

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES
Tuesday, March 2, 2010
6 PM

A meeting of the Board of Trustees of the Inc. Village of Head of the Harbor was held on Wednesday, March 2, 2010 at 6:00 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, Trustee Folkerts, and Margaret Shutka. Also in attendance were Village Clerk; Margaret O'Keefe and Village Treasurer; Patricia Mulderig. Not in attendance this evening Attorney, Anthony B. Tohill, nor Building Inspector, Jerry Harris.

- It was upon motion by Trustee Shutka, second by Trustee Swanson, and unanimously adopted:
RESOLUTION #185-09
RESOLVED,

WHEREAS, the Board of Trustees has heretofore and on January 6, 2010 conducted a special meeting to address all aspects of the Trust and Agency accounts maintained by the Village, and
WHEREAS, the Board adopted Resolution No. 146-09 at the conclusion of said meeting which resolution directed the Village Treasurer to prepare and present a report to the Board identifying each said account including the respective account balances, any required refunds, any accounts requiring replenishment and enabling adoption of appropriate resolutions for the establishment of a new system of accounting and management of all Trust and Agency accounts maintained by the Village incident to Village Code Chapter 88 or otherwise, and

WHEREAS, the Board has received a written report from the Village Treasurer prepared with the assistance of the Village Auditor, Christopher Reino, CPA, and Village Clerk, Margaret O'Keefe, a complete copy of which is attached to this resolution, and

WHEREAS, the Board has reviewed said report and has conferred with the Village Treasurer and Village Auditor and the Board is now satisfied that resolutions may now be adopted identifying each active account with each remaining balance, identifying each active account requiring replenishment, identifying each inactive account allowing a refund of any respective balance and enabling the calculation of any accumulated fund balance which may be transferred to the general fund,

NOW THEREFORE IT IS RESOLVED AS FOLLOWS:

1. The present active Trust and Agency accounts including present respective balances are the following:

Anderson	\$1,261.25
Kycia	\$10,298.75
Moseley	\$1,364.75
Petervary	\$4,037.50

2. The Village Treasurer is directed to maintain each aforesaid account and any new Trust and Agency account as a separate subaccount by name, the date and amount of any deposit, the date and amount of any drawdown under Village Code Chapter 88 or otherwise and pursuant to appropriate prior agency resolution including payee and the balance from time to time and to provide a written monthly report to the Board of Trustees for each said account from time to time, with a copy of any said report to the Chair of the Planning Board.

3. The present active Trust and Agency account appears in need of replenishment:
Ogden
Maddaloni

4. The Planning Board is directed to adopt appropriate resolutions requiring replenishment of each aforesaid account in sums determined appropriate and necessary by the Planning Board.

5. The present active Trust and Agency account requires submission of documentary proof of the current validity of the performance bond required by prior resolution of the Planning Board and the Village Clerk is directed to require said submission with 30 days:

Kycia

6. The following accounts with the below listed balances are identified as inactive and the Village Treasurer is authorized and directed to refund to each depositor said balance:

Giovaniello	\$1,879.75
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Harrington	\$342.50
Krantz	\$82.50
Randall/Lecky	\$1,851.25
Sperling	\$367.50
Svatek	\$27.50

7. Pursuant to 81 Ops. St. Comp. 277 the remaining balance in the sum of \$58,691.11, which said balance according to the report and advice of the Village Treasurer and Village Auditor is not allocable to any account, shall be forthwith transferred by the Village Treasurer to the general fund and deposited at TD Bank, Lake Avenue, St. James, NY, subject to the Village Treasurer's prior receipt of an original purchase agreement executed by an authorized representative of TD Bank, and approved as to form and content by the Board of Trustees.

8. Monies held in the Trust and Agency account and identified as Refundable Bonds shall be refunded by the Building Inspector to the respective depositors subject to the provisions of a separate resolution adopted even date the content of which states in pertinent part that no certificate of occupancy or certificate of compliance may be issued in the event of damage including by way of illustration, not limitation, roads, curbs, shoulders, street trees, drainage, sidewalks, etc., by the owners, contractors, materialmen, subcontractors, invitees, tradesmen or any other person or entity incident any construction activity authorized under a building permit unless said damage is repaired to the satisfaction of the Building Inspector at the permittee's sole expense.

9. The following Trust and Agency accounts are identified as dormant without any fund balance and the Village Treasurer is authorized and directed to note each said account as closed and no additional record maintenance shall be required under ¶ 2 above with respect each said account:

22 Bridge Lane
 Carmen's Lane/Graziano
 Deepwells
 Hitherbrook
 CSC Holdings

10. The following Trust and Agency accounts are dormant with negative fund balances and the Village Treasurer is authorized and directed to note each account as closed and no additional record maintenance shall be required under ¶ 2 above with respect each said account:

Graziano/Commentary	(\$95.00)
Maggio	(\$233.75)
McNulty	(\$27.50)
Mercer	(\$1,511.03)
Semente	(\$97.50)

11. Monies held in the nature of a performance bond for Muffin Meadows shall be applied and/or refunded in accordance with a separate resolution addressing that bond only adopted even date.

12. The Village Clerk is authorized and directed to forward a copy of this resolution to the Village Treasurer, Building Inspector, Village Planner, Village Engineer and Chair of the Planning Board with an instruction that each implement as needed or appropriate the provisions of this resolution and with the express instruction that any drawdown of any balance henceforth shall be in all events pursuant to express resolutions of the agency receiving the professional services pursuant to Village Code Chapter 88 or otherwise.

- It was upon motion by Trustee Folkerts, second by Trustee Shutka, and unanimously adopted:
RESOLUTION #186-09
RESOLVED,
 A budget transfer of \$500.00 from account A1990 to account A1410.1 to correct an inconsistency with resolution # 141-09.

- It was upon motion by Trustee Folkerts, second by Trustee Shutka, and unanimously adopted:
RESOLUTION #187-09
RESOLVED,
WHEREAS, successful certiorari claims have been received from the Town of Smithtown subsequent to the acceptance of the tax roll, and
WHEREAS, the Board of Trustees acknowledges these adjustments and accepts the list from the Town of Smithtown, and
WHEREAS, the village treasurer is to provide an inventory of said adjustments to the village clerk, and
WHEREAS, said inventory shall be affixed to the official minutes,
NOW, THEREFORE BE IT RESOLVED, the village treasurer is hereby directed to make the adjustments as required to the assessment rolls and tax bills for the fiscal year of 2010/2011.
BE IT FURTHER RESOLVED, to reduce the budget for tax revenue by \$2,337.19, and reduce contingency account by \$2,337.19.

There being no other matter before the board it was upon the motion of Trustee Shutka, second by Trustee Swanson and unanimously adopted, the meeting was adjourned at 6:30 PM.

Respectfully submitted,

Margaret O'Keefe
Village Clerk