

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, October 15, 2014 at 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, October 15, 2014 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 White, Trustees Judith C. Ogden and L. Gordon Van Vechten. Not in attendance this evening Trustee Jeffrey D. Fischer. Also in attendance Village Clerk Margaret O’Keefe and Village Treasurer Patricia Mulderig.

1. Mayor – Douglas A. Dahlgard:

- **Minutes of September 17, 2014 at 7 PM**, Trustees meeting were presented. It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:

RESOLUTION #113-14

RESOLVED, to adopt the above minutes as presented.

- **Minutes of October 1, 2014 at 7 PM** Trustees work session were presented. It was, upon motion by Trustee White, second by Trustee Ogden, and unanimously adopted:

RESOLUTION #114-14

RESOLVED, to adopt the minutes of the above referenced meeting as presented.

- Draft legislation presented to the Board. It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted:

RESOLUTION #115-14

RESOLVED, the village clerk is hereby authorized and directed to post and publish a public hearing on Local Law (Intro.) #5 of 2014, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”. Said hearing is to be held on Wednesday, November 19, 2014 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James New York 11780.

2. Financials – Patricia Mulderig, Treasurer:

- Report submitted to the Board.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #116-14
RESOLVED, the village treasurer is hereby authorized and directed to transfer \$275,000.00 from Capital One General Money Market Account to TD Bank General Fund Money Market Account.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #117-14, to authorize and direct the Village Treasurer to refund the taxes as per the successful grievances in the amount of \$823.81 as noted below:

15900	3	2	26	RICHARD & MAUREEN WIEDERSUM	26-Sep-14	18-Aug-14	11690	11030	(660)	0.00	(147.71)
41000	7	2	3	SEAN & CARIN MURTHA	26-Sep-14	18-Aug-14	10950	10210	(740)	0.00	(165.61)
12800	3	1	14	ROGER & SHARON HAWKINS	26-Sep-14	10-Sep-14	10313	8207	(2,106)	0.00	(471.32)
10800	2	2	14	PETER IMBRIANO & LORIBONADONNA	26-Sep-14	11-Sep-14	10450	10275	(175)	0.00	(39.17)

- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:
RESOLUTION #118-14
RESOLVED, the village treasurer is hereby authorized and directed to reimburse Ogiste Realty \$84.85 for overpayment of 2014/2015 Delinquent Taxes.
- **RESOLUTION #119-14** It was upon motion made by Trustee White:
BOND RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, ADOPTED OCTOBER 15, 2014, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VILLAGE HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$50,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$50,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD OF THE HARBOR, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Head of the Harbor, in the County of Suffolk, New York (herein called the "Village"), is hereby authorized to construct various improvements to Village Hall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$50,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of \$50,000 serial bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$50,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing credit enhancement agreements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Smithtown News," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

* * *

The adoption of the foregoing resolution was seconded by Trustee Ogden and duly put to a vote on roll call, which resulted as follows:

AYES:

MAYOR DOUGLAS A. DAHLGARD
TRUSTEE DANIEL W. WHITE
TRUSTEE JUDITH C. OGDEN
TRUSTEE L. GORDON VAN VECHTEN

NOES: - - - -

ABSENT: TRUSTEE JEFFREY D. FISCHER

The resolution was declared adopted.

- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and adopted:
RESOLUTION #120-14, the village treasurer is hereby authorized and directed to transfer \$20,000.00 from Capital One Bank to Bridgehampton National Bank.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and adopted:
RESOLUTION #121-14
RESOLVED, the village treasurer is authorized and directed to make the budget modifications as noted below:

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	<u>2/28/2015</u>		<u>2/28/2015</u>
INTEREST & PENALTIES ON TAXES	(4,000.00)	(1,252.72)	(5,252.72)
BUILDING PERMITS	(25,000.00)	(5,800.00)	(30,800.00)
INSURANCE RECOVERIES	0.00	(266.90)	(266.90)
STATE REVENUE SHARING	(4,000.00)	(1,699.00)	(5,699.00)
VILLAGE HALL EQUIPMENT	6,756.92	2,446.08	9,203.00
STREET MAINTENANCE - OVERTIME	0.00	51.00	51.00
DRAINAGE PROGRAM	3,000.00	330.00	3,330.00
STREET - EQUIPMENT PURCHASE	1,000.00	223.95	1,223.95
CHIPS IMPROVEMENTS	193,343.48	1,700.00	195,043.48
BOND ANTICIPATION NOTES PRINCIPAL	0.00	30,000.00	30,000.00
BOND ANTICIPATION NOTES INTEREST	0.00	1,128.40	1,128.40
INSTALLMENT LOAN PRINCIPAL	30,000.00	(30,000.00)	0.00
INSTALLMENT LOAN INTEREST	1,116.00	(1,116.00)	0.00
CONTINGENCY	16,454.62	4,255.19	20,709.81
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<u>218,671.02</u>	<u>0.00</u>	<u>218,671.02</u>

