

VILLAGE OF OLD FIELD  
PUBLIC HEARING ON LOCAL LAW #3-2008 AND  
BOARD OF TRUSTEES REGULAR MEETING  
TUESDAY, OCTOBER 14, 2008 – 7:00 P.M.  
NEIGHBORHOOD HOUSE, 95 MAIN STREET, SETAUKET

**Present**

Mayor Michael Levine  
Trustee Donald Pius  
Trustee Ted Rosenberg  
Trustee Stephen Shybunko  
Village Attorney Anthony Guardino  
Village Clerk Dale Salzberg  
Deputy Clerk Andrea Brosnan

**Present**

Hilton Adler  
Malcolm Bowman  
Will Bowman  
Chris Clotworthy  
Christine D'Alessandro  
Bruce Feller  
Marianne Feller  
Lee Lambert  
Jeff Owen  
Kelly Risutto  
Marc Salzberg  
Haig Seferian  
Margaret Sobel

Mayor Levine called the meeting to order at 7:08 p.m.

**TRUSTEE RESIGNATION**

Mayor Levine announced that Trustee William Schaefer had resigned from the Board effective October 4, 2008. Mayor Levine read the following proposed resolution:

RESOLVED, that the Board of Trustees and the residents of Old Field record their appreciation and gratitude to Trustee Schaefer for his leadership, counsel and guidance to the Board of Trustees during his 2 years in service; and

FURTHER RESOLVED, that the Board of Trustees and the Village residents are grateful to Trustee Schaefer for the time he volunteered and interest shown in working toward the betterment of the Village of Old Field; and

FURTHER RESOLVED, that the above resolution be recorded in the official minutes of the Village in recognition and with thanks from the village residents he served so well.

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On motion made by Trustee Pius and seconded by Mayor Rosenberg, the foregoing resolution was passed on vote as follows:

|               |     |
|---------------|-----|
| Mayor Levine  | aye |
| Donald Pius   | aye |
| Ted Rosenberg | aye |

Dated: Old Field, New York  
October 14, 2008

Mayor Levine next reported that Stephen Shybunko had been appointed to fill the vacancy left by Trustee Schaefer's resignation and recited the Oath of Office in a swearing in ceremony for Trustee Shybunko.

**PUBLIC HEARING ON PROPOSED LOCAL LAW #3-2008**

A Public Hearing was conducted on proposed local Law #3-2008.

Bruce Feller addressed the Board.

A motion was made by Mayor Levine and seconded by Trustee Pius to adopt:

**PROPOSED LOCAL LAW NO. 3 OF 2008  
EXTENDING A MORATORIUM ON THE  
CONSTRUCTION OR ALTERATION OF  
STRUCTURES LOCATED WITHIN THE  
WATERFRONT AREAS OF THE INCORPORATED  
VILLAGE OF OLD FIELD**

**Section 1. Legislative findings and intent.**

As set forth in Local Law No. 5 of 2007, the Board of Trustees of the Incorporated Village of Old Field (the "Board of Trustees") adopted a one (1) year moratorium preventing the construction or alteration of structures located in the waterfront areas of the Village. The purpose of the moratorium was, among other things, to enable the Board of Trustees to conduct a thorough and comprehensive review of the recent land use trends, factors, developments, and their impact on present and future land uses, associated with the construction and alteration of structures within the waterfront areas adjoining Flax Pond, Conscience Bay, Smithtown Bay and the Long Island Sound in the Village of Old Field. Following such a comprehensive review, the Board of Trustees will

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endeavor to draft appropriate regulations and amendments to the Village Code, in order to protect and promote the public health, safety and welfare of the Village and its residents. In furtherance of the objectives of Local Law No. 5 of 2007, the Village is in the process of completing a planning study of the waterfront areas of the Village and expects to make its recommendations to the Board of Trustees within the next few months.

