

**Village of Old Field
Board of Trustees Monthly Meeting Minutes
Tuesday, February 13, 2018, 7:00 PM**

**Mayor Michael Levine-Safety
Trustee Jeffrey Owen-Parks, Building and Street Trees
Trustee Robert Whitcomb-Street and Road Repairs
Trustee Timothy Hopkins-Environmental Council
Trustee Stephen Shybunko-Fire and Special Project**

Village Attorney Anthony Guardino
Village Clerk Adrienne Kessel
Village Treasurer Andrea Podolsky
Village Building Inspector Joseph Arico

Call to Order and Pledge to the Flag

Mayor Levine called the meeting to order and led the Pledge to the Flag at 7:00 P<

Public Comment

Environmental Permits

- On a motion by Trustee Hopkins, seconded by Mayor Levine, the Board approved David and Lisa Paul, 153 Old Field Road, Permit #2018-002, to remove 35 trees and replace with mature trees to create a privacy barrier; plan and property reviewed and approved by the Environmental Committee on Feb. 6. Motion approved 5-0.

Building Permits

- On a motion by Trustee Shybunko, seconded by Mayor Levine, the Board approved Fu-pen and Jinlin Chiang, 16 Flax Pond Road, building permit #2018-0001, to repair extensive damage to 1st and 2nd floors from burst water pipes on second floor. Motion approved 5-0.

Minutes

- On a motion by Trustee Shybunko, seconded by Mayor Levine, the Board approved the minutes of January 9, 2018, 5-0.

Treasurer

- Held over: The Board held approval of Pappas & Company for Village audit for year ending February 28, 2018, for \$11,400.
- Approved lease agreement for 2017 Ford Interceptor, all-wheel drive, for \$35,000, 23 months @ \$1647.88
- On a motion by Trustee Shybunko, seconded by Mayor Levine, the Board approved the warrants as presented for Dec. 2017, Jan. 2018, 5-0.
- On a motion by Trustee Hopkins, seconded by Mayor Levine, the Board approved the Treasurer's Report for Dec. 2017, Jan. 2018, 5-0.

Code

- February activity to date

Old Business

- Renew Verizon Franchise Agreement, expired in July 2017. Attorney Guardino will contact Verizon again.
- **Resolution Declaring Negative Declaration Elite Lease Agreement**

**INCORPORATED VILLAGE OF OLD FIELD BOARD OF TRUSTEES
- NEGATIVE DECLARATION -**

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

PURSUANT TO THE STATE ENVIRONMENTAL REVIEW ACT (SEQRA)

This Notice is issued pursuant to 6 NYCRR Part 617, the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act or SEQRA) of the Environmental Conservation Law of the State of New York.

The Board of Trustees of the Incorporated Village of Old Field, as lead agency, has determined that the proposed action described below will not have a significant adverse effect upon the environment and that a Draft Environmental Impact Statement need not be prepared.

Name of Action:

Lease Agreement with Elite Towers, LP (“Elite”), for use of a portion of Village-owned property located on Quaker Path to construct and operate facilities for the transmission and reception of radio communication signals.

Description of Proposed Action:

Lease Agreement to permit Elite to use a portion of Village-owned property located on Quaker Path for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, including, the proposed stealth unipole, not to exceed one hundred and thirty feet (130’) in height and foundation, antennas, lines, microwave dishes, equipment shelters and/or cabinets and related equipment.

Reasons for Supporting this Determination:

The Board has determined that the proposed action is an "unlisted action" as that term is defined in SEQRA. This Board, after careful consideration, has concluded that the proposed action will not have a significant effect on the environment for the following reasons:

1. The propose action will not result in any adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor increase solid waste production, potential for erosion, flooding, leaching or drainage problems.
2. There will not be a substantial adverse change or increase in the existing air quality, ground or surface water quality or quantity, traffic or noise levels, solid waste production or the potential for erosion, flooding, leaching or drainage problems.
3. There will be no removal or destruction of large quantities of fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, or substantial impact upon a significant habitat area of such species.
4. The proposed action will not create a material conflict with the Village's current plans or goals as officially approved or adopted.

- 5. The proposed action will not otherwise significantly affect the general health, safety or welfare of the Village of Old Field, or its residents.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Incorporated Village of Old Field, having taken a hard look at the proposed action, has determined that the proposed action will not have a significant impact upon the environment and hereby makes a negative declaration pursuant to SEQRA.

A motion to adopt the above Resolution was made by _____, seconded _____, and adopted upon the following vote:

- Michael Levine, Mayor -
- Stephen Shybunko, Deputy Mayor -
- Jeffrey Owen, Trustee -
- Robert E. Whitcomb, Trustee -

Filed in the Office of the Village Clerk on the 13th day of February, 2018.

