

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, August 21, 2024**

A meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, August 21, 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, Trustees Daniel W. White, Judith C. Ogden and Trustee Jeffrey D. Fischer. Not in attendance this evening Deputy Mayor Lisa Davidson. Also, in attendance Village Administrator/Clerk, Margaret O’Keefe; Police Chief, Charles M. Lohmann; Village Treasurer, Patricia Mulderig; Village Engineer, Daniel Falasco; Building Inspector, Robert O’Shea; Dir. of Highway Operations, Frank Prinzevalli and Village Attorney’s, Lisa Perillo and Timothy Hill.

Pledge of Allegiance.

**Mayor-Michael D. Utevsky:**

Statement of execution of Storm Proclamation.

Updates from Police Chief regarding roads, detours and traffic.

Public comment regarding the effects of Superstorm Ernesto.

- It was, upon motion by Trustee Fischer, second by Trustee Ogden, abstention by Trustee White and adopted (3-0-1):  
**RESOLUTION #071-24**  
Minutes of July 17, 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 White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #072-24**  
Minutes of July 31, 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 White, and unanimously adopted:  
**RESOLUTION #073-24**  
**RESOLVED**, to appoint Leora Vatash to the Tree Committee for a term to expire April 2025 and appoint Zachary White to the Architectural Review Board for a term to expire April 2029.
- It was, upon motion by Trustee Fischer, second by Trustee White, and unanimously adopted:  
**RESOLUTION #074-24**  
**RESOLVED**, to authorize Mayor Michael D. Utevsky, in his official capacity, execute the liability insurance agreement with National Union/GPP, with a policy effective date of August 28, 2024-2025, presented through Salerno Brokerage Corp., 117 Oak Drive, Syosset, NY in the amount not to exceed \$96,908.76, and **BE IT FURTHER RESOLVED**, that spousal liability insurance is waived and that payments are to be made in installments at no additional expense to the village.
  - Arborist contract tabled to the work session.

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

- It was, upon motion by Trustee Fischer, second by Trustee White, and unanimously adopted:  
**RESOLUTION #075-24**  
**RESOLVED**, to adopt Batch Abstracts #35-37, #39-41, #44, #45, and #49 in the total amount of \$30,506.12 be paid from the General Fund.

- It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #076-24**  
**RESOLVED**, to adopt Batch Abstract #33 & #47 in the total amount of \$4,007.50 be paid from the Trust & Agency Fund.

- It was, upon motion by Trustee Fischer, second by Trustee White, and unanimously adopted:  
**RESOLUTION #077-24**  
**RESOLVED**, to authorize and direct the village treasurer to refund the taxes as per the successful grievances in the amount of \$1,218.92 as noted:

10 Valleywood Court W	17-Jul-24	12-Jul-24	11757	10797	(960)	211.68
15 Deepwells La. SJ	17-Jul-24	12-Jul-24	10148	8700	(1,448)	319.28
16 Muffin Meadows Rd SJ	13-Aug-24	9-Aug-24	16655	16095	(760)	167.58
8 Meadow Gate West SJ	13-Aug-24	9-Aug-24	12500	11745	(755)	166.48
21 Deepwells Lane SJ	13-Aug-24	9-Aug-24	11300	10440	(860)	189.63
12 The Chase SJ	13-Aug-24	9-Aug-24	14665	13920	(745)	164.27
ASSESSMENT ADJUSTMENTS - AUGUST 21, 2024					(5,528)	1,218.92

- It was, upon motion by Trustee Fischer, second by Trustee White, and unanimously adopted:  
**RESOLUTION #078-24**  
**RESOLVED**, the village treasurer is authorized and directed to make budget modifications to the 2024/2025 budget totaling \$40,813.57 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR  
2024/2025 BUDGET MODIFICATIONS  
08/21/2024

		BUDGET F/Y/E	BUDGET ADJUSTMENT	MODIFIED BUDGET
		02/28/2025	02/28/2025	02/28/2025
AA1920.410	MUNICIPAL DUES	2,500.00	100.00	2,600.00
AA5110.252	VACUUM TRUCK - DRAINAGE WASTE DISPOSAL	1,392.44	4,038.44	5,430.88
AA1990.000	CONTINGENCY	36,921.13	(4,138.44)	32,782.69
		<u>40,813.57</u>	<u>0.00</u>	<u>40,813.57</u>

- It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #079-24**  
**RESOLVED**, to authorize and direct the village treasurer to release payment to Smithtown Chevrolet in an amount of up to \$1,500.00 for repair services.
- It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #080-24**  
deemed read into the record in its entirety:  
**WHEREAS**, pursuant to Village Law §4-408(e), the Inc. Village of Head of the Harbor’s annual financial audit was conducted by the independent certified accounting firm of Cullen & Danowski, LLP (the auditor”); and  
**WHEREAS**, said auditor has presented their Audit Report, and prepared the Inc. Village of Head of the Harbor’s Financial Statements for Fiscal Year 2023-2024; and  
**WHEREAS**, these reports have been examined and reviewed by the Board of Trustees,  
**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees does hereby accept the Cullen & Danowski, LLP Audit Report and Annual Financial Statements for Fiscal Year 2023-2024; and  
**BE IT FURTHER RESOLVED**, that pursuant to GML §30 the Village Treasurer, Patricia Mulderig is hereby authorized and directed to file said report with the State Comptroller, and the Village Clerk, Margaret O’Keefe is hereby authorized and directed to provide notice to the media of the availability to view these documents during regular village office hours and release these reports to the public as requested.

- It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #081-24**  
deemed read into the record in its entirety:  
**WHEREAS**, pursuant to Section 2019-a of the Uniform Justice Court Act, the Board of Trustees of the Village is required to confirm that the records and dockets of the Village Justice Court be audited, and  
**WHEREAS**, the Village Board has caused the independent auditing firm of Cullen & Danowski, LLP (the “Auditor”), to audit and examine the records and dockets of the Village Justice Court for the Fiscal Year 2023-2024, and  
**WHEREAS**, the Auditor has submitted to the Village its audit report of the Village Justice Court, as required under Uniform Justice Court Act § 2019-a (the “Justice Court Audit Report”), and  
**WHEREAS**, the Village Board desires to comply with the Uniform Justice Court Act § 2019-a, and to reflect in the minutes of its proceedings that such audit has occurred,  
**NOW THEREFORE, IT IS HEREBY RESOLVED**, that the Board of Trustees of the Village of Head of the Harbor does hereby acknowledge that the audit of the records of the Village Justice Court required under Uniform Justice Court Act § 2019-a has been conducted, and that the Justice Court Audit Report has been received by the Board, and it is hereby further,  
**RESOLVED**, that the Village Clerk, Margaret O’Keefe forward to the New York State Office of Court Administration a copy of said Justice Court Audit Report and a copy of the Resolution.

**Highway Department - Judith C. Ogden:**

- Super Storm Ernesto cleanup activities discussed.
- Discussion regarding water runoff from Town Park property.

**Building Department - Bob O’Shea, Building Inspector:**

- Several permits issued.
- Planning Board held 2 public hearings.
- September Planning Board will be one public hearing and one Special Use Application review.
- Architectural Review Board met in August.
- Work has begun at 3 Pin Oak Lane.

- It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #082-24**  
**RESOLVED**, to increase permit fees for demolition to \$1.00 per sq. ft. with a minimum fee of \$1,500.00 for a principal building and \$200.00 for an accessory building.

**Justice Court:**

- It was, upon motion by Trustee Fischer, second by Trustee White, and unanimously adopted:  
**RESOLUTION #083-24**  
**BE IT RESOLVED**, that the Board of Trustees does hereby approve of the Justice Court, upon the direction of Justice John J. Toomey, apply for nonmatched funding available through Office of Court Administration Grants up to the maximum amount available.

**Public Comment:**

- Alexandria Leighton how does the public handle lantern flies.
- Kathy Griffiths walking traffic up to damage.
- Correspondence submitted by C. Castroll.
- Correspondence submitted by C. Berio.
- There being no other matters to be brought before the Board; it was, upon motion by Trustee White, second by Trustee Fischer and unanimously adopted, to adjourn the meeting at 9:17 PM.

Respectfully Submitted,

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Margaret O’Keefe  
Village Administrator/Clerk