

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

Present

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

Absent

Trustee Ted Rosenberg

Residents Present

Dayton Brown	Jodi Casciano	Judith D'Amico
Paul Deedy	Barbara Dragone	Bruce Feller
Marianne Feller	Molly Hopkins	Tim Hopkins
Debra Masino	Richard Masino	Susan Nalewajk
Armita Parkideh	Daryoush Parkideh	Don Pius
Robert Single (for Dayton Brown)		Richard Sobel
Charles Southard (for Dayton Brown)		Tom Taranto

Mayor Levine called the meeting to order at 7: 10 p.m.

BOARD VOTE ON PROPOSED LOCAL LAWS

**PROPOSED LOCAL LAW NO. 3 OF 2010
AMENDING CHAPTER 121 OF THE CODE OF THE
VILLAGE OF OLD FIELD AS IT RELATES TO
WIND ENERGY CONVERSION SYSTEMS
("WECS") AND OTHER STRUCTURES IN THE
VILLAGE OF OLD FIELD**

Public Hearing on proposed local law 3-2010 was held on May 11, 2010. At that time the Board adopted a Negative Declaration pursuant to SEQRA, determining that Local Law No.3-2010 will not have a significant adverse effect on the environment, and agreed to proceed to vote at a later date pending the decision of the Suffolk County Planning Commission.

Upon a motion made by of Trustee Gulbransen and seconded by Mayor Levine, Proposed Local Law No. 3-2010 was approved 4-0 with Trustees Gulbransen, Owen, and Shybunko and Mayor Levine voting in favor of the motion.

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**PROPOSED LOCAL LAW NO. 4 OF 2010
AMENDING CHAPTER 121, ARTICLE X, OF THE
CODE OF THE INCORPORATED VILLAGE OF
OLD FIELD AS IT RELATES TO ENFORCEMENT
OF UNLAWFUL ACTIONS**

Public Hearing on Proposed Local Law 4-2010 was held on June 8, 2010. At that time the Board adopted a Negative Declaration pursuant to SEQRA, determining that Local Law No.3-2010 will not have a significant adverse effect on the environment, and agreed to proceed to vote at a later date pending the decision of the Suffolk County Planning Commission.

Upon a motion made by of Trustee Gulbransen and seconded by Mayor Levine, Proposed Local Law No. 4-2010 was approved 4-0 with Trustees Gulbransen, Owen, and Shybunko and Mayor Levine voting in favor of the motion.

Upon motion made by Trustee Gulbransen and seconded by Mayor Levine, at 7:15 p.m. the Mayor opened the Public Hearing on Proposed Local Law No. 5 -2010.

PUBLIC HEARING ON LOCAL LAW # 5 OF 2010

**PROPOSED LOCAL LAW NO. 5 OF 2010
AMENDING CHAPTER 5 OF THE CODE OF THE
VILLAGE OF OLD FIELD AS IT RELATES TO
ANIMAL WASTE IN THE VILLAGE OF OLD FIELD**

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

Section 1. Legislative findings.

The Board of Trustees finds that the adoption of a law to control animal waste is necessary to supplement the Phase II stormwater regulations adopted by New York State Department of Environmental Conservation and to protect and safeguard the general health, safety, and welfare of the residents of the Village of Old Field.

Section 2. Amendments.

Section 5-3 of the Code of the Village of Old Field is hereby amended to read as follows:

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5-3. Nuisances prohibited.

- A. No person owning, possessing, harboring or having custody or control of any animal shall permit or allow such animal to disturb the comfort, peace or repose of a reasonable person of normal sensitivities in the vicinity by continued or frequent noise or odor.
- B. No person owning, possessing, harboring or having custody or control of any animal shall permit such animal to defecate on any public street, road, or highway, including the right-of-ways thereof, or other public place, or on any private street that produces stormwater runoff that drains into a municipal separate storm sewer system, unless such feces are immediately removed in a sanitary manner.
- C. No person owning, possessing, harboring or having custody or control of any animal shall permit such animal to defecate or urinate on private property without the consent of the owner or person in possession of such property. It shall be presumed that an animal defecating or urinating on private property does so without the consent of the owner or person in possession of such private property.

Section 3. 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 4. Effective date.

This local law shall take effect immediately upon filing with the New York Secretary of State.

Upon motion made by Trustee Gulbransen and seconded by Mayor Levine, Mayor Levine closed the Public Hearing on Proposed Local Law No. 5-2010 and opened the regular Board of Trustees meeting at 7:19 p.m.

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to adopt a Negative Declaration pursuant to SEQRA, determining that Local Law No.5-2010 will not have a significant adverse effect on the environment. The motion was approved 4-0 with Trustees Gulbransen and Owen and Shybunko, and Mayor Levine voting in favor of the motion.

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Upon a motion made by of Trustee Gulbransen and seconded by Mayor Levine, Proposed Local Law No. 5-2010 was approved 4-0 with Trustees Gulbransen, Owen, and Shybunko and Mayor Levine voting in favor of the motion.

PUBLIC EXPRESSION

Several residents of Old Field Place addressed the Board regarding the increase in non-resident use of Whitehall Beach as well as steps that should to be taken to regulate safe access. Following a lengthy discussion, the Board agreed to meet in a special session on August 3rd for the purpose of holding a Public Hearing on:

PROPOSED LOCAL LAW NO. 6 OF 2010 AMENDING
CHAPTER 70, ARTICLE II, OF THE CODE OF THE
VILLAGE OF OLD FIELD AS IT REALTES TO THE
PARKING OF MOTOR VEHICLES IN VILLAGE
PARKS AND ON OTHER VILLAGE-OWNED
PROPERTIES DURING NON-BUSINESS HOURS

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 June 2010. The motion was approved 4-0 with Trustees Gulbransen, Owen and Shybunko and Mayor Levine voting in favor of the motion.

CHIEF CODE ENFORCEMENT OFFICER'S REPORT

As given by Mayor Levine.

ENVIRONMENTAL REPORTS

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to approve the Zoning Permit application of **Brown, 6 North Ridge Road**, to remove 6 trees for the purpose of installing an additional septic system. The motion was approve 4-0 with Trustees Gulbransen, Owen, 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 **Owen, 117 Old Field Road** to remove 2 trees. The motion was approve 4-0 with Trustees Gulbransen, Owen, 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 application for a Building Permit for **Parkideh, 10 North Ridge Road**, for construction of a first floor rear addition and second floor interior renovations. The

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motion was approved 4-0 with Trustees Gulbransen, Owen, 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 retroactive approval for a Building Permit for **Brown, 6 North Ridge Road**, for prior as-built renovations above the garage in accordance with plans dated February 27, 2010 subject to (1) fees and penalties owed to the Village and (2) approval by the Building Inspector. The motion was approved 4-0 with Trustees Gulbransen, Owen, and Shybunko and Mayor Levine voting in favor of the motion.

COMMISSIONER'S REPORTS

ENVIRONMENTAL REPORT

Trustee Gulbransen reported that the Long Island Sound Futures Fund has prepared an analysis of the ways in which Flax Pond has been damaged by recent storms. The Board agreed to write a letter of appreciation acknowledging the work of the LISFF.

The Mayor reported that he had signed-off on a SEMO work order for reimbursement of monies spent to repair damage to Village property caused by the March Nor'easter

PARKS AND BUILDINGS AND STREET TREES

Trustee Owen reported that he had an estimate from Usher Tree Service to remove and prune trees on Village Roads. The Board asked Trustee Owen to seek competing bids.

FIRE AND SPECIAL PROJECTS

A motion was made by Trustee Gulbransen and seconded by Trustee Shybunko to authorize Mayor Levine to enter into a contract with A & J Antorino Co., Inc. for the installation of a new septic system on the Lighthouse grounds at Old Field Point. The motion was approved 4-0 with Trustees Gulbransen, Owen, and Shybunko and Mayor Levine voting in favor of the motion.

Trustee Shybunko also reported that the Board is in the process of gathering data in order to conduct a comprehensive analysis of options for fire district coverage.

PUBLIC EXPRESSION

Bruce Feller addressed the Board.
Richard Masino addressed the Board.

UPCOMING VILLAGE EVENTS:

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The next regularly scheduled work session of the Board will take place on Thursday, September 9, 2010 at 6:00 p.m. at the Lighthouse.

The next regularly scheduled meeting of the Village of Old Field Board of Trustees will take place on Tuesday, September 14, 2010 at 7:00 p.m. at the Neighborhood House.

EXECUTIVE SESSION and ADJOURNMENT

A motion was made by Trustee Gulbransen and seconded by Mayor Levine to adjourn the regular meeting at 8:55 p.m. and to enter into Executive Session. The motion was approved 4-0 with Trustees Gulbransen, Owen and Shybunko, and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Gulbransen and seconded by Trustee Owen to adjourn the Executive Session at 9:20 p.m. The motion was approved 4-0 with Trustees Gulbransen, Owen and Shybunko, and Mayor Levine voting in favor of the motion.

A motion was made by Trustee Gulbransen and seconded by Trustee Owen to adjourn the regular meeting at 9:21 p.m. The motion was approved 4-0 with Trustees Gulbransen, Owen and Shybunko, and Mayor Levine voting in favor of the motion

Respectfully submitted,
Dale Salzberg
Village Clerk