

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
Wednesday, February 17, 2010
7 PM

A meeting of the Board of Trustees of the Inc. Village of Head of the Harbor was held on Wednesday, February 17, 2010 at 7:00 p.m., at the Village Hall located at 500 North Country Road in said Village. Those present were Mayor Natale Tartamella, and the following Trustees; Larry Swanson, J. Ted Naughton, and Margaret Shutka. Also in attendance were Village Clerk; Margaret O'Keefe and Village Treasurer: Patricia Mulderig. Not in attendance this evening Trustee Folkerts, Attorney, Anthony B. Tohill, nor Building Inspector, Jerry Harris.

The February Trustees meeting was convened.

- **Minutes** of Tuesday, **January 20, 2010 7 PM** Trustees meeting were presented. It was, upon motion by Trustee Swanson, second by Trustee Shutka, and unanimously adopted:

RESOLUTION #169-09

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

- **Minutes** of Tuesday, **January 20, 2010 5 PM** Board of Trustees meeting were presented. It was, upon motion by Trustee Shutka, second by Trustee Swanson, and unanimously adopted:

RESOLUTION #170-09

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

- Submitted to the Board, a copy of the engagement letter from our outside auditors: Coughlin, Foundotos, Cullen & Danowski, LLP. Request to authorize the Mayor to sign the engagement letter. It was, upon motion by Trustee Shutka, second by Trustee Naughton and unanimously adopted:

RESOLUTION #171-09

RESOLVED, to authorize Mayor Tartamella to sign the retainer agreement in his official capacity.

- It was upon motion by Trustee Swanson, second by Trustee Naughton and unanimously adopted:

RESOLUTION #172-09

WHEREAS, the Board of Trustees has adopted a resolution on September 16, 2009, declaring the performance bond on the Muffin Meadow subdivision in default, and

WHEREAS, pursuant to said resolution the Board of Trustees with the assistance of the Village Engineer has now completed the road drainage, stone apron and right-of-way restoration work, and

WHEREAS, the Board of Trustees has received and reviewed a written report from the Village Engineer stating the costs for the work now completed, and

WHEREAS, said report states that the amount of the cash performance bond is \$130,500.00, the amount of the contract with DeLalio (Contracts A and C) is \$49,202.00, the amount of the contract with D.F. stone (Contract B) is \$3,271.00 and the fee charges of the Village Engineer are \$ 6,237.00, totaling \$ 58,710.00, and

WHEREAS, the Board is satisfied that there is no need for a continuation of any form of bond with respect required capital improvements at this subdivision,

NOW THEREFORE, the Village Treasurer is authorized and directed to draw \$ 58,710.00 from the performance bond and to remit the balance of \$ 71,790.00 to Kenneth Kirschenbaum, and the Village Clerk is directed to forward a copy of this resolution to Kenneth Kirschenbaum.

- It was upon motion by Trustee Swanson, second by Trustee Shutka and unanimously adopted:

RESOLUTION #173-09

RESOLVED, that the Building Inspector shall require as a condition of the issuance of any building permit a written acknowledgement from any permittee that in the event damage results to any municipal property incident to any construction activity including by way of illustration, not limitation, damage to roads, sidewalks, shoulders, street trees, curbs, drainage improvements, etc., no certificate of occupancy or certificate of compliance may issue unless and until the damage is repaired to the Building Inspector's satisfaction at the permittee's sole expense whether the damage is the result of acts or omissions of the permittee or a contractor, materialman, tradesman, invitee, subcontractor or other person or entity.

- It was upon motion by Trustee Swanson, second by Trustee Shutka and unanimously adopted:

RESOLUTION #174-09

A RESOLUTION ADOPTING MUNICIPAL POLICES AND EMPLOYEE MANUEL

WHEREAS, the Inc Village of Head of the Harbor wishes to establish policies and procedures to endure the safety of village employees,

NOW THEREFORE BE IT RESOLVED, by the Village Board of Trustees of the Inc. Village of Head of the Harbor, St. James, New York assembled this 17th day of February 2010. The Board does hereby adopt the policy as presented with the following amendments.

- No benefit provisions will be made for domestic partners.

- ARTICLE (K) - the keys to village vehicles shall be returned to the department supervisors, namely the highway Superintendent or the Chief of Police at the end of each day.
- APPENDIX 1 - workplace violence designated contacts are as follows male: Trustee Heiko Folkerts, female Trustee Meg Shutka.

Financials – Patricia Mulderig, Treasurer:

- Report submitted to the Board.
- Abstract #1-09 (numbering due to computer error)- Vouchers chosen to be paid from the General Fund in the amount of \$9,452.83. Discussion ensued. It was, upon motion by Trustee Shutka, second by Trustee Swanson, and unanimously adopted:
Resolution #175-09
RESOLVED, to adopt Abstract #1-09 to be paid from the General Fund in the amount of \$9,452.83.
- Abstract #126386- Vouchers chosen to be paid from the General Fund in the amount of \$56,393.44. Discussion ensued. It was, upon motion by Trustee Shutka, second by Trustee Naughton, and unanimously adopted:
Resolution #176-09
RESOLVED, to adopt Abstract #126386, to be paid from the Trust & Agency, in the amount of \$56,393.44.
- Abstract #126387- Vouchers chosen to be paid from the General Fund in the amount of \$7,889.94. Discussion ensued; voucher #8794 in the amount of \$220.00 to be paid to Diane Mazarakis is to be further reviewed; voucher #8789 & #8790 are to be removed as they are duplicated in Abstract 126388. It was, upon motion by Trustee Shutka, second by Trustee Naughton, and unanimously adopted:
Resolution #177-09
RESOLVED, to adopt Abstract #126387, to be paid from the General Fund, in the amount of \$6,582.84 as amended.
- Abstract #126388- Vouchers chosen to be paid from the General Fund in the amount of \$1,087.10. Discussion ensued. It was, upon motion by Trustee Swanson, second by Trustee Naughton, Trustee Shutka abstained, (3-0-1) adopted:
Resolution #
RESOLVED, to adopt Abstract #126388, to be paid from the General Fund, in the amount of \$1,087.10.
- Abstract #105- Vouchers chosen to be paid from the Trust & Agency in the amount of \$1,023.00. Discussion ensued. It was, upon motion by Trustee Shutka, second by Trustee Swanson, and unanimously adopted:
Resolution #093-07
RESOLVED, to adopt Abstract #105, to be paid from the Trust & Agency in the amount of \$1,023.00.

Mayor Natale Tartamella:

- Tax Warrant – It was, upon motion by Trustee Swanson, second by Trustee Shutka and unanimously adopted:
RESOLUTION: #180-09
RESOLVED, Treasurer, Patricia Mulderig, is hereby commanded to receive and collect from the persons named in the assessment roll, hereunto annexed, the several sums named in the last column thereof opposite their respective name, for the following purposes:

	DOLLARS/CENTS
For the General Fund.....	\$382,057.43
For the Police, Fire, & Safety Fund.....	\$602,347.65
For the Street Fund.....	\$436,861.16
For Community Service	\$46,277.41
For the payment of principal and interest on bonds and capital notes....	\$48,452.04
Being for all purposes a total amount of.....	\$1,515,995.69
Non-real estate revenue.....	\$563,460.00
Total Real estate Tax.....	\$952,535.69
	\$1,515,995.69

Upon the receipt of the roll and warrant by you, and on or before the first day of March, you shall cause to be published in the official paper of the Village, once a week for two consecutive weeks, a notice that such tax roll and Warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from March first to and including April first from nine o'clock in the morning until 2 o'clock in the afternoon, except Saturdays, Sundays and

For said period of time you will receive all taxes paid to you without additional charge;
On all such taxes remaining unpaid after April first, interest of five percent shall be added for the month of April and an additional one percent for each month and fraction thereof thereafter until paid.
You shall attend at the time and place specified in said notice for the purpose of receiving said taxes;
After the first day of April you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for that purpose you are possessed of all the powers of a town tax collector.

All interest collected shall belong to the Village.

You are to make a return of this warrant on or before the first day of November after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid, with the receipt of the Village Treasurer for all taxes paid to him/her, and shall file the role and warrant in the office of the village clerk.

And for so doing this shall be your sufficient warrant.

- Four quotes were requested and two currently received to perform an assets inventory. The quotes were received as follows:

Industrial Appraisals	\$2,100.00
Appraisal Affiliates, Inc.	\$4,700.00

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

RESOLUTION #181

RESOLVED, to accept the quote of Industrial Appraisals to perform an assets inventory.

- **RESOLUTION #182**

RESOLVED, to appoint Part-time police officer Charles Lohmann, effective December 31, 2009, at an hourly rate of \$26.52, for a maximum of 20 hours per week.

Highway Department- J. Ted Naughton, Commissioner:

- It was upon motion by Trustee Swanson, second by Trustee Shutka, and unanimously adopted, directing the village treasurer to forward payment in the amount of \$600.00 to Miller Environmental Group to provide First Awareness Responder Training to address the concerns of the New York State Department of Labor subject to our inability to obtain training from Suffolk County Public Safety or such agency that can provide said training within a period of 14 days the four employees of the village highway department.

RESOLUTION #183-09

RESOLVED, to approve of the above reference expenditure.

- Discussion regarding Mill Creek Rd.
- It was upon motion by Trustee Naughton, second by Trustee Shutka, the Board moved to executive session to discuss personnel issues. No action taken. It was upon motion by Trustee Shutka, second by Trustee Naughton to move back to public session.
- It was, upon motion by Trustee Naughton, second by Trustee Shutka and unanimously adopted **RESOLUTION #184-09**
RESOLVED, to approve the invoice submitted by Environmental Planner, Diane Mazarakis in the amount of \$220.00 listed as voucher #8794 in Abstract #126387.

There being no other matters to be brought before the Board; it was, upon motion by Trustee Naughton, second by Trustee Shutka and unanimously adopted, to adjourn the meeting at 9:43 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Clerk