

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, December 16, 2015 at 7 PM**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, December 16, 2015 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. Not in attendance this evening Village Attorney Anthony B. Tohill. Also in attendance Village Clerk Margaret O'Keefe and Village Treasurer Patricia Mulderig.

Pledge of Allegiance.

1. Mayor – Douglas A. Dahlgard:

- Mayor Dahlgard convened the public hearing on this 16th day of December 2015, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of Local Law (Intro.) #5 of 2015, "A LOCAL LAW ENTITLED PROPERTY MAINTENANCE". Comments from the public and Board of Trustees. This hearing will be held open, reconvening January 20, 2016.
- Mayor Dahlgard convened the public hearing on this 16th day of December 2015 at 7:00 PM, , at Village Hall, 500 North Country Rd., St. James New York 11780 to consider the adoption of Local Law (Intro.) #6 of 2015, "A LOCAL LAW ENACTING VILLAGE CODE CHAPTER 80, DRIVEWAYS". Discussion ensued. This hearing will be held open, reconvening January 20, 2016.
- Mayor Dahlgard convened the public hearing on this 16th day of December 2015, at 7:00 P.M., at Village Hall, 500 North Country Road, St. James, New York, to consider the adoption of the tentative 2016/2017 Village Budget. Copies of said budget were made available to the public. Discussion ensued said tentative budget in the amount of \$1,885,471.51 with a tax rate of \$23.50 per \$100 of assessed value. Explanatory materials are on the side table and will remain on display at Village Hall. This hearing will be held open, reconvening January 20, 2016.
- It was upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted: **RESOLUTION #109-15**
RESOLVED, to authorize 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 \$434.00, and
BE IT FURTHER RESOLVED, to authorize and direct the treasurer to release payment in full.
- It was upon motion by Trustee Fischer, second by Trustee White and unanimously adopted: **RESOLUTION #110-15**
WHEREAS, Per Election Law §15-104 the Village General Election is to be held on Tuesday, March 15, 2016, and
WHEREAS, the offices that are vacant at the end of the current official year are of (1) Mayor for a (2) two year term, and (2) two Trustees 2-year term
BE IT RESOLVED, said Election will be held on Tuesday, March 15, 2016 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 Van Vechten, second by Trustee White and unanimously adopted:

RESOLUTION #111-15

RESOLVED, extending the residency requirement to include the County of Suffolk, the following individuals are appointed to serve as election inspectors for the March 15, 2016 General Election, namely Maureen Wiedersum Chief Inspector, Marguerite McDonagh, and Leane Kondenar, Chief Election Officer to be Margaret O'Keefe. The workday shall be from 11:30 AM until 9:30 PM, compensation to be \$150.00 for the 10-hour day. Oaths of Office are to be filed with the village clerk; I-9 forms are to be filed with the village treasurer.

- It was upon motion by Trustee Van Vechten,

RESOLUTION #112-15

RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, ADOPTED DECEMBER 16, 2015 FURTHER AMENDING THE BOND RESOLUTION ADOPTED ON OCTOBER 15, 2014, AND HERETOFORE AMENDED ON AUGUST 19, 2015

WHEREAS, the Board of Trustees of the Village of Head of the Harbor, in the County of Suffolk, New York, has heretofore duly authorized the construction of various improvements to Village Hall at the estimated maximum cost of \$50,000, pursuant to the bond resolution adopted by the Board of Trustees on October 15, 2014; and

WHEREAS, on August 19, 2015 the Board of Trustees determined that it was appropriate and in the best interests of the Village to amend the description of the project to more accurately describe the proposed work to include improvements to the Highway Department building and to amend said bond resolution to authorize the construction of improvements to the Village Hall and the Highway Department building; and such change was authorized pursuant to a bond resolution adopted by said Board of Trustees on August, 19, 2015 as an amendment to the prior bond resolution adopted on October 15, 2014; and

WHEREAS, the estimated cost of said project has now been determined to be \$60,000, and it is necessary and in the public interest to increase the appropriation for the project by \$10,000 and to further amend said bond resolution to authorize the issuance of \$60,000 bonds to reflect such increase;

Now, therefore, be it **RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD OF THE HARBOR, IN THE COUNTY OF SUFFOLK, NEW YORK** (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) **AS FOLLOWS:**

Section (A) The bond resolution of said Village duly adopted by the Board of Trustees on October 15, 2014 and heretofore amended on August 19, 2015, entitled:

"Bond Resolution of the Village of Head of the Harbor, New York, adopted October 15, 2014 and amended August 19, 2015, authorizing the construction of improvements to Village Hall and the Highway Department building, stating the estimated maximum cost thereof is \$50,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$50,000 to finance said appropriation,"

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, NEW YORK, OCTOBER 15, 2014 AND AMENDED AUGUST 19, 2015 AND FURTHER AMENDED DECEMBER 16, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VILLAGE HALL AND THE HIGHWAY DEPARTMENT BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$60,000 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 construct various improvements to Village Hall and the Highway Department building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$60,000 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 \$60,000 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 of the object or purpose for which said bonds are authorized to be issued is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(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 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 not 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 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 credit enhancement agreements, 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 shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together

with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "The Smithtown News," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution, shall in no way affect the validity of any liabilities incurred, obligations issued, or actions heretofore taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as so amended.

