

VILLAGE OF OLD FIELD  
BOARD OF TRUSTEES ANNUAL ORGANIZATIONAL MEETING  
TUESDAY, APRIL 13, 2010  
NEIGHBORHOOD HOUSE, 95 MAIN STREET, SETAUKET

**Present**

Mayor Michael Levine  
Trustee Thomas Gulbransen  
Trustee Jeffrey Owen  
Trustee Ted Rosenberg  
Trustee Stephen Shybunko  
Village Attorney Anthony Guardino  
Village Clerk Dale Salzberg  
Village Treasurer Andrea Brosnan

**Residents Present**

Erin Brosnan (EEA)	Bruce Feller	Marianne Feller
Richard Hamberg	Debra Masino	Richard Masino
Sue Naalewajk	Hayley Ogle	Don Pius
Jill Rauer (for DellaPietra)	Walter Rothchild	Haig Seferian
Richard Sobel	Tom Taranto	

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

**ELECTION RESULTS AND SWEARING-IN CEREMONY**

Mayor Levine announced that the following individuals had been re-elected in the March 16, 2010 election:

Mayor for a term of two years – Michael Levine  
Trustee for a term of two-years – Thomas Gulbransen  
Trustee for a term of two-years – Ted Rosenberg  
Justice for a term of four years – Ronald LaVita

Trustee Rosenberg recited the oath of office in a swearing in ceremony for Mayor Levine.

Mayor Levine then recited the oath of office in a swearing-in ceremony for Trustees Gulbransen and Rosenberg and Justice LaVita.

**NEW BUSINESS**

**WIND TURBINE GENERATORS**

Five members of the Windmill Committee, established to study the impact of residential wind turbines, offered the following diverse and contrary opinions:

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- The impact on neighbors and community outweighed the benefit that might be created with wind turbines. Solar initiatives could be employed for better outcomes. Cutting edge technologies now in developmental stages should be available in the next 12-18 months. (Hard copy findings were presented to the Board.)
- The Village should take a pro-active role in the use of alternative energy sources to offset the impact of high energy homes.
- Statistics indicate wind turbines as inefficient on a small home scale.
- Both the noise and aesthetic impact of a 30' tall wind turbine system are minimal. Wind turbines should be approved with reasonable restrictions. (Hard copy findings were presented to the Board.)
- Residential wind turbines should be approved but only if strict restrictions are established for site views, setbacks and noise.

One of the more compelling arguments raised in the lengthy discussion that followed was that the same renewable energy could be purchased directly, without detrimental impact on Old Field neighbors, through green energy investment programs sponsored by LIPA and others. While no consensus was reached among the Committee or Board members, Mayor Levine noted that he would take guidance from the initiatives of other villages on Long Island.

#### MS4 GRANT OPPORTUNITY

Erin Brosnan of EEA, a local environmental consulting firm, was hired by the Board to investigate grant opportunities that would help finance stormwater runoff solutions for Old Field Road. After meeting with the DEC, Ms. Brosnan reported that a grant opportunity now exists with the Long Island Sound Futures Fund ("LISFF"). If successful, the first stage of the grant would fund the design of a stormwater improvement project. The second step would fund the installation. She suggested the Village move forward with this grant opportunity to design infiltration basins and bioswales in 4-5 locations along Old Field Road to slow, divert and reduce sediment flow before runoff reaches Conscience Bay.

After lengthy discussion, the Mayor asked Ms. Brosnan to review her findings and report back to the Board later in the week.

#### INTRODUCTION OF PROPOSED LOCAL LAW #2-2010

The Mayor introduced:  
PROPOSED LOCAL LAW NO. 2-2010 CREATING A NEW CHAPTER OF THE  
CODE ON THE VILLAGE OF OLD FIELD ENTITLED "STREETS AND  
SIDEWALKS"

The new Code section would establish criteria for a street opening permit by a municipal corporation, public utility, corporation, person or association of persons. A Public

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Hearing on this proposed local law is scheduled for 7:00 p.m. on Tuesday, May 11, 2010  
at the Neighborhood House.

