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CRY FOR HELP: A sign installed by activists on the fence expresses the frustration of the community a year after Harbor Road was washed out during a catastrophic storm. **See related stories, page 3.** **-Tom Allegra photo**

Village nearing legal action

Head of Harbor prepared to file lawsuit against Town, WMHO

By Tom Allegra

The Town of Brookhaven and the Ward Melville Heritage Organization (WMHO) have been put on notice by Village of Head of the Harbor attorneys they will be held accountable for their inaction in regard to the collapsed Harbor Road and emptied-out Mill Pond.

According to Head of the Harbor Mayor Michael Utevsky, a lawsuit that the village was originally set to file Tuesday, August 19—exactly one year to the date that the road collapsed and the Mill Pond emptied into Stony Brook Harbor during a catastrophic rainstorm a year ago that dumped more than 10 inches of rain on

the area in three hours—has been put on hold for seven days to give Brookhaven and the WMHO one last chance to put in place a definitive remediation plan.

“We were minutes away from filing a lawsuit today on the anniversary of the catastrophe,” Mayor Utevsky said Tuesday, “but finally there seems to be some movement and participation with government and there seems to be a glimmer of hope that an agreement will be reached. So, I have instructed our village attorneys to wait seven days before filing the lawsuit.”

Mayor Utevsky would not discuss the specifics of the lawsuit because it has yet to be filed. “If and when we sue, the specifics of

the lawsuit will depend on where [remediation discussions] are on the date we file,” he said.

Mayor Utevsky believes the threat of an impending lawsuit played a role in the town of Brookhaven and the WMHO working harder to finalize an agreement for remediation more than a year after the road washout occurred.

“And, I think that the actions of residents of Stony Brook and Head of the Harbor in keeping the issue alive played a role, too,” he said. “I have to commend our village residents for putting up the sign.” (See related story, page 3.)

Head of the Harbor Deputy

(Continued on page 14)



Town puts Given Park back together again

-see story, page 9

Visitors leave pond with feeling of void

By Tom Allegra

At one end of what once was Mill Pond, three-year-old Theodora has her dad chasing her in circles as she threatens to walk beyond the stomped-down plastic orange fence ineffectively blocking visitors from the ledge of the collapsed Harbor Road in Stony Brook—the same area she was used to traversing in order to feed the ducks.

“I liked coming here as a baby,” she said, “and now I miss seeing the ducks.”

Toward the middle of the fenced-off area, 42-year-old Lauren Holz stares into the vegetated void that was once Mill Pond, hardly believing what she is seeing. The last time the Holbrook resident visited the area, the pond was still filled with water and Harbor Road was intact.

“Since I was three years old, my dad would take my brother and my sister and me regularly to feed the ducks at the pond and see the grist mill and take a walk and get Italian ices down the road [in

Stony Brook village],” said Ms. Holz, admittedly disoriented from driving into an area she could hardly recognize. “And this has been such a tradition that even when I was in high school, I would take my girlfriends here, my friends, and we would feed the ducks. And I came today to come to Avalon Park, really, but also to see what the situation was, and hoped that they had done something with the road. I don’t know why it still looks like this.”

Ms. Holz clearly was saddened seeing her childhood refuge in a state of disrepair, which it has been since the torrential rainstorm of August 18/19, 2024 dropped more than 10 inches of rain on the area in just a few hours and caused the dam beneath Harbor Road to collapse and the waters of Mill Pond to empty into Stony Brook Harbor. She had no idea when she came here that it was the one-year anniversary of the storm, and was befuddled as to why the road and pond hadn’t been fixed since then.



VEGETATIVE STATE: On Monday, August 18, Lauren Holz looks out over the ruins of what was once the scenic Mill Pond in Stony Brook during her first visit to the site since it was destroyed August 18-19, 2024.

-Tom Allegra photo

She said visiting the area “takes you from an extreme high and excitement of, ‘Oh, I’m going to go to Avalon [Nature Preserve],’ and then seeing the reality that this

honestly looks like a crap hole.”

“Maybe you can fill me in with what the progress or lack of progress is,” she said, “but it’s definitely not great to see it

like this, unless the intention is to keep it rustic.

“But from a logical standpoint, I’m not talking about the vegetation—I’m talking about the road and that section [that is collapsed]. Why does that still look like that? Why can’t we fix this? This is a very wealthy town. These people pay a lot of money in taxes. Why is that not fixed for the locals to even have their streets back to normal? I don’t know. Maybe you can enlighten me.”

Who exactly is responsible for the remediation of Harbor Road and restoration of Mill Pond has been contested by the Ward Melville Heritage Organization (which owns the pond and the land beneath Harbor Road) and the Town of Brookhaven (the municipality that has maintained the road for decades). Regardless, visitors during the past year are left with feelings of emptiness, brokenheartedness, hopelessness, or all three.

“It’s not worth coming here anymore,” said Theodora’s dad Tim, a former resident of Stony Brook who wished not to use his last name, and a dad struggling mightily to keep his daughter in check as he spoke with **The Smithtown News**. “She’s bored because there’s no ducks to feed.”

Said Village of Head of the Harbor deputy mayor and community activist Lisa Davidson: “It’s a never-ending nightmare and depressing as hell to drive by every day and look at it.”

Leave it to a 3-year-old to express hope for the future.

