

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, March 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, March 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 and yearly Organizational meeting will be held on Monday, April 7, 2014 at 8:00 pm: Board of Trustees Work Sessions begin at 7:00 pm on Monday, March 10, March 17, and March 24, 2014.
- The March 11, 2014 sale of tax liens has been cancelled.
- Village Elections will be held at Village Hall on Tuesday, March 18, 2014 from 12:00 noon until 9:00 p.m. Registration Day for the Election will be held on Saturday, March 8, 2014 from 12:00 noon until 5:00 p.m. here at Village Hall.
- The 2<sup>nd</sup> Annual St. Patrick's Day Parade will be held on Sunday, March 23, 2014 at 1:00 p.m.
- Joseph Schweitzer's funeral services on Wednesday, March 5, 2014 have been moved from McCourt & Trudden to the Firehouse.

**PUBLIC HEARING PROPOSED SPECIAL USE PERMIT ADDITIONAL SEATING – 291 MAIN STREET (HUSH RESTAURANT)** - This public hearing has been adjourned to April 7, 2014 at 8:00 p.m.

**PUBLIC HEARING PROPOSED SITE PLAN APPROVAL AND SPECIAL USE PERMIT FOR OUTDOOR STORAGE – 270 FULTON STREET (JBH ENVIRONMENTAL)** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2014-221)**, to open the public hearing.

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The architect Gaby Tchilinguiran presented the application explaining the usage of space for office and outdoor storage. He also stated that the look of the building will be improved. The owner Boris Mirkin was introduced.

Mayor Ekstrand asked for comment from the Board.

Trustee Parisi inquired about fencing and the Planning Board's decision about awning. Superintendent Fellman stated that the Planning Board was focused on making the building look more like an office as opposed to a warehouse.

Trustee Barrett inquired about parking and storage.

Mayor Ekstrand inquired about storage of hazardous materials and a dumpster. Mr. Mirkin stated there would be no hazardous materials and that he could have a dumpster.

Deputy Mayor Christiansen inquired about the kind of work JBH Environmental does. Mr. Mirkin stated that his company does removal of PCB's, asbestos and