### **PUBLIC EXPRESSION**

Walter Rothchild addressed the Board.  
Richard Sobel addressed the Board.

### **MINUTES**

A motion was made by Trustee Shybunko and seconded by Trustee Rosenberg to approve the Minutes of the March 9, 2010 meeting. The motion was approved 4-0 with Trustees with Trustees Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen abstained from the vote.

### **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 March 2010 with the exception of four bills from Farrell Fritz, the status of which is currently uncertain. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

### **CHIEF CODE ENFORCEMENT OFFICER'S REPORT**

As given by Mayor Levine

### **CORRESPONDENCE**

Representatives of the Suffolk County Dept. of Parks will be monitoring the nesting sites of Piping Plover (protected under the Endangered Species Act of 1973) on County owned land from May through August.

### **ENVIRONMENTAL REPORTS**

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to approve the Zoning Permit application of **Kemp, 94 Old Field Road**, to remove 1 tree. 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 Gulbransen and seconded by Mayor Levine to approve the Zoning Permit application of **Seferian, 21 Crane Neck Road**, to remove two trees. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

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A motion was made by Trustee Gulbransen and seconded by Mayor Levine to approve the Zoning Permit application of **McKinley, 46 Crane Neck Road**, to remove 1 tree. 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 Gulbransen and seconded by Mayor Levine to partially approve the Zoning Permit application of **Luryi, 16 Holly Lane**, to remove 3 trees: 1 leaning across the driveway, 1 dangerous tree in front of home, and 1 vee-shaped dangerous tree west of home. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

**ANNUAL APPOINTMENTS AND RESOLUTIONS**

Appointments are made during the Board of Trustee Annual Organizational Meeting. Under New York law, the Mayor appoints the Deputy Mayor without the approval of the Board. With respect to all other appointments, the Board of Trustees votes to approve the Mayor's appointments.

The Mayor appointed Tom Gulbransen as Deputy Mayor for a 1 year term.

On a motion made by Trustee Rosenberg and seconded by Mayor Levine, the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Planning Board

Chair, Planning Board	1 year term	Brian Carmody
Member	5 year term	Bruce Feller

On a motion made by Trustee Rosenberg and seconded by Mayor Levine, the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Zoning Board of Appeals

Chair, Zoning Board	1 year term	Thomas Taranto
Member	5 year term	David Paul
Alternate Member	2 year term	Gail Habicht

On a motion made by Trustee Gulbransen and seconded by Mayor Levine, the following appointment was unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

<u>Acting Village Justice</u>	1 year term	Brian Carmody
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On a motion made by Trustee Shybunko and seconded by Mayor Levine, the following appointments were approved 4-0 with Trustees Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen abstained from the vote.

Environmental Council (1 year)

Tom Gulbransen, Chair  
Margaret Sobel  
Lee Lambert  
Haig Seferian  
Jill Harkins  
John Robinson

On a motion made by Trustee Rosenberg and seconded by Trustee Shybunko, the following appointment was approved 4-0 with Trustees Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen abstained from the vote.

Commissioner of Environment (1 year term) – Tom Gulbransen

On a motion made by Trustee Rosenberg and seconded by Trustee Shybunko, the following appointment was approved 4-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko voting in favor of the motion. Mayor Levine abstained from the vote.

Commissioner of Safety (1 year term) – Michael Levine

On a motion made by Trustee Rosenberg and seconded by Mayor Levine, the following appointment was approved 4-0 with Trustees Gulbransen, Owen, and Rosenberg and Mayor Levine voting in favor of the motion. Trustee Shybunko abstained from the vote.

Commissioner of Fire and Special Projects (1 year term) – Stephen Shybunko

On a motion made by Trustee Rosenberg and seconded by Trustee Gulbransen, the following appointment was approved 4-0 with Trustees Gulbransen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Owen abstained from the vote.

Commissioner of Parks and Buildings and Street Trees – Jeff Owen

On a motion made by Mayor Levine and seconded by Trustee Gulbransen, the following appointment was unanimously approved 4-0 with Trustees Gulbransen, Owen and Shybunko and Mayor Levine voting in favor of the motion. Trustee Rosenberg abstained from the vote.

Commissioner of Streets and Roads (1 year term) – Ted Rosenberg

On a motion made by Trustee Gulbransen and seconded by Trustee Shybunko, the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

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Ethics Committee (1 year term)

Gail Habicht  
Michael Levine

On a motion made by Mayor Levine and seconded by Trustee Gulbransen, the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Ways and Means Committee (1 year term)

Debbie Powell-Rosenberg  
Adrienne Owen

On a motion made by Mayor Levine and seconded by Trustee Owen, the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion

Newsletter Committee (1 year term)

Margaret Sobel  
Christine D'Alessandro  
Marianne Feller

On a motion made by Trustee Rosenberg and seconded by Trustee Owen, the following appointments were unanimously approved 4-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko voting in favor of the motion. Mayor Levine abstained from the vote.

Lighthouse Committee

Bill Collins, Chair  
Bill Schaefer  
Michael Levine  
Andrew Morrison  
John Himmelsbach  
Christine D'Alessandro

On a motion made by Mayor Levine and seconded by Trustee Shybunko, the following appointment was unanimously approved 4-0 with Trustees Gulbransen, Owen and Shybunko and Mayor Levine voting in favor of the motion. Trustee Rosenberg abstained from the vote.

Commissioner for the Port Jefferson Harbor Management Complex

Ted Rosenberg

On a motion made by Mayor Levine and seconded by Trustee Shybunko, the following appointment was unanimously approved 4-0 with Trustees Owen, Rosenberg and

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Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen abstained from the vote.

Storm Water Management Plan Committee

Tom Gulbransen  
Joseph Malenda

On a motion made by Trustee Owen and seconded by Trustee Shybunko, the following appointment was unanimously approved 3-0 with Trustees Owen, Rosenberg and Shybunko voting in favor of the motion. Trustee Gulbransen and Mayor Levine abstained from the vote.

Community Emergency Response Team (1 year term)

Tom Gulbransen, Chair  
Don Pius  
Michael Levine  
David Paul  
Ken Hirsch

On a motion made by Trustee Rosenberg and seconded by Mayor Levine the following appointments were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Joe Arico as the Building Inspector  
Steve Hayduk, Village Engineer  
Stephen O'Brien of O'Brien & O'Brien, LLP as Prosecuting Attorney

On a motion made by Trustee Rosenberg and seconded by Trustee Gulbransen the following one year appointments were approved at a 3% salary increase. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Dale Salzberg as Village Clerk/Tax Collector and Registrar of Vital Records for a one year appointment at \$24.42/hr.

Andrea Brosnan as Village Treasurer for a one year appointment at \$21.21/hr.

Anthony Guardino as Village Attorney for a one year appointment at \$2,666.00/month.

Captain Joseph Matthews as a part-time Code Enforcement Officer for a one year appointment at \$23.25/hr.

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Lieutenant Robert Egan as a part-time Code Enforcement Officer for a one year appointment at \$22.07/hr.

Lieutenant William Haynes as a part-time Code Enforcement Officer for a one year appointment at \$22.07/hr.

Sgt. Brian Tisdall as a part-time Code Enforcement Officer for a one year appointment at \$20.23/hr.

Philip Morales as a part-time Park Ranger for a one year appointment at \$20.95/hr.

Joseph Bica as a part-time Code Enforcement Officer for a one year appointment at \$19.00/hr.

Gary Borowski as a part-time Code Enforcement Officer for a one year appointment at \$19.00/hr.

Peter Thomson as Part-time Code Enforcement Officer for a one year appointment at \$19.00/hr.

Michael Nuzzo as Part-time Code Enforcement Officer for a one year appointment at \$19.00/hr.

Mayor Levine named Marianne Feller as Village Court Clerk for a one year appointment at \$19.43/hr. This appointment was made upon the advice and consent of Village Justice Ron LaVita and did not require a resolution of approval from the Board of Trustees.

Mayor Levine reappointed the following for a one year license renewal:

Official Newspaper – Village Times

Depositories – HSBC Bank, M&T Bank.

Auditors – Coughlin Foundotos Cullen & Danowski for the year ending  
February 28, 2011

Animal Warden – Jean Darrow

Historian – Charlene Seifert

Landscaper – Old Field Landscaping.

On a motion made by Mayor Levine and seconded by Trustee Gulbransen the following miscellaneous Board meeting items were unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Advance Approval of Claims

Fixed Mileage Allowance

Procurement Policy



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Schedule of Meetings: The Board of Trustees work sessions are held at 6:00 p.m. at the Lighthouse the first Thursday of each month. The Board of Trustees regularly scheduled meetings are held at 7:00 p.m. at the Neighborhood House on the second Tuesday of each month. No meeting is scheduled in August.

Policy & Procedures Manual  
Electronic Use Policy  
Sexual Harassment Policy  
Investment Policy

A motion was made by Trustee Rosenberg and seconded by Mayor Levine to authorize the following appointed officials to live outside the Village. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Village Clerk  
Treasurer  
Court Clerk  
Chief Senior Code Enforcement Officer  
Part-time Code Enforcement Officers  
Part-time Park Ranger  
Building Inspector  
Village Engineer  
Village Attorneys

A motion made by Trustee Rosenberg and seconded by Mayor Levine, to permit employees of the Village to attend schools, conferences, seminars, etc. conducted for the benefit of the Village. The motion was unanimously approved 5-0 Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

## **COMMISSIONER'S REPORTS**

### **FIRE AND SPECIAL PROJECTS**

Trustee Shybunko reported that he will be attending a fact finding meeting with the Stony Brook Fire Department. He also reported that the awarded low bidder for installation of a new sanitation system at the Old Field Point Lighthouse has proven to be unreliable, and that the second lowest bidder would be awarded the contract following approval of the project consultants, H2M.

### **STREETS AND ROADSIDES**

A motion was made by Mayor Levine and seconded by Trustee Shybunko to approve the payment of \$900 to Old Field Landscaping to re-grade, topsoil and seed the road edges at the newly paved intersection of Old Field Road and Quaker Path. The motion was

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approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

**PUBLIC HEARING: PROPOSED RECONSTRUCTION FOR VILLAGE ROADS**

Trustee Rosenberg acknowledged the poor condition of Village Roads (Mt. Grey, Old Field Road, Blueberry Ridge Road, Quaker Path and Conscience Bow) and noted that they need not only repaving but also significant drainage. The cost to the Village would be roughly \$2 Million. Trustee Rosenberg will draft a letter to be sent to all residents alerting them to a Public Hearing on the proposed reconstruction for Village roads schedule for May 11, 2010 at 7:00 p.m. at the Setauket Neighborhood House.

Bruce Feller addressed the Board.

**UPCOMING VILLAGE EVENTS:**

The next regularly scheduled work session of the Board of Trustees will take place on Thursday, May 6, 2010 at 6:00 p.m. at the Lighthouse.

The next meeting of the Village of Old Field Board of Trustees will take place on Tuesday, May 11, 2010 at 7:00 p.m. at the Neighborhood House.

**EXECUTIVE SESSION and AJOURNMENT**

A motion was made by Trustee Rosenberg and seconded by Mayor Levine to adjourn the regular meeting at 9:30 p.m. and to enter into Executive Session. 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 Executive Session at 9:58 p.m. The motion was approved 4-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko voting in favor of the motion.

**NEW BUSINESS**

The Board introduced Proposed Local Law 3-2010 regulating the use of wind energy conversion systems. A public hearing on Proposed Local Law No. 3-2010 is schedule for May 11, 2010 at 7:00 p.m. at the Setauket Neighborhood House.

A motion was made by Trustee Owen and seconded by Trustee Gulbransen to adjourn the regular meeting at 10:00 p.m. The motion was approved 4-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko voting in favor of the motion.

Respectfully submitted,  
Dale Salzberg, Village Clerk