

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, May 15, 2024**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, May 15, 2024 at 7 PM at the Village Hall located at 500 North Country Rd., St. James, NY 11780. Those present were the following members Mayor Michael D. Utevsky, Deputy Mayor Lisa Davidson, Trustees Daniel W. White, Judith C. Ogden and Trustee Jeffrey D. Fischer. Also, in attendance Village Administrator/Clerk, Margaret O’Keefe; Police Chief, Charles M. Lohmann; Village Treasurer, Patricia Mulderig; Building Inspector, Robert O’Shea and Village Attorney, Lisa Perillo. Not in attendance Dir. of Highway Operations, Frank Prinzevalli.

Pledge of Allegiance

**Mayor Michael D. Utevsky:**

- It was, upon motion by Trustee Ogden, second by Deputy Mayor Davidson and unanimously adopted:  
**RESOLUTION #024-24**  
Minutes of April 10, 2024, 7 PM meeting of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as presented.
- It was, upon motion by Trustee Ogden, second by Trustee Davidson and unanimously adopted:  
**RESOLUTION #025-24**  
Minutes of May 1, 2024, 7 PM work session of the Board of Trustees were amended “Zweig” to replace “Zeig”.  
**RESOLVED**, to adopt the minutes of the above meeting as amended.
- It was, upon motion by Trustee Ogden, second by Trustee White abstention by Deputy Mayor Davidson and adopted (4-0-1):  
**RESOLUTION #026-24**  
Minutes of April 17, 2024, 7 PM meeting of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as adopted.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #027-24**  
**WHEREAS**, the Board of Trustees has received an Intermunicipal Agreement with the Town of Smithtown for Town Park Rangers, Animal Code Offices, Public Safety Ordinance Inspectors and Fire Marshals, and  
**WHEREAS**, entering into such an agreement will terminate the current agreement for Public Safety Ordinance Inspectors and Fire Marshals only, and  
**WHEREAS**, such shared services are recommended, approved, and encouraged by the State of New York, and  
**WHEREAS**, the form of said agreement is acceptable to the village attorney,  
**NOW, THEREFORE BE IT RESOLVED**, to authorize and direct Mayor Utevsky to execute said agreement in his official capacity.
- Website hosting and maintenance provided DNT Technologies. Discussion tabled.
- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #028-24**  
**WHEREAS**, the Board of Trustees is in receipt of a Special Use Permit from Harbor Country Day School for expansion, and  
**WHEREAS**, pursuant to Village Code this is a Type I action,  
**BE IT RESOLVED**, that the Board of Trustees declares lead agency status for the Special Use Permit and directs the appropriate notifications be made, and  
**BE IT FURTHER RESOLVED**, to authorize and direct the Village Clerk, Margaret O’Keefe to post and publish a public hearing on the Harbor Country Day School Special Permit amendment application. Said hearing to be held on Wednesday, July 17, 2024 at 7 PM, Village Hall, 500 North Country Rd., St. James NY 11780.

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #029-24**  
**WHEREAS**, the village has engaged Perillo Hill, LLP as Village Counsel effective May 1, 2024, and **WHEREAS**, an Article 78 petition, Index No. 609399/2024, was served upon the village on April 22, 2024, **BE IT RESOLVED**, to authorize and direct Perillo Hill, LLP to represent the Village of Head of the Harbor and the Board of Trustees in accordance with the terms of the firm’s retainer agreement. This resolution is effective retroactively to May 1, 2024.

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

- Discussion regarding drainage work on Pinoak Lane, Moriches Road, Watercrest Court and Harbor Road.
- Tree City US signs to reflect “Tree Code Enforced.”

**Building Department – Robert O’Shea, Building Inspector:**

- Oral report given.

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

- Still awaiting arrival of new car.
- On July 14, 2024 the Huntington Bicycle Club will be holding an event that will traverse through the village. The village will not be providing police services, nor will village roads be closed.

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

- It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:  
**RESOLUTION #030-24**  
**RESOLVED**, to adopt Abstracts #127923 through and including #127934 in the total amount of \$38,555.00 be paid from the General Fund.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #031-24**  
**RESOLVED**, to adopt Abstracts #TA 225 in the total amount of \$600.00 be paid from the Trust & Agency Fund approved by resolution last month.
- It was, upon motion by Trustee Fischer, second by Deputy Mayor Davidson and unanimously adopted:  
**RESOLUTION #032-24**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications to the 2023/2024 budget totaling \$826,829.28 for a net change of zero, as noted:

		BUDGET	BUDGET	MODIFIED
		F/Y/E	ADJUSTMENT	BUDGET
		2/29/2024		2/29/2024
A1010.46	BOARD OF TRUSTEES	2,225.00	25.00	2,250.00
A1450.4	ELECTIONS	1,450.00	75.00	1,525.00
A1920.41	MUNI ASSOCIATION DUES - GENERAL	2,600.00	250.00	2,850.00
A3120.1	POLICE PERSONAL SERVICES	520,280.88	4,950.00	525,230.88
A3120.11	POLICE -PERSONAL SVC- SPECIAL TOURS	4,950.00	(4,950.00)	0.00
A3120.13	POLICE - SPECIAL TOURS VH WATER DAMAGE	1,800.00	(1,800.00)	0.00
A3120.23	POLICE - UNIFORMS & SUPPLIES	10,000.00	1,800.00	11,800.00
A3120.8	POLICE BENEFITS	39,923.71	170.00	40,093.71
A3620.4	BUILDING INSPECTOR EXP, TEL	(850.00)	850.00	0.00
A3620.8	BUILDING INSPECTOR BENEFITS	3,227.36	130.00	3,357.36
A5110.1	STREET MAINT = PERS SVC	204,523.17	500.00	205,023.17
A5110.11	STREET MAINT - OVERTIME	10,000.00	(1,500.00)	8,500.00
A5110.31	HWY BUILDING REPAIR & MAINT	500.00	(500.00)	0.00
A5110.8	STREET MAINT - BENEFITS	15,699.16	550.00	16,249.16
A5110.9	STREET MAINT - HEALTH BENEFITS	10,500.00	(550.00)	9,950.00
A1990.0	CONTINGENCY	0.00	0.00	0.00
		0.00	0.00	0.00
		<u>826,829.28</u>	<u>0.00</u>	<u>826,829.28</u>

- It was, upon motion by Trustee Fischer, second by Deputy Mayor Davidson and unanimously adopted:  
**RESOLUTION #033-24**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications to the 2024/2025 budget totaling \$62,188.57 for a net change of zero, as noted:

		BUDGET	BUDGET	MODIFIED
		F/Y/E	ADJUSTMENT	BUDGET
		2/29/2024		2/29/2024
A3501	CONSOLIDATED HIGHWAY AID (CHIPS)	(90,000.00)	(196,312.53)	(286,312.53)
A5112.2	PERMANENT ROAD IMPROVEMENTS	90,000.00	196,312.53	286,312.53
A1990.0	CONTINGENCY	62,188.57	0.00	62,188.57
		0.00	0.00	0.00
		<u>62,188.57</u>	<u>0.00</u>	<u>62,188.57</u>

- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #034-24**  
**RESOVLED**, to amend Resolution #020-24 accept the corrected 2024/2025 Assessment Adjustments in the amount of \$2,397.28 should be \$2,251.53 for a reduction of \$145.75 and to authorize and the village treasurer to make payments therein.
  - Discussion regarding village newsletter.

**Public Comment**

- Drainage concerns on Hitherbrook Road.
- Dr. and Mrs. Fishkin cited concerns regarding access to Shep Jones North and damage to Emmet Way and the cobblestone curbing due to construction.
- Discussion on informing new homeowners of Village Code.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted, to move to executive session at 8:07 PM to discuss litigation. No action taken. It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted, to move back to public session at 8:56 PM.
- There being no other matters to be brought before the Board; it was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted, to adjourn the meeting at 8:56 PM.

Respectfully Submitted,

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Margaret O’Keefe  
Village Administrator/Clerk