

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, MAY 6, 2026**

The meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, May 6, 2026 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 Jeffrey D. Fischer, Trustees Judith C. Ogden, Kathleen Diana and Robert Kent. Also, in attendance Police Chief, Charles M. Lohmann; Village Administrator/Clerk, Margaret O'Keefe; Village Treasurer, Carolanne Darrigo; Village Counsel, Brian Egan; Building Inspector, Robert O'Shea and Dir. of Highway Operations, Frank Prinzevalli.

- Suffolk County Water Department project to install high pressure pipes in Pond Woods will be postponed until late June to accommodate the school bus schedules.
- May 9th Fun Run "traffic control measures" discussed.
- Harbor Road update discussion ensued. No action taken.

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

RESOLUTION #020-26

WHEREAS, a nonprofit 501(C)(3), Preservation Head of the Harbor, has presented a proposal dated May 6, 2026 requesting to utilize the Meeting Room at Village Hall for the purposes of commemorating the 250th anniversary of the signing of the Declaration of Independence, and

WHEREAS, Preservation Head of the Harbor has agreed to abide by all Village regulations, Town of Smithtown Fire and Safety Codes, and provide the necessary insurance coverages, naming the village as a second insured,

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the use of Village Hall, 500 North Country Rd., St James, NY 11780 for the purposes and times and dates outlined in the proposal.

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

RESOLUTION #021-26

WHEREAS, the Village is required to comply with the NYS DEC SPEDS General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems, and

WHEREAS, the MS4 Permit requires the submission of an Annual Report to NYS DEC,

BE IT RESOLVED, the Board of Trustees acknowledges the report prepared and submitted by Islandwide Engineering & Land Surveying and executed by Mayor Michael Utevsky in his official capacity.

- The Board of Trustees was presented with the final report from the New York State Department of Labor regarding inspection #1885516. All items of note were addressed, and the case is closed. No Board action was needed or taken.
- Review of the proposal from Steve Greco Designs regarding website updates. ADA compliance has been extended to 2028. NYCOM had their 1st in a series of webinars on the topic. Topic and proposal were tabled until more information has been received. No action taken.
- It was, upon motion by Deputy Mayor Fischer, second by Trustee Diana, and unanimously adopted:

RESOLUTION #022-26

WHEREAS, USA Track & Field is planning to host a fundraising race to benefit Ronald McDonald House of Stony Brook, on May 9, 2026 (the Event) within the Village boundaries, and

WHEREAS, the Board of Trustees recognizes the need to manage risks associated with the Event, including participant safety, property damage, and general liability;

WHEREAS, Edgewood Partners Insurance Center has provided a Certificate of Insurance demonstrating coverage that meets the requirements of the Village, and provides liability coverage for the Organization, and

WHEREAS, the Village is supportive of this excellent cause, the Village police department will provide traffic control measures through the race course.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby approves and accepts the Insurance Certificate, Number 202604101195642, as presented.

- It was, upon motion by Trustee Ogden, second by Trustee Kent, and unanimously adopted:
RESOLUTION #023-26
WHEREAS, the Board of Trustees has identified the need to engage Professional Service to address the damaged caused by the August 2024 storm that may begin to damage the village's portion of Harbor Rd., and
WHEREAS, the services of VHB, 100 Motor Parkway Suite 350, Hauppauge, NY 11788 are well known and documented, and
WHEREAS, a proposal dated April 15, 2026, RFE: 203868.00 with scope of services and 2026 regular hourly billing rates has been received and reviewed by the Board of Trustees,
BE IT RESOLVED, to authorize and direct Mayor Michael Utevsky to execute the Agreement in his official capacity with a maximum of \$25,000.00.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #024-26
WHEREAS, The Monastery of the Glorious Ascension has submitted a building application to build a church at 481 North Country Rd., St. James NY, and
WHEREAS, the Village Board of Trustees has been charged with reviewing the application as part of the Special Use Permit,
NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing shall be held by the Village Board on the 3rd day of June 2026, at 7:00 pm at the Village Hall, 500 North Country Rd. St. James NY, to consider the application and hear all interested parties.
BE IT FURTHER RESOLVED, that the Village Clerk is authorized and directed to post and publish a notice of this hearing.
- It was, upon motion by Deputy Mayor Fischer, second by Trustee Diana, and unanimously adopted:
RESOLUTION #025-26
Minutes of April 6, 2026, 7 PM meeting of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of April 6, 2026 as presented.
- It was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #026-26
WHEREAS, the Village of Head of the Harbor Justice Court has a need to purchase a custom commercial area rug due to the specific configuration of the Court Office, and
WHEREAS, the Village of Head of the Harbor intends to enter into a contract with Milburn Flooring, authorized by State Contract Number OGS# PC70835,
NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees authorizes the purchasing agent, Village Administrator/Clerk, Margaret O'Keefe, to purchase a custom commercial area rug from Milburn Flooring in an amount not to exceed 2,800.00.

Financials – Carolann Darrigo, Treasurer:

- Oral and written report submitted to the Board.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #027-26
RESOLVED, to adopt Batch Abstract #'s 545, 548, 554, 557, 563, 566, 569, 572, 576 and 577 the total amount of \$39,183.16 be paid from the General Fund.
- Mayor Utevsky thanked Patricia Mulderig for her 19 years of dedication and professionalism to the village as Treasurer.

Building Department – Robert O'Shea, Building Inspector:

- Seven permits issued and several pending.
- The Planning Board is reviewing a request for a lot line modification.
- Zoning Board of Appeals – 2 hearings continued.

- Special Event Permit for a public hearing on June 3rd 2026 discussed.

Highway Department – Judith C. Ogden, Highway Commissioner:

- New hire set to begin shortly.
- Backhoe will be delivered in late May or early June.
- PSEGLI will be trimming trees on Three Sisters Road.
- Spring activities are continuing.

Police Department, Charles M. Lohmann Police Chief:

- Oral report given to the Board.
- It was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #028-26
WHEREAS, Thatch Meadow Flowers has submitted a special events application to hold Musical Festival Fundraiser for Thatch Meadow Farm on Saturday, June 20, 2026 at 121 Harbor Road, St. James, NY 11780, and
WHEREAS, the Village Board has reviewed the application for conformity with Village Code Chapter 138,
NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing shall be held by the Village Board on the 3rd day of June, 2026, at 7:00 pm at the Village Hall, 500 North Country Rd. St. James NY, to consider the application and hear all interested parties regarding the proposed special event.
BE IT FURTHER RESOLVED, that the Village Clerk is authorized and directed to post and publish a notice of this hearing.

Public Comment/Other Matters:

- Jeff Malken correspondence and presentation. No action taken.
- Michael Murphy – concerns raised by Whitespruce Homeowners Association discussed.
- Tower Point proposal dated June 30, 2025 was again reviewed. No action taken.
- J. Malken correspondence dated April 27, 2026 presented to the Board. No action taken.
- H. Walsh correspondence dated April 21, 2026 presented to the Board. No action taken.

It was, upon motion by Deputy Mayor Fischer, second by Trustee Ogden and unanimously adopted, to move to executive session to discuss litigation. Discussion ensued. It was, upon motion by Trustee Ogden, second by Trustee Kent and unanimously adopted to move back to public session.

- It was, upon motion by Deputy Mayor Fischer, second by Trustee Diana, and unanimously adopted:
RESOLUTION #029-26
WHEREAS, on March 23, 2026, Jacqueline Kessler was appointed to the title of Accounts Payable Clerk, and
WHEREAS, Suffolk County Civil Service has opined that the title should Office Assistant,
BE IT RESOLVED, to authorize and direct Mayor Utevsky, in his official capacity, to amend the filed CS-500 and CS-150 to reflect the recommendation from Suffolk County Civil Service,
BE IT FURTHER RESOLVED, that all terms of employment for said employee are to remain the same. This reposition is effective retroactively to the original date of hire.

Respectfully Submitted,

Margaret O'Keefe
Village Administrator/Clerk