

VILLAGE OF OLD FIELD  
BOARD OF TRUSTEES MEETING  
TUESDAY, MAY 13, 2008 – 7:00 P.M.  
NEIGHBORHOOD HOUSE, 95 MAIN STREET, SETAUKET

**Present**

Mayor Michael Levine  
Trustee Tom Gulbransen  
Trustee Donald Pius  
Trustee Ted Rosenberg  
Trustee William Schaefer  
Village Attorney Anthony Guardino  
Village Clerk Dale Salzberg  
Village Treasurer Anne Cadden

**Present**

Dayton Brown  
Charles Copeland  
Christine D'Alessandro  
Sam Dakwar  
Barbara Dragone  
Bruce Feller  
Marianne Feller  
Gudjon Hermannsson  
Donald King  
Lee Lambert  
Moe Martinez  
Debra Powell-Rosenberg  
Debra Sefarian  
Stephen Shybunko  
Robert Single  
Margaret Sobel  
Charles Southard  
Frank Vero, Jr.  
Robin Vero  
Yingxing Wang

Mayor Levine called the meeting to order at 7:05 p.m and recited the oath of office in a swearing in ceremony for Trustee Gulbransen who was absent from the April Organizational Meeting.

**MINUTES**

A motion was made by Trustee Schaefer and seconded by Trustee Pius to approve the minutes of the Board of Trustees Meeting of March 11, 2008. The motion was approved 3-0-2 with Trustees Gulbransen, Pius and Schaefer voting in favor of the motion. Trustee Rosenberg and Mayor Levine, who were not on the Board at the time, abstained from the vote.

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A motion was made by Trustee Pius and seconded by Trustee Schaefer to approve the minutes of the Board of Trustees Organizational Meeting of April 8, 2008. The motion was approved 4-0 with Trustees Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

### **TREASURER’S REPORT**

A motion was made by Trustee Schaefer and seconded by Trustee Pius to approve the Treasurer’s Report and payment of warrants for April 2008. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Rosenberg and Mayor Levine voting in favor of the motion.

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

As given by Trustee Gulbransen.

### **CORRESPONDENCE**

The Mayor reported that the Village had received a letter from residents **John and Yvette Caracciolo** asking that the Village take action to control speeding, unleashed dogs and parking by “service” vehicles. The Mayor noted these concerns and requested that the Village Code Enforcement Officers be made aware.

The Village received a letter from resident **Michael Apton** asking for the Village to help resolve the out-of-sequence numbering on North Ridge Road. Mayor Levine noted that North Ridge was a private road but stated that the Village would support the Road Association.

Donald King, Esq. attorney for **Dayton Brown**, addressed the Board and requested a hearing before the Mayor and the Board for the purpose of amending Covenants and Restrictions that would prohibit the subdivision of Mr. Brown’s property. The Board agreed to schedule a public hearing at the June Meeting to explore the potential of a covenant variation.

**Planned Parenthood Hudson Peconic, Inc.** has requested the use of the Lighthouse grounds for parking at their annual wine-tasting benefit which is to be held at Trustee Rosenberg’s residence. A motion was made by Trustee Schaefer and seconded by Trustee Pius to approve the request of PPHP to use the lighthouse grounds for parking on Saturday, July 12, 2008 subject to proper insurances. The motion was approved 4-0-1 with Trustees Gulbransen, Pius, and Schaefer and Mayor Levine voting in favor of the motion. Trustee Rosenberg abstained from the vote.

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The Mayor reported that the Village had received a letter from the **Suffolk County Parks Department** requesting authorization to access the beach to check on nesting sites of piping plover. A motion was made by Trustee Schaefer and seconded by Trustee Pius authorizing the SCDP access to the beach path right of way but limiting that access to the use of all-terrain vehicles and denying access by 4-wheel drive trucks. The motion was approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Rosenberg and Mayor Levine voting in favor of the motion.

The Mayor reported that the Village received a letter from **Yingxing Wang and Gudjon Hermannsson** requesting the Village to install and pay for the installation and cost of a fire hydrant at 38 Wheeler Road. The request was so noted by the Board.

The Mayor reported that the Board had received a letter from **Lee Lambert** asking that the Village Engineer review the as-built survey of the property adjacent to his home. The Village Engineer has the survey and will issue a report.

Trustee Gulbransen reported that the Village had received a letter from the **Three Village Community Trust** describing their two-year strategic conservation planning efforts. Trustee Gulbransen noted that the Watershed Protection Plan, which concerns Conscience Bay, was important to Old Field and that the Village would support and participate in this effort.

Trustee Gulbransen also noted that he had received a letter from the **Three Village Community Trust** announcing a Harbor Day Festival scheduled for September 27, 2008 in Stony Brook Village. Christine D'Alessandro volunteered to be the contact person and asked that information from the letter be made available for inclusion in the upcoming Village newsletter.

Trustee Rosenberg reported that the Board had, that day, received a letter from **Jordana and John Casicano**. The Mayor noted that the Board needed more time to investigate the matter and that it would be made part of the agenda for the June Board meeting.

## **ENVIRONMENTAL REPORT'S**

A motion was made by Trustee Pius and seconded by Trustee Schaefer to approve the Zoning Permit application of **Hermannsson, 38 Wheeler Road**, to bring in 120 cubic yards of topsoil, subject to 2x the fee as penalty for starting the project without a permit, and despite the fact that other matters are pending against the property owners. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Mayor Levine and seconded by Trustee Pius to approve the Zoning Permit application of **Gard, 13 Crane Neck Road**, to clear a 75' x 125' area for

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a back yard. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Pius and seconded by Trustee Gulbransen to approve the Zoning Permit application of **Schaefer, 104 Old Field Road**, to remove one tree. The motion was approved 4-0 with Trustees Gulbransen, Pius, and Rosenberg and Mayor Levine voting in favor of the motion. Trustee Schaefer abstained from the vote.

A motion was made by Trustee Schaefer and seconded by Trustee Pius to approve the Zoning Permit application of **Sefarian, 188 Old Field Road**, to remove nine trees, including one on Village property. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Pius and seconded by Trustee Schaefer to approve the Zoning Permit application of **Shybunko, 7 Flax Pond Woods Road**, to remove nine trees as well as vines and shrubs encasing a telephone pole. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to deny the Building Permit application of **Copeland, Shore Drive**, to construct a two-story residence and three car garage where the applicant needs a side-yard variance, among other possible variances. The motion was denied 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting against the motion. The Applicant was instructed to file with the Zoning Board of Appeals.

A motion was made by Trustee Pius and seconded by Trustee Schaefer to approve, subject to approval by the Building Inspector, the Building Permit application of **Dowd, 9 Holly Lane** to construct a 39' x 20' in ground swimming pool, including the removal of one tree. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Pius and seconded by Trustee Schaefer to approve, subject to approval by the Building Inspector and the Village Engineer, the Building Permit application of **Rigas, 18 Blueberry Ridge Road** to construct a 708 sq. ft. first floor addition, 3,043 sq. ft. second floor addition, and a 462 sq.ft. garage addition. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion subject to the following condition:

- Site Plan must be approved by the Village Engineer that and must specifically address the issue of runoff from the roof and driveway.

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A motion was made by Trustee Schaefer and seconded by Trustee Rosenberg to approve, subject to approval by the Building Inspector and the Village Engineer, the Building Permit application of **Dakwar, 6 Old Field Place** to construct a two-story single family dwelling on a lot containing less than two acres where the applicant has already obtained approval from the Zoning Board of Appeals. The motion was approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion subject to the applicant complying with the terms and conditions set forth in the ZBA's decision.

## COMMISSIONER'S REPORTS

### PARKS AND BUILDINGS

Trustee Schaefer reported that the renovation of the Keepers House is half way complete and should be finished by the end of the month. He also reported that the Website, [www.oldfieldny.org](http://www.oldfieldny.org), has been updated with new information since the last election and invited residents to visit the website. In addition Trustee Schaefer noted that the Village would be participating in this year' Lighthouse Challenge on Saturday and Sunday, May 17th-18<sup>th</sup>. Trustee Schaefer also reported that test boring for the new septic system at the Lighthouse is complete and that the Village can now go forward to move the septic system back from the bluff. Finally, Trustee Schaefer reported that the Code Enforcement vehicle was beyond repair and that it would be replaced with a new vehicle.

### STREET AND ROADSIDES

Trustee Rosenberg reported that he had met with the District Supervisor of the Highway Department and that repairs to the Village roads would be made within the next few weeks. He also reported that the Village has accumulated a \$107,000 in a Consolidated Highway Improvement ("CHIPS") account, designated for "special projects".

### FIRE AND SPECIAL PROJECTS

Trustee Pius explained that in response to the Setauket Fire District's request of \$24,000/year for non-emergency dispatch services, the Village has cancelled dispatch service with the Fire District effective June 1, 2008. Residents should dial 941-9410 for non-emergencies. In addition, Trustee Pius reported that the Code Enforcement office will be moving into Village Hall.

### COMMUNITY EMERGENCY RESPONSE TEAM

Trustee Gulbransen reported that members of CERT are working on a strategy for certification.

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## **ANNUAL APPOINTMENTS AND RESOLUTIONS**

A motion was made by Trustee Pius and seconded by Trustee Gulbransen to appoint **Bill Schaefer Chairman of the Lighthouse Committee**. The motion was approved 4-0 with Trustees Gulbransen, Pius, Rosenberg and Mayor Levine voting in favor of the motion. Trustee Schaefer abstained from the vote.

