

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, October 21, 2015 at 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, October 21, 2015 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 Village Clerk Margaret O'Keefe and Village Treasurer Patricia Mulderig.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard:

- In accordance with RESOLUTION #044-15 the public hearing on Local Law (Intro.) #2 of 2015, “A LOCAL LAW ENACTING VILLAGE CODE CHAPTER 80, DRIVEWAYS will continue to be held open, reconvening on November 18, 2015 at 7 PM , time then in effect, at Village Hall, 500 North Country Rd., St. James New York 11780.
- Mayor Dahlgard reconvened the public hearing opened on the 16th day of September 2015, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of Local Law (Intro.) NO. 3 OF 2015, “A LOCAL LAW AMENDING VILLAGE CODE CHAPTER 123, FIREARMS”. It was upon the motion of Trustee Ogden, second by Trustee Fischer and unanimously adopted:
RESOLUTION #083-15
RESOLVED, that the proposed local law amending Village Code Chapter 123 by enactment of § 123-4 is hereby withdrawn from consideration, and it is
RESOLVED, that an advisory committee is hereby established to consider and report to the Board of Trustees on a local deer management program, and it is further
RESOLVED, that the following individuals are appointed to serve at the pleasure of the Board of Trustees as members of said advisory committee:
Chairman Michael Utevsky, Susan Bryde, Theresa O'Brien, James Kramer, Collette Porciello, Eric Stubbs, Robin Herrnstein and Sean Murtha with the Trustee Liaison Deputy Mayor Daniel White and it is further
RESOLVED, that the report of the advisory committee be completed as soon as reasonable, preferably not later than December 31, 2015.
- In accordance with RESOLUTION ##081-15 the public hearing on Local Law (Intro.) #4 of 2015, “REPEALING THE DEFINITION OF AREA, FLOOR AT VILLAGE CODE § 165-5 will continue to be held open, reconvening on November 18, 2015 at 7 PM , time then in effect, at Village Hall, 500 North Country Rd., St. James New York 11780.
- Mayor Dahlgard convened the regularly scheduled meeting of the Board of Trustees for October 21, 2015 at 7 PM.
- Chief Martin Thompson addressed the audience regarding his longevity in the community and service to the residents of Head of the Harbor and his pending retirement. Further, the Chief disputed information disseminated to the public via an anonymous letter.
- **Minutes of September 16, 2015 at 7 PM** Trustees meeting minutes were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten, and abstention by Trustee Fischer and adopted (4-0-1):
RESOLUTION #084-15
RESOLVED, to adopt the minutes of the above referenced meeting as presented.

- **Minutes of October 7, 2015 at 7 PM** Trustee work session were presented. It was, upon motion by Trustee Ogden, second by Trustee White, abstention by Trustee Van Vechten and adopted (4-0-1):

RESOLUTION #085-15

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

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

RESOLUTION #086-15

RESOLVED, that the Mayor is authorized and directed to execute an agreement with the Town of Smithtown in the form annexed with respect to paving, with the proviso and expressed conditions that any such execution of said agreement is subject to the capacity of the Town to cause and complete the paving of Highland Avenue under contract option #1 within the week of November 2, 2015, failing which the agreement shall be null and void.

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

RESOLUTION #87-15

RESOLVED, the village attorney is hereby authorized and directed to draft, "A LOCAL LAW ENTITLED PROPERTY MAINTENANCE",

BE IT FURTHER RESOLVED, the village clerk is hereby authorized and directed to post and publish a public hearing on LOCAL LAW (Intro) NO. 5 OF 2015, "A LOCAL LAW ENTITLED PROPERTY MAINTENANCE". Said hearing is to be held on Wednesday, November 18, 2015 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 Van Vechten and unanimously adopted:

RESOLUTION #088-15

RESOLVED, to adopt Abstracts #126819 through and including #126825 in the total amount of \$108,059.60 to be paid from the General Fund.

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

RESOLUTION #089-15

RESOLVED, to adopt Abstracts #TA 132 & TA 131 in the amounts of \$434.50 and \$1,487.50, respectively, be paid from the Trust & Agency Accounts.

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

RESOLUTION #090-15

RESOLVED, the village treasurer is authorized and directed to make the budget modifications as noted:

		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2016		2/28/2016
A1090	INT & PENALTIES ON TAXES	(4,112.37)	(674.10)	(4,786.47)
A1130.20	GROSS UTILITIES TAX - NATIONAL GRID	0.00	(4,772.30)	(4,772.30)
A1560	BUILDING PERMITS	(68,374.50)	(2,050.00)	(70,424.50)
A3001	STATE REVENUE SHARING	(5,000.00)	866.00	(4,134.00)
A3089.0	STATE AID - OTHER	0.00	(1,567.00)	(1,567.00)
A1620.8	VILLAGE HALLP REPAIRS & MAINTENANCE	5,000.00	13,611.39	18,611.39
A5110.5	STREET MAINTENANCE - EQUIPMENT PURCHASES	2,500.00	(558.72)	1,941.28
A5110.7	STREET MAINTENANCE - EMERGENCY STORM REP	10,000.00	558.72	10,558.72
A8010.4	ZONING BOARD	3,298.00	770.50	4,068.50
A1990	CONTINGENCY	31,396.56	(6,184.49)	25,212.07
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>(25,292.31)</u>	<u>(0.00)</u>	<u>(25,292.31)</u>

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #091-15
RESOLVED, to authorize and direct the Village Treasurer to refund the taxes as per the successful grievances in the amount of \$667.72 as noted:

GUNTRAM & MARY RICHTER	5-Oct-15	21-Sep-15	10485	10069	(416)	(97.26)
STEVEN & PATRICE JACINTO	5-Oct-15	21-Sep-15	10500	9932	(568)	(132.80)
JAMES & SUSAN MULSKI	5-Oct-15	21-Sep-15	12670	11439	(1,231)	(287.81)
JOSEPH PAGANO	5-Oct-15	21-Sep-15	11875	11234	(641)	(149.86)

- It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:
RESOLUTION #092-15
WHEREAS, Head of the Harbor check #1009 dated December 17, 2014 is stale dated and nonnegotiable,
BE IT RESOLVED, that in accordance with Resolution #155-14, village treasurer is authorized and directed to reissue payment to Henry & Marie Verby payment in the amount of \$420.00 for an assessment adjustment refund.

- Mayor Dahlgard welcomed Nissequogue Mayor Richard Smith for his attendance at this evenings meeting.

It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted, to move to executive session to discuss personnel.

- It was, upon motion by Mayor Dahlgard, second by Trustee White and unanimously adopted
Resolution # 093-15
RESOLVED, notwithstanding Head of the Harbor’s policy manual, time and one-half will be paid to all police officers who work any of the listed holidays in accordance with past and prior practice. The holidays are New Year’s Day, Martin Luther King Jr. Day, Presidents’ Day, Easter Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans’ Day, Thanksgiving Day, and Christmas Day, and
BE IT FURTHER RESOLVED, notwithstanding Head of the Harbor’s policy manual, time and one-half will be paid to all police officers who work the 4 pm until midnight shift on Christmas Eve and New Year’s Eve in accordance with past and prior practice.

It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted, to move to public session.

There being no other matters to be brought before the Board; it was ,upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted , to adjourn the meeting at 9:42 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk