

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, NOVEMBER 20, 2019**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, November 20, 2019 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 Attorney, Anthony B. Tohill; Village Administrator/Clerk, Margaret O’Keefe; Police Chief, Charles M. Lohmann (late arrival 8:45pm); Village Treasurer, Patricia Mulderig and Building Inspector, Robert O’Shea.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard

- It was, upon motion by Trustee Ogden, second by Deputy Mayor White, abstention by Trustee Fischer and adopted (3-0-1):
RESOLUTION #111-19
Minutes of October 16, 2019 7PM session of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Trustee Fischer, second by Trustee Ogden, abstention by Deputy Mayor White and adopted (3-0-1):
RESOLUTION #112-19
Minutes of November 6, 2019 7PM work session of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.

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

- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted:
RESOLUTION #113-19
RESOLVED, to adopt Abstracts #127307 through and including #127313 to be paid from the General Fund in the amount of \$139,339.95.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #114-19
RESOLVED, to adopt Abstract TA #158 in the total amount of \$1,222.50 to be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:
RESOLUTION #115-19
RESOLVED, the village treasurer is authorized and directed to make budget modifications totaling \$48,138.00 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR 2019/2020 BUDGET MODIFICATIONS 11/20/2019		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		<u>2/29/2020</u>	<u>2/29/2020</u>	<u>2/29/2020</u>
A2705	GIFTS & DONATIONS	(97,516.55)	(3,352.16)	(100,868.71)
A2115	PLANNING BOARD FEES	(4,300.00)	(200.00)	(4,500.00)
A5110.223	STREET MAINTENANCE - OPERATIONS	7,500.00	1,000.00	8,500.00
A5110.224	STREET MAINTENANCE - ROAD REPAIR	8,000.00	5,000.00	13,000.00
A5110.227	STREET MAINTENANCE - TREE CONTR	4,000.00	(2,000.00)	2,000.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	7,500.00	1,500.00	9,000.00
A8989.4	DEER PROGRAM	81,026.55	3,352.16	84,378.71
A1990	CONTINGENCY	41,928.00	(5,300.00)	36,628.00
		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>48,138.00</u>	<u>0.00</u>	<u>48,138.00</u>

- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #116-19
RESOLVED, the village treasurer is authorized and directed to make payment to NYS ERS and PFS Retirement System in the amounts of \$77,713 and \$62,338 respectively.

3. Mayor – Douglas A. Dahlgard

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer, unanimously adopted:
RESOLUTION #117-19
WHEREAS, pursuant to Election Law §15-104 the Village General Election is to be held on Wednesday, March 18, 2020, and
WHEREAS, the offices that are vacant at the end of the current official year are (1) Mayor 2-year term and (2) two Trustees 2-year term,
BE IT RESOLVED, said Election will be held on Wednesday, March 18, 2020, polls open 12 noon-9PM; 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 Fischer, second by Trustee Van Vechten, unanimously adopted:
RESOLVED, that the village attorney is hereby authorized and directed to draft a “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”, and be it
FURTHER RESOLVED, the village clerk is hereby authorized and directed to post and publish a public hearing for Local Law (Intro.) NO. 4 of 2019, “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 18, 2019 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.
- Mayor Dahlgard convened the public hearing on the 2020/2021 St. James Fire District Contract. Copies were available to the public. Discussion ensued. It was, upon motion by Deputy Mayor White, second by Trustee Fischer, and unanimously adopted to close the public hearing.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #118-19
WHEREAS, the St. James, Fire District has provided an agreement for a term of two (2) years from twelve o’clock midnight on January 1, 2020 and shall terminate at midnight on December 31, 2021, in consideration of furnishing emergency and fire protection serves the District shall receive:

Year	Sum
2020	\$419,114.06
2021	\$502,936.87

WHEREAS, the contract has been approved in form by the village attorney, and
BE IT RESOLVED, to authorize and direct Mayor to execute the agreement with St. James Fire District as presented.

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

- Several permits issued.
- Meeting with the Town of Smithtown Assessor has occurred.

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

- Fall planting has begun.
- Rain garden pilot program on Evan Court now complete.
- Arbor Day Program and Tree City promotion discussed.

- It was, upon motion by Trustee Ogden, second by Deputy Mayor White and unanimously adopted:
RESOLUTION #119-19
WHEREAS, the Village of Head of the Harbor encourages the preservation, expansion, protection, and proper maintenance of the community trees, and
WHEREAS, the Village of Head of the Harbor has heretofore adopted Village Code Chapter 149 “Trees”, and
WHEREAS, in order to enhance the beauty of the Village, by stimulating the planting and growing of desirable trees, and educating the public about the community forest, and
BE IT RESOLVED, the Mayor and Board of Trustees of the Village hereby designates Thursday, November 21, 2019 as the Village’s Fall Arbor Day, and
BE IT FURTHER RESOLVED, a planting ceremony is to commence at 9:30am on Watercrest Lane, all are welcome to attend.
 - Inquiry regarding intersection of Harbor/Harbor Hill.
 - Inquiry regarding permit process.
 - Discussion of Deer Immunocontraception Program and deer population.

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted, to move to executive session to discuss personnel and potential litigation. No action taken. It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted, to move back to public session.

- It was, upon motion by Trustee Fischer, second by Mayor Dahlgard and unanimously adopted:
RESOLUTION #120-19
RESOLVED,
Overtime at the rate of time and one-half of the employee’s regular hourly rate shall be paid to employees who work more than forty (40) hours in any work week, and who are not exempt from overtime requirements. If an employee is unsure as to his/her exempt status, please speak to the VILLAGE Clerk. No overtime for which time and one half or double time, as set forth below, is required to be paid shall be worked unless prior approval is provided by the employee’s supervisor, the Mayor, or the Board of Trustees. In additional, employees who are directed to work overtime are expected and may be required to do so. For purposes of calculating overtime only, paid time off shall be included in determining if the employee has worked forty (40) hours. Regardless of whether an employee has worked the forty (40) hour per week threshold, any non-exempt full-time employee who is called in due to snow or other emergency situation shall receive compensation as follows:
 - a) if called in prior to 4:00am Monday through Friday, compensation shall be at double time, with a four (4) hour minimum;
 - b) if called in after 4:00am but prior to the beginning of the regular shift, compensation shall be at time and one-half for the number of hours worked;
 - c) if called back after leaving work at the end of the regular shift, compensation shall be at double time with a four (4) hour minimum;
 - d) if called out on the employee’s regularly scheduled day off, compensation shall be at double time with a four (4) hour minimum. This resolution will be added effective retroactively to October 16, 2019.

- It was, upon motion by Trustee Fischer, second by Mayor Dahlgard and unanimously adopted:
RESOLUTION #121-19
RESOLVED, the village clerk is authorized and directed to have copies of this amendment on the signature page signed by each employee of the village and maintain those signed copies as part of the village records.
- There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted, to adjourn the meeting at 9:29 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk