

VILLAGE OF OLD FIELD  
BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, FEBRUARY 12, 2008 – NEIGHBORHOOD HOUSE  
95 MAIN STREET, SETUAKET, NY

**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  
Village Clerk Dale Salzberg

**Present**

Will Bowman  
Yan Ling Dong  
Marianne Feller  
Bruce Feller  
Gudjon Hermannson  
Kelly Risotto  
Ted Rosenberg  
Marc Salzberg  
Tom Taranto

Mayor Staller called the meeting to order at 7:05.

**Chief Code Enforcement Officer's Report**

As given by Administrator McGuire

**Shoreline Development Regulatory Assistance**

Following a request for proposals, Land Use Ecological Services was retained by the Village of Old Field to perform a study of the Old Field waterfront. William Bowman and Kelly Risotto of Land Use Ecological Services discussed the scope of this plan, which would include the use of a series of technical resources to inventory both the natural resources and structures along the coastline of Old Field, and which would allow their firm to provide guidance and recommendations for regulatory options. Mr. Bowman also noted that a Public Meeting would be scheduled in order to gather input from Village residents.

**PUBLIC EXPRESSION**

Gudjon Hermannson addressed the Board.  
Tom Taranto addressed the Board.

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**MINUTES**

**December Minutes**

A motion was made by Trustee Schaefer and seconded by Mayor Staller to approve the December Minutes subject to the agreed upon revisions. The motion was approved 4-0 with Trustees Gulbransen, Schaefer, VonLintig and Mayor Staller voting in favor of the motion. Trustee Pius recused himself from the vote.

**January Minutes**

RESOLUTION CORRECTING AND APPROVING THE MINUTES OF THE  
JANUARY 8, 2008 BOARD OF TRUSTEES MEETING

WHEREAS the Board of Trustees of the Village of Old Field (“Village Board”) held its regular meeting on January 8, 2008; and

WHEREAS, the Village Clerk of Old Field inadvertently submitted Minutes for the January 8, 2008 meeting without designating them, as required, as Unapproved; and

NOW THEREFORE BE IT RESOLVED, that the Minutes of the January 8, 2008 meeting are corrected as follows:

1. The second paragraph under Correspondence on page 3 is deleted and substituted with the following paragraph:

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

2. Delete the text of the resolution (bottom of page 3 to bottom of page 5).

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3. The paragraph starting at the bottom of page 5 is deleted and substituted with the following paragraph:

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

4. Delete the text of the resolution (page 6-8).

On motion made by Trustee Schaefer, seconded by Trustee Von Lintig, the foregoing resolution was passed on vote as follows:

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

Dated: Old Field, New York  
February 12, 2008

### **TREASURER’S REPORT**

A motion was made by Trustee Von Lintig and seconded by Trustee Schaefer to approve the Treasurer’s Report and payment of warrants for January 2008. 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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**CORRESPONDENCE**

Mayor Staller reported that the Village had been asked to participate in the 2008 Long Island Lighthouse Challenge to be held on the weekend of May 17-18, 2008. The Mayor also noted that volunteers would be needed to help out with the event.

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to approve Village participation in the Lighthouse challenge subject to the same terms as last year, including proper cleanup and insurance provisions. 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 REPORTS**

A motion was made by Trustee Gulbransen and seconded by Trustee Pius to approve the Zoning Permit for **Biladeau, Brambltye**, removal of 3 broken Locust trees near the remaining structure. 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 Pius to approve the revised building permit for **Forman, 167 Old Field Road**, that relocates the installation of a 20' x 40' in-ground swimming pool with an interior spa subject to:

1. Building Inspector approval;
2. Village Engineer approval of drainage around the pool, including redirecting the existing downspout at the cottage away from the bluff and into a new drainage system; and
3. Confirmation by the Village Engineer that:
  - i. The old sanitary system for the cottage is no longer in use at the cottage;
  - ii. The cottage is connected to the sanitary system for the main house; and
  - iii. The old sanitary system for the cottage will be removed when the pool is installed.

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 Pius to approve the Building Permit application of **Galler, 1 Laurel Lane**, for construction of:

1. new front and rear covered porches;
2. a new first floor sun room; and
3. a new second floor master suite

subject to approval from the Building Inspector. 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 Pius to approve the Zoning Permit application for **Kemp, 94 Old Field Road**, for the removal of one 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.

**COMMISSIONER’S REPORTS**

**FIRE AND SPECIAL PROJECTS**

Trustee Pius reported that the upcoming Setauket Fire District vote for a new Firehouse would not affect the recently negotiated Fire District contract with the Village of Old Field, and noted that additional costs could not be passed along.

In the conversation that followed, Trustee Von Lintig stated that the Village negotiated a 10 year fee schedule on the Fire District Contract. In reply, Trustee Gulbransen noted that the 2<sup>nd</sup> 5 years of the contract was negotiated on a “good faith” basis and that the rate of increase for that second half is not locked in.

**NEW BUSINESS**

**TAX COLLECTION**

A motion was made by Trustee Von Lintig and seconded by Trustee Schaefer to authorize the following resolution:

**RESOLVED**, that the Mayor or Deputy Mayor be, and he hereby is authorized and directed to sign the proper warrant to the Treasurer to collect said taxes and that the Clerk be, and she hereby is, authorized and

directed to attest the same under the corporate seal of this Village and to deliver the assessment roll with said warrant thereto annexed to the Treasurer, and

**FURTHER RESOLVED**, that the Treasurer be, and she hereby is directed to publish the notice required by Section 1428 of the Real Property Law in the Village Times in its issues of February 21 and February 28, 2008, the official newspaper of the Village, and

**FURTHER RESOLVED**, that pursuant to Section 1430 of the Real Property Law, the Village Treasurer be, and she hereby is, directed to mail

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tax bills to all persons whose names appear on the 2008/09 tax assessment roll, and

**RESOLVED**, that a copy of the aforesaid budget be attached to the minutes of this meeting and a certified copy thereof forwarded to the Department of Audit and Control at Albany, New York.

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

HONORED RESIDENT

Mayor Staller was proud to announce that an Old Field resident, Ward Melville High School Senior Herman Gudjonson, was named as one of 40 finalists in the nationwide Intel Science Competition. The Mayor proposed, and the Board unanimously agreed, to issue a formal proclamation of congratulation to Herman Gudjonson on his tremendous achievement.

LIGHT KEEPER'S HOUSE CONSTRUCTION WORK

RESOLUTION ACCEPTING THE BID OF RHP CONSTRUCTION AND  
AWARDING A CONTRACT TO RHP CONSTRUCTION FOR THE RENOVATION  
OF THE KEEPER'S HOUSE AT OLD FIELD POINT

WHEREAS, the Village of Old field published, in the January 10, 2008 edition of the Village Times Herald Newspaper, a public notice to bidders for, inter alia, the following construction project:

Demolition and rebuilding of the front entry way; repair  
Of existing roof, fascia, and trim; repair of basement flooring

And lolly columns; and painting of all trim, doors, and rear deck  
Of the Keeper's House; and

WHEREAS, a total of six contractors submitted sealed bids in connection with the aforementioned project; and

WHEREAS, the six sealed bids were opened under the supervision of Trustee William P. Schaefer and witnessed by Village Clerk Dale Salzberg on February 4, 2008 at 11:00 A.M.; and

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WHEREAS, the lowest bid submitted by RFP Construction Company was in compliance with the bid specifications issued by the Village of Old Field; and

WHEREAS, RHP Construction company is deemed to be responsible as that term is defined by the General Municipal Law of New York and the New York State Conference of Mayors and Municipal Official's Handbook for Village Officials;

THEREFORE, IT IS RESOLVED that the bid of RHP Construction Company, in the amount of \$14,325.00, is accepted as the lowest responsible bid; and

IT IS FURTHER RESOLVED that the Board of Trustees approves the award of a Contract to RHP Construction Company for the construction project set forth above; and

IT IS FURTHER RESOLVED that the Board of Trustees instructs the Village Attorney to prepare said contract for execution.

On motion made by Trustee Schaefer, seconded by Trustee Von Lintig, the foregoing resolution was passed on vote as follows:

Cary F. Staller, Mayor	no
Thomas C. Gulbransen, Trustee	aye
John von Lintig, Trustee	aye
William P. Schaefer	aye
Donald A. Pius, Trustee	aye

Dated: Old Field, New York  
February 12, 2008

#### RULES OF PROCEDURE

Trustee Schaefer introduced a new and extensive draft of Rules of Procedure covering operations of the Village Board of Trustees. After a lengthy discussion, Trustee Schaefer agreed that he would revise the proposed Rules of Procedure in accordance with the Board's suggestions in time for review at the Board's next work session.

A motion was made by Trustee Von Lintig and seconded by Trustee Schaefer to adjourn the regular meeting at 10:27 P.M., and to enter into Executive Session. The motion was unanimously approved 4-0 with Trustees 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 Von Lintig to adjourn the Executive Session at 10:40 p.m.. The motion was unanimously approved 4-0 with Trustees Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

A motion was made by Trustee Pius and seconded by Trustee Schaefer to adjourn the regular meeting at 10:41 p.m. The motion was unanimously approved 4-0 with Trustees Pius, Schaefer and Von Lintig and Mayor Staller voting in favor of the motion.

Respectfully submitted,  
Dale Salzberg  
Village Clerk