

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
Wednesday, June 7, 2023**

A work session of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, June 7, 2023 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; Police Chief, Charles M. Lohmann; Village Treasurer, Patricia Mulderig; Village Engineer, Daniel Falasco and Director of Highway Operations, Frank Prinzevalli. Not in attendance Village Attorney, Anthony S. Guardino; Co-Counsel, Philip Butler and Building Inspector, Robert O'Shea.

Pledge of Allegiance.

- It was, upon motion by Deputy Mayor White, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #036-23
WHEREAS, the Board of Trustees has determined that 1). Valleywood Ct. East 2). Briarwood Court 3). Valleywood Ct. West, and 4). Armand Ct., should be repaved as part of the Village's 2023 Road Repaving Program, and
WHEREAS, Daniel Falasco, Village Engineer has received from Rosemar Contracting, Inc., a cost proposal, dated May 10, 2023, inclusive of the application of 1,091 tons of asphalt concrete, 775 gallons of diluted tack coat, 8,550 sy cold milling pavement, and 1,091 tons asphalt/fuel adjustment, and
WHEREAS, the Village given the conditions of the marketplace including limited availability of vendors, use of a County of Suffolk DPW contract MHC093019, product supply and seasonality has elected to utilize as its vendor Rosemar Contracting, Inc., which has assured its ability to commence and conclude the work immediately, and
WHEREAS, the Board has received and considered the advice of the Village Engineer and the Commissioner of Highways,
NOW THEREFORE BE IT RESOLVED, the Village herewith engages Rosemar Contracting, Inc., at a cost of \$157,950.50, as outlined in their proposal dated May 10, 2023 to perform the work described hereinabove, with all work to be completed during 2023 in a fit and workmanlike manner, in accord with industry standards and with the specifications of the Village Engineer, and to the satisfaction of the Village Engineer, and with any payment subject to submission and approval of voucher as required by Village Law §5-524.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #037-23
WHEREAS, the village benefits from the Town of Smithtown's performance of certain Road Repair and Maintenance projects, and
WHEREAS, an Inter-Municipal Agreement has been submitted to the Board of Trustees, and
WHEREAS, said agreement has been approved in form by the village attorney,
BE IT RESOLVED, to authorize Mayor Dahlgard to execute said Inter-Municipal Agreement for Road Repair and Maintenance in his official capacity, and
BE IT FURTHER RESOLVED, herewith engages the Town of Smithtown., at a cost of \$38,496.03, as outlined in their proposal dated May 3, 2023 to perform the grinding and paving described therein on Evan Ct., with all work to be completed during 2023 in a fit and workmanlike manner, in accord with industry standards and with the specifications of the Village Engineer, and to the satisfaction of the Village Engineer, and with any payment subject to submission and approval of voucher as required by Village Law §5-524.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #038-23
WHEREAS, the village benefits from the Town of Smithtown's performance of certain Pavement Markings, and
WHEREAS, an Inter-Municipal agreement has been submitted to the Board of Trustees, and
WHEREAS, said agreement has been approved in form by the village attorney,
BE IT RESOLVED, to authorize Mayor Dahlgard to execute, in his official capacity, said Inter-Municipal Agreement for the Installation of Traffic Signs & Application of Pavement Markings.

- It was, upon motion by Trustee Van Vechten, second by Trustee Fischer, abstention by Deputy Mayor White and adopted (4-0-1):
RESOLUTION #039-23
RESOLVED, to authorize Mayor Dahlgard to execute the Memorandum of Understanding regarding stormwater projects at Cordwood Path and to submit said MOU to the Town of Smithtown Planning Department.
- It was, upon motion by Trustee Fischer, second by Deputy Mayor White, and unanimously adopted:
RESOLUTION #040-23
RESOLVED, to accept, for the purposes of retirement, the resignation of Charles M. Lohmann for an effective date of July 10, 2023, and
BE IT FURTHER RESOLVED, to rehire Charles M. Lohmann, returning to his current position in the Village of Head of the Harbor's Police Department for an effective date of July 11, 2023.
- It was, upon motion by Deputy Mayor White, second by Trustee Van Vechten, and unanimously adopted:
RESOLUTION #041-23
RESOLVED, to authorize and direct the village treasurer to submit payment to Maureen & David Acker in the amount of \$1,000.00 as per the Stipulation of Agreement dated January 25, 2021.
- It was, upon motion by Trustee Ogden, second by Trustee Fischer, and unanimously adopted:
RESOLUTION #042-23
RESOLVED, to authorize and direct the village treasurer to make payment to DIME in the amount of \$374.94.
- **RESOLUTION #043-23**

**VILLAGE OF HEAD OF THE HARBOR
BOARD OF TRUSTEES
A RESOLUTION AUTHORIZING THE CANCELLATION OF A CONTRACT WITH SINGCO
CONSTRUCTION, INC. FOR THE RESTORATION OF VILLAGE HALL**

WHEREAS, the Village of Head of the Harbor (the "Village") and Singco Construction, Inc. ("Singco") entered into an agreement, last dated October 24, 2022, for certain work to repair and restore Village Hall following a flood incident that occurred in the fall of 2022 (the "Contract"); and

WHEREAS, the total compensation to be paid to Singco under the Contract is One Hundred Sixty-Five Thousand and 00/100 (\$165,000.00) Dollars; and

WHEREAS, to date, the Village has compensated SingCo in the amount of \$130,000.00, with \$35,000.00 remaining to be paid; and

WHEREAS, Singco has failed to diligently pursue the completion of the work under the Contract in a timely manner such that the work remains incomplete for no less than 7 months since work began; and

WHEREAS, Singco has provided no anticipated completion date for the work; and

WHEREAS, on May 23, 2023, the Board of Trustees issued a letter to Singco advising it of its intention to cancel the Contract if the scope of work was not complete on or before May 31, 2023; and

WHEREAS, the work remains incomplete as of the date of this resolution, and Singco has persisted in its failure to provide a date certain by which the work will be complete; and

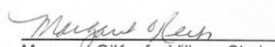
WHEREAS, the Board of Trustees finds Singco's delay in completing the scope of work unacceptable, unreasonable, and disruptive to the day-to-day operations within Village Hall, which is a condition the Village cannot allow to persist any longer.

NOW THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby declares SingCo in material breach of the Contract, and further, declares the Contract cancelled, terminated, and of no further force or effect.

WHEREUPON, upon motion by White, seconded by Van Vechten, the Board of Trustees adopted the foregoing resolution by a vote of 5 to 0 at a duly noticed meeting of the Board held on June 7, 2023, with the members present voting as follows:

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

Filed in the Office of the Village Clerk on the 7th day of June, 2023.


Margaret O'Keefe, Village Clerk

- J. O'Connell & Associates – the Board has not adopted a resolution extending the 2022/2023 for an additional year. Mayor Dahlgard to reach out to Ms. O'Connell to discuss. No action taken.
- Discussion ensued regarding the previously adopted meeting schedule for July. The village clerk is hereby directed to cancel the Trustees works session to be held on July 5, 2023 and post and publish a Trustees meeting to be held on Wednesday, July 19, 2023 at 7 PM, Village Hall, 500 North Country Rd., St. James, NY 11780.

There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor White, second by Mayor Dahlgard and unanimously adopted, to adjourn the meeting at 8:28 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk