

VILLAGE OF OLD FIELD  
BUDGET HEARING AND BOARD OF TRUSTEE MEETING  
TUESDAY, JANUARY 8, 2008. 7:00 P.M.  
NEIGHBORHOOD HOUSE, SETAUKET, NY

**PRESENT**

Mayor Cary Staller  
Trustee John Von Lintig  
Trustee Donald Pius  
Trustee William Schaefer  
Village Attorney Anthony Guardino  
Village Administrator William McGuire  
Village Clerk Dale Salzberg

**PRESENT**

Hilton Adler  
Malcolm Bowman  
Matthew Crane  
Joan Dobbs Dana  
Bruce Feller  
Marianne Feller  
Steve Johnson  
Evelyn Lambert  
Lee Lambert  
Ron LaVita  
Michael Levine  
John Robinson  
Fredelle Robinson  
Ted Rosenberg  
Marc Salzberg  
Margaret Sobel  
Steve Shybunko  
Tom Taranto

Mayor Staller called the meeting to order at 7:10

**Unit Management Plan for Flax Pond**

Mayor Staller reported that a draft Unit Management Plan will be presented by the DEC on January 16 at 7:00 pm, in the DEC Building at 205 Belle Meade Road, Setauket, setting out proposed regulations and activities in Flax Pond. He noted that several issues of concern were raised by the plan, most notably, the use of motorized watercraft in Flax Pond and the paving of a new parking lot, both of which would endanger wildlife, erode the mudflats and deteriorate the marsh.

On behalf of the Friends of Flax Pond, Professor Malcolm Bowman spoke of the need for a letter to the DEC with the goal of establishing Flax Pond as a Marine Wilderness Area.

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That designation would not only give the Pond greater protection but would also allow Flax Pond to serve as a model for similar marine habitats in New York State. Trustee Gulbransen recommended a more participative approach to a Unit Management Plan formulation that would call for an adaptive management implementation strategy.

Steve Shybunko addressed the Board  
Ted Rosenberg addressed the Board  
Fredelle Robinson addressed the Board.  
John Robinson addressed the Board

**Public Expression**

Ted Rosenberg addressed the Board.  
Margaret Sobel addressed the Board.  
Joan Dana addressed the Board.

**BUDGET HEARING – 2008-2009 Budget**

Mayor Staller opened the Public Hearing on the Village of Old Field Budget for the fiscal year starting March 1, 2008 through February 28, 2009. The proposed budget would establish the Village tax rate at \$16.78 per \$100.00 of assessed valuation, an increase of 29%.

Trustee Von Lintig explained that the increase in the budget is due to three key factors: (1) the increased cost to the Village for the new Fire District contract, (2) diminishing revenues from building fees, and (3) the decrease in mortgage tax finance revenues.

The Mayor called for comments in favor of, or in opposition to the proposed budget.  
Bruce Feller addressed the Board.  
Thomas Taranto addressed the Board.  
Ted Rosenberg addressed the Board.  
Ron LaVita addressed the Board.  
Mike Levine addressed the Board.  
Steve Shybunko addressed the Board.

On motion made by Trustee Von Lintig and seconded by Trustee Pius, the Board

**RESOLVED**, that the budget which was the subject of the foregoing public hearing be, and the same hereby is, adopted as the budget of this Village for the fiscal year March 1, 2008 through February 28, 2009, and

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**FURTHER RESOLVED**, that a tax of the Incorporated Village of Old Field, Suffolk County, New York, be, and the same hereby is, levied for the fiscal year March 1, 2008 through February 28, 2009 at the rate of \$16.78 per \$100.00 of assessed value.

Upon role call vote the vote was as follows:

Cary Staller, Mayor	no
Thomas Gulbransen	aye
Donald Pius, Trustee	aye
William Schaefer	aye
John Von Lintig	aye

Motion carried.

### **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 December 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**

Mayor Staller reported that the Village had received a letter and invoice from Richard Calame, Claims Manager for New York Municipal Insurance Reciprocal, the Village insurance carrier, dated January 3, 2008 concerning payment of a \$2,500 deductible for settlement of the claim brought by Trustee Pius against the Village.

A motion was made by Mayor Staller and seconded by Trustee Gulbransen to approve a resolution (which had not been discussed at the January work sessions and which was distributed to Board members only at the time the motion was made) entitled "Resolution Deeming it Inappropriate for Donald Pius, a Member of the Board of Trustees of the Village of Old Field, To Accept A Monetary Settlement Of His Claims From Either the Village Or The Village's Insurance Carrier." The motion failed on the following vote:

Cary F. Staller, Mayor	aye
Thomas Gulbransen, Trustee	aye
John H. Von Lintig, Trustee	no
William P. Schaefer, Trustee	no
Donald A. Pius, Trustee	abstain

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A motion was made by Mayor Staller and seconded by Trustee Gulbransen to approve a resolution (which had not been discussed at the January work sessions and which was distributed to Board members only at the time the motion was made) entitled “Resolution Requesting That Donald A. Pius, A Member of the Board of Trustees of the Village of Old Field, Pay the Village of Old Field the Sum of \$2500.00, Which Funds Will Be Used By the Village to Pay the Deductible Payment By the Village As Part of the Settlement of the Claim Brought By Trustee Pius Against the Village”. The motion failed on the following vote:

Cary F. Staller, Mayor	aye
Thomas Gulbransen, Trustee	aye
John H. Von Lintig, Trustee	abstain
William P. Schaefer, Trustee	abstain
Donald A. Pius, Trustee	abstain

#### **ENVIRONMENTAL REPORTS**

A motion was made by Trustee Gulbransen and seconded by Trustee Pius to approve the building permit for **Ashley Homes, 53 West Meadow Road**, to install a Belgium block apron and Belgium block edging for the driveway subject to:

1. Site plan approval by Village Engineer Steven Hyman; and
2. Double payment of the permit fee since the work is already complete.

The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion with the issue of mitigation for the removal of 4 trees to be discussed with the applicant.

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to approve the building permit for **Pius, 130 Old Field Road**, for the construction of a 22’ 1” x 22’ 3” three season porch at the rear of the house. The motion was approved 4-0 with Trustees Gulbransen, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion. Trustee Pius abstained from the vote.

A motion was made by Trustee Gulbransen and seconded by Trustee Pius to approve the building permit for **Salzberg, 6 East Gate Lane**, for the construction of a 571 sq. ft. first floor addition to the existing dwelling and a 200 sq. ft. deck, subject to the Mayor signing the finalized building permit. 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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**COMMISSIONER'S REPORTS**

**CHIEF CODE ENFORCEMENT OFFICER'S REPORT**

As given by Administrator McGuire

**PARKS AND BUILDINGS**

Trustee Schaefer reported that the solicitation for bids for the Lighthouse and Light Keeper's House renovations had been published in the Three Village Times and that 13 contractors had expressed interest in the project.

**COMMUNITY EMERGENCY RESPONSE TEAM**

Trustee Gulbransen reported that the CERT Committee, Dr. David Paul, Dr. Ken Hirsch Michael Levine and Don Pius, were preparing a first draft of a Community Emergency Plan. He expected to share those materials with residents at the February meeting.

**NEW BUSINESS**

**HOLIDAY GIFT FUND**

Mayor Staller encouraged residents to contribute to the Village Hall Gift Fund, proceeds of which are distributed to the staff, by mailing a check to the Village of Old Field Holiday Gift Fund, HSBC, 300 Main Street, East Setauket, NY 11733.

**ADDITION TO THE VILLAGE CODE OF ETHICS**

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to approve the following resolution:

WHEREAS, the State of New York has promulgated in Article 18 of the General Municipal Law, a set of basic standards of ethical conduct governing the behavior of municipal officers and employees (defined as any officer or employee of the municipality, whether paid or unpaid, including members of any administrative board or commission); and

WHEREAS, the State of New York, through Article 18 of the General Municipal Law and through various Court decisions and opinions of the Office of the Attorney

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General of New York State, has prohibited both improper conduct and acts or omissions which create an appearance of impropriety; and

WHEREAS, the State of New York officially encourages each community within the State to adopt appropriate codes of ethics; and

WHEREAS, the Village of Old Field has promulgated in Chapter 31 of its Village Code and in a series of resolutions duly passed by the Board of Trustees, regulations governing the performance of municipal officers and employees; and

WHEREAS, it is critical that no municipal officer or employee solicit, receive, or provide preferential treatment from any other municipal officer or employees or appear to do so;

THEREFORE, IT IS RESOLVED that, effective immediately, all Village of Old Field municipal officers and employees are prohibited from soliciting, receiving, or providing, directly or indirectly, any preferential treatment from any other municipal officer and or employee; and

IT IS FURTHER RESOLVED that, all Village of Old Field municipal officers and employees shall, if requesting services from other municipal officers and employees in their private and unofficial capacity, explicitly state that the request is not being made in their capacity as a municipal officer or employee; and

IT IS FURTHER RESOLVED that, if any municipal officer or employee believes that he or she has been solicited to provide preferential treatment by another municipal officer or employee, he or she shall immediately report the incidence to the Mayor (or if the incident involves the Mayor, to the Deputy Mayor) who shall proceed in the fashion set forth in Section 31-5 of the Village Code; and

IT IS FURTHER RESOLVED that any municipal officer or employee who becomes aware of any apparent solicitation, receipt, or provision of preferential treatment to another municipal officer or employee, shall immediately report the incidence to the Mayor (or if the incident involves the Mayor, to the Deputy Mayor) who shall proceed in the fashion set forth in Section 31-5 of the Village Code.

Upon role call vote the vote was as follows:

Cary Staller, Mayor	aye
Thomas Gulbransen	aye
Donald Pius, Trustee	aye
William Schaefer	aye
John Von Lintig	aye

Motion carried.

**ADDITIONAL PUBLIC EXPRESSION**

Lee Lambert addressed the Board.  
Tom Taranto addressed the Board.

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A motion was made by Trustee Von Lintig and seconded by Trustee Schaefer to adjourn the Regular Meeting at 9:50 p.m. 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