed by tree cutting, clearing or alterations.
  - (3) The location of any improvements on the site.
  - (4) Any additional information that the Building Inspector may reasonably deem necessary for evaluation of the application, except that no new survey of the property or survey location of trees may be required unless there is controversy as to whether a tree is located on the property.
- D. The decision of the Building Inspector shall be based upon the following criteria:

- (1) The condition of the tree with respect to public safety, disease and danger of falling, proximity to existing or proposed structures and interference with utility services or intended use of the land.
- (2) The necessity of the removal or alteration of the tree in question.
- (3) The effect of the removal or alteration thereof on the ecosystem and possible presence of protected habitat.
- (4) The character established at the proposed site of removal or alteration with respect to existing vegetation management practices.
- (5) The impact of any removal or alteration upon existing screening of any contiguous properties or any road or highway bordering the property.
- (6) The applicant's intention to replant trees and revegetate the property.
- (7) The applicant's payment of a monetary fee to mitigate for the lost vegetation in lieu of replacing the tree(s) or replanting the equivalent area of vegetation that is cleared on the property. Such fees shall be deposited into a trust fund to be used by the Village exclusively for the planting of trees and other vegetation on public property within the Village.

E. The Building Inspector may seek a recommendation from one or more members of the Architectural Review Board prior to making a decision on the application.

#### **§ 149-5. Permit fee.**

The fee for any permit required under this chapter shall be established, and amended from time to time, by resolution of the Board of Trustees.

#### **§ 149-6. Replacement.**

The Building Inspector may require the planting of the same or an agreed-upon alternative species of trees which are as nearly comparable in type and size as practical to the trees to be removed, when the individual character of the trees or the ecological setting requires special consideration as a condition for the issuance of a permit for removal. The quantity, size, species and location of replacement trees shall be based on the recommendation of the Architectural Review Board.

#### **§ 149-7. Penalties for offenses.**

Any person who shall violate any of the provisions of this chapter shall be deemed guilty of a violation and, upon conviction thereof, shall be subject to a fine of not less than \$500 and not more than \$2,000 for each tree unlawfully removed, destroyed or substantially altered without a permit, and a fine of not more than \$1,000 for any other violation under this chapter. Each such violation shall constitute a separate offense

and shall be punishable as such hereunder. The planting of replacement trees may be required in addition to the fine herein.

**§ 149-8. Enforcement.**

The Building Inspector and any member of the Village Police Department are hereby vested with authority to enforce the provisions of this chapter, and any enforcement shall include a rebuttable presumption that the person(s) responsible for any violation under this chapter includes but is not limited to the record owner(s) and/or actual occupant(s) of the premises as well as any person actually engaged in the unauthorized removal of trees.

**§ 149-9. Additional rights and remedies unaffected.**

Nothing herein contained shall abridge or alter any rights or remedies now or hereinafter existing, nor shall this chapter nor any provisions thereof nor any rule or regulation promulgated thereunder be construed as estopping the Village of Head of the Harbor from exercising its right and fulfilling its obligations to protect the public health and welfare. In addition to all other remedies available to the Village, this chapter shall be enforceable by injunction in an action brought in the Supreme Court.

**Section 3. Severability.**

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

**Section 4. Effective date.**

This local law shall take effect immediately upon filing with the New York Secretary of State.

- Village Historian Leighton Coleman discussed his recent meeting with Joel C. Snodgrass to discuss the historic Thorton Estate gates. No action taken.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION # 067-20**  
Minutes of July 15, 2020 7 PM meeting of the Board of Trustees were presented with a request to amended resolution # 053-20 to reflect the corrected version of the treasurer’s report which included abstract #127401 in the amount of \$311.08, for a total amount of \$40,519.42 to be paid from the General Fund.  
**RESOVLED**, to adopt the minutes of the above meeting as amended.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, abstention by Deputy Mayor White and adopted (3-0-1):  
**RESOLUTION # 068-20**  
Minutes of August 5, 2020 7 PM meeting of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as presented.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, abstention by Deputy Mayor White and adopted (3-0-1):  
**RESOLUTION # 069-20**  
**RESOLVED**, to authorize Mayor Douglas A. Dahlgard, in his official capacity, to execute the liability insurance renewal agreement with AssuredPartners Northeast, LLC in the amount of \$53,564.36, and  
**BE IT FURTHER RESOLVED**, to authorize and direct the village treasurer to release payment in full.
- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, and unanimously adopted:  
**RESOLUTION # 070-20**  
**WHEREAS**, that the village of Head-of-the-Harbor requested a Multi-Modal Transportation Fund grant in the amount of \$50,000.00 for the financing of improvements on Harbor Road, and  
**WHEREAS**, the village engineer has received a copy of the Approved Supplemental Agreement and is to draft all documents in the manner as described therein, and  
**WHEREAS**, the supporting documents will be provided to the State in the form requested,  
**BE IT RESOLVED**, that the village does hereby designate Douglas A. Dahlgard, Mayor to authorize and act as the applicant and to execute all documents and agreements necessary to obtain the requested grant.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 071-20**  
**RESOVLED**, to adjust the hours allowed of our part-time seasonal employee Jake Myhre to assist with storm cleanup on a temporary basis 32 hours per week for a period of time to terminate on September 19, 2020.
- It was, upon motion by Deputy Mayor White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION # 072-20**  
**RESOVLED**, to authorize and direct the village treasurer to release payment to John Bennett in the amount of \$1,760.00.

**2. Police Department – Charles M. Lohmann, Police Chief:**

- Equipment upgrades to be review at the September work session.

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

- Highway department moving forward.

**4. Building Department – Robert O’Shea, Building Inspector:**

- Report submitted to the Board.

**5. Financials – Patricia A. Mulderig, Village Treasurer:**

- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 073-20**  
**RESOLVED**, to adopt Abstracts TA #169 in the total amount of \$1,630.00 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION # 074-20**  
**RESOLVED**, to adopt Abstracts #127402 through and including #127414 in the total amount of \$29,900.56 be paid from the General Fund.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION # 075-20**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications totaling \$50,229.65 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR  
2020/2021 BUDGET MODIFICATIONS  
8/18/2020

		BUDGET	BUDGET	MODIFIED
		FY/E	ADJUSTMENT	BUDGET
		2/28/2021		2/28/2021
A1520	POLICE GRANTS & FEES	0.00	20.00	20.00
A1565	ZBA HEARING FEES	(1,000.00)	1,000.00	0.00
A2110	ZONING FEES	(2,000.00)	(1,000.00)	(3,000.00)
A2650	SALE OF VEHICLES AND EQUIPMENT	0.00	(2,075.00)	(2,075.00)
A1110.221	JUSTICE COURT - COVID 19	0.00	250.00	250.00
A1410.221	CLERK - MISCELLANEOUS COVID 19	75.00	25.00	100.00
A3120.11	POLICE PERSONAL SVC- SPECIAL TOURS	2,800.00	4,000.00	6,800.00
A1990	CONTINGENCY	50,354.65	(2,220.00)	48,134.65
		0.00	0.00	0.00
		<u>50,229.65</u>	<u>0.00</u>	<u>50,229.65</u>

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted: **RESOLUTION # 076-20**  
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 in the amount of \$770.75 as noted:

PROPERTY ID	SECTION	BLOCK	LOT	HOMEOWNER	Address	ASSESSOR LETTER	ASSESSOR'S DATE	CURRENT ASSESSMENT	CORRECTED ASSESSMENT	DIFFERENCE	2020/2021 ADJUSTMENT	
1	36100	8	2	10	Dennis & Diana Kelly	15 Watercrest Ct StJ	28-Jan-20	24-Jan-20	11220	10846	(374)	100.19
2	40200	7	1	12.7	Laura Tartarone	7 Meadow Gate West StJ	28-Jan-20	24-Jan-20	12540	11988	(552)	319.06
3	46000	7	4	4.27	John Van Son Jr.	12 Deepwells Lane	28-Jan-20	24-Jan-20	11666	9568	(2098)	843.09
ASSESSMENT ADJUSTMENTS - MARCH 11, 2020											(3,024)	667.24
4	36800	8	2	12	Lynne Poutignon	630 Molichos Rd. StJ	28-May-20	8-Feb-20	11154	10334	(820)	300.05
5	49400	7	4	4.31	Joseph & Christine Diella	18 Deepwells Lane StJ	28-May-20	8-Feb-20	9100	8874	(226)	60.55
6	34800	6	1	30.6	Richard Fehring	4 Wetherill Ave. StJ	28-May-20	2-Mar-20	11480	8798	(2682)	723.67
7	44800	7	3	24.22	Izhar & Neerina Haque	7 Meadow Gate East StJ	28-May-20	2-Mar-20	12320	11809	(511)	156.90
ASSESSMENT ADJUSTMENTS - JUNE 17, 2020											(4,859)	1,221.38
8	23600	5	1	7	Brian Saltic & Olga Nava	20 Highbrook Rd. StJ	4-Aug-20	15-Jul-20	9810	9512	(298)	28.25
9	49100	7	4	4.28	Nicole & Lirvine Bizate	12 Deepwells La. StJ	4-Aug-20	15-Jul-20	10196	9812	(384)	175.21
10	50200	7	5	7	Nicole & Jane Garguin	2 Wilks Lane St. J	4-Aug-20	15-Jul-20	12500	11800	(700)	160.74
11	53000	8	1	18.12	Carl & Maryann Sigona	8 The Hard St J	4-Aug-20	15-Jul-20	14975	13400	(1,575)	406.55
ASSESSMENT ADJUSTMENTS - AUGUST 19, 2020											(2,877)	776.75
										TOTAL ASSESSMENT ADJUSTMENTS	(11,009)	2,948.31
										ASSESSMENT ADJUSTMENTS - MARCH 11, 2020		(957.21)
										ASSESSMENT ADJUSTMENTS - JUNE 17, 2020		(1,221.38)
										ASSESSMENT ADJUSTMENTS - AUGUST 19, 2020		(770.75)
											0.00	0.00
										TOTAL 2020/2021 ASSESSMENT ADJUSTMENTS		(90.00)

**Public Comment:**

- Compliments given to the highway department and members of the Avalon organization for their efforts cleaning up after Hurricane Isaias.
- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted, to move to executive session to discuss personnel. No action taken. It was, upon motion by Deputy Mayor White, second by Trustee Ogden 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 8:51 PM.

Respectfully Submitted,

\_\_\_\_\_  
Margaret O'Keefe  
Village Administrator/Clerk