

**MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES
WEDNESDAY, AUGUST 5, 2026**

The meeting of the Board of Trustees of the Incorporated Village of Head-of-the-Harbor was held on Wednesday, August 5, 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, Trustees Judith C. Ogden, Kathleen Diana and Robert Kent. Not in attendance this evening Deputy Mayor Jeffrey D. Fischer. Also, in attendance Police Chief, Charles M. Lohmann; Village Administrator/Clerk, Margaret O’Keefe; Village Treasurer, Carolanne Darrigo; Village Counsel, Brian Egan and Building Inspector, Robert O’Shea. Not in attendance Dir. of Highway Operations, Frank Prinzevalli.

Pledge of Allegiance.

- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #050-26
WHEREAS, the Village of Head of the Harbor has been approved by the Federal Emergency Management Agency (FEMA) and the New York State Division of Homeland Security and Emergency Services (DHSES) to receive \$105,497.21 in Public Assistance/Hazard Mitigation grant funding for damages/projects related to event 4839DR-NY (AKA Superstorm Ernesto of August 2024) expenses of project 1064144 P/W #256; and
WHEREAS, the Board of Trustees determines it is in the best interest of the Village to accept these funds to offset the costs of eligible repairs and mitigation measures; and
NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Head of the Harbor hereby formally accepts the FEMA grant award in the amount of \$105,497.21; and
BE IT FURTHER RESOLVED, that the village clerk is authorized and directed to sign, execute, and submit all necessary subrecipient agreements, approval documents, and certifications required by FEMA and the State Division of Homeland Security to finalize this funding and that the village treasurer is authorized to accept the funds; and
BE IT FURTHER RESOLVED, to authorize and direct Village Engineer, Daniel Falasco to execute and submit a letter withdrawing damage claims for Rhododendron Drive.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #051-26
WHEREAS, Thatch Meadow Flowers has submitted a special events application to hold Musical Festival Fundraiser for Thatch Meadow Farm on Saturday, September 19, 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, and
NOW, THEREFORE, BE IT RESOLVED, that the Public Hearing shall be held by the Village Board on the 2nd day of September, 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.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and voted upon as follows (2-2-0) Motion failed:
RESOLUTION #052-26
EXPRESSING APPROVAL FOR THE APPLICATION OF SERVCO ELECTRIC USA LLC C/O WILLIAM & CHRISTINE PAPARELLA (57 FIFTY ACRE ROAD, ST. JAMES, NY 11780) FOR RELIEF UNDER SECTIONS 165-15 AND 165-16 OF THE VILLAGE CODE

The Board of Trustees of the Incorporated Village of Head of the Harbor, duly convened, does hereby declare as follows:

WHEREAS, Servco Electric USA LLC (“Servco”) is the owner of the property located at 57 Fifty Acre Road, St. James, NY 11780 (SCTM: 0801-007.00-02.00-008.000 & 0801-007.00-02.00-009.000) (the “Property”); and

WHEREAS, Servco, through its principals William and Christine Paparella, previously applied for a lot line adjustment for the two parcels that constitute the Property (“First Application”); and

WHEREAS, the First Application required variances from the setback and street frontage requirements set forth in Section 165-25 of the Village Code; and

WHEREAS, the Village's Zoning Board of Appeals denied the First Application in a decision dated May 18, 2026; and

WHEREAS, Servco has submitted a new application to the Planning Board pursuant to Sections 165-15 and 165-16 of the Village Code ("New Application"); and

WHEREAS, Servco is seeking the same lot line adjustment as the First Application, but the proposed site plan in the New Application would require less relief from the requirements of Section 165-25 than the First Application; and

WHEREAS, Sections 165-15 and 165-16 allow the Planning Board to suspend the requirements of Section 165-25 when the "Planning Board finds that a proposed subdivision contains all or part of an environmentally or historically significant area which may be harmed by the strict application of § 165-25"; and

WHEREAS, under Section 165-18 the Planning Board "shall refer the proposed subdivision plan to the Village Board of Trustees for review before giving a final approval."; and

WHEREAS, a grant of the New Application would render moot Servco's Article 78 action against the Village and ZBA for its denial of the First Application; and

WHEREAS, the Board finds that the granting of the New Application, on the conditions discussed by the Planning Board at its July meeting, would be in the best interests of the Village as it would prevent development near the Butler-Huntington Woods Nature Conservancy and the potential kettle hole on Lot 9 of the Property.

