Supervisor Lesko, Councilwoman Kepert, and Legislator Browning join with Community to Announce Court Decision that Upholds Town Noise Ordinance in the Suffolk County Trap and Skeet Case

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*Ruling allows Brookhaven Town to issue noise violations at Yaphank shooting range*

Farmingville, NY - On October 17, 2011, Supervisor Mark Lesko, Councilwoman Connie Kepert, Legislator Kate Browning, and community leaders joined together at the Suffolk County Trap and Skeet range in Yaphank to announce a legal victory regarding the Suffolk County Trap and Skeet range. In a decision dated October 6, 2011, Acting New York State Supreme Court Judge Joseph Farneti ruled that the Town of Brookhaven's sound ordinance is constitutional and can rightfully be enforced against Hunter Sports Shooting Grounds (HSSG), the licensee/operator of Suffolk County Trap and Skeet in Yaphank. As a result of the ruling, nothing prevents the Town of Brookhaven from taking immediate and lawful action to issue violations if the actions at Suffolk County Trap and Skeet violate the Town's noise ordinance. The Town of Brookhaven has been battling this issue in the courts for over five years and has worked closely with local elected officials, local civics, community leaders and residents to try to reduce the noise generated by Suffolk County Trap and Skeet.

"Because of its negative impact on the quality of life of Yaphank residents, the Town has fought long and hard to enforce its noise ordinances as community complaints rose over the noise generated by Suffolk County Trap and Skeet. This ruling will allow us to protect the community by issuing a summons whenever we have proof of activities at Suffolk Trap and Skeet that exceed noise levels in violation of our Town code," said Supervisor Lesko. "Our ultimate goal is to restore peace and quiet for the neighbors who live nearby."

"I am very pleased with Judge Farneti's decision, which found that the Town's noise ordinance is constitutional and that the Town of Brookhaven has every right to enforce its noise ordinance. The reopening and operation of this facility by Mr. Levy has destroyed the ability of an entire community to enjoy their homes and yards. This ruling will help us in bringing this era to an end," stated Councilwoman Connie Kepert.
"The court's decision only reinforces the need for the County to relocate this shooting range," stated Legislator Kate Browning. The community and elected officials representing this area agree this site is inappropriate and I will be introducing planning steps in November to begin the process of relocating the range to Westhampton."

The Town's noise ordinance permits "expressive activity" so long as the decibel level is not over 65. When a noise complaint is lodged, trained Public Safety officers will investigate and take readings from the location of the complaint using a calibrated sound level meter to determine the noise level. If the level exceeds 65 decibels, a violation will be issued. The Town employs nine Public Safety officers who are trained to use the meters. According to Town code, violations can be issued every two hours so long as the nuisance persists.

More information about the Town's noise ordinance can be found at www.brookhaven.org and clicking on the Code Book icon.

Noise complaints to the Town of Brookhaven can be made by calling 451-TOWN (Monday through Friday from 9:00 a.m. to 4:30 p.m.) or Public Safety Dispatch at 451-6162 (24 hours a day).