

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, February 3, 2014**  
**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 3, 2014.

**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 Andy Fisch

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

**ANNOUNCEMENTS** – Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held Monday, March 3, 2014 at 8:00 pm: Board of Trustees Work Sessions begin at 7:00 pm on Monday, February 10 and Monday, February 24, 2014. Tax Grievance night and work session will be held on Tuesday, February 18, 2014 from 5:00 p.m. until 9:00 p.m.
- The sale of tax liens will be held on Tuesday, March 11<sup>th</sup>, 2014 at 2:00 p.m.

**PUBLIC HEARING PROPOSED LOCAL LAW 1 OF 2014 – CHANGE OF ZONE EXPANDING BUSINESS D DISTRICT** – This public hearing was tabled. Mayor Ekstrand stated that the Board of Trustees is interested in discussing applications that are as-of-right without a zone change.

**PUBLIC HEARING PROPOSED SITE PLAN APPROVAL – 273 MAIN STREET (DARK HORSE TAVERN)** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-194)**, to open the public hearing.

Sean Bird presented the application.

There being no comment from the Board, Mayor Ekstrand asked for comment from the public.

There being no public comment, upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-195)**, to close the public hearing.

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Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, the following was unanimously, **RESOLVED (#2014-196)**,

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

WHEREAS, The Dark Horse Tavern – William Brennan (“APPLICANT”) is the tenant of the property located at 273 Main Street, Farmingdale New York, 11735, said parcel being known on the Nassau County Tax Maps as Section 49; Block 106; Lot 201 (“PROPERTY”).

WHEREAS, the PROPERTY is located within the Downtown Mixed Use (“D-MU”) Zoning District of the VILLAGE; and

WHEREAS, APPLICANT desires to renovate the existing building on the PROPERTY and operate a sports bar/ tavern with interior seating for 41 and exterior beer garden seating for 69 (“ACTION”) and has applied for a building permit 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, APPLICANT applied for and was granted a special use permit to operate the sports bar/tavern with exterior beer garden pursuant to Article XIV, Section 105-94 A(1) and was granted relief from Section 105-97 pursuant to Section 105-112; and

WHEREAS, Applicant has applied for Site Plan Approval; and

WHEREAS, in connection with its Site Plan Approval Application APPLICANT has submitted the plans of Harold Gebhard, dated January 12, 2014.

WHEREAS, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the Board of Trustees, on February 3, 2014, held a public hearing in connection with the Site Plan Application; and

WHEREAS, The APPLICANT appeared on its behalf at the public hearing and was afforded an opportunity to speak in favor of the application; and

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

WHEREAS, at the public hearing an issue of parking, traffic and safety arose concerning the use of the rear of the PROPERTY for the beer garden; and

WHEREAS, at the public hearing APPLICANT agreed to comply with the requirements of the Special Permit Approval dated October 7, 2013.

NOW, THEREFORE BE IT DECIDED, the Board of Trustees grants Site Plan Approval to APPLICANT pursuant to the following conditions:

1. APPLICANT complies with the conditions set forth in the Special Permit Approval dated October 7, 2013; and
2. APPLICANT complies with the plans of Harold Gebhard dated January 12, 2014; and
3. APPLICANT shall comply with all local, state and federal law as well as the directives of the Superintendent of Buildings of the Village of Farmingdale; and
4. The VILLAGE is reimbursed for all expert or consultant fees incurred by it connection with the ACTION and there is full compliance with Section 105-103 of the Code of the Incorporated Village of Farmingdale. 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
5. 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

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**PUBLIC HEARING DATES** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-197)**, to set the following public hearings for March 3, 2014 at 8:00 p.m.:

- Proposed Local Law 1 of 2014 – Override Tax Levy Limit
- Proposed Site Plan approval and Special Use permit for outdoor storage for 270 Fulton Street (JBH Environmental)
- Year 40 CDBG Application
- Proposed Special Use Permit for additional seating for 291 Main Street (Hush Restaurant)

**ABSTRACT** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-198)**, that the Abstract of Audited Vouchers #1062 dated February 3, 2014 be approved for payment, with the exception of one check.

**WIRE TRANSFERS** - Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-199)**, to approve the wire transfers made since the prior meeting, as annexed to these minutes.

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

**RESOLVED (#2014-200)**, to approve minutes of 10/7/13 and 11/4/13 BOT public meetings and 1/6/14, 1/13/14 and 1/27/14 work sessions.

**USE OF VILLAGE PROPERTY** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED**, to allow the following use of Village property:

- The Farmingdale Hawks Midget Football organization is requesting use of the Court Room on the third Thursday of every month in 2014 from 8:30 -10:00 p.m. for their monthly membership meetings.
- The Farmingdale Chamber of Commerce is requesting use of Village Hall and Court Room on February 27, 2014 for its 1<sup>st</sup> Annual Winter Wonderland Expo from 6:00 to 9:00 p.m. The Board of Fire Commissioner meeting will be held upstairs.

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- The American Planning Association Long Island Section is requesting to hold a walking tour within the Village on Thursday, February 27, 2014 at 4:00 p.m. There will be approximately 20-25 people assembling at Village Hall.
- St. Luke’s Lutheran Church would like to hold their children’s Mardi Gras Parade on Prospect Street on Sunday, March 2, 2014 from 12:00 noon to 1:00 p.m.
- The NYS Department of Environmental Conservation is requesting use of the Court Room on March 11, 2014 from 6:00 to 10:00 p.m. to hold a public meeting for the proposed remedial action plan for 450 Main Street.
- The DMP IC is requesting to hold its 2<sup>nd</sup> Annual St. Patrick’s Day Parade on Sunday, March 23, 2014 on Main Street from Northside School to Village Green between the hours of 12:30 and 2:00 p.m.
- CSEA is requesting to use the Court Room on Friday, April 11, 2014 from 8:30 a.m. to 1:00 p.m. for a training class.
- The Farmingdale Fire Department is requesting use of the Court Room for its Company meeting on Tuesday, April 8, 2014 from 8:00 to 10:00 p.m.
- The Farmingdale Fire Department is requesting use of the Court Room for its Installation meeting on Friday, April 11, 2014 from 7:00 to 9:00 p.m.

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

Staller Assoc. 239 Main St. RO 14-1	One (1) 4’x4’ bellhole on Main St. between Conklin St. & S. Front St. to retire gas service.	N/A
Danny Romano 193 Main St. DB 14-1	Interior renovations for a pizza/yogurt restaurant with seating for 12.	N/A
Ellen Howard 10 Sherman Rd. DB 14-2	Construct front vestibule and porch.  ZBA approved 1/9/14.	N/A
McGlynn 203 Grant Ave. DB 14-3	Maintain 9’x23’ wood deck.	N/A
Farmingdale Diner 282 Main St. DB 14-4	Install exterior walk-in cooler and seating for 91 people. Spec. Use Permit granted 1/6/14.	X
Murphy 389 Fulton St. FP 14-1	Erect 6’ PVC fence on east and north property lines.	N/A
VOF 315 Eastern Pkwy. DB 14-5	AT&T antenna update on water tower.	N/A

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Sandman Development 270 Fulton St. DP 14-1	Interior demolition of partitions & finishes for new offices.	X
Cardone 29 Columbia St. PP 14-1	Install double check valve on main water line.	N/A
T&F Great Enterprise 291 Main St. DB 14-6	Interior alterations for a restaurant with seating for twelve.	X
Rucci 62 Washington St. FP 14-2	Install 6' PVC fencing.	N/A
Lee 66 Washington St. FP 14-3	Install 6' PVC fencing.	N/A
Staller 231 Main St. RO 14-2	4'x4' bell hole to retire gas service.	N/A

**TAXI PERMITS** – Upon a motion by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED**, to issue 10 taxi permits.

**PEDDLER PERMIT** – Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-201)**, to approve Peddler License Permit to Alexandrine Alexandre on behalf of Verizon Fios.

**CSEA TRAINING** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-202)**, to approve Geary Gerhardt release time to attend a CSEA sponsored Peer Trainer program in Saratoga Springs, NY in March, 2014 at no cost to the Village.

**GERNGRAS PARK EQUIPMENT** - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-203)**, to approve Site Specialists as a vendor for playground and related equipment to be installed in Gerngراس Park in the amount of \$24,100.70 including freight.

**PETTY CASH** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-204)**, to increase petty cash by \$200.00 for a total of \$450.00.

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**2013 ANNUAL WATER SUPPLY STATEMENT** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-205)**, to approve the hiring of H2M to prepare the 2013 Annual Water Supply Statement and the associated required data for a maximum fee of \$2,500.

**LANDSCAPE LICENSE RENEWAL FEE** – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-206)**, to increase Landscape license renewal fee from \$75.00 to \$100.00 and vehicle fee from \$10.00 to \$15.00.

**SURPLUS TRUCK** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-207)**, to declare one Code Vehicle 1999 Ford Suburban/Grey VIN #1FMPU1816XLB52182 as surplus.

**FIRE DEPARTMENT VEHICLES** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-208)**, to approve the purchase of one 2014 Brown's Chrysler Dodge 2500 Crew Tradesman 4 x 4 pick-up truck in the amount of \$28,893.83 plus additional Firematic equipment in the amount of \$6,342.10. Additionally approve one 2014 Van Bortlesman Ford E-350 Passenger Van in the amount of \$25,638.06 plus additional Firematic equipment in the amount of \$6,482.10.

**FIRE DEPARTMENT CHIEF'S CAR** – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-209)**, to approve the purchase of one 2014 Brown's Chrysler Dodge Ram SSV Crew Cab 4 x 4 in the amount of \$28,750.50.

**LABOR AGREEMENT** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-210)**, to approve the extension to the current labor agreement between the Incorporated Village of Farmingdale and CSEA Local 1000 AFSCME AFL-CIO. It extends the contract until June 1, 2019 with certain changes in compensation, job descriptions, and drug policy.

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**LOT 1 PARKING** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-211)**, to approve 12 hour employee permit parking in Lot #1 between the hours of 6 am and 6 pm in the westerly row facing Washington Street.

**DOG WARDEN SERVICES** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-212)**, to approve Mayor Ekstrand to sign the agreement with the Town of Oyster Bay for providing Dog Warden Services within the Village of Farmingdale.

**FIRE PROTECTION** – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-213)**, to approve Mayor Ekstrand to sign the agreement between the Town of Oyster Bay and the Incorporated Village of Farmingdale relative to furnishing Fire Protection for the Northeast Farmingdale Fire Protection District for the year 2014.

**ELECTION INSPECTORS** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-214)**, to appoint the following election inspectors for the Village Election and Registration Day for a stipend of \$150.00 for the Chairperson and \$125.00 for the Inspectors:

1. Marie Gilmore – Chairperson – Republican
2. Hugh Gilmore – Republican
3. Ted Dorfmeister – Republican
4. Gail Stutman – Democrat
5. Joel Stutman – Democrat
6. Gerry Pattison – Democrat
7. Thomas Pattison – Alternate Democrat
8. Darlene Rossi – Alternate Republican

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

**RESOLVED (#2014-215)**, to approve the change order from Nassau County for the Residential rehab project on Sherman Road adding \$2,500.00 to the project.

**BUDGET TRANSFER** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-216)**, to approve the transfer of \$58,012.32 from the General Fund Balance to the Fire Department reserve for the 2012/2013 savings from budget.

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

**RESOLVED (#2014-217)**, to approve the transfer of \$500.00 from Celebrations Other (A.7550.0499) to the DMP IC (T.0086.0004) for the St. Patrick's Day celebration within the Village.

**REAL PROPERTY TAX LAW** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-218)**, to acknowledge the return of the tax roll and warrant and report of unpaid taxes pursuant to §1436 of the Real Property Tax Law of the State of New York.

**NASSAU COUNTY CDBG TRANSFERS** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-219)**, to transfer the following funds as requested by Nassau County CDBG in order to keep timely on the spending of funds:

- FA37-03 PF&I Streetscape Improvements reduce from \$125,000 to \$100,000
- FA37-02 Residential Rehab increase from \$25,000 to \$50,000
- FA39-01 Residential Rehab decrease \$25,000 to \$20,000
- FA39-03A PF&I Streetscape Improvements increase from \$5,000 to \$10,000
- FA37-02 Residential Rehab decrease \$4,987
- FA37-01 Commercial Rehab increase \$4,987
- FA39-02 Residential Rehab increase \$4,987
- FA39-01 Commercial Rehab decrease \$4,987

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**STOP SIGN** – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2014-220)**, to approve the installation of a stop sign at the corner of Secatogue Avenue and Eastern Parkway during ongoing construction.

**BEAUTIFICATION** – On hiatus

**OLD BUSINESS** – None

**CORRESPONDENCE** – Complimentary letter to Andy Fisch and DPW crew on snow removal

**GOOD & WELFARE** – A discussion began on the following topics:

- Plowing at RR Lots
- Sherman Road house

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

**RESOLVED**, to move to Executive Session to discuss legal matters.

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

**RESOLVED**, to reconvene the meeting.

There being no further work, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

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Brian P. Harty, Village Clerk-Treasurer