

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, December 15, 2021**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, December 15, 2021, 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 Trustee Jeffrey D. Fischer. Also in attendance Village Administrator/Clerk, Margaret O’Keefe; Village Attorney, Anthony S. Guardino; Building Inspector, Robert O’Shea and Village Treasurer, Patricia Mulderig. Not in attendance Police Chief, Charles M. Lohmann and Co-Counsel, Philip Butler. Members of the public were requested to sign-in.

Pledge of Allegiance

• **Mayor – Douglas A. Dahlgard:**

- Mayor Dahlgard convened the public hearing on Local Law (Intro) #4 OF 2021, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”. Budget has been presented and Head of the Harbor will not be exceeding the Tax Cap, therefore the public hearing was tabled.
- Mayor Dahlgard convened the public hearing on the village’s 2022/2023 budget. The village is now part of the fire district. Inclusion allows Head of the Harbor residents to volunteer, vote, and run for Fire Department offices. Discussion ensued. There being no further inquiries from the public, it was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:  
**RESOLUTION #138-21**  
**RESOLVED**, to close the public hearing on the 2022/2023 budget.

**Mayor Regular Meeting**

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #139-21**  
A public hearing was concluded on December 15, 2021, at 7 PM on the village’s 2022/2023 budget.  
**RESOLVED**, to adopt the proposed 2022/2023 in the amount of \$2,121,981.27 with a tax rate of \$20.49 per \$100 of assessed value.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #140-21**  
**RESOLVED**, to authorize the Mayor, Douglas A. Dahlgard to sign in his official capacity the annual maintenance agreement for the Village Hall HVAC system with B & R Plumbing & Heating in the amount of \$687.00, and **BE IT FURTHER RESOLVED**, to authorize and direct the treasurer to release payment in full.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, abstention by Trustee Ogden and adopted (4-0-1):  
**RESOLUTION #141-21**  
Minutes of November 9, 2021 7 PM meeting of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Trustee Van Vechten, second by Deputy Mayor White, abstention by Trustee Fischer and adopted (4-0-1):  
**RESOLUTION #142-21**  
Minutes of November 17, 2021 7 PM meeting 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 Deputy Mayor White, and unanimously adopted: **RESOLUTION #143-21**  
Minutes of December 1, 2021 5:45 PM meeting of the Board of Trustees were presented. **RESOLVED**, to adopt the minutes of the above meeting as presented.
- St. James Race will be held on Saturday, April 16, 2022.

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

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #144-21**  
**RESOLVED**, to adopt Abstracts #127577 through and including #127584 in the total amount of \$273,788.07 be paid from the General Fund.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted: **RESOLUTION #145-21**  
**RESOLVED**, to adopt Abstract TA #194 in the total amount of \$2,020.00 to be paid from the Trust & Agency Fund.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #146-21**  
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 \$2,185.97 as noted below:

40	31000	6	1	3	David & Virginia Grier	1 Carmen Lane, SJ	22-Nov-21	20-Sep-21	9355	8300	(1,055)	295.29
41	39500	7	1	8	Kristen Lehner	14 Branglebrink rd, SJ	22-Nov-21	20-Sep-21	16800	16525	(1,275)	363.76
42	2000	1	1	26	Griffin Family Trust	2 Emmet Drive, SB	22-Nov-21	20-Sep-21	12740	11500	(1,240)	353.77
43	10200	2	2	8.1	James Peister & Tammy Klemm	108 Harbor Rd, SJ	22-Nov-21	20-Sep-21	20844	18975	(1,869)	478.17
44	11100	2	2	16.3	Mark & Renee Finger	3 Egan Court, SJ	22-Nov-21	20-Sep-21	13728	12850	(1,078)	307.55
45	11500	3	1	2	Arthur & Jenlynn Goldfinger	130 Harbor Rd, SJ	22-Nov-21	20-Sep-21	14180	13200	(980)	273.89
46	22800	4	2	33	Mark Zuckerman & Coren Ziella	17 Farm Rd, SJ	22-Nov-21	20-Sep-21	11330	10925	(405)	115.55
<b>ASSESSMENT ADJUSTMENTS - DECEMBER 15, 2021</b>											<b>(6,627)</b>	<b>2,185.97</b>

