

VILLAGE OF OLD FIELD
BOARD OF TRUSTEES REGULAR MEETING
TUESDAY, MARCH 9, 2010 – 7:00 P.M.
NEIGHBORHOOD HOUSE, 95 MAIN STREET, SETAUKET

Present

Mayor Michael Levine
Trustee Thomas Gulbransen
Trustee Jeff Owen
Trustee Ted Rosenberg
Trustee Stephen Shybunko
Village Attorney John Armentano
Village Clerk Dale Salzberg
Village Treasurer Andrea Brosnan

Present

Judith D'Amico	Dayton Brown	Paul Deedy
Bruce Feller	Marianne Feller	Debra Masino
Richard Masino	Don Pius	Jill Rauer (for DellaPietra)
Haig Seferian	Robert Single	Charles Southard
Cassandra Swartz	Clifford Swartz	Tom Taranto

Mayor Levine called the meeting to order at 7:05 p.m.

RECOGNITION OF BARBARA MYERS SWARTZ

In gratitude to Barbara Myers Swartz for her service to the people of Old Field, the Board of Trustees for the Village of Old Field unanimously adopted the following resolution:

RESOLVED, that the Board of Trustees and the residents of Old Field record their appreciation and gratitude to former Trustee, Deputy Mayor and Mayor Barbara Swartz for her leadership, counsel and guidance to the Board of Trustees during her 15 years in service; and

FURTHER RESOLVED, that the Board of Trustees and the Village residents are grateful to Mrs. Swartz for the time she volunteered and interest shown in working toward the betterment of the Village of Old Field, and

FURTHER RESOLVED, that Barbara Swartz children be granted permission by this Board to install a memorial plaque under a cherry tree at the Old Field Lighthouse that was planted in honor of their mother, and

FURTHER RESOLVED, that the above resolution be recorded in the official minutes of the Village in recognition and with thanks from the Village residents she served so well.

PUBLIC HEARING ON LOCAL LAW #1 OF 2010

Mayor Levine opened the Public Hearing on Proposed Local Laws No. 1-2010 at 7:12 p.m.

**PROPOSED LOCAL LAW NO. 1 OF 2010
AMENDING CHAPTER 121 OF THE CODE OF THE**

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**VILLAGE OF OLD FIELD AS IT RELATES TO
FEES AND DEPOSITS REQUIRED FOR
APPLICATIONS TO THE BOARD OF APPEALS
AND APPLICATIONS FOR SITE PLAN REVIEW**

Section 2. Amendments.

Article IX, Chapter 121 of the Code of the Village of Old Field shall be amended to read as follows:

Sec. 121-47. Meetings and procedures.

* * *

L. Fees and deposits.

(1) The schedule of required fees and deposits is as follows:

Item	Amount
Filing fee	\$500
Hearing deposit	\$2,000

* * *

(3) The Village may charge applicants all costs for engineering, legal, accounting, environmental and other professional services and such other expenses reasonably incurred by the village in connection with an application to the Board of Zoning Appeals. The applicant's hearing deposit shall be charged for these expenses. Additional expenses that exceed the deposit shall be paid by the applicant within 30 days of notification. Failure to reimburse the village for expenses as required may at the Board of Zoning Appeal's discretion, result in suspension of the applicant's matter pending before the Board. No building permit, demolition permit or certificate of occupancy shall be issued until all required fees and deposits have been paid in full.

* * *

Sec. 121-80 Deposit; expense; security.

* * *

B. Site review expenses.

* * *

(1) Each applicant shall be liable for and shall pay the actual and necessary charges which have been incurred by the village in connection with the review of

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the application, including engineering and inspection, consultant, stenographic minutes, recording fees, and legal fees. Reimbursable engineering fees shall include, where applicable, the Village's cost to review stormwater pollution prevention plans (SWPPP's) and inspect stormwater management practices to ensure that they comply with Chapter 94, the Village's stormwater management and erosion and sediment control law.

(2) Expenses incurred pursuant to this Subsection B shall be deducted from the deposit as incurred. If actual expenses exceed the deposit, the applicant is responsible for payment. To the extent that expenses exceed the deposit on hand, the applicant shall pay the balance due and make an additional deposit as deemed necessary by the SPR Board before the review continues to the next stage of review. No decision will be rendered until all outstanding payments of expenses are received by the Village. After filing of the final decision, all unexpended funds of the deposit shall be refunded.

Section 2. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 3. Effective date.

This local law shall take effect immediately upon filing with the New York Secretary of State.

The Mayor closed the Public Hearing on Proposed Local Law No. 1-2010 and opened the regular Board of Trustees meeting at 7:12 p.m.

The proposed action is an Unlisted Action pursuant to SEQRA. Accordingly, a motion was made by Trustee Gulbransen and seconded by Mayor Levine to adopt a Negative Declaration pursuant to SEQRA, determining that Local Law No.1-2010 will not have a significant adverse effect on the environment and neither a draft environmental impact statement nor a final environmental impact statement will be prepared. The motion was unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Thereafter, upon a motion made by of Trustee Rosenberg and seconded by Trustee Owen, Proposed Local Law No. 1-2010 was unanimously approved 5-0 with Trustees

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Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

PUBLIC EXPRESSION

Bruce Feller addressed the Board.
Don Pius addressed the Board.
Paul Deedy addressed the Board.
Haig Seferian addressed the Board.

The Board addressed the efforts now underway to control flooding at the top of Old Field Road. They reiterated suggestions made by the Village Engineer at the last Board meeting and explained that the Village Engineer has been asked to propose more limited actions to ameliorate the problem.

A motion was made by Trustee Shybunko and seconded by Mayor Levine to approve, if necessary, \$2,000 for use by the Village Engineer to prepare a bid package for four catch basins to be installed at the top of Old Field Road (two on each side) to control drainage. The motion was approved 4-1 with Trustees Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen voted against the motion.

TREASURER'S REPORT

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to approve the Treasurer's Report and payment of warrants for February 2010. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

CODE ENFORCEMENT OFFICER'S REPORT

As given by Mayor Levine.

ENVIRONMENTAL REPORTS

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to approve the Zoning Permit application of **O'Connor**, 3 East Gate Lane, to remove 5 trees. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Rosenberg and seconded by Trustee Gulbransen to approve the retroactive approval of a Building Permit for **Brown, 6 North Ridge Road**, for a prior as-built second floor deck in accordance with plans dated January 21, 2010 subject to (1) fees and penalties owed to the Village and (2) approval of the Building Inspector. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg

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and Shybunko and Mayor Levine voting in favor of the motion subject to review and approval by the Village Building Inspector.

COMMISSIONER’S REPORTS

PARKS AND BUILDINGS –

Trustee Owen reported that five street signs have been ordered with monies collected through the Street Sign Fund.

FIRE AND SPECIAL PROJECTS

Trustee Shybunko reported that the low bidder for installation of a new septic system at the Lighthouse has been called and told to proceed with the job after the revetment re-vegetation project is complete.

STREET AND ROADSIDES

Trustee Rosenberg acknowledged the poor condition of the roads and suggested that the time had come to consider investing significant sums of money into the Village infrastructure to repair roads and correct drainage. He noted that the Board has begun work on a comprehensive plan and that he has begun investigating the feasibility of posting a bond.

Bruce Feller addressed the Board.

NEW BUSINESS

APPOINTMENTS

Mayor Levine appointed Gail Habicht as an alternate to the Zoning Board of Appeals.

CORRESPONDENCE

Mayor Levine asked the Village Attorney to respond to a letter received from the public ministry of Jehovah’s Witnesses.

UPCOMING VILLAGE EVENTS

The next general election for the Village of Old Field will be held on the March 16, 2010, at Old Field Village Hall between the hours of 12 noon and 9:00 pm

The next regularly scheduled work session of the Village of Old Field Board of Trustees will take place on Thursday, April 8, 2010 at 6:00 P.M. at the Lighthouse.

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The annual organizational meeting of the Village of Old Field Board of Trustees will take place on Tuesday, April 13, 2010 at 7:00 p.m. at the Neighborhood House.

AJOURNMENT

A motion was made by Trustee Rosenberg and seconded by Mayor Levine to adjourn the regular meeting at 8:40 p.m. and to enter into Executive Session. The motion was approved 5-0 with Trustees Gulbransen, Owen, Shybunko and Rosenberg and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Rosenberg and seconded by Mayor Levine to adjourn the Executive Session at 9:05 p.m. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Rosenberg and seconded by Trustee Shybunko to adjourn the regular meeting at 9:06 p.m. The motion was approved 5-0 with Trustees Gulbransen, Owen, Shybunko and Rosenberg and Mayor Levine voting in favor of the motion.

Respectfully submitted,
Dale Salzberg
Village Clerk