

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, DECEMBER 16, 2020**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, December 16, 2020 at 7 PM via Zoom. 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. Late arrival at 7:10 PM- Village Attorney, Anthony S. Guardino. Also in attendance, village residents: Collette Porciello, Meg Shutka and Kathleen Diana.

Pledge of Allegiance.

Mayor Dahlgard reconvened 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”. Discussion ensued. The current draft is to be amended to include a delayed effective date of 90 days from the date of adoption. Mayor Dahlgard declared the hearing held open until the Trustees meeting scheduled to be held on January 20th, 2021 at 7 PM.

- Anthony Guardino logged into the remote meeting at 7:10 PM.

Mayor Dahlgard convened the public hearing on Local Law (Intro)#7 OF 2020, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”. Discussion ensued. Upon the conclusion of comments from the Board and the public, Mayor Dahlgard closed public hearing.

Mayor Dahlgard convened the public hearing on the village’s 2021/2022 budget. Copies are on the village website and at Village Hall. Discussion ensued. Upon the conclusion of comments from the Board and the public, Mayor Dahlgard closed public hearing.

- A public hearing was concluded on the 16th day of December 2020, at 7:00 PM, at the Village Hall, 500 North Country Road, Head-of-the-Harbor, New York, to consider the adoption of a local law as Local Law (Intro)#7 of 2020, “A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c”.

It was upon motion by Trustee Van Vechten, second by Trustee Fischer and voted upon as follows:

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

Be it enacted by the Board of Trustees of the Incorporated Village of Head of the Harbor as follows:

Section 1. Legislative Intent

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, 2021 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 is hereby authorized to adopt a budget for the fiscal year commencing March 1, 2021 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.

- A public hearing was concluded on December 16, 2020 at 7 PM on the village's 2021/2022 budget. It was, upon motion by Trustee Fischer, second by Trustee Van Vechten and unanimously adopted:
RESOLUTION #131-20
RESOLVED, to adopt the proposed 2021/2022 in the amount of \$2,403,664.96 with a tax rate of \$28.53 per \$100 of assessed value.
- It was, upon motion by Trustee Ogden, second by Deputy Mayor White and unanimously adopted:
RESOLUTION #132-20
WHEREAS, the Village of Head of the Harbor, with the assistance from the Town of Smithtown, has gathered information and prepared the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan; and
WHEREAS, the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and
WHEREAS, the Village of Head of the Harbor is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and
WHEREAS, the Village of Head of the Harbor have reviewed the Plan and affirms that the Plan will be updated no less than every five years, and
NOW THEREFORE, BE IT RESOLVED, by the Board of Trustees that The Village of Head of the Harbor adopts the Suffolk County Multi-Jurisdictional Multi-Hazard Mitigation Plan as this jurisdiction's Natural Hazard mitigation Plan and resolved to execute the actions in the Plan.

ADOPTED this 16th day of December 2020 at the meeting of the Village Board.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:
RESOLUTION #133-20
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 \$527.00, and
BE IT FURTHER RESOLVED, to authorize and direct the village treasurer to release payment in full.
- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer and unanimously adopted:
RESOLUTION #134-20
RESOLVED, to accept the donation of \$400.00 from Mr. and Mrs. James Scully.
- It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #135-20
WHEREAS the Board of Trustees wishes to engage Special Counsel to assist with the review of the Hansen site plan application, and
WHEREAS, the expertise of Mr. John Bennett, Esq. is well known and highly recommended,
BE IT RESOLVED, to extend the agreement letter provided by Mr. John Bennet, Esq. dated July 13, 2020 and adopted by the Board on July 15, 2020 to include the above referenced matter.
- Minutes of November 12, 2020 at 7 PM meeting of the Board of Trustees were presented. It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, with abstentions by Deputy Mayor White and Trustee Ogden and adopted (3-0-2):
RESOLUTION #136-20
RESOLVED, to adopt the minutes of the above meeting as presented.