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted: **RESOLUTION #147-21**  
**RESOLVED**, the Village Treasurer is authorized and directed to make modifications to the 2021/2022 budget in the amount totaling \$76,660.12 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR  
2021/2022 BUDGET MODIFICATIONS  
12/15/2021

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	2/28/2022	2/28/2022	2/28/2022
A1440.41	ENGINEER GENERAL	10,000.00	12,000.00
A1930.4	JUDGEMENTS & CLAIMS	10,000.00	13,000.00
A3501	CONSOLIDATED HIGHWAY AID	(245,823.32)	(74,302.42)
A3502	VILLAGE OF NISSEQUOGUE	0.00	(33,180.59)
A5110.33	STREET MAINTENANCE - DOUBLE TIME	2,500.00	3,500.00
A5110.21	STREET MAINTENANCE - TRUCK REPAIRS	12,000.00	14,000.00
A5110.6	STREET MAINT UNIFORMS	500.00	600.00
A5110.225	STREET MAINT - EQUIPMENT < \$1,000.00	4,000.00	(3,100.00)
A5112.2	PERMANENT ROAD IMPROVEMENTS	245,823.32	139,443.13
A8010.4	ZONING BOARD	600.00	100.00
A1990.0	CONTINGENT ACCOUNT	37,060.12	(37,060.12)
		0.00	0.00
		0.00	0.00
		0.00	0.00
		<u>76,660.12</u>	<u>76,660.12</u>

**DEEMED READ INTO THE RECORD IN ITS ENTIRETY**

BOND RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, ADOPTED DECEMBER 15, 2021, AUTHORIZING THE REPAVING OF THE VILLAGE HALL PARKING LOT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD OF THE HARBOR, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Head of the Harbor, in the County of Suffolk, New York (herein called the "Village"), is hereby authorized to repave the Village Hall parking lot, including drainage and other related improvements and ancillary work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in a principal of not to exceed \$150,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of not to exceed \$150,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (f) of the Law, is ten (10) years.
- (b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "The Smithtown News," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF HEAD OF THE HARBOR, NEW YORK

PLEASE TAKE NOTICE that on December 15, 2021, the Board of Trustees of the Village of Head of the Harbor, in the County of Suffolk, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Head of the Harbor, New York, adopted December 15, 2021, authorizing the repaving of the Village Hall parking lot, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$150,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to repave the Village Hall parking lot, including drainage and other related improvements and ancillary work required in connection therewith; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in a principal of not to exceed \$150,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in a principal amount of not to exceed \$150,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: December 15, 2021 Margaret O’Keefe  
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

The resolution was declared adopted.

**3. Building Inspector – Bob O’Shea**

- Various permits issued.
- Planning Board postponed due to insufficient filings by the applicant.
- Architectural Review Board approved several applications.
- House fire on Evan Court.

**4. Highway Department – Judith C. Ogden, Highway Commissioner:**

- Discussion ensued regarding drainage on Harbor Road. No action taken.
- Draft of the Mayor’s 2022/2023 letter was reviewed.

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer and unanimously adopted, to move to executive session to discuss personnel. It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted:

**RESOLUTION #148-21**

**RESOLVED**, to redesignate the title of the parttime Automotive Mechanic III to Suffolk County Civil Service classification of parttime Automotive Mechanic IV, authoring the filing of all necessary documents necessary to make said adjustment. Reclassification is to be without additional compensation. It was, upon motion by Mayor, second by Deputy Mayor White 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 Deputy Mayor White, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 8:22 PM.

Respectfully Submitted,

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Margaret O'Keefe  
Village Administrator/Clerk