Since it does not appear that the planning study will be completed prior to the expiration of the original moratorium imposed by Local Law 5-2007, it is the intent of the Board of Trustees in adopting this local law to extend the moratorium for up to an additional six (6) months commencing upon the expiration of Local Law 5-2007, to allow the Board of Trustees sufficient time to review and consider, and if necessary, act upon the study's recommendations.

**Section 2. Extension of Moratorium.**

The moratorium contained in Local Law No. 5 of 2007 is hereby extended to for a period of six (6) months from its expiration date, unless terminated sooner by legislative action by the Board of Trustees.

**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 such judgment shall have been rendered.

**Section 4. Effective date.**

This local law shall become effective immediately upon being filed with the Secretary of State.

The foregoing resolution was passed on vote as follows:

|                  |         |
|------------------|---------|
| Mayor Levine     | aye     |
| Donald Pius      | aye     |
| Ted Rosenberg    | abstain |
| Stephen Shybunko | aye     |

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**ELECTION RESOLUTION**

A motion was made by Trustee Rosenberg and seconded by Trustee Pius to approve the following election resolution for the upcoming election on March 18, 2009:

RESOLVED, that the Board of Trustees of the Incorporated Village of Old Field hereby declares and determines that personal registration for Village residents in the next general Village Election on March 18, 2009 shall not be required if their names appear on the 2009 Suffolk County registration poll records or as otherwise authorized by Section 15-118 of the Election Law, and

FURTHER RESOLVED, that there shall be no Village registration day for Village elections pursuant to Subdivision 3 of Section 15 -118 of the Election Law, and

FURTHER RESOLVED, that the Inspectors of Election shall meet on March 10, 2009 at 7:30 p.m. to adopt, use or copy from the registration list, certified and supplied by the Suffolk County Board of Elections, the names appearing thereon of all persons, residing in the Village and qualified to vote at such forthcoming general Village election.

FURTHER RESOLVED, that the next general election for the Incorporated Village of Old Field, Suffolk County, New York, shall be held at the Old Field Village Hall, 207 Old Field Road in said Village on March 18, 2009; that the hours and opening and closing the polls thereof shall be 12:00 noon and 9:00 p.m., respectively and that during such period of nine consecutive hours the polls shall be kept open for the purpose of choosing and electing the following officers:

Trustee for a term of two years

Trustee for a term of two years

It was noted that at least two Inspectors of Election must be appointed before the forthcoming election. Accordingly, on motion duly made and seconded, the Board unanimously

RESOLVED, that the following be, and they are hereby, designated and appointed to act as Inspectors of Election for a fee of \$150.00 per person:

Carol Schraut, Chairperson

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Cynthia Preibe  
Marianne Feller  
Nancy Portnoy  
Dorothy Gulbransen

FURTHER RESOLVED, that the Clerk of the Village shall be, and hereby is, directed to prepare the proper notice of said annual election pursuant to Section 15-104 of the Election Law and to cause said notice to be published in the Village Times issue of March 5, 2009, containing the date of the election and the polling place; the hours during which the polls shall be open; the names and addresses of all those who have been duly nominated whose certificate of petition of nomination has been duly filed with said Village Clerk and the term of such office for which they have been so nominated; and an abstract of any proposition to be voted upon, if any, and to cause a printed copy thereof to be posted conspicuously in at least six (6) public places in the Village at least one (1) day before said election and at each polling place, and

FURTHER RESOLVED, that a voting machine shall be used at this election; the Village Clerk is authorized to order the same from the Board of Elections in Riverhead, and that the Village Treasurer is authorized to pay the required rental and costs of transportation for the voting machine.

The motion was approved 4-0 with Trustees Rosenberg, Pius and Shybunko, and Mayor Levine voting in favor of the motion.

**PUBLIC EXPRESSION**

Christine D'Alessandro addressed the Board.

**MINUTES**

A motion was made by Trustee Pius and seconded by Trustee Rosenberg to approve the Minute of the Board of Trustees meeting of September 8, 2008. The motion was approved 3-0-1 with Trustees Pius, Rosenberg, and Mayor Levine voting in favor of the motion. Trustee Shybunko abstained.

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**TREASURER’S REPORT**

A motion was made by Trustee Pius and seconded by Trustee Rosenberg to approve the Treasurer’s Report and payment of warrants for September 2008. The motion was approved 4-0 with Trustees Pius, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

**CODE ENFORCEMENT OFFICER’S REPORT**

As given by Mayor Levine.

**CORRESPONDENCE**

Mayor Levine noted that the Village had received a letter from Dr. Adler asking that the sign on East Gate Lane be replaced. Dr. Adler also proposed that the Village systematically replace all street signs to create uniform, cohesive signage within the Village and better define the Village entrances at Quaker Path, Mt. Grey and Old Field Road. Following a lengthy discussion, Mayor Levine invited Dr. Adler to form a Committee to liaison with the individual street associations and to consider design options and plans for street signs.

The Mayor also reported that he had received a letter from the Suffolk Bicycle Riders’ Association thanking the residents of Old Field for allowing them to use the Lighthouse grounds as a rest stop during their Guide Dog Foundation fundraiser.

**ENVIRONMENTAL REPORTS**

A motion was made by Trustee Rosenberg and seconded by Trustee Pius to approve the Zoning Permit application of **Seferian, 21 Crane Neck Road**, to remove one dead tree. The motion was approved 4-0 with Trustees Pius, Rosenberg and Shybunko, and Mayor Levine voting in favor of the motion.

**COMMISSIONER’S REPORTS**

**PARKS AND BUILDINGS**

Trustee Shybunko reported that he had a lengthy meeting with former Trustee Schaefer and should be ready with a full report at the next Board meeting.

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**SAFETY**

Mayor Levine reported that the Board will review activity statistics of the constabulary for areas of potential cost savings.

**STREET AND ROADSIDES**

Trustee Rosenberg reported that bid specifications were finalized for the proposed work at the intersection of Old Field Road and Mt. Grey Road, and the intersection of Old Field Road and Quaker Path. After completion of the work, the Village can apply for reimbursement from the Consolidated Local Street and Highway Program (CHIPS).

**FIRE AND SPECIAL PROJECTS**

No Report

**COMMUNITY EMERGENCY RESPONSE TEAM (CERT)**

No Report

**NEW BUSINESS**

**SHORELINE REDEVELOPEMENT PROJECT**

Will Bowman and Kelly Risutto of Land Use Ecological Services gave a presentation on the findings, guidelines and recommendations of the Shoreline Redevelopment Project. (Copy of Mr. Bowman's Power Point Presentation is attached as Exhibit A.) Ms. Risutto explained that the NYSDEC regulations are broadly based to address concerns throughout the State but that it is often necessary for municipalities to enact local regulations that address unique circumstances.

At the close of the presentation, Mayor Levine asked Mr. Bowman and Ms. Risutto to make recommendations on how best the Board and the residents of Old Field can protect and preserve the unique habitation of the local topography and waters.

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### **UPCOMING VILLAGE EVENTS**

#### **Halloween**

Professor Dumbledore will lead Trick or Treaters through Crane Neck on Friday, October 31<sup>st</sup> at 5:00 p.m. Meet at the entrance to Crane Neck on Mount Grey Road.

The next work session of the Village of Old Field Board of Trustees is scheduled for November 6, 2008 at 5:00 p.m. at the Lighthouse.

The next regular meeting of the Village of Old Field Board of Trustees will take place on Tuesday, November 11, 2008 at 7:00 p.m. at the Neighborhood House.

A motion was made by Trustee Pius and seconded by Trustee Rosenberg to adjourn the regular meeting at 8:47 p.m. The motion was approved 4-0 with Trustees Pius, Rosenberg and Shybunko and Mayor Levine voting in favor of the motion.

Respectfully submitted,  
Dale Salzberg  
Village Clerk