“Theodora always says to me every time we drive by, ‘Don’t worry, daddy, one day the duckies will come back,’” Tim said. “They know their way home.”

Sign of the times ‘Public Safety Emergency’ banner on Harbor Road drawing attention to site

By Tom Allegra

A group of concerned residents of the Village of Head of the Harbor and neighboring Stony Brook Village rallied at the site of the collapsed Harbor Road Sunday, August 17, to place a vinyl, red-lettered banner reading “Public Safety Emergency” in response to the lack of action taken to rebuild the road and restore surrounding Mill Pond since both were washed out by the torrential rainstorm of August 18-19, 2024.

“We posted the sign to let all

the politicians involved know the road is a public safety issue. We put the sign up to remind everybody we need access to get to Harbor Road,” said Leighton Coleman, historian for the villages of of Head of the Harbor and Nissequogue in Smithtown. “Harbor Road is a major artery for our community, and the pond is the heart of the community.”

“All of this is very much of a shock that nothing has been done in a year so that it’s serviceable, at least the road.”

Residents have voiced they feel they are at the mercy of

the Town of Brookhaven and Gloria Rocchio, the president of the non-profit Ward Melville Heritage Organization (WMHO) which owns the land beneath the publicly maintained Harbor Road. Brookhaven officials and Ms. Rocchio have been embroiled in a year-long argument over who is responsible for fixing the road—which connects the towns of Smithtown and Brookhaven—and during this time the mudflat that was once Mill Pond has filled with vegetation while Harbor Road continues to crumble further into the ground.

“We are so desperate we’re resorting to pointing out the obvious to Gloria and the WMHO and to the Town of Brookhaven because this is an emergency, and obviously they don’t see it or they don’t care. This [sign] is emblematic of how desperate we are,” said Lisa Davidson, Head of the Harbor’s deputy mayor and lead activist of the community group that primarily blames WMHO for impeding progress. “Sometimes a year flies by. In this case, this year has dragged on through what feels like an eternity. Who

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A banner installed by community activists on the fence at the east side of the Harbor Road collapse.

Duck pond still empty...

(Continued from page 3)

would have thought that a year later nothing would have happened? It's infuriating."

The 30-foot-long banner, which was tied to a blockade fence on the east side of the road collapse just across the border in the Town of Smithtown, serves to remind the public that until Harbor Road is rebuilt, emergency response time to people living in Head of the Harbor is slowed down by at least five minutes. In the meantime, cars traveling east from Stony Brook and west from Head of the Harbor must traverse narrow residential streets like Rhododendron Drive in order to reach main thoroughfares. This has caused significantly increased traffic in a small section of Head of the Harbor not equipped to handle two-way traffic, where residents had become accustomed to taking quiet walks through its winding roads without worries of being struck by cars. Most importantly, it requires fire trucks and emergency vehicles to traverse local roads ill-equipped to handle their size and speed at which they would have to respond to emergencies.

Fortunately, no serious accidents or emergencies have have occurred in the area during the past year, but that doesn't mean it's not a serious problem, according to Head of the Harbor police chief Chuck Lohmann.

Chief Lohmann, who earlier this summer resigned from his position

as WMHO trustee to quell any publicly perceived conflict of interest, expressed similar frustration to the group of activists as he spoke to **The Smithtown News** at the site of the road collapse and historic grist mill Monday, August 18.

"It does not seem like a year, especially standing here and looking at the damage, which has only gotten worse over the past year," he said. "And it's inconceivable that after a year, we're still in the same position. Something needs to get done."

"I think anything that helps along to a solution is a welcome sign," the chief said, noting that the fencing blocking off the collapsed section of Harbor Road is owned by the village. "I have no objection to it because anything that helps bring attention to the matter and subsequently a solution,

...Head of the Harbor Village on verge of litigation

(Continued from page 1)

Mayor Lisa Davidson said she had pushed for a lawsuit to be filed sooner, but that Mayor Utevsy had held off because he was hopeful local politicians would hold true to their words spoken at press conferences in the days that followed the road collapse and pond-emptying.

"Shortly after it happened, the site was visited by Brookhaven Town Supervisor [Dan Panico],



The emptied out Mill Pond in Stony Brook Monday.

I'm good with it."

"For the last year our village, which has no power to rebuild the road that's outside of our village boundaries, has played a leading role to pushing people to try to do work on this project," Head of the Harbor mayor Michael Utevsy said. "Lisa's been very important as deputy mayor as well as a resident and a part of the group."

"I love my neighborhood. I love my residents. We form a lovely community and family, and this is frustrating to not be able to take better care of my community," Ms. Davidson said. "We put that sign up to stress the obvious that this is an emergency situation. What else do we have to do? Put red siren lights up to point out the situation?"

Suffolk County Executive [Edward Romaine], New York State Governor [Kathy Hochul] and representatives of senator [Chuck] Schumer, and senator [Kirsten] Gillibrand... and I was optimistic that the problem would be solved in good faith by good government," Mayor Utevsy said. "Instead, we've been going around in circles with Brookhaven town and WMHO, each trying to accuse the other of ownership of the road and

primary responsibility."

Mayor Utevsy praised the efforts of Head of the Harbor and Stony Brook residents for keeping the state of Harbor Road and Mill Pond in the public eye.

"It's unfortunate that all their efforts had produced not much," he said, "but as of this afternoon, I'm mildly optimistic there will be an agreement reached amongst various government organizations and the WMHO."

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