- Minutes of November 18, 2020 at 7 PM meeting of the Board of Trustees were presented. It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #137-20
RESOLVED, to adopt the minutes of the above meeting as presented.
- Minutes of December 2, 2020 at 5:45 PM meeting of the Board of Trustees were presented. It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, abstentions by Deputy Mayor White and Trustee Ogden and adopted (3-0-2):
RESOLUTION #138-20
RESOLVED, to adopt the minutes of the above meeting as presented.
- Minutes of December 2, 2020 at 7 PM meeting of the Board of Trustees were presented. It was, upon motion by Deputy Mayor White, second by Trustee Ogden and unanimously adopted:
RESOLUTION #139-20
RESOLVED, to adopt the minutes of the above meeting as presented.
- Minutes of December 7, 2020 at 7 PM meeting of the Board of Trustees were presented. It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, abstentions by Deputy Mayor White and Trustee Ogden and adopted (3-0-2):
RESOLUTION #140-20
RESOLVED, to adopt the minutes of the above meeting as presented.
 - Gyrodyne discussion ensued regarding a coalition. No action taken.

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

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #141-20
RESOLVED, to adopt Abstracts #127456 through and including #127464 in the total amount of \$35,127.27 be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #142-20
RESOLVED, the village treasurer is authorized and directed to make budget modifications to the 2020/2021 budget totaling \$85,724.78 for a net change of zero, as noted:

	BUDGET FY/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
	2/28/2021		2/28/2021
A2115	PLANNING BOARD FEES	(2,000.00)	(7,300.00)
A2705	GIFTS & DONATIONS	(17,509.87)	(19,509.87)
A1420.41	LAW GENERAL	50,000.00	54,000.00
A1420.42	LAW CODE ENFORCEMENT	0.00	1,000.00
A1920.41	MUNICIPAL DUES	2,500.00	2,700.00
A3120.26	POLICE TOS ANIMAL CONTROL	0.00	100.00
A5110.25	DRAINAGE TRUCKING & DISPOSAL	17,000.00	17,500.00
A5110.6	STREET MAINTENANCE - UNIFORMS	500.00	700.00
A8010.4	ZONING BOARD -	650.00	950.00
A8510.43	COMM BEAUTIFICATION	0.00	7,000.00
A1990.	CONTINGENCY	34,584.65	28,584.65
		0.00	0.00
		<u>85,724.78</u>	<u>85,724.78</u>

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #143-20
WHEREAS, on July 8, 2020 in accordance with Village policy, Mr. and Mrs. John Cavoto, 12 Saneck Rd. deposited \$2,000.00 with the village for site plan review of 0801-3-2-12, and
WHEREAS, the matter has been finalized and all consultant invoices have been satisfied, and
WHEREAS, the Planning Board has recommended the release of the remaining balance,
BE IT RESOLVED, to authorize and direct the village treasurer to release the balance of the Trust & Agency account noted in her report as \$1,697.50.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #144-20
WHEREAS, on October 7, 2020 in accordance with Village policy, Mr. and Mrs. Vigliarolo, 1 Piper Lane deposited \$2,000.00 with the village for Zoning Board of Appeals Trust & Agency funds, and **WHEREAS**, the matter has been finalized and all invoices satisfied,
BE IT RESOLVED, to authorize and direct the village treasurer to release the balance of the Trust & Agency account noted in her report as \$1,257.50.

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

- It was, upon motion by Trustee Ogden, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #145-20
RESOLVED, to continue the employment of John Lohmann, a substitute automotive equipment operator, an on-call, non-exempt position, compensation to be \$50/hr. This resolution is effective December 16, 2020.
- It was, upon motion by Trustee Ogden, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #146-20
WHEREAS the Board of Trustees wishes to engage assistance with regard to snow removal, and **WHEREAS** the expertise of All Island Plumbing is well known and highly recommended,
BE IT RESOLVED, to accept the proposal provided by All Island Plumbing, received December 16, 2020, for as needed snow removal services by incensed and insured driver, with FORD F250 diesel with 8 ft. plow. Compensation is at a rate of \$110.00 per/hr.
- It was, upon motion by Mayor, second by Trustee Fischer and unanimously adopted:
RESOLUTION #147-20
RESOLVED, for all employees of the village who receive paid vacation time who have as of this time accrued and unused vacation time for calendar year 2020 that come the expiration of this year for which this is the last meeting of the Board that accrued vacation will not expired and will continue to February 28, 2021 subject to further action by the Board.

3. Building Inspector – Robert O’Shea:

- A few sizeable applications.

4. Police Department – Charles M. Lohmann, Police Chief:

- Mobile Data Terminal & Trax System ready to start.
- Donation to be used to a new hybrid police car.

5. Public Comment:

- Deer Management. Discussion ensued. No action taken.
- Gyrodyne. Discussion ensued. No action taken.
- 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 9:01 PM.

Respectfully Submitted,

Margaret O’Keefe,
Village Administrator/Clerk