

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, June 26, 2024**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, June 26, 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 and Village Attorney, Lisa Perillo. Not in attendance Building Inspector, Robert O’Shea and Dir. of Highway Operations, Frank Prinzevalli.

Pledge of Allegiance

**Mayor Michael D. Utevsky:**

- Long Island Sound Resilience Planning Support Program. Discussion ensued. It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden and unanimously adopted:  
**WHEREAS**, Head of the Harbor’s was invited to participate in the Long Island Sound Resilience Planning Support Program, and  
**WHEREAS**, discussion ensued regarding potential obligations, and a motion was put forth to **DECLINE**,  
**BE IT RESOLVED**, to decline the request to executing an Acceptance of Support letter in reference to Head of the Harbor’s participation the Long Island Sound Resilience Planning Support Program  
**RESOLUTION #039-24**

|                       |         |
|-----------------------|---------|
| Deputy Mayor Davidson | AYE     |
| Trustee Ogden         | AYE     |
| Trustee White         | NAY     |
| Trustee Fischer       | ABSTAIN |
| Mayor Utevsky         | AYE     |
  
- It was, upon motion by Trustee Fischer, second by Deputy Mayor Davidson and unanimously adopted:  
**RESOLUTION #040-24**  
Minutes of May 15, 2024, 7 PM meeting of the Board of Trustees were amended to correct a typographical error in the last paragraph on page 1 “17780 to read 11780.”  
**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 Trustee Fischer and adopted (3-0-2):  
**RESOLUTION #041-24**  
Minutes of June 5, 2024, 7 PM work session of the Board of Trustees were presented.  
**RESOLVED**, to adopt the minutes of the above meeting as presented.
  
- It was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted:  
**RESOLUTION #042-24**  
**RESOLVED**, Mayoral appointments to fill the vacancies on various Board are as follows:

|   |                       |
|---|-----------------------|
| Zachary White, ARB Member                   | Term until April 2029 |
| George Layburn, ARB Chairman                | Term until April 2028 |
| Dale Salzberg, Planning Board Member        | Term until April 2027 |
| Olga Navia, Joint Coastal Commission Member | Term until April 2027 |

- It was, upon motion by Trustee White, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #043-24**  
**RESOLVED**, to accept, with regrets, the resignation of Planning Board member James Scully.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #044-24**  
**WHEREAS**, the website hosting and maintenance is currently provided by DNT Technologies, and  
**WHEREAS**, the Board of Trustees acknowledges DNT Technologies expertise and professionalism,  
**RESOLVED**, that the Board of Trustees authorizes Mayor Utevsky to execute the renewal contract which will be effective from April 1, 2024 through March 31, 2025 in the total amount of \$2,875.00.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee White and unanimously adopted:  
**RESOLUTION #045-24**  
**BE IT RESOLVED**, to adopt resolution #043-24 retroactively to April 1, 2024 and to authorize and direct the village treasurer to release payment in full.
- It was, upon motion by Trustee Ogden, second by Trustee Fischer and unanimously adopted:  
**RESOLUTION #046-24**  
**WHEREAS**, the village benefits from the Town of Smithtown’s performance of certain Road Repair and Maintenance projects and Installation of Traffic Signs and Application of Pavement Markings, and  
**WHEREAS**, and Inter-Municipal Agreements have been submitted to the Board of Trustees, and  
**WHEREAS**, said agreements have been approved in form by the village attorney,  
**BE IT RESOLVED**, to authorize Mayor Utevsky to execute said Inter-Municipal Agreements for (1.) Road Repair and Maintenance and Installation of Traffic Signs and (2.) Application of Pavement Markings in his official capacity.
- It was, upon motion by Trustee Fischer, second by Trustee Davidson and unanimously adopted:  
**RESOLUTION #047-24**  
**WHEREAS**, instances have arisen where Deborah Kniesser, Court Report is unable to provide stenographer services due to scheduling conflicts, and  
**THEREFORE, BE IT RESOLVED**, to authorize and direct Margaret O’Keefe, village clerk to engage the services of Accurate Court Reporting, 6 Frances Lane, Port Jefferson, New York, on a as needed basis.

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

- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #048-24**  
**RESOLVED**, to adopt Abstracts #127941 through and including #127946 in the total amount of \$117,807.70 be paid from the General Fund.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden and unanimously adopted:  
**RESOLUTION #049-24**  
**RESOLVED**, to adopt Abstract #TA 226 in the total amount of \$1,852.50 be paid from the Trust & Agency Fund.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #050-24**  
**RESOLVED**, the village treasurer is authorized and direct to refund taxes as per the successful grievances in the amount of \$640.55 as noted:

|                      |                        |           |           |       |      |  |                |
|----------------------|------------------------|-----------|-----------|-------|------|--|----------------|
| Jared & Elaine Delew | 3 Brackenwood Path, SJ | 19-Jun-24 | 14-Jun-24 | 11620 | 8715 | (2,905)                                | 640.55         |
|                      |                        |           |           |       |      | ASSESSMENT ADJUSTMENTS - JUNE 26, 2024 | (2,905) 640.55 |

- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #051-24**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications to the 2024/2025 budget totaling \$77,438.57 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR  
2024/2025 BUDGET MODIFICATIONS  
6/26/2024

|         |  | BUDGET<br>F/Y/E  | BUDGET<br>ADJUSTMENT | MODIFIED<br>BUDGET |
|---------|--|------------------|----------------------|--------------------|
|         |  | <u>2/28/2025</u> |                      | <u>2/28/2025</u>   |
| A1930.4 | JUDGEMENTS & CLAIMS                      | 15,000.00        | 5,000.00             | 20,000.00          |
| A8510.4 | COMMUNITY BEAUTIFICATION - TREE CITY USA | 250.00           | 125.00               | 375.00             |
| A1990.0 | CONTINGENCY                              | 62,188.57        | (5,125.00)           | 57,063.57          |
|         |  | <u>0.00</u>      | <u>0.00</u>          | <u>0.00</u>        |
|         |  | <u>77,438.57</u> | <u>0.00</u>          | <u>77,438.57</u>   |

- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #052-24**  
**RESOLVED**, the village treasurer is authorized and directed to make payment to Greene County Commercial Bank in the amount of \$45,000.00 for the Bond payment, and interest in an additional amount not to exceed \$6,000.00, on or before July 17, 2024.
  - Discussion ensued regarding insurance renewals. No action taken.

**Planning Board – Margaret O’Keefe:**

- The Planning Board concluded their review of the Harbor County Day School Special Use Permit Application.

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

- A new vehicle was received.
- Counsel to explore options to sell Police Department car to other official entity.

**Public Comment:**

- Kit Gabrielson, St. James Fire Commissioner- Avalon mapping has been updated. St. James Fire District to hold utilize Village Hall for their bond referendum vote.
- It was, upon motion by Trustee Fischer, second by Trustee Ogden and unanimously adopted, to move to executive session at 8:06 PM to discuss litigation and personnel. No action taken. It was, upon motion by Trustee Ogden, second by Trustee White and unanimously adopted, to move back to public session at 8:38 PM.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted:  
**RESOLUTION #053-24**  
**RESOVLED**, to authorize and direct the village treasurer to pay an invoice in the amount of \$521.29 to New York State Unemployment Insurance representing a short assessment.
- It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted, to move to executive session at 8:40 PM to discuss personnel. No action taken. It was, upon motion by Mayor Utevsky, second by Deputy Mayor Davidson and unanimously adopted, to move back to public session at 9:02 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 9:03 PM.

Respectfully Submitted,

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Margaret O’Keefe  
Village Administrator/Clerk