

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, September 7, 2016 at 7 PM**

A work session of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, September 7, 2016 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 Jeffrey D. Fischer. Not in attendance this evening, Village Attorney Anthony B. Tohill. Also in attendance Chief Charles Lohmann, Village Clerk Margaret O'Keefe and Village Treasurer Patricia Mulderig.

Discussion items included:

- Time clock policy. It was upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:
RESOLUTION # 081-16
RESOLVED, to adopt an amended Time Clock Policy.
- Potential articles for upcoming newsletter. No further action taken.
- It was, upon motion by Trustee White, second by Trustee Ogden, and unanimously adopted to move to executive session to discuss personnel. No action taken. It was, upon motion by Trustee Fischer, second by Trustee White to move to back to public session.
- It was, upon motion by Mayor Dahlgard, second by Trustee Ogden and unanimously adopted:
RESOLUTION # 082-16
In accordance with RESOLUTION #136-14
RESOLVED, that disciplinary charges be preferred against a civil service employee; and be it further,
RESOLVED, that Arthur Riegel be appointed as the hearing officer in this matter,
BE IT FURTHER RESOLVED, that unless an agreement is reached with the civil service employee to the satisfaction of the Board by September 15, 2016 the employee shall be suspended without pay effective September 16, 2016.
- Discussion regarding potential repairs to Valleywood Court West, Hitherbrook Rd., and Evan Ct. No action taken.
- Discussion regarding road striping. No action taken.
- Discussion regarding police activity. No action taken.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION # 083-16
In accordance with RESOLUTION # 049-16,
WHEREAS, the Board of Trustees finds that the 2010 police department Ford Crown Victoria, is a surplus vehicles and should be placed for sale, and
WHEREAS, a contract for auction had been approved in form by the village attorney, and
WHEREAS, the resulting bid was lower than anticipated,
BE IT RESOLVED, to authorize the Village Clerk, Margaret O'Keefe to relist the 2010 police department Ford Crown Victoria with Auctions International in accordance with the terms in the previous approved agreement executed by Deputy Mayor White with a reserve of \$3,500.00.
- It was, upon motion by Trustee White, second by Trustee Van Vechten, and unanimously adopted to move to executive session to discuss litigation. No action taken. It was, upon motion by Trustee Van Vechten, second by Trustee White to move to back to public session.

- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted:
RESOLUTION # 084-16
WHEREAS, the village of Head of the Harbor authorizes the Board of Trustees to employ special counsel to serve under the direction of the Board of Trustees; and
WHEREAS, the village requires the services of special counsel in connection with the Bernovich matter, and
WHEREAS, the law firm of Devitt Spellman Barrett, LLP is widely known and recommended, and
WHEREAS, the Board of Trustees has determined that the law firm of Devitt Spellman Barrett, LLP should be engaged if necessary by the village as special counsel in connection with Bernovich complaint, unless and until the Village's carrier should accept a defense for the Village, its employees, consultants and board members (interested parties) in the Bernovich matter in order to protect the interests of the Village.
NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of the Inc. Village of Head of the Harbor:

Section 1. Upon conferring with the insurance firm of Tokio Marine HCC Public Risk, Deputy Mayor is authorized, empowered, and directed to engage the law firm of Devitt Spellman Barrett, LLP as special counsel for the Village in connection with the Bernovich matter. In connection therewith, the Deputy Mayor is authorized to execute a formal engagement letter with Devitt Spellman Barrett, LLP on behalf of the village and all parties named to said action, and the Board of Trustees ratifies and confirms in advance the signing of such engagement letter.

Section 2. This resolution is effective upon adoption.

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 9:17 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk