

**MINUTES OF THE MEETING OF  
THE BOARD OF TRUSTEES  
Wednesday, September 4, 2024**

A work session of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, September 4, 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; Village Engineer, Daniel Falasco; Building Inspector, Robert O’Shea; Dir. of Highway Operations, Frank Prinzevalli and Village Attorney, Timothy Hill.

**Mayor-Michael D. Utevsky:**

- Resident Constance Nostrand spoke of unpermitted activities in the Village. No action taken.
  - Superstorm Ernesto-all departments advised the Board of storm effects. No action taken.
  - Deputy Mayor Davidson discussed Harbor Day to be held on Saturday, September 7<sup>th</sup>, 2024 (rain date September 8<sup>th</sup>). The village clerk advised the Board of Trustees that Event Insurance had been secured from the current carrier, excepting coverage for inflatables. Additionally, the Board of Trustees was advised that none of the vendors had yet submitted complete proofs of insurance. No action taken.
  - A new application form for tree removal permits, pending affidavit language to be provided by village counsel, was approved.
- It was, upon motion by Trustee Fischer, second by Trustee Davidson, and unanimously adopted:  
**RESOLUTION #084-24**  
**RESOLVED**, to accept the resignation of Steven Nater from fulltime employment as a highway laborer with an effective date September 5, 2024, and  
**BE IT FURTHER RESOLVED**, to appoint Jose Martinez, as full-time highway laborer, a non-exempt, at will employee to receive \$26.00/hr. and benefits in accordance with village policies, effective September 9, 2024. Background and driving record investigation is currently being performed by an outside agency. Employment is contingent to a successfully approved completion of background investigation and confirmation of clean driving abstract.
  - It was, upon motion by Trustee White, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #085-24**  
**RESOLVED**, to authorize and direct Mayor Michael Utevsky, in his official capacity, to execute the agreement for arborist services dated September 4, 2024 with North Shore Tree Solutions LLC, 54 Theron Place, Northport, NY 11768.
    - Village resident decals are to remain as the originally designed “Sails.”
    - Trustee White expressed his thanks to the entire village staff for their extraordinary efforts and dedication to the village during and in the aftermath of Superstorm Ernesto.
    - Resident Jaime Lauro questioned the enforcement of the Tree Code.

It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted, to move to executive session to discuss personnel and potential liability/litigation issues. Discussion ensued. No action taken.

- It was, upon motion by Trustee Ogden, second by Deputy Mayor Davidson, and unanimously adopted:  
**RESOLUTION #086-24**  
**RESOLVED**, to authorize and direct Mayor Utevsky to execute the IMA with Town of Smithtown concerning the installation and restoration of the temporary passage agreement in form acceptable by village attorney.

- It was, upon motion by Trustee Fischer, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #087-24**  
**RESOLVED**, Mayor Utevsy is authorized to communicate and execute an agreement that offers village resident Poole, 14 Emmet Drive Stony Brook NY, indemnification and promise to reimburse attorney's fee's, in an amount up to \$5,000.00, for the creation of an emergency access to the properties on Mill Creek Road. This resolution is subject to the documents in form acceptable to the village attorney.

It was, upon motion by Trustee Fischer, second by Trustee White and unanimously adopted to move back to public session.

- It was, upon motion by Trustee Ogden, second by Trustee Fischer, and unanimously adopted:  
**RESOLUTION #088-24**  
**RESOLVED**, that the village adopts, approves, authorizes and directs as the appropriate officials to enter into contracts, as approved by village engineer and the village attorney, and to pay for the performance of those contracts pursuant to State Law for a written job estimate as provided by All Island Excavating Drainage not to exceed \$75,000 for remedial storm related repair, replacement, mitigation and drainage efforts in connection with Hitherbrook Road.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #089-24**  
**RESOLVED**, to rehire Steven Nater part-time \$31.32 per hour with E/R rate per policy manual, and **BE IT FURTHER RESOLVED**, to approve of the payment of \$2,000.00, prior to the appropriate tax deductions, for unused benefit time in recognition of exemplary service.
- It was, upon motion by Trustee Fischer, second by Trustee Ogden, and unanimously adopted:  
**RESOLUTION #090-24**  
**RESOLVED**, to authorize and direct the village treasurer to cause to have issued credit cards with Wex, Dime, Lowes to allow highway department employee Joshau Colon to execute purchase on behalf of Head of the Haror in respect to needs and services.
- 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 9:47 PM.

Respectfully Submitted,

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Margaret O'Keefe  
Village Administrator/Clerk