

VILLAGE OF OLD FIELD
BOARD OF TRUSTEES MEETING
TUESDAY, MAY 8, 2007
NEIGHBORHOOD HOUSE
95 MAIN STREET, SETAUKET

PRESENT

Mayor Cary Staller
Trustee Tom Gulbransen
Trustee John Von Lintig
Trustee Donald Pius
Trustee William Schaefer
Village Attorney Anthony Guardino
Village Administrator William McGuire
Deputy Village Clerk Dale Salzberg
Village Treasurer Anne Cadden

PRESENT

Larry Buscemi
Maureen Carmody
Donna Deedy
John Damianois
Bruce Feller
Marianne Feller
Kathy Griffiths
Steve Johnson
Ed Kemp
Florence Kemp
Evelyn Lambert
Lee Lambert
Ed Licalzi
Candace Malenda
Joe Malenda
Gerri Morrison
Sue Nalewajk
Jeffrey Owens
Lisa Pius
Ted Rosenberg
Haig Sefarian
Margaret Sobel
Tom Taranto
Gary Quinn
Charles Voorhis

Mayor Staller called the Board of Trustees meeting to order at 7:05

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PUBLIC EXPRESSION

Ted Rosenberg addressed the Board.
Steve Johnson addressed the Board.

MINUTES

A motion was made by Trustee Von Lintig and seconded by Trustee Pius to approve the minutes of the Annual Old Field Board of Trustees Meeting of April 10, 2007. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

TREASURER'S REPORT

A motion was made by Trustee Von Lintig and seconded by Trustee Pius to approve the Treasurer's Report and payment of warrants for April 2007. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

CORRESPONDENCE

Quinn

Mayor Staller reported that the Village had received a petition with 104 signatures from Village residents in opposition to the walkway proposed by Mr. and Mrs. Quinn at 2 Pheasant Run. The Village also had received 8 additional letters from individuals and organizations opposed to the walkway:

- Letter dated April 14, 2007 from Grace Vander Voort, President of Conservationists United for Long Island;
- Letter dated April 21, 2007 from Jeffrey Levinton, Distinguished Professor of Ecology and Evolution, Stony Brook University;
- Letter dated April 23, 2007 from Dr. and Mrs. Garman Harbottle;
- Letter dated April 24, 2007 from Wendy Fidao, President of The Friends of Flax Pond;
- Letter dated April 24, 2007 from Herb Mones, President of the Civic Association of the Setaukets;
- Letter dated April 24 from John Robinson, M.D.
- Letter dated April 27, 2007 from Herb Mones, President of the Civic Association of the Setaukets;
- Letter dated April 28, 2007 from Cynthia Barnes, President of the Board of Trustees of the Three Village Community Trust to Cary Staller and the Board of Trustees;

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- Letter dated April 30, 2007 from Cynthia Barnes, President of the Board of Trustees of the Three Village Community Trust to John Pavacic of the DEC.

Before Mayor Staller invited public comment, he read aloud a letter received by the Village that afternoon from the New York State Department of Environmental Conservation noting its intent to revoke the DEC permit for the Quinn walkway, effective May 24, 2007.

Gary Quinn addressed the Board.
Charles Voorhis addressed the Board.

Since the DEC permit is a pre-requisite for the Village building permit, and since the DEC has stated its intent to revoke the current permit, Board members agreed, following a lengthy discussion, that it would not be proper to consider the Quinn walkway application at this time.

Nalewajk

Mayor Staller read aloud a letter dated April 18, 2007 from Village Engineer Steve Hyman concerning the Nalewajk residence.

Bernstein

The Mayor also reported that the Village had received a letter from Mr. and Mrs. Julian Bernstein requesting permission to use the grounds at the Old Field lighthouse on Saturday, August 25, 2007 for parking of approximately 30 cars.

A motion was made by Trustee Schaefer and seconded by Trustee Von Lintig to approve the request provided the Bernstein's comply with the Village's standard insurance requirements. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

ENVIRONMENTAL

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to approve the Zoning Application for **McDonnell, 71 Old Field Road**, to remove 3 dying or dangerous trees damaged by the nor'easter. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

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A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to approve the Zoning Application for **Smith, 121 Old Field Road**, to remove 1 tree. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to approve the Zoning Application for **Romeo, 127 Old Field Road**, to remove 1 dying Black Walnut tree. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

An application for a Zoning Permit was filed by **Simons, 189 Old Field Road**, to restore a six acre woodland area to a healthy diversity of native plant species.

Jeffrey Owen addressed the Board.
Kathy Giffen addressed the Board.
Gerry Morrison addressed the Board.
Bruce Feller addressed the Board.
Haig Sefarian addressed the Board.
Lee Lambert addressed the Board.
Evelyn Lambert addressed the Board.

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to approve the Zoning Application for **Simons, 189 Old Field Road**, subject to:

1. written confirmation from the Village Attorney that the project does not require a site plan;
2. that the applicant not remove any trees larger than what can be wrapped by hand, pending approval from the Board of Trustees;
3. that the Environmental Committee approve the project; and
4. that the applicant pay a fine in the amount of \$500 for beginning work without a permit.

The motion was approved 3-0 with Trustee Gulbransen and Trustee Schaefer and Mayor Staller voting in favor. Trustee Pius and Trustee Von Lintig abstained from the vote.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to approve the application of **Forman, 167 Old Field Road**, to install a 20' x 40' in-ground swimming pool with an interior spa subject to:

1. Approval by the Village Building Inspector and the Village Engineer, both specifically reviewing the location of the pool and the retaining wall relative to the integrity of the bluff;
2. Modification of the plans to create a minimum of 8 feet between the new retaining wall at the edge of the patio and all trees at the edge of the bluff;

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3. Retention of all trees at the edge of the bluff;
4. Verification by the Village Engineer and the Village Building Inspector that the proposed work does not fall within the Coastal Erosion Hazard Zone; and
5. Locating the pool overflow drain between the pool and Old Field Road.

The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

A motion was made by Trustee Gulbransen and seconded by Trustee Von Lintig to approve the application of **Malenda, 105 Old Field Road**, to install a cobblestone apron and curb for the driveway subject to the Village Engineer's approval of the project including:

1. The apron and curbs must be flush with the road and road shoulder within 5 feet of the street; and
2. The curbing running down the length of the driveway should have adequate openings in several appropriate spots to allow water to divert out of the driveway and into the surrounding terrain.

The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

CHIEF CODE ENFORCEMENT OFFICER'S REPORT

As given by Administrator McGuire

COMMISSIONER'S REPORTS

Parks and Buildings

Trustee Schaefer reported that the Village is committed to renovating the Lighthouse and Keeper's House and that effort is underway to determine the availability of potential grants for the project. He also reported that the frequency for mowing the grounds at the Lighthouse has been increased

Street and Roadsides

Trustee Von Lintig reported that he had completed a survey of potholes on Village roads in need of repair and asked residents to please contact him with any other roadway concerns. He also noted that grant money was available for additional drainage projects and asked residents to please get in touch with him if they had recommendations for additional drainage projects.

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Donna Deedy addressed the Board.

Community Emergency Response Team (CERT)

Trustee Gulbransen reported that CERT had prepared a survey that he hoped would be incorporated in the next Village newsletter. The purpose of the survey is to prepare a data base of resources in the Village that would quickly be accessed in case of emergencies. Trustee Gulbransen also reported that he will be attending a seminar on Long Island Emergency Response, and noted that he had recently attended a meeting on Broadwater.

Donna Deedy addressed the Board.
Gerry Morrison addressed the Board.

NEW BUSINESS

Village Clerk

A motion was made by Trustee Schaefer and seconded by Trustee Pius to appoint Dale Salzberg as Village Clerk for a one-year term ending March 31, 2008 at a salary of \$23.01 per hour. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

Verizon Cable TV

Mayor Staller noted that Verizon would like to offer cable TV in the Village utilizing Verizon's existing fiber optic wires. For regulatory reasons, Verizon needs to enter into a franchise agreement with the Village in order to offer cable TV services.

A motion was made by Trustee Von Lintig and seconded by Trustee Schaefer to schedule a public hearing for the Verizon cable TV franchise agreement at the next regularly scheduled meeting of the Board of Trustees on June 12, 2007. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

Stormwater Laws

Mayor Staller noted that a newly enacted New York State Law requires municipalities to update their Stormwater laws and that Village Attorney Guardino has drafted proposed Stormwater laws for the Village which meet these new State requirements.

A motion was made by Trustee Schaefer and seconded by Trustee Pius to schedule a public hearing for the new Stormwater laws at the Board of Trustees meeting scheduled

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for July 10, 2007. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

Long Island Wireless Broadband Initiative

Suffolk County is in the process of creating a County-Wide Wireless Broadband Network and has asked the Village for a list of assets to be offered for this project.

A motion was made by Trustee Pius and seconded by Trustee Von Lintig to offer as a potential site for the Suffolk County Wireless Broadband Initiative the use of the inside of the Lighthouse Tower to install a small Wi-Fi radio subject to:

1. Suffolk County obtaining any approvals which might be required by the U.S. Coast Guard; and
2. Allowing Suffolk County to utilize a standard permit form in its permit application to the Village.

The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

ADDITIONAL PUBLIC EXPRESION

Bruce Feller addressed the Board.
Lee Lambert addressed the Board.
Evelyn Lambert addressed the Board.
Gerry Morrison addressed the Board.

A motion was made at 11:00 P.M. by Trustee Von Lintig and seconded by Trustee Schaefer to adjourn the Board of Trustees Meeting. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

Respectfully submitted,
Dale Salzberg
Village Clerk