

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, OCTOBER 8, 2025**

The meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, October 8, 2025 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 Judith C. Ogden and Kathleen Diana. Not in attendance this evening, Trustee Jeffrey D. Fischer. Also, in attendance Village Administrator/Clerk, Margaret O'Keefe; Village Attorney, Brian T. Egan; Police Chief, Charles M. Lohmann; Building Inspector, Robert O'Shea and Village Treasurer, Patricia Mulderig. Not in attendance, Dir. of Highway Operations, Frank Prinzevalli.

Pledge of Allegiance.

Mayor - Michael Utevsky:

- Village Counsel, Brian T. Egan provided an update as to the status of Harbor Road. No action taken.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #103-25
Minutes of September 3, 2025 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 Deputy Mayor Davidson, second by Trustee Diana, and unanimously adopted:
RESOLUTION #104-25
Minutes of September 17, 2025 7 PM meeting of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.
- Procedure/Process - to process Monastery of the Glorious Ascension. Mr. Joseph Buzzell Correspondence dated September 22, 2025 and Village Attorney, Brian T. Egan dated September 30, 2025 and discussion ensued on the next procedural steps to be taken. No action taken.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #105-25
VILLAGE AUDIT (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 2024-2025; 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 2024-2025; 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 Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #106-25
COURT AUDIT (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 2024-2025, 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, and

NOW, THEREFORE, BE IT 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, and
BE IT 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.

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Diana, and unanimously adopted:

RESOLUTION #107-25

RESOLVED, that the village attorney is hereby authorized and directed to draft a local law to override the tax levy limit established in general municipal law §3-c, and be it

FURTHER RESOLVED, the village clerk is hereby authorized and directed to post and publish a public hearing for Local Law (Intro.) NO. 3 of 2025, "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c". Said hearing is to be held on Wednesday, December 3, 2025 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:

RESOLUTION #108-25

WHEREAS, village residents Mr. and Mrs. Salzberg and Mr. and Mrs. Hayward have each offered a monetary donation to the village in the amount of \$5,000.00,

BE IT RESOLVED, to accept these donations to the Village of Head of the Harbor in the amount of \$5,000.00 each, for a total of \$10,000.00, into the General Fund.

A RESOLUTION OF THE VILLAGE OF HEAD OF THE HARBOR, COUNTY OF SUFFOLK, STATE OF NEW YORK, TO DESIGNATE AN AUTHORIZED REPRESENTATIVE TO ACT AS THE APPLICANT'S AGENT FOR THE PURPOSE OF RECEIVING FEDERAL DISASTER ASSISTANCE

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Diana, and unanimously adopted:

RESOLUTION #109-25

WHEREAS, a Presidential declaration of a major disaster was issued for the County of Suffolk on August 24, 2024 in response to the August 18-19, 2024 storm, and

WHEREAS, the Village of Head of the Harbor is eligible to apply for and receive financial assistance under the Federal Emergency Management Agency (FEMA) Public Assistance Program, administered by the New York Division of Homeland Security and Emergency Services, and

WHEREAS, the Village may no longer apply through the Town of Smithtown, but is required to do so independently, through its own portal, and

WHEREAS, in order to receive federal disaster assistance, the Village of Head of the Harbor must appoint an Authorized Agent and Alternate Authorized Agent to execute all necessary documents, including the FEMA Request for Public Assistance (RPA), and to manage all aspects of the application process, and

WHEREAS, the Authorized Agent will be required to submit all reports as required by FEMA and NYS DHSES,

WHEREAS, the Board of Trustees wishes to formally designate Margaret O'Keefe, Village Clerk as the Authorized Agent and Dainel Falasco, Village Engineer as the Alternate Authorized Agent.

NOW, THEREFORE, BE RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HEAD OF THE HARBOR:

1. That Margaret O'Keefe, Village Clerk is hereby authorized and designated as the Village of Head of the Harbor's Authorized Agent for the purpose of submitting and executing all documents related to the FEMA Public Assistance Program. This includes the Request for Public Assistance, portal access, and all other filings and agreements with FEMA and NYS DHSES.
2. That Daniel Falasco, Village Engineer, is hereby authorized and designated as the Alternate Authorized Agent, with the power to act on behalf of the Village of Head of the Harbor in the absence of the primary Authorized Agent.
3. That the Authorized Agent and Alternate Authorized Agent are authorized to represent the Village of Head of the Harbor in all matters concerning this disaster assistance, subject to oversight by the Mayor.
4. That this resolution remains in effect until modified or rescinded.

Financials – Patricia A. Mulderig, Village Treasurer:

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #110-25
RESOLVED, to adopt Abstract Batch #369-372, 374 and 375 & 381 in the total amount of \$46,527.97 be paid from the General Fund.
- It was, upon motion by Trustee Ogden, second by Deputy Mayor Davidson, and unanimously adopted:
RESOLUTION #111-25
RESOLVED, Adjustments to tax assessments received from the Town of Smithtown subsequent to the acceptance of the tax rolls.
RESOLVED, to authorize and direct the village treasurer to refund the taxes as per the successful grievances in the amount of \$829.28 as noted:

27	43200	7	3	16	Mary Krinitz & Dean Koels	7 Highland Avenue SJ	10-Jul-25	11-Jul-25	5104	4902	(202)	48.64
28	4700	1	2	25	Mark & Jill Cohen	7 Rhododendron Rd, S3	17-Sep-25	5-Sep-25	7985	7985	(890)	213.87
29	13000	3	1	16	Stephen & Lindsey Barouns	9 Valleywood CT W SJ	17-Sep-25	5-Sep-25	9080	8729	(351)	228.63
30	10500	2	2	11	Robert A. Johnson	120 Harbor Rd SJ	7-Oct-25	5-Sep-25	10725	9880	(845)	200.05
31	47400	7	4	4.11	Collette Mannix Cilorenzo	9 Deepwells Lane SJ	7-Oct-25	5-Sep-25	9603	9380	(223)	137.69
											ASSESSMENT ADJUSTMENTS - OCTOBER 6, 2025	829.28

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #112-25
RESOLVED, the village treasurer is authorized and directed to make budget modifications to the 2025/2026 budget totaling \$109,807.87 for a net change of zero, as noted:

VILLAGE OF HEAD OF THE HARBOR 2024/2026 BUDGET MODIFICATIONS 10/09/2025

		BUDGET FY/25	BUDGET ADJUSTMENT	MODIFIED BUDGET
		02/28/2025	02/28/2025	02/28/2025
AA1226.400	TREASURER Software	6,500.00	6,500.00	13,000.00
AA1420.420	LAW CODE ENFORCEMENT	6,000.00	2,000.00	7,000.00
AA1380.210	COMPUTER EQUIPMENT & PROF SERVICES	18,500.00	(18,200.00)	64,800.00
AA6142.430	STORM EMERGENCY EXPENSES	43,800.00	21,000.00	750.00
AA6220.200	PLANNING OFFICE SUPPLIES	500.00	180.00	23,487.87
AA1500.00	CONTINGENCY	49,807.87	(23,150.00)	109,807.87
		123,107.87	0.00	

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #113-25
WHEREAS, the Village of Head of the Harbor has established a policy regarding the use of Village-issued credit cards for official Village business, and
WHEREAS, the current credit card limits are not sufficient to meet the operational and administrative needs of the Village,
NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees as follows:
SECTION 1: Authorization to Increase Credit Card Limits and Authorization to Specific Employees:
 - Margaret O'Keefe, Village Clerk, up to \$4,000.00 per month
 - Frank Prinzevalli, Director of Highway Operations, up to \$2,000.00 per month
 - New card to be issued to Police Chief, Charles Lohmann, up to \$2,000.00 per month
 SECTION 2: Effective immediately the Village Treasurer is authorized and directed to cause the above changes.

Village Engineer, Daniel Falasco:

- o Suffolk County Water Authority has completed their construction activities on Moriches Road and Fifty Acre Road. Restoration to occur shortly.

Building Department – Robert O'Shea, Building Inspector:

- o Several permits issued.
- o Architectural Review Board has been rescheduled to October 28, 2025.
- o Planning Board meets next week, October 14, 2025.
- o Zoning Board of Appeals to hold two hearings on October 20, 2025.

RESOLVED, that the village attorney is hereby authorized and directed to amend Local Law (Intro.) NO. 2A & 2B **FURTHER RESOLVED**, the village clerk is hereby authorized and directed to post and publish a public hearing for Local Law (Intro.) NO. 2A of 2025, "A LOCAL LAW TO AMEND VILLAGE CODE WITH REGARD TO VINYL SIDING" and a Local Law (Intro.) NO. 2B of 2025, "A LOCAL LAW TO AMEND SOLAR PANELS." Said hearing is to be held on Wednesday, December 3, 2025 at 7 PM, time then in effect, at Village Hall, 500 North Country Rd., St. James, New York 11780.

Police Department – Charles M. Lohmann, Police Chief:

- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #115-25
RESOLVED, to accept the resignations of Officer Gregory Turzer for an effective date of September 15, 2025 and Officer John Gerlach effective September 30, 2025.
- It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden and unanimously adopted, to move to executive session to discuss the employment of a particular employee, and one other matter of employment confidentially as it involves protected health information and other confidential employee data covered by HIPPA privacy laws. No action taken. It was, upon motion by Deputy Mayor Davidson, second by Trustee Ogden and unanimously adopted, to move back to public session.
- It was, upon motion by Mayor Utevsky, second by Deputy Mayor Davidson, and unanimously adopted:
RESOLUTION #116-25
RESOLVED, to authorize and direct the village clerk to post and publish a Board of Trustees work session to be held on Wednesday, October 22, 2025 at 7 PM, 500 North Country Rd., St. James, NY 11780.

There being no other matters to be brought before the Board; it was, upon motion by Deputy Mayor Davidson, second by Trustee Diana and unanimously adopted, to adjourn the meeting at 9:45 PM.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk