

REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, February 1, 2016

INC. VILLAGE OF FARMINGDALE

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held at Village Hall, 361 Main Street, Farmingdale, New York at 8:00 p.m. on Monday, February 1, 2016.

Present: Mayor Ralph Ekstrand
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Cheryl Parisi
Trustee Thomas Ryan
Attorney Claudio DeBellis
Administrator/Clerk/Treasurer Brian Harty
Deputy Clerk/Treasurer Barbara Kelly
Superintendent of Buildings Steve Fellman
Public Works Superintendent Andrew Fisch

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance.

ANNOUNCEMENTS ó Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held on Monday, March 7, 2016 at 8:00 p.m.: Board of Trustees Work Session/Tax Grievance Night will be held on Tuesday, February 16th from 5:00 p.m. to 9:00 p.m. and a regular Work Session will be held on Monday, February 22nd, 2016 at 7:00 p.m.
- The 3rd Annual Winter Wonderland will be held Thursday, February 25, 2016 from 6:30 to 8:30 p.m. here in Village Hall.
- The 4th Annual St. Patrick's Day Parade will be held on Sunday, March 20, 2016 starting at 1:00 p.m.
- The Village Election will be held on Tuesday, March 15, 2016 from 12:00 noon to 9:00 p.m. here in Village Hall.

Mayor Ekstrand commended the Highway Department for their snow removal efforts and thanked the Fire Department for digging out fire hydrants throughout the Village.

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, the following items were unanimously, **RESOLVED (#2016-02-01),**

- Abstract of Audited Vouchers #1086 dated February 1, 2016 ó with the exception of check # 11457
- December Wire Transfers
- Minutes of 11/2/15 and 1/4/16 Regular Meetings and 12/7/15, 1/4/16 and 1/19/16 Work sessions

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- Taxi Permits
- Use of Village Property:
 - The Farmingdale Hawks Midget Football organization is requesting alternative dates of 2/26, 3/23, 7/19 and 8/24 for use of the Court Room for their monthly membership meeting from 8:00 to 10:00 p.m. These dates do not interfere with any previously scheduled events.
 - The Farmingdale Fire Department is requesting use of the Court Room on Tuesday, April 5th and Friday, April 8th, 2016 for their annual meeting and installation ceremony from 7:00 to 10:00 p.m. on both evenings.
 - The Farmingdale Fire Department is requesting to hold a street fair on Main Street on Sunday, June 12, 2016 with a rain date of June 26, 2016.
 - The Farmingdale Fire Department is requesting to hold their annual Columbus Day Fair from October 7, 2016 through October 12, 2016.

BUILDING PERMITS – The Board of Trustees accepted the listing of the following building permits issued since last month's meeting:

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
AT&T 315 Eastern Pkwy. DB 16-1	Modify antennas on water tank.	N/A
Hi Dental 148 S. Front St. DB 16-2	Interior alterations for dental office.	N/A
Wilson 55 Laurel St. PP 16-1	Direct replacement of boiler and hot water heater.	N/A
Rolling Spring Roll 189 Main St. DB 16-3	Install interior staircase to basement.	N/A
Allstate Ins. Co. 222 Main St. SP 15-14	Install hanging sign ó gold letters, blue background. ARB approved 2014.	X
Rogan 60 Jefferson Rd. DB 16-4	Construct small roof overhang at side entrance door.	N/A
Molina 94 Grant Ave. DB 16-5	Install twelve roof mounted solar panels.	N/A
Orobella 302 Main St. DB 16-6	Install additional baseboard in apartment.	N/A
Plante 8 Vernon St. DB 16-7	Legalize cellar entrance, create den in basement with 3 pc. bath.	N/A
Plante 8 Vernon St. DB 16-8	Construct eye brow over front window and pitched roof over front façade.	N/A

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Farmingdale Wellness 101 Fulton St. SP 16-1	Install new 144" x 32" sign for L.I. Integrative Medicine. ARB approved 1/26/16.	X
Allstate Ins. 222 Main St. SP 16-2	Window sign of Allstate hands logo. ARB approved 1/26/16.	X
Farmingdale Meat Market 210 Main St. DB 16-9	Temporary storage trailer behind Meat Market. ARB approved 1/21/16.	X
Starbucks Coffee 121 Secatogue Ave. SP 16-3	Pin mounted letters w/goose neck lights on north and west walls. ARB approved 1/26/16.	X

PUBLIC HEARING DATES – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously, **RESOLVED (#2016-02-02)**, to set the following public hearing dates for March 7, 2016 at 8:00 p.m.

- Year 42 CDBG Application
- Local Law - 2016 Modification of Chapter 402 of Peddling and Soliciting of the Village code to address certain requirements and restrictions

PUBLIC HEARING PROPOSED RENEWAL SPECIAL USE PERMIT FOR OPERATING REPAIR FACILITY 994 FULTON STREET (STAR TRANSMISSION) – Mayor Ekstrand explained that this public hearing was announced for tonight, however the applicant has not submitted a complete application.

Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-02-03), to adjourn this public hearing to March 7, 2016 at 8:00 p.m.

CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT FOR DRIVE THRU WINDOW 450 MAIN STREET (CVS PHARMACY) – This public hearing was sent to Nassau County and Village Planning Boards. Nassau County has given the Village local determination in this matter. The Village Planning Board requested slight modifications to the façade, which were made. This hearing was closed on December 7, 2016.

Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, the following was unanimously, **RESOLVED (#2016-02-04)**,

WHEREAS, The Incorporated Village of Farmingdale (the VILLAGE) is a municipal corporation duly organized under the laws of the State of New York; and

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WHEREAS, First Hartford Realty Corp. C/O Farmingdale Commons, LLC (CVS) (APPLICANT) is the owner of the property located at 450 Main Street, Farmingdale, New York and known as Section 49; Block 102; Lot 269, 245 & 250 (the "PROPERTY"); and

WHEREAS, the PROPERTY is currently located in the Business D-MU Zoning District of VILLAGE; and

WHEREAS, APPLICANT proposes to operate a pharmacy with a drive-thru window ("ACTION") and has submitted a building permit application in connection with the ACTION; and

WHEREAS, the ACTION is subject to review under 6 NYCRR Part 617, the New York State Environmental Quality Review Act, ("SEQRA"); and

WHEREAS, The Board of Trustees for the Incorporated Village of Farmingdale ("VILLAGE BOARD") has declared itself Lead Agency pursuant to SEQRA, declared the ACTION to be an unlisted action with no significant, adverse environmental impacts and issued a negative declaration and notice of determination of non-significance; and

WHEREAS, in accordance with General Municipal Law Section 239-m, the ACTION was referred to the Nassau County Planning Commission for review; and

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the zoning code of the Incorporated Village of Farmingdale (the "Code") in that a special permit is required to operate a drive-thru window (Code §600-131); and

WHEREAS, in accordance with the Code of the Inc. Village of Farmingdale, the Board of Trustees, on December 7, 2015, and February 1, 2016, held public hearings in connection with the ACTION; and

WHEREAS, the APPLICANT appeared on its behalf at the public hearing; and

WHEREAS, at the public hearing members of the public were given the opportunity to speak and did speak regarding the application; and

WHEREAS, on January 7, 2016, the Nassau County Planning Commission deferred to the Village to take any action it deemed appropriate in connection with the ACTION.

NOW, THEREFORE BE IT DECIDED, that VILLAGE BOARD grants a Special Permit to operate the drive-thru in conjunction with the CVS pharmacy subject to the following conditions:

1. Full compliance with:
 - a. the plans of Neves Architecture & Design, LLC. Dated March 24, 2015, last revised December 18, 2015; and

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- b. all Federal, State, or local law and any directives of the Building Department of the Inc. Village of Farmingdale; and
 - c. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board.
2. APPLICANT shall not install or erect signs before obtaining approval from to the VILLAGE Planning Board; and
 3. APPLICANT shall reimburse the VILLAGE for all expert or consultant fees incurred by it connection with the ACTION. No building permit shall be issued until all such expenses have been reimbursed. In the event that a building permit is issued prior to the reimbursement of such fees, the building permit and this special permit shall be immediately revoked if reimbursement to the VILLAGE for such expenses is not made within five (5) days of the request for same; and
 4. The noncompliance with any of the terms or conditions of this decision shall result in the immediate revocation of the building permit and special permit unless the Board of Trustees determines, for good cause, that revocation is not in the best interests of the VILLAGE.

This approval is granted by a vote as follows:

Mayor Ralph Ekstrand	aye
Deputy Mayor Patricia A. Christiansen	aye
Trustee William Barrett	aye
Trustee Cheryl Parisi	aye
Trustee Thomas Ryan	aye

REAL PROPERTY TAX LAW – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-02-05), to acknowledge the return of the 2015/2016 tax roll and warrant and report of unpaid taxes pursuant to §1436 of the Real Property Tax Law of the State of New York.

ELECTION INSPECTORS - Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-02-06), to appoint the following election inspectors for the Village Election for a stipend of \$150.00 for the Chairperson and \$125.00 for the Inspectors:

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1. Lesley Lazarus ó Republican ó Alternate Chairperson
2. Ted Dorfmeister ó Republican
3. Herman Carroll ó Republican ó Chairperson
4. Gail Stutman ó Democrat
5. Joel Stutman ó Democrat
6. Geraldine Pattison ó Democrat
7. Darlene Rossi ó Alternate Republican
8. Thomas Pattison ó Alternate Democrat

TAX CERTIORARI – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-02-07), to approve the following tax certiorari:

- Miles and George Munoz, Sec 49, Blk 76, Lots 12, 63, 247 Main Street (Tanning Salon), for tax years 2008/09 through and including 2015/16 for a refund of \$1,500.00 with a reduction in assessed value to \$305,000.00. If assessment remains at the reduced value for tax years 2016/17 through and including 2019/20, no Article 7 proceedings will be filed.

CDBG FUNDS – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-02-08), to confirm the transfer of \$3,187.00 of CDBG Funds from FA39-01 Residential Rehab to FA39-02A Commercial Rehab.

FINANCIAL TRANSACTION – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-02-09), to approve the transfer of \$8,000.00 from the Fund Balance to the Fire Department Reserve for the trade in value for the old 9299 ambulance now being used as a water department truck.

NASSAU COUNTY INTER MUNICIPAL AGREEMENT (IMA) – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen,

RESOLVED (#2016-02-10), to authorize Mayor Ekstrand to enter, on behalf of the Village, an Inter Municipal Agreement (IMA) with the County of Nassau to complete certain rehabilitation work on Main Street in the Village

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of Farmingdale in the amount of approximately \$150,000. The County reference number is H61107G.

This resolution replaces resolution #2016-09-19 from the BOT Meeting of September 21, 2015 as it adds the County reference number and approximate dollar amount.

WATER DEPARTMENT OPERATOR CERTIFICATION – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-02-11), to authorize Geary Gerhardt to attend (2) Water Operator Certification Courses on certain dates starting in February running through June of 2016 for a cost of \$1,100.00 plus the cost of course materials.

FAIR HOUSING PROFESSIONAL DEVELOPMENT – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-02-12), to authorize the hiring of Kevin Dwarka for professional development for the Board of Trustees, Zoning Board, Planning Board and certain Village staff in matters relating to fair housing at a cost of \$6,000.

BEAUTIFICATION – Deputy Mayor Christiansen reported that hanging baskets have already been ordered and plans are in the works for spring planting.

OLD BUSINESS - None

CORRESPONDENCE – Letter from Assemblyman Montesano, annexed to these minutes.

PUBLIC COMMENT – A discussion began on the following topics:

- Compliments to DPW for snow removal
- IMA Agreement clarification ó sidewalks, curbs and additional roadwork still need to be completed
- Car removal during snow storm

EXECUTIVE SESSION, upon a motion duly made and seconded, it was unanimously,

RESOLVED, to move to Executive Session to discuss personnel matters.

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Upon a motion duly made and seconded, it was unanimously,

RESOLVED, to reconvene the meeting.

There being no further business, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer