

VILLAGE OF OLD FIELD  
BOARD OF TRUSTEES MEETING  
TUESDAY, JUNE 9, 2009  
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**

Eric Alschuer	Will Bowman	Paul Broder
Chris Damianos	Judith D'Amico	Bruce Feller
Marianne Feller	Harriet Gerber	Guy Germano
Eric Huelor	Lee Lambert	Jerry Nemetz
Don Pius	Jim Smiros	Tom Taranto
Maryann VonLintig	Wesley Werner	

Deputy Mayor Gulbransen called the meeting to order at 7: 40 p.m.

**Public Hearing on Hazardous Property Violations**

Mayor Levine opened the Public Hearing on the notice of violation/notice to remedy hazardous property violations at Dodge Lane, Sec. 20, Block 1, Lot 4 in the Village of Old Field. A motion was made by Mayor Levine and seconded by Trustee Gulbransen to continue the hearing at a later point in time upon receipt of a plan to remedy the hazardous property and also upon payment by the applicant of any fees he might owe the Village. The motion was unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Mayor Levine closed the Public Hearing on Dodge Lane at 8:04 p.m. and opened the Public Hearing on Proposed Local Laws.

**1. PROPOSED LOCAL LAW NO. 8 OF 2009:  
AMENDING CHAPTER 99 OF THE CODE OF THE  
VILLAGE OF OLD FIELD AS IT RELATES TO  
SWIMMING POOL ENCLOSURES**

Be it hereby enacted by the Board of Trustees of the Incorporated Village of Old Field as follows:

**Section 1. Amendments.**

Chapter 99 of the Code of the Village of Old Field shall be amended to read as follows:

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**§ 99-5. ~~Fence and gate required.~~ Pool enclosure required.**

- A. All swimming pools shall be surrounded by a suitable enclosure or barrier that complies with the New York State Uniform Fire Prevention and Building Code.
- ~~A. — A fence, at least four feet in height, so constructed as to bar access except through a gate, completely enclosing a swimming pool or the back yard in which such pool may be located shall be erected. [Amended 2-14-1995 by L.L. No. 1-1995]~~
- ~~B. — There shall be but one opening through said fence, with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times, which gate or door shall be kept locked at all times when the owner or occupant of the premises or a person specifically designated by him or them as a monitor is not present at such swimming pool.~~
- ~~C. — When erected around the pool, said fence shall be erected at least five feet from every edge thereof.~~

**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.

A motion was made by Trustee Shybunko and seconded by Trustee Rosenberg to adopt a Negative Declaration with respect to the adoption of Proposed Local Law #8 of 2009, which is classified as an "unlisted action" under SEQRA, upon a finding that the adoption of said local law will not have a significant adverse effect on the environment. The motion was unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Upon a motion by Trustee Shybunko and seconded by Trustee Rosenberg, Proposed Local Law No. 8 of 2009 was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

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**PROPOSED LOCAL LAW NO. 9 OF 2009: A LOCAL LAW  
REPEALING CHAPTER 44 OF THE VILLAGE CODE OF  
OLD FIELD AND REPLACING IT BY ADOPTING A NEW  
CHAPTER 44, ENTITLED FLOOD DAMAGE PREVENTION  
LAW OF THE VILLAGE OF OLD FIELD AS AUTHORIZED  
BY ARTICLE IX, SECTION 2 OF THE NEW YORK STATE  
CONSTITUTION AND ARTICLE 36 OF THE ENVIRONMENTAL  
CONSERVATION LAW.**

**The full text of Proposed Local Law #9-2009 is attached as Exhibit A.**

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to adopt a Negative Declaration pursuant to SEQRA, determining that Local Law #2 of 2009 will not have a significant adverse effect on the environment. 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 of Trustee Gulbransen and seconded by Mayor Levine, Local Law No. 2 of 2009 was unanimously approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

The Mayor closed the Public Hearing on Proposed Local Laws 8-2009 and 9-2009 and opened the regular Board of Trustees meeting at 8:10 P.M.

**PUBLIC EXPRESSION**

Judith D'Amico addressed the Board.  
Harriet Gerber addressed the Board.  
Maryann VonLintig addressed the Board

A motion was made by Trustee Rosenberg and seconded by Mayor Levine to notify residents by usual and customary methods of Village notice publication before the Board can take further action with regard to a proposed cell tower or cell pole. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

**MINUTES**

A motion was made by Trustee Shybunko and seconded by Trustee Owen to approve the Minutes of the May 12, 2009 meeting. The motion was approved 4-0-1 with Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion. Trustee Gulbransen abstained from the vote.

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**TREASURER'S REPORT**

A motion was made by Mayor Levine and seconded by Trustee Rosenberg to approve the Treasurer's Report and payment of warrants for May 2009. 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**

Mayor Levine noted that he Village had received a letter from Suffolk County Department of Parks noting that Piping Plover stewards would be checking nesting sites on a periodic basis throughout the summer months.

**ENVIRONMENTAL REPORTS**

**ZONING PERMITS**

A motion was made by Trustee Gulbransen and seconded by Trustee Rosenberg to approve the Zoning Permit application of **Amblard, 100 Mt. Grey Road**, to remove 1 tree. The motion was approve 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 Trustee Rosenberg to approve the Zoning Permit application of **Bahl, 3 Pheasant Run** to remove 5 trees. The motion was approve 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 Trustee Rosenberg to approve the Zoning Permit application of **Bilodeau, 24 Wheeler Road** to remove 1 tree deemed hazardous. The motion was approve 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 Trustee Rosenberg to approve the Zoning Permit application of **Sobel, 162 Old Field Road** to remove 1 tree. The motion was approve 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

**BUILDING PERMITS**

A motion was made by Trustee Gulbransen and seconded by Trustee Owen to approve the Building Permit application of **Amblard, 100 Mt. Grey Road, to construct:**

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1. 155 sq. ft. first floor addition;
2. 263 sq. ft. front porch;
3. interior renovation;
4. change in roof line

subject to the approval of the building inspector. 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 building permit application of **Naulakha Farms, 76 Mt. Grey Road**, to construct:

1. new 2 ½ story single family residence;
2. new gravel driveway;
3. remove existing garage;
4. remove existing stable and sheds;

subject to the following conditions:

- Compliance with the Zoning Board of Appeals Resolution and Covenants;
- Compliance with Site Plan Review;
- Approval of the Village Engineer;
- Approval of the Village Building Inspector; and
- Applicant needs to submit and implement a compliant SWPPP.

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

## **COMMISSIONER'S REPORTS**

FIRE AND SPECIAL PROJECTS – No Report

PARKS AND BUILDINGS AND STREET TREES

Trustee Owen reported that the safety pruning of dangerous tree limbs along Old Field Road and Mt. Grey Road was now complete.

SAFETY – No Report

STREETS AND ROADSIDES

Trustee Rosenberg reported that the project to repave the Village intersections at Old Field Road and Mt. Grey, and Old Field Road and Quaker Path has been postponed until the revetment project at Old Field Point is completed.

## **UPCOMING VILLAGE EVENTS:**

The next regularly scheduled work session of the Board will take place on Thursday, July 9, 2009 at 5:00 p.m. at the Lighthouse.

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The next meeting of the Village of Old Field Board of Trustees will take place on Tuesday, July 14, 2009 at 7:00 p.m. at the Neighborhood House.

**EXECUTIVE SESSION and AJOURNMENT**

A motion was made by Trustee Gulbransen and seconded by Trustee Owen to adjourn the regular meeting at 9:15 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 Owen to adjourn the Executive Session at 9:30 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 Owen to adjourn the regular meeting at 9:35 p.m. The motion was approved 5-0 with Trustees Gulbransen, Owen, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Respectfully submitted,  
Dale Salzberg  
Village Clerk

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