The adoption of the foregoing resolution was seconded by TRUSTEE JEFFREY D. FISCHER and duly put to a vote on roll call, which resulted as follows:

AYES: MAYOR DOUGLAS A. DAHLGARD
 TRUSTEE DANIEL W. WHITE
 TRUSTEE JUDITH C. OGDEN
 TRUSTEE L. GORDON VAN VECHTEN
 TRUSTEE JEFFREY D. FISCHER

NOES: -- NONE--

The resolution was declared adopted.

FURTHER, the village clerk will poll each member for conflict of interest with bank holding and by affirmative vote they do hereby attest that as a member of the Board of Trustees of the Inc. Village of Head of the Harbor no conflict of interest, as defined pursuant to Article 18 of the General Municipal Law, exists with respect to the contract of sale of the Note with Bridgehampton National Bank authorized and directed by said Board on Wednesday, December 16, 2015.

AYES: Douglas A. Dahlgard, Mayor
 Daniel W. White, Deputy Mayor
 Judith C. Ogden, Trustee
 L. Gordon Van Vechten, Trustee
 Jeffrey D. Fischer, Trustee

NOES: -- NONE--

- **Minutes of November 18, 2015 at 7 PM**, Trustees meeting minutes were presented. It was, upon motion by Trustee White, second by Trustee Van Vechten, and unanimously adopted:

RESOLUTION #113-15

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

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 #114-15
RESOLVED, to adopt Abstracts #126835 through and including #126841 in the total amount of \$57,819.07 to be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #115-15
RESOLVED, the village treasurer is authorized and directed to make the budget modifications as noted:

	BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	2/28/2016		2/28/2016
INT & PENALTIES ON TAXES	(5,670.43)	0.00	(5,670.43)
CLERK FEES	(202.03)	(5.36)	(207.39)
POLICE GRANTS & FEES	0.00	(30,410.79)	(30,410.79)
BUILDING PERMITS	(77,981.70)	(15,894.10)	(93,875.80)
ZONING FEES	(2,000.00)	0.00	(2,000.00)
EMPLOYEE HEALTH CARE CONTRIBUTIONS	(5,290.70)	(645.56)	(5,936.26)
CLERK ADVERTISING	500.00	100.00	600.00
ENGINEER-GENERAL	7,450.00	1,705.00	9,155.00
VILLAGE HALL REPAIRS & MAINTENANCE	32,270.49	633.63	32,904.12
POLICE - VEHICLES	210.00	30,350.79	30,560.79
STREET MAINT - OVERTIME	6,352.79	79.56	6,432.35
CONTINGENCY	34,095.59	14,086.83	48,182.42
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<u>(10,265.99)</u>	<u>0.00</u>	<u>(10,265.99)</u>

- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #116-15
RESOLVED, the village treasurer is authorized to transfer \$100,000 from Bridgehampton National Bank to TD Bank.

3. Highway Department –John Lendino, Deputy Hwy. Comm. and Judith C. Ogden Hwy. Comm.:

- Paving of Highland Avenue is complete.
- Discussion regarding equipment.

4. Beautification Committee – John Lendino:

- Daffodil bulbs have been planted.

5. Police Department – Officer Charles Lohmann:

- It was, upon motion by Trustee White, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #117-15
RESOLVED, to approve of the appointment of Walter Justincic, as part-time Police Officer at an hourly rate of \$29.83 per hour, for a monthly average not to exceed 19 hours per work week.

6. Deer Committee – Michael Utevsky:

- Fact gathering mode.
- Discussion ensued concerning unsolicited mailing.
- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted, to move to executive session to discuss personnel.

- It was, upon motion by Mayor Dahlgard, second by Trustee Ogden and unanimously adopted:
RESOLUTION #118-15
RESOLVED, any employee with outstanding vacation days may roll it over no more than five (5) days to the 2016 calendar year; said time must be used within 90 days.

It was, upon motion by Mayor Dahlgard, second by Trustee Fischer and unanimously adopted to move to public session.

There being no other matters to be brought before the Board; it was, upon motion by Mayor Dahlgard, second by Trustee Van Vechten and unanimously adopted to adjourn the meeting at 10:20 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk