

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, November 15, 2017 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, November 15, 2017 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 and L. Gordon Van Vechten. Also in attendance Building Inspector Robert O'Shea, Village Clerk Margaret O'Keefe, Police Chief Charles M. Lohmann, Village Treasurer Patricia Mulderig and Village Attorney Anthony B. Tohill. Not in attendance this evening Trustee Jeffrey D. Fischer.

1. Mayor – Douglas A. Dahlgard:

- Minutes of October 18, 2017 were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:

RESOLUTION #144-17

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

- Minutes of November 1, 2017 were presented It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:

RESOLUTION #145-17

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

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

RESOLUTION # 146-17

WHEREAS, the Board of Trustees has reviewed the draft 2018/2019 village budget and determine that it may have to override the tax levy limit,

BE IT RESOLVED, the village attorney is hereby authorized and directed to draft a local law "TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c".

BE IT FURTHER RESOLVED, the village clerk is hereby authorized and directed to post and publish a public hearing on Local Law (Intro.) #3 of 2017, "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c". Said hearing is to be held on Wednesday, December 20, 2017 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James New York 11780.

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

RESOLUTION #147-17

WHEREAS, Per Election Law §15-104 the Village General Election is to be held on Tuesday, March 20, 2018, and

WHEREAS, the offices that are vacant at the end of the current official year are (1) one Mayor 2-year term and (2) two Trustees 2-year term,

BE IT RESOLVED, said Election will be held on Tuesday, Tuesday, March 20, 2018, 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 Ogden, second by Trustee White and unanimously adopted:

RESOLUTION #148-17

WHEREAS, the State of New York Unified Court System is offering a Justice Court Assistance Program for 2018/2019 grants,

BE IT RESOLVED, that the Board of Trustees does hereby approve the Justice Court to apply for funding up to the maximum amount available upon the direction of Justice Ellen D. Fishkin.

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

RESOLUTION #149-17

RESOLVED, to appoint Ryan Miller, as full-time highway laborer, a non-exempt, at will employee, to receive \$20.00/ hr. and benefits, in accordance with village policies, effective November 16, 2017. This resolution is subject to the results of an approved background and clean driving record check being performed by another agency.

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

RESOLUTION #150-17

WHEREAS, the Board of Trustees has received a one-year (1) extension to the Intermunicipal Agreement with the Town of Smithtown for Code Enforcement, and

WHEREAS, entering into such an agreement has assisted in the enforcement of Head of the Harbor’s Village Codes, and

WHEREAS, such shared services are recommended, approved, and encouraged by the State of New York, and

WHEREAS, the form of said agreement is acceptable to the village attorney,

NOW, THEREFORE BE IT RESOLVED, to authorize and direct Mayor Dahlgard to execute said renewal agreement in his official capacity.

2. Financials – Patricia Mulderig, Treasurer:

- Report submitted to the Board.

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

RESOLUTION #151-17

IN ACCORDANCE WITH RESOLUTION #123-17

WHEREAS, on September 18, 2017 the Board of Trustees deemed certain Trust & Agency accounts dormant and the funds to be released, and

WHEREAS, the village has received documentation waving the payment of accrued interest in the amount of \$31.48 for TA0952,

BE IT RESOLVED, the village treasurer is authorized and directed to release funds to Robert and Diana Mercer in the amount of \$10,323.67, and

BE IT FURTHER RESOLVED, to authorize and direct the village treasurer to transfer the interest earned, namely \$31.48, to the General Fund.

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

RESOLUTION #152-17

IN ACCORDANCE WITH RESOLUTION #123-17

WHEREAS, on September 18, 2017 the Board of Trustees deemed certain Trust & Agency accounts dormant and the funds to be released, and

WHEREAS, the village has received documentation relating to the estate of Nicholas Petervary,

NOW, THEREFORE, BE IT RESOLVED, the village treasurer is authorized and directed to release the Petervary Trust & Agency funds to Miklos P. Petervary, Executor in the amount of \$4,037.50, and

BE IT FURTHER RESOLVED, to hold the interest earned of \$22.06 until a W-9 is received or the interest is waived.

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

RESOLUTION #153-17

WHEREAS, the Bridgehampton Trust & Agency account is interest bearing, and

WHEREAS, counsel has opined that said funds should not be accruing interest,

BE IT RESOLVED, to authorize and direct the village treasurer to move said funds to a non-interest bearing account.

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

RESOLUTION #154-17

RESOLVED, the village treasurer is authorized and directed to make the budget modifications in the amount of \$84,779.71, for a net of zero, as noted below:

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	2/28/2018		2/28/2018
A1090.0 INT & PENALTIES	(13,199.37)	(3,444.83)	(16,644.20)
A1255.0 CLERK FEES	(327.74)	(2.75)	(330.49)
A2115 PLANNING BOARD FEES	(800.00)	(1,100.00)	(1,900.00)
A2401 INTEREST & EARNINGS	(2,500.00)	(500.00)	(3,000.00)
A3001 STATE REVENUE SHARING	(4,000.00)	(134.00)	(4,134.00)
A3289 STATE AID OTHER	0.00	(1,850.25)	(1,850.25)
A110.27 JUSTICE COURT ASSISTANCE GRANT - 2015	7,895.00	1,851.78	9,746.78
A3120.21 POLICE - EQUIP, RADIOS, ETC.	50.00	50.00	100.00
A5110.221 STREET MAINTENANCE - NORM MAT & MAINT	20,000.00	(4,800.00)	15,200.00
A5110.223 STREET MAINTENANCE - OPERATIONS	0.00	800.00	800.00
A5110.224 STREET MAINTENANCE - ROAD REPAIR	0.00	3,000.00	3,000.00
A5110.225 STREET MAINTENANCE - EQUIPMENT< \$1,000.00	0.00	1,000.00	1,000.00
A1990 CONTINGENT ACCOUNT	77,661.82	5,130.05	82,791.87
	0.00	0.00	0.00
	<u>84,779.71</u>	<u>0.00</u>	<u>84,779.71</u>

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #155-17
RESOLVED, to authorize and direct the village treasurer to obtain a Wex credit card in the name of highway employee Vincent Scaccia to be used for village related purchases.
- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #156-17
RESOLVED, to authorize the village clerk to issue \$100.00 (ONE HUNDRED DOLLARS) from petty cash to the Justice Court to be use to make change within the Justice Court.
- It was, upon motion by Trustee White, second by Mayor Dahlgard and unanimously adopted:
RESOLUTION #157-17
RESOLVED, the organizational meetings advance approval of claims be amended to include the New York State Insurance Fund as a recipient by reason of a change in billing practices by the State Insurance Fund, this resolution is effective immediately.
- It was, upon motion by Trustee Van Vechten, second by Trustee Ogden and unanimously adopted:
RESOLUTION #158-17
RESOLVED, to adopt Abstracts #127045 through and including #127049, in the total amount of \$259,724.73, to be paid from the General Fund.

3. Building Department – Robert O’Shea, Building Inspector:

- Several permits issued.
- Town of Smithtown Fire Marshal to review generator permits.
- Checklist being developed in reviewing building department permits.

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

- Two new officers.
- NYS DEC has been more responsive to the issue of deceased or injured deer.

5. Highway Department – Highway Commissioner Judith C. Ogden:

- Milling and paving projects are set to begin.
- Trucks are being prepared for the winter.

6. Public Comment:

- Ms. Lazio expressed concerns regarding ROW of Farmer’s Lane.

It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted, to move to executive session to discuss personnel. No action taken. It was, upon motion by Mayor Dahlgard, second by Trustee White 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 White second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 8:54 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Clerk