A motion was made by Trustee Schaefer and seconded by Trustee Pius to remove **Bill Collins** as Chairman of the Lighthouse Committee and to appoint him as a **member of the Lighthouse Committee**. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to appoint **Christine D'Alessandro as a member of the Lighthouse Committee**. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Gulbransen and seconded by Trustee Schaefer to appoint **John Robinson as a member of the Environmental Committee**. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to appoint **Marianne Feller as a member of the Newsletter Committee**. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

## **LANDSCAPING**

RESOLUTION ACCEPTING THE BID OF LANDSCAPING BY JOHN McNULTY, INC AND APPOINTING LANDSCAPING BY JOHN McNULTY TO PROVIDE LANDSCAPING SERVICES FOR THE VILLAGE OF OLD FIELD COMMENCING ON JUNE 1, 2008

WHEREAS, the Village of Old Field published, in the January 31, 2008 edition of the Village Times Herald Newspaper, a public notice to bidders for:

Landscaping and maintenance work in the public parks and on the public streets of the Village of Old Field, New York. Snow removal Old Field Point, village of Old Field, New York; and

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WHEREAS, a total of four bids were submitted in compliance with the procedures set forth in the bid specifications; and

WHEREAS, the four sealed bids were opened, under the supervision of Trustee William P. Schaefer and witnessed by chief code Enforcement Officer William McGuire on February 6, 2008 at 11:00 AM; and

WHEREAS, the amount of each bid is set forth in the Summary of Bids attached hereto as Attachment A; and

WHEREAS, the lowest overall bid was submitted by Landscaping By John McNulty, Inc.; and

WHEREAS, the bid submitted by Landscaping By John McNulty, Inc. was in compliance with the procedures set forth in the bid specifications; and

WHEREAS, Landscaping By John McNulty, Inc. 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 Officials' Handbook for Village Officials;

THEREFORE, IT IS RESOLVED that the bid of Landscaping By John McNulty, Inc. is accepted as the lowest responsible bid, and

IT IS FURTHER RESOLVED that the Board of Trustees appoints, effective June 1, 2008, Landscaping By John McNulty, Inc., to provide landscaping and maintenance work and snow removal set forth above.

On motion made by Trustee Schaefer and seconded by Trustee Pius, the foregoing resolution was accepted on vote as follows:

|                               |     |
|-------------------------------|-----|
| Michael Levine, Mayor         | yes |
| Thomas C. Gulbransen, Trustee | yes |
| Donald A. Pius, Trustee       | yes |
| William P. Schaefer           | yes |
| Ted Rosenberg, Trustee        | yes |

Dated: Old Field, New York  
May 13, 2008

## **NEWSLETTER**

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to authorize the uses of \$1,750 to fund the Village Newsletter. The motion was

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unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to approve the format of the newsletter that would give editorial control to the newsletter committee but which would make an unedited segment available for the Board. The motion was unanimously approved 5-0 with Trustees Gulbransen, Pius, Rosenberg and Schaefer and Mayor Levine voting in favor of the motion.

**WAYS AND MEANS COMMITTEE**

Debra Powell-Rosenberg reported that she and Liz Bernstein, co-chairs of the newly revived Ways and Means Committee hosted a successful first meeting and announced that plans are already underway for a Memorial Day Party at the Lighthouse.

**ADDITIONAL PUBLIC EXPRESSION**

Christine D'Alessandro addressed the Board.

**UPCOMING VILLAGE EVENTS**

A Memorial Day party will be held at the Lighthouse on Monday, May 26<sup>th</sup> at 1:00 p.m.

The next regular meeting of the Village of Old Field Board of Trustees will take place on Tuesday, June 10, 2008 at 7:00 p.m. at the Neighborhood House.

A motion was made by Trustee Schaefer and seconded by Trustee Rosenberg to adjourn the regular meeting at 8:55 p.m. and to enter into Executive Session. The motion was approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Rosenberg and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen to adjourn the Executive Session at 10:30p.m. and go back into regular session. The motion was approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Rosenberg and Mayor Levine voting in favor of the motion.

**ADDITIONAL ANNUAL APPOINTMENTS**

On a motion made by Trustee Schaefer and seconded by Trustee Rosenberg, the following one year appointments were approved 5-0 with Trustee Schaefer, Trustee

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Rosenberg, Trustee Pius, Trustee Gulbransen and Mayor Levine voting in favor of the motion:

William McGuire as a full time Village Administrator for a one year appointment at \$27.50/hr effective April 8, 2008.

Anne Cadden as Village Treasurer for a one year appointment at a 3% salary increase, bringing her up to \$20.94/hr effective April 8, 2008.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen requesting Village Attorney Guardino to draft Proposed Local Law No. 3 of 2008 Amending Chapter 121 of the Code of the Village of Old Field As It Relates to Site Plan Review. The motion was approved 5-0 with Trustees Gulbransen, Schaefer, Pius and Rosenberg, and Mayor Levine, voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Gulbransen requesting Village Attorney Guardino to draft Proposed Local Law No. 4 of 2008 giving the Village of Old Field's Code Enforcement Officers and others the authority to issue appearance tickets. The motion was approved 5-0 with Trustee Gulbransen, Trustee Schaefer, Trustee Pius, Trustee Rosenberg and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Schaefer and seconded by Trustee Pius to adjourn the regular meeting at 10:45 p.m. The motion was approved 5-0 with Trustees Gulbransen, Pius, Schaefer and Rosenberg and Mayor Levine voting in favor of the motion.

Respectfully submitted,  
Dale Salzberg  
Village Clerk