

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, November 19, 2014 at 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, November 19, 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 Daniel W. White, Trustees Judith C. Ogden, L. Gordon Van Vechten and Jeffrey D. Fischer. Also in attendance Village Attorney Anthony B. Tohill, Village Clerk Margaret O'Keefe and Village Treasurer Patricia Mulderig.

**1. Mayor – Douglas A. Dahlgard:**

- Mayor Dahlgard convened the public hearing on this 19th day of November 2014, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of LOCAL LAW NO. 5 OF 2014, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”. Much discussion ensued. It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:

**RESOLUTION #131-14**

**RESOLVED**, to close the public hearing on LOCAL LAW NO. 5 OF 2014, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”.

Mayor Dahlgard called for a 10 minutes recess before convening the regularly scheduled monthly Trustees meeting.

- **Minutes of October 15, 2014 7 PM** meeting of the Board of Trustees were presented. It was, upon motion by Trustee White, second by Trustee Ogden, abstention by Trustee Fischer and adopted (4-0-1):

**RESOLUTION #132-14**

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

- **Minutes of November 5, 2014 7 PM** work session of the Board of Trustees were presented. It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, abstention by Trustees White and Fischer and adopted (3-0-2):

**RESOLUTION #133-14**

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

**2. Building Department, ARB, JCC, ECB, PB- Gerard Harris, Building Inspector:**

- ARB no meeting.
- PB no meeting.
- JCC reviewed two applications.
- ECB no meeting.

**3. Police Department –Martin J. Thompson, Chief:**

- Discussion ensued regarding police vehicles equipped with computers that will soon be obsolete.

**4. Planning Board- Harlan Fischer, Chair:**

- Due to the Veteran's Day holiday, the Planning board did not convene. Several applications are pending.

**5. Roadsides –John Lendino, Chair:**

- Many thanks to the volunteers who planted over 2,000 daffodil bulbs.

**6. Mayor – Douglas A. Dahlgard:**

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

**RESOLUTION #134-14**

**WHEREAS**, the police department has taken ownership of a 2014 Ford Explorer,  
**BE IT RESOLVED**, the 2008 Dodge Durango has been deemed surplus equipment.

- It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:  
**RESOLUTION #135-14**  
**WHEREAS**, the Board of Trustees finds that the 2008 Dodge Durango police vehicle is surplus and will be placed for sale,  
**WHEREAS**, the Chief of Police has confirmed that this vehicle is surplus, and  
**WHEREAS**, the Board and the Police Department have investigated the fair market value for the 2008 Dodge Durango, and  
**WHEREAS**, the Board has established through Kelley Blue Book and other reliable standard resources, that the total value of these vehicles is less than \$20,000, and  
**WHEREAS**, John Gerlach is an employee and member of the village police department, and  
**WHEREAS**, as Mr. Gerlach wishes to purchase one of the vehicles, and  
**WHEREAS**, Mr. Gerlach has disclosed his status as a village employee, and  
**WHEREAS**, Mr. Gerlach has agreed to pay to the village a sum in excess or equal of the Kelley Blue Book value, to wit the sum of \$5,500.00.  
**NOW THEREFORE**, based on all of these elements the Board of Trustees approves of the sale of the vehicle selected by officer Gerlach for the sum of \$5,500.00.

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

**RESOLUTION #136-14**

**RESOLVED**, the building inspector is authorized and directed to notify J. Timothy Shea, Esq. that his request dated October 17, 2014 for the extension of the building permit issued to Dieter Kopf on July 30, 2014 is approved pursuant to §65(5)(I) of the Village Code,  
 With the proviso that any further request for an extension should be submitted to the village not later than 90 days prior to July 30, 2015, and  
 With the further proviso that the village would not considered favorably any further extension of time absence the demonstration of good cause and the personal appearance of either Dieter Kopf or Mr. Shea on his behalf.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #137-14**  
**WHEREAS**, the highway commissioner and the village engineer have reviewed and certified changes to the Local Highway Inventory (LHI), and  
**BE IT RESOLVED**, that the Board of Trustees accepts the responsibility for the operation and maintenance of the road mileage identified in said inventory,  
**BE IT FURTHER RESOLVED**, that the village engineer is hereby authorized and directed to file the LHI with the NYS DOT, and further a copy of said report is to be filed with the official minutes.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION #138-14**  
**RESOLVED**, to lease a Sharp AR 264 Digital Document System, under a New York State Contract Pricing Contract #PC4541, from Central Business Systems, and  
**BE IT FURTHER RESOLVED**, Mayor Dahlgard is hereby authorized to sign the agreement, in his official capacity, on behalf of the Village of Head of the Harbor for the lease of said copier for a term of 5 years.
- It was, upon motion by Trustee White, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #139-14**  
**RESOLVED**, to cancel the budget work session previously scheduled for Wednesday, December 3, 2014, and  
**BE IT RESOLVED**, to authorize and direct the village clerk to post and publish a budget work session for Tuesday, December 2, 2014 at 7 PM, 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 a public hearing on the tentative 2015/2016 budget to be held on Wednesday, December 17, 2014 at 7 PM, Village Hall, 500 North Country Rd., St. James, NY 11780.

- Avalon Park correspondence dated to be forward to Highway Superintendent and the Village Engineer for review. No action taken.

**7. Financials – Patricia Mulderig, Treasurer:**

- Report submitted to the Board.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted: **RESOLUTION #140-14 RESOLVED**, to adopt Abstracts #126736 through and including #126745, voucher #20140502 is VOIDED, to be paid from the General Fund in the amount of \$139,545.63.
- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted: **RESOLUTION #141-14 RESOLVED**, to adopt Abstracts TA #126 to be paid from the Trust & Agency Fund in the amount of \$991.25.
- It was, upon motion by Trustee White, second by Trustee Ogden, and unanimously adopted: **Resolution #142-14 WHEREAS**, in accordance with Trustees resolution #120-12, **BE IT RESOLVED**, that the village treasurer is hereby authorized and directed to make payment to the NYS ERS and PFRS in the amounts of \$76,171.00 and \$45,311.00, respectively, on or before December 15, 2014.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #143-14 RESOLVED**, to authorize and direct the village treasurer to wire \$20,000.00 from Capital One Bank Checking Account to Bridgehampton National Bank Money Market Account.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted: **Resolution #144-14 RESOLVED**, to approve the following modifications to the 2014/2015 budget as noted below:

VILLAGE OF HEAD OF THE HARBOR  
BUDGET MODIFICATIONS 11/19/2014

		BUDGET FY/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		2/28/2015	2/28/2015	2/28/2015
A1090	INTEREST & PENALTIES ON TAXES	(5,252.72)	(309.45)	(5,562.17)
A1520	POLICE GRANTS & FEES	(29,544.26)	(3,317.00)	(32,861.26)
A1560	BUILDING PERMITS	(30,800.00)	(9,864.80)	(40,664.80)
A1560.1	CELL TOWER REVENUE	(76,500.00)	(16,235.12)	(92,735.12)
A2660	SALE OF VEHICLES & EQUIPMENT	0.00	(181.80)	(181.80)
A1410.24	NEWSLETTER	500.00	310.00	810.00
A3120.2	POLICE VEHICLES	29,544.26	843.01	30,387.27
A3120.23	POLICE UNIFORMS & SUPPLIES	6,500.00	4,265.34	10,765.34
A3120.25	POLICE - CONF & SEMINARS	2,000.00	(803.39)	1,196.61
A5110.21	ST MAINTENANCE - TRUCK REPAIRS	38,000.00	1,702.28	39,702.28
A5112.2	CHIPS IMPROVEMENTS	195,043.48	8,321.40	203,364.88
A8000	APPROPRIATIONS	(187,981.15)	74,981.15	(113,000.00)
A8001	APPROPRIATIONS - ROAD IMP	0.00	(83,302.55)	(83,302.55)
A1990	CONTINGENCY	16,454.62	23,590.93	40,045.55
		0.00	0.00	0.00
		(42,035.77)	(0.00)	(42,035.77)

- A public hearing was concluded on the 19<sup>th</sup> day of November 2014, at 7:00 P.M., at the Village Hall, 500 North Country Road, Head-of-the-Harbor, New York, to consider the adoption of a local law as follows: LOCAL LAW (Intro.) NO. 5 OF 2014, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”

It was upon motion by Trustee White, second by Trustee Ogden and voted upon as follows (5-0-0):

TRUSTEE FISCHER	AYE
TRUSTEE VAN VECHTEN	AYE
TRUSTEE OGDEN	AYE
TRUSTEE WHITE	AYE
MAYOR DAHLGARD	AYE

**Resolution #145-14**

**RESOLVED**, to adopt Local Law #5 of 2014, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c”

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD-OF-THE-HARBOR AS FOLLOWS:

SECTION 1. PURPOSE.

It is the intent of this local law to allow the Village of Head-of-the-Harbor to adopt a budget for the fiscal year commencing March 1, 2015 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

SECTION 2. AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

SECTION 3. TAX LEVY LIMIT OVERRIDE.

The Board of Trustees of the Village of Head-of-the-Harbor, County of Suffolk, is hereby authorized to adopt a budget for the fiscal year commencing March 1, 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State.

All persons in interest will be heard by the Board of Trustees at the public hearing to be held as aforesaid and may

appear in person or by representative. The Village Hall is accessible to handicapped persons.

**8. Highway Department- Judith C. Ogden, Commissioner:**

- Extensive vehicle repair; equipment is ready for winter.
- Testing of radio equipment to occur Saturday, November 22, 2014.

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 9:30 PM.

Respectfully Submitted,

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Margaret O’Keefe  
Village Clerk