- **Resolution-Adopting Negative Declaration Elite Lease Agreement**

RESOLUTION ADOPTING A NEGATIVE DECLARATION PURSUANT TO SEQRA WITH REGARD TO A LEASE AGREEMENT TO PERMIT ELITE TOWERS, LP, TO USE A PORTION OF VILLAGE-OWNED PROPERTY LOCATED ON QUAKER PATH TO CONSTRUCT AND OPERATE FACILITIES FOR THE TRANSMISSION AND RECEPTION OF RADIO COMMUNICATION SIGNALS

WHEREAS, Elite Towers, LP (“Elite”), and the Incorporated Village of Old Field have negotiated a Lease Agreement, which will allow Elite to use a portion of the Premises located at Quaker Path, for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, including the proposed stealth unipole, not to exceed one hundred thirty feet (130’) in height and foundations, antennas, lines, microwave dishes, equipment shelters and/or cabinets and related equipment; and

WHEREAS, Elite desires to use the unipole and related radio transmitting and receiving equipment and other associated equipment in connection with its communications service system business; and

WHEREAS, the antennas and associated equipment are to be operated in full compliance with all Federal Communications Commission and other governmental regulations; and

WHEREAS, this Board has taken a hard look, pursuant to the State Environmental Quality Review Act (“SEQRA”), and finds that the proposed action will not have a significant adverse effect upon the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby adopts the Negative Declaration annexed hereto and incorporated herein.

On motion by _____, seconded by _____, the foregoing resolution was adopted by vote as follows:

- Michael Levine, Mayor -
- Stephen Shybunko, Deputy Mayor -
- Jeffrey Owen, Trustee, Trustee -
- Robert E. Whitcomb, Trustee -
- Timothy Hopkins, Trustee -

Filed in the Office of the Village Clerk on the 13th of February, 2018

- **Resolution-Authorizing Mayor and/or Deputy Mayor to Execute Elite Lease**

RESOLUTION AUTHORIZING THE MAYOR AND/OR DEPUTY MAYOR TO EXECUTE LEASE AGREEMENT ON BEHALF OF THE VILLAGE PERMITTING ELITE TOWERS, LP, TO LOCATE AND UTILIZE ITS COMMUNICATIONS SYSTEM EQUIPMENT ON VILLAGE-OWNED PROPERTY LOCATED AT QUAKER PATH

WHEREAS, the INCORPORATED VILLAGE OF OLD FIELD (hereinafter the "VILLAGE") is the owner of certain real property located at Quaker Path, known and designated on the Suffolk County Land and Tax Map as District 203, Section 19, Block 1, Lot 3 (hereinafter the "Premises"); and **WHEREAS**, ELITE TOWERS, LP, a Pennsylvania limited partnership, having an address at 44 W. Jefryn Blvd., Suite Q5, Deer Park, New York 11729 (hereinafter referred to as "Lessee" or "ELITE") is privately-owned developer of antenna towers and other wireless communications infrastructure; and

WHEREAS, ELITE and the VILLAGE desire to enter into a Lease Agreement; and

WHEREAS, ELITE shall be permitted to use a portion of the Premises for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, including, the proposed stealth unipole, not to exceed one hundred and thirty feet (130') in height and foundation, antennas, lines, microwave dishes, equipment shelters and/or cabinets and related equipment, as depicted in Exhibit "A" of the proposed Lease Agreement attached hereto; and

WHEREAS, the Village Board of Trustees, in consultation with the Village Attorney, has reviewed the proposed Lease Agreement and finds it to be acceptable.

WHEREAS, prior to adopting this resolution, this Board has taken a hard look, pursuant to the State Environmental Quality Review Act ("SEQRA"), and finds that entering the Lease Agreement will not have a significant adverse effect upon the environment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and/or Deputy Mayor of the INCORPORATED VILLAGE OF OLD FIELD be and hereby is authorized to execute the Lease Agreement on behalf of the INCORPORATED VILLAGE OF OLD FIELD in substantial conformance with the proposed Lease Agreement attached hereto as Exhibit "A."

On motion by _____, seconded by _____, the foregoing resolution was adopted by vote as follows:

Michael Levine, Mayor	-
Stephen Shybunko, Deputy Mayor	-
Jeffrey Owen, Trustee	-
Robert E. Whitcomb, Trustee	-
Timothy Hopkins, Trustee	-

Filed in the Office of the Village Clerk on the 13th of February, 2018

Additional Public Comment

Mayor Levine announced there would be no vote tonight on the Elite Tower lease for the installation of a unipole at Kaltenborn Commons. Two new trustees will be elected in March, and he would like their input on this issue.

Residents discussed their concerns about the unipole based on location, property values, and health concerns. Several spoke on newer technology that will become available in the future. Other residents spoke in support of the project based on the lack of cell service, citing emergency situations and a need

for quick response. Others spoke about Stony Brook University's plan to put a cell tower on their property located within the Village of Old Field.
Mayor Levine said the Board will announce when they plan to vote on the issue, after the new trustees are sworn into office.

Executive Session

Adjournment

On a motion by Trustee Hopkins, seconded by Mayor Levine, the Board adjourned the meeting at 8:30 PM.

Calendar Next work session is Thursday, March 8, 2018 at 6:00 PM at the Lighthouse. Next Monthly Meeting is Tuesday, March 13, 2018 at 7:00 PM, at the Keeper's Cottage.

Respectfully submitted,
Adrienne Kessel
Village Clerk