

**VILLAGE OF OLD FIELD
BOARD OF TRUSTEES MONTHLY MEETING MINUTES
TUESDAY, MAY 14, 2019 7:00 P.M.**

Mayor Michael Levine-Safety
Deputy Mayor Stephen Shybunko-Fire, Special Projects,
Trustee Jeffrey Owens-Parks, Bldg. & Street Trees, Commissioner of P/T Code Enforcement
Trustee Bruce Feller-Environmental Council
Trustee Thomas Pirro-Street and Road Repairs
Attorney Anthony Guardino
Village Clerk Adrienne Kessel
Village Treasurer Andrea Podolsky
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 PM.

On a motion by Mayor Levine, seconded by Trustee Shybunko, the public hearing for LL 2019-002 was opened. Minutes from the Public Hearing by court reporter attached. This law is to be amended, Public Hearing held over until the June meeting.

Public Hearing

- Local Law 2019-002, Legal Notice published May 2, 2019

**INCORPORATED VILLAGE OF OLD FIELD BOARD OF TRUSTEES
A PROPOSED LOCAL LAW AMENDING CHAPTER 64 OF THE CODE OF THE VILLAGE OF
OLD FIELD AS IT RELATES TO NOISE**

BE IT HEREBY ENACTED, by the Board of Trustees of the Incorporated Village of Old Field, as follows:
Section 1. Amendments Section 64-12 of the Code of the Village of Old Field is hereby amended to read as follows:

§ 64-12. Time restrictions.

The following acts are prohibited between the hours of 6:00 p.m. and 8:00 a.m. of the following morning, at any time on Sunday and public holidays as defined in § 64-1, and at any time on Saturdays between Memorial Day and Labor Day each year:

- A. The construction, demolition, alteration or repair of any building or the operation of construction machinery. Nothing herein shall be construed to prohibit work on the interior of a building which is entirely enclosed, or the use of small power tools and machinery by a person who owns or occupies the property.
- B. The use or operation of any landscaping equipment by a commercial landscaper.
- C. The use of explosives, firearms or similar devices, except as otherwise permitted by law.

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 declared by said court to be invalid.

Section 3. Effective Date.

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

Public Comment

Rich Masino discussed the deer report submitted by Rebecca Van DerBogart. A discussion on deer control and allowing deer fencing followed. Rebecca Van DerBogart will form a committee to develop possible solutions and report back to the Village. Mayor Levine requested reaching out to other Villages for information on how deer control is being considered elsewhere.

Christine Smith, 56 Crane Neck Road, discussed several issues on land clearing and tree cutting. Attorney Guardino discussed buffer requirements, and said tree and brush removal are done by permit.

Jay VanVechten approached the Board regarding the need for a second ZBA hearing due to the lot being undersized. He was advised to submit an application to the ZBA for the work.

Environmental Permit

- On a motion by Trustee Feller, seconded by Mayor Levine, the Board approved Gordon Hermanson Tree Permit #2019-0004, 38 Wheeler Road, to remove 15 dead and/or dying trees, reviewed and approved by Environmental Committee on May 1, 5-0.
- On a motion by Trustee Feller, seconded by Mayor Levine, the Board approved Ira & Rhona Chernoff, 11 East Gate Lane Tree Permit #2109-006 for the removal of approximately 9 trees, 20 shrubs, plan submitted to Environmental Committee, reviewed and approved by the Environmental Committee on May 7, 5-0.

Building Permit

Trustee Feller discussed the application requirements and approval process for applications submitted to the Environmental Committee.

- On a motion by Trustee Shybunko, seconded by Mayor Levine, the Board approved Ira & Rhona Chernoff, 11 East Gate Lane, permit #2018-0012 for a two story framed three car detached garage with three piece bath and hobby area on the second floor, site plan approved by Hayduk Engineering on March 26, requires site visit and tree permit. (Tree permit reviewed and approved by the Environmental Committee on May 7) 5-0.
- On a motion by Trustee Pirro, seconded by Mayor Levine, the Board approved Kevin DeGore, 8 Crane Neck Road, permit #2019-0012, for the installation of a 1-100 gallon ASME LP cylinder and 4' of ¾" galvanized pipe to service a cook top stove, dryer and fire logs.

Minutes

- On a motion by Trustee Shybunko, seconded by Mayor Levine, the Board approved the minutes of April 9, 2019, 5-0.

Treasurer

- On a motion by Trustee Pirro, seconded by Mayor Levine, the Board approved the warrants and Treasurer's report for April 2019, 5-0.
- On a motion by Trustee Pirro, seconded by Mayor Levine, the Board approved the road striping (double yellow line), from Opal Contracting at \$10,980, 5-0. (Proposal from the TOB was \$27,269.20.)

The Board discussed several other projects that will be eligible for reimbursement through the NYS Consolidated Highway Improvement Program (CHIPs), including erosion control on Blueberry Ridge Road and sealing the road cracks along public roads.

- On a motion by Mayor Levine, seconded by Trustee Owen, the Board approved Computers Are Us at \$1143, to install WIFI and land line for the Keeper's Cottage, 5-0. Justice Court Grant awarded for \$650 for this project. (Constructive Technologies proposal to install WIFI (\$1058.60) and land line phone (\$250), at cost to Village of \$1308.60)
- On a motion by Trustee Pirro, seconded by Mayor Levine, the Board approved the renewal of Williamson Law annual maintenance contract for \$1285 (Building & Code software program), 5-0.
- On a motion by Mayor Levine, seconded by Trustee Pirro, the Board approved the seasonal hours for Code Enforcement for the two weeks before Memorial Day and the two weeks after Labor Day, 5-0.
- Interest paid on the road bond is for \$7468.75

Code

- April 2019 report

New Business

- Held over: Opal Construction proposal #3124, for berm and road work to channel water past Brambletye Road from Old Field Road, for a cost of \$4500, has been held over while other options are explored. Trustee Fella made a site visit to this location and discussed the siting problem of the drain's location to achieve the proper water containment. Trustee Pirro will consult with an engineer to determine the best solution.
- On a motion by Mayor Levine, seconded by Trustee Pirro, the Board approved the appointment of Mitchell Brizon as Associate Village Justice for a one year term from April 1, 2019 to April 1, 2020, as required, 5-0.

Old Business

- Cell tower on hold
- Contacted DASNY representative Megan McCormack April 9, waiting for update on grant.

Commissioner Reports

Mayor Michael Levine-Safety

Deputy Mayor Stephen Shybunko-Fire, Special Projects,

Trustee Jeffrey Owens-Parks, Bldg. & Street Trees, Commissioner of P/T Code Enforcement

Trustee Bruce Feller-Environmental Council

Trustee Thomas Pirro-Street and Road Repairs

Additional Public Comment

Ted Rosenberg thanked the Board for their time and effort in trying to resolve issues with the new home build at 145 Old Field Road, and said they are approaching a resolution to problems over the tree removals between their properties. The Board discussed the additional surveying of this property.

On a motion by Mayor Levine, seconded by Trustee Pirro, the meeting was adjourned at 8:25 PM.

Executive Session

On a motion by Mayor Levine, seconded by Trustee Pirro, the Board went into Executive Session to discuss a financial issue.

On a motion by Mayor Levine, seconded by Trustee Pirro, the Board came out of Executive Session at 9:14 PM. The Board determined Village financial responsibility on Board approved items.

On a motion by Trustee Pirro, seconded by Mayor Levine, the meeting was adjourned at 9:15 PM.

Calendar Next work session is on Thursday, June 6, 6:00 PM at the Lighthouse; next Monthly Board Meeting on Tuesday, June 11, 7:00 PM at the Keeper's Cottage

Respectfully submitted,
Adrienne Kessel
Village Clerk