NOW THEREFORE, be it **RESOLVED** by the Board of Trustees:

THAT, the Board expresses approval for the New Application and refers the New Application to the Planning Board for final approval and the imposition of conditions and adjustments that it deems necessary; and

THAT, this Resolution shall take effect immediately.

Trustee Ogden	NAY
Trustee Diana	NAY
Trustee Kent	AYE
Mayor Utevsky	AYE

Dated: August 5, 2026 **MOTION FAILED**

Margaret O'Keefe – Village Clerk

- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #053-26
Draft Legislation upon Board agreement – direct the Village Attorney to draft and the Village Clerk to post and publish a public hearing.
- It was, upon motion by Trustee Ogden, second by Trustee Kent, and unanimously adopted:
RESOLUTION #054-26
RESOVELD, to authorize Mayor Michael D. Utevsky, in his official capacity, to execute the liability insurance agreement with Salerno Brokerage Corp. with a policy effective date of August 28, 2026-2027, presented through Salerno Brokerage Corp., 117 Oak Drive, Syosset, NY in the amount not to exceed \$108,557.53, and
BE IT RESOLVED, that spousal liability insurance is waived and that payments are to be made in two installments at no additional expense to the village,
BE IT FURTHER RESOVED, to authorize and direct village treasurer to release the 1st installment payment in the amount of \$54,278.77 immediately upon receipt of invoice for the same.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #055-26
WHEREAS, the village benefits from the Town of Smithtown's performance of certain Traffic Signs and Pavement Markings projects, and
WHEREAS, an Inter-Municipal Agreement has been submitted to the Board of Trustees, and
WHEREAS, said agreement has been approved in form by the village attorney,
NOW THEREFORE BE IT RESOLVED, to authorize Mayor Utevsky to execute said Inter-Municipal Agreement for Traffic Signs and Pavement Markings in his official capacity.

- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #056-26
WHEREAS, on July 23, 2026 Cynthia Ruehle resigned for the purposes of retirement from the position of Administrative Assistant, effective August 6, 2026; and
WHEREAS, the Village Board of Trustees accepted this resignation with appreciation for her service and dedication to the Village of Head of the Harbor; and
WHEREAS, in order to ensure a smooth, efficient, and seamless transition of financial records and
BE IT FURTHER RESOLVED, after August 6, 2026, Ms. Ruehle will also receive the value of any unused accrued vacation time afforded to her by resolution #051-21 adopted on June 16, 2021.

- Elections Reporting Update. No action taken.

Financials – Carolann Darrigo, Treasurer:

- Oral and written report presented.
- It was, upon motion by Trustee Diana, second by Trustee Ogden, and unanimously adopted:
RESOLUTION #057-26
RESOLVED, to adopt Batch Abstract #'s 626, 627, 628, 629, 633, 635, 636, 637 and 638 in the total amount of \$52,363.83 be paid from the General Fund.
 - SBA Communications- termination of DISH Wireless. No action taken.
 - GIS mapping and MS4. No action taken.

Police Department, Charles M. Lohmann Police Chief:

- Update on Suffolk County Water Authority installation of watermain grant funding for new police cars expected shortly.

Building Department – Robert O’Shea, Building Inspector:

- Oral report presented.

Other Matters:

- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #058-26
WHEREAS, the Board of Trustees wishes to acknowledge and thank John Delaney for his years of dedicated service to the residents of Head of the Harbor as a member of the Joint Coastal Commission, and
WHEREAS, Mr. Delaney has submitted his resignation,
BE IT RESOLVED, to appoint Casey Fosbenner to the Joint Coastal Commission to complete the remainder of the term which expires.
- It was, upon motion by Trustee Ogden, second by Trustee Diana, and unanimously adopted:
RESOLUTION #059-26
RESOLVED, to accept the resignation of Jacqueline Murphy Kessler from the positions of Office Assistant and Justice Court Clerk, effective retroactively to July 20, 2026.
- It was, upon motion by Trustee Diana, second by Trustee Kent, and unanimously adopted:
RESOLUTION #060-26
Minutes of July 1, 2026, 7 PM meeting of the Board of Trustees were presented.
RESOLVED, to adopt the minutes of the above meeting as presented.
 - Correspondence dated July 7, 2026 was received from Normal Keil. No action taken.

Public Comment:

- Dr. Fishkin inquired about the language of draft legislation and repairs of Harbor Road. No action taken

There being no other matters to be brought before the Board; it was, upon motion by Trustee Kent, second by Trustee Ogden and unanimously adopted, to adjourn the meeting at 8:45 PM.

Respectfully Submitted,

Margaret O’Keefe
Village Administrator/Clerk