

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, NOVEMBER 18, 2020**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, November 18, 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; Co-Counsel, Philip Butler; Police Chief, Charles M. Lohmann and Building Inspector, Robert O’Shea. Not in attendance this evening Village Attorney, Anthony S. Guardino.

Pledge of Allegiance.

Mayor Dahlgard convened the public hearing on Local Law (Intro.) #6 of 2020, “AMENDING CHAPTER 165 OF THE CODE OF THE VILLAGE OF HEAD OF THE HARBOR TO REGULATE PORTABLE STORAGE UNITS AND TEMPORARY BULK WASTE CONTAINERS”. The Village is awaiting an opinion from Suffolk County Planning Commission. Mr. Christopher Modelewski’s letter dated November 18, 2020 was deemed read into the record. Comments from the public included, but were not limited to, length of time of permits, effect on non-residential properties, and pandemic difficulties.

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted: Minutes of October 21, 2020 at 7 PM meeting of the Board of Trustees were presented.

RESOLUTION #125-20

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

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

Minutes of November 4, 2020 at 7 PM work session of the Board of Trustees were presented.

RESOLUTION #126-20

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 Trustee Ogden and adopted (3-0-2):

Minutes of November 3, 2020 amended start time and 1 typographical error.

RESOLUTION #127-20

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

1. Financials – Patricia A. Mulderig, Village Treasurer:

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

RESOLUTION #128-20

RESOLVED, to adopt Abstracts #127442 through and including #127455 in the total amount of \$306,982.84 be paid from the General Fund.

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

RESOLUTION #129-20

RESOLVED, to adopt Abstract TA #173 in the total amount of \$2,030.00 to be paid from the Trust & Agency Fund.

- TA 174 is tabled for further review.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted: **RESOLUTION #130-20**
RESOLVED, the village treasurer is authorized and directed to make budget modifications, for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR 2020/2021 BUDGET MODIFICATIONS 11/18/2020		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2021		2/28/2021
A2705.0	GIFTS & DONATIONS	(14,201.62)	(3,308.25)	(17,509.87)
A1410.221	CLERK - MISCELLANEOUS COVID 19	100.00	50.00	150.00
A3120.9	POLICE RETIREMENT	70,000.00	4,600.00	74,600.00
A5110.21	ST MAINTENANCE - TRUCK REPAIRS	12,000.00	(3,000.00)	9,000.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	14,000.00	3,000.00	17,000.00
A8010.2	ZONING BOARD - OFFICE SUPPLIES	100.00	50.00	150.00
A8010.4	ZONING BOARD -	650.00	300.00	950.00
A8020.2	PLANNING BOARD OFFICE SUPPLIES	200.00	200.00	400.00
A8020.43	PLANNING BOARD CONTRACTUAL	1,000.00	(200.00)	800.00
A5110.5	EQUIP PURCHASE > \$1,000.00	5,000.00	(1,000.00)	4,000.00
A8989.4	DEER PROGRAM	14,101.62	3,308.25	17,409.87
A1990	CONTINGENCY	38,584.65	(4,000.00)	34,584.65
		0.00	0.00	0.00
		<u>141,534.65</u>	<u>0.00</u>	<u>141,534.65</u>

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #131-20**
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 \$1,400.05 as noted:

13	43200	7	3	18	Phillip & Stacey Kostis	7 Highland Avenue, Sj	2-Nov-20	23-Sep-20	5395	5104	(291)	77.96
14	4800	1	2	26.1	Daniel & Andrea Said	2 Oak Ridge Road, SB	2-Nov-20	20-Oct-20	8445	7620	(845)	146.01
15	25400	5	1	23.8	James & Ibolya McKeon	1 Farmers Lane, SJ	2-Nov-20	14-Oct-20	13755	12900	(855)	229.05
16	25500	5	1	23.9	Nicholae & Alina Ceralani	2 Farmers Lane, SJ	2-Nov-20	14-Oct-20	15415	14600	(815)	218.34
17	27500	5	2	11	John & Jaclyn Falcone	16 Three Sisters Rd, SJ	2-Nov-20	14-Oct-20	7335	7000	(335)	89.75
18	32500	6	1	13.1	Enrico Margo&Debra Tamburro	22 Carmen Lane, SJ	2-Nov-20	14-Oct-20	16225	15100	(1,125)	301.39
19	40600	7	1	12.11	Sandra Winston Revocable Trust	10 Meadow Gate West	2-Nov-20	14-Oct-20	11750	11260	(490)	131.27
20	50100	7	5	6	Lana Maggio	1 Timothy Woods Rd, SJ	2-Nov-20	14-Oct-20	12870	12100	(770)	206.28
										ASSESSMENT ADJUSTMENTS - NOVEMBER 18, 2020	(5,225)	1,400.05

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden, and unanimously adopted: **RESOLUTION #132-20**
WHEREAS, Pursuant to Election Law §15-104 the Village General Election is to be held on Wednesday, March 16, 2021, and
WHEREAS, the offices that are vacant at the end of the current official year are (2) two Trustees 2-year term,
BE IT RESOLVED, said Election will be held on Wednesday, March 16, 2021, polls open 12 noon-9 PM; the polling is to take place at Head of the Harbor Village Hall, 500 North County 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 Deputy Mayor White, and unanimously adopted: **RESOLUTION #133-20**
WHEREAS, the village benefits from the Town of Smithtown's performance of certain Traffic Signs and Pavement Markings projects, and
WHEREAS, an Inter-Municipal Agreement has been submitted to the Board of Trustees, and
WHEREAS, said agreement has been approved in form by the village attorney,
NOW THEREFORE BE IT RESOLVED, to authorize Mayor Dahlgard to execute said Inter-Municipal Agreement for Traffic Signs and Pavement Markings in his official capacity.

- It was, upon motion by Deputy Mayor White, second Trustee Ogden, and unanimously adopted:
RESOLUTION #134-20

- **A RESOLUTION REQUESTING THAT THE TOWN BOARD OF THE TOWN OF SMITHTOWN EXTEND THE BOUNDARIES OF THE ST. JAMES FIRE DISTRICT TO INCLUDE THE TERRITORIAL BOUNDARIES OF THE INCORPORATED VILLAGE OF HEAD OF THE HARBOR FOR THE PURPOSES OF PROVIDING FIRE PROTECTION AND OTHER EMERGENCY SERVICES.**

WHEREAS, on November 11, 2020, Governor Andrew M. Cuomo signed into law an act to authorize the Town of Smithtown to extend the boundaries of the St. James Fire District to include the Village of Head of the Harbor, which is codified at Chapter 272 of the Laws of 2020; and

WHEREAS, the legislation was passed in response to Home Rule Requests submitted to the New York State Legislature by the Board of Trustees of the Village of Head of the Harbor (“Village Board”)and the Town Board of the Town of Smithtown (“Smithtown Town Board”) seeking special legislation affecting New York State Town Law 170(2), which explicitly does not authorize a Town Board to extend a fire district into the territorial boundaries of an incorporated village; and

WHEREAS, due to the increasing costs associated with contracting with the St. James Fire District for fire protection and other emergency services, the Village Board has determined that it is in the best interests of the Village and its residents to become part of the St. James Fire District.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby requests that the Smithtown Town Board act in accordance with Chapter 272 of the Laws of 2020 and Town Law § 170(2) and expand the boundaries of the St. James Fire District to include the territorial boundaries of the Incorporated Village of Head of the Harbor in its entirety for the purpose of providing fire protection and emergency response within the Village.

On motion by Trustee White seconded by Trustee Ogden, the foregoing resolution was adopted by vote as follows:

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

Dated: Head of the Harbor, New York
November 18 , 2020

Filed in the Office of the Village Clerk on the 19th day of November, 2020.

Public Comment:

- Inquiry regarding joining the fire district.
- Discussion regarding hunting activity.

2. Building Inspector – Robert O’Shea:

- Several recent sales.
- Two vacant parcels may be developed.

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

- Winter activities to begin.

- It was, upon motion by Trustee Fischer, second by Deputy Mayor White and unanimously adopted, to move to executive session to discuss litigation. No action taken. It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten 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 Trustee Ogden, second by Trustee Fischer and unanimously adopted, to adjourn the meeting at 9:02 PM.

Respectfully Submitted,

Margaret O'Keefe,
Village Administrator/Clerk