- It was, upon motion by Trustee Ogden, second by Trustee White and adopted:
RESOLUTION #122-14
RESOLVED, to adopt Abstract #126731 through and including Abstract #126735 in the total amount of \$29,953.20 to be paid from the General Fund.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten and adopted:
RESOLUTION #123-14
WHEREAS, Per Election Law §15-104 the Village General Election is to be held on Wednesday, March 18, 2015, and
WHEREAS, the offices that are vacant at the end of the current official year are of (1) Village Justice for a (4) four year term, and (2) two Trustees 2-year term
BE IT RESOLVED, said Election will be held on Wednesday, March 18, 2015, polls open 12 noon-9 PM; the polling is to take place at Head of the Harbor Village Hall, 500 North Country Rd., St. James, NY 11780, and
BE IT FURTHER RESOLVED, to authorize and direct the village clerk to post and publish all notices in accordance with Election Law.
- It was, upon motion by Trustee Van Vechten, second by Trustee White and adopted:
RESOLUTION #124-14
RESOLVED, to direct the Village Clerk to cancel the Trustees meeting scheduled for Thursday, March 19, 2015 and post and publish a Trustees meeting for Wednesday, March 11, 2015 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James, NY 11780.
- It was, upon motion by Trustee White, second by Trustee Ogden and adopted:
RESOLUTION #125-14
WHEREAS, pursuant to Section 2019-a of the Uniform Justice Court Act, the Board of Trustees of the Village is required to confirm that the records and dockets of the Village Justice Court be audited, and
WHEREAS, the Village Board has caused the independent auditing firm of Cullen & Danowski, LLP (the "Auditor"), to audit and examine the records and dockets of the Village Justice Court for the Fiscal Year 2013-2014, and

WHEREAS, the Auditor has submitted to the Village its audit report of the Village Justice Court, as required under Uniform Justice Court Act § 2019-a (the “Justice Court Audit Report”), and WHEREAS, the Village Board desires to comply with the Uniform Justice Court Act § 2019-a, and to reflect in the minutes of its proceedings that such audit has occurred, NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board of Trustees of the Village of Head of the Harbor does hereby acknowledge that the audit of the records of the Village Justice Court required under Uniform Justice Court Act § 2019-a has been conducted, and that the Justice Court Audit Report has been received by the Board, and it is hereby further, RESOLVED, that the Village Clerk forward to the New York State Office of Court Administration a copy of said Justice Court Audit Report and a copy of this Resolution.

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

RESOLUTION #126-14

BE IT RESOLVED, that the Village of Head of the Harbor hereby establishes the following as standard workdays for appointed and elected officials who participate in the New York State Retirement System and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body.

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
Elected Officials									
DO NOT RECEIVE AT					<input type="checkbox"/>				<input type="checkbox"/>
THIS TIME					<input type="checkbox"/>				<input type="checkbox"/>
					<input type="checkbox"/>				<input type="checkbox"/>
Appointed Officials									
Village Treasurer	6	Mulderig, Patricia			<input type="checkbox"/>	04/07/14 - 03/04/16	N	8.06	<input type="checkbox"/>
Village Clerk	6	O'Keefe, Margaret			<input type="checkbox"/>	04/07/14 - 03/04/16	N	20.00	<input type="checkbox"/>
Court Clerk	6	Wood, Christine			<input type="checkbox"/>	04/07/14 - 03/04/16	N	8.00	<input type="checkbox"/>

- Pursuant to New York State Village Law § 5-526 & in accordance with Trustees resolution #034-09. It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:

RESOLUTION #127-14

BE IT RESOLVED, to authorize and direct the village treasurer to increase the village's petty cash fund from ONE HUNDRED DOLLARS (\$100.00) to TWO HUNDRED AND FIFTY DOLLARS (\$250.00).

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

RESOLUTION #128-14

WHEREAS, the village wishes to secure a domain name utilizing a .GOV, and WHEREAS, the village of Head of the Harbor wishes to engage the services of Digital Network Technologies to assist with the transition,

NOW THEREFORE BE IT RESOLVED, to authorize and direct Mayor Douglas A. Dalhgard to execute the agreement with Digital Network Technologies to include those services outlined in Attachment B (a copy of which is attached to the official minutes).

3. Legal Matters – Anthony B. Tohill, Esq.:

- Gross Utility Tax letter were sent.

4. Highway Department- Hgwy Comm. Judith C. Ogden & Deputy Comm. John Lendino:

- Cobble repair has begun.
- Fall clean up in progress.
- Equipment is being ready for winter.

5. Roadside Beautification- John Lendino:

- Daffodil bulbs were donated by Mr. Craig den Hartog of Emerald Magic Lawn Care and resident Mr. Alex Niven.

6. Planning Board- Harlan J. Fischer:

- Several site plan applications have been submitted.
- Draft legislation regarding driveways continued.

7. ARB & ECB- Margaret O'Keefe, Village Clerk:

- ARB reviewed three applications in October.
- ECB did not meet.

8. Mayor – Douglas A. Dahlgard:

Village Clerk, Margaret O'Keefe has earned the designation Master Municipal Clerk from Cornell University and the International Institute of Municipal Clerks.

9. Other Matters:

- Inquiry regarding cobblestone repair.
- Discussion regarding the use of riprap.
- Follow-up on Hitherbrook Extension discussion.
- Discussion regarding highway radios and a repeater.

There being no other matters to be brought before the Board; it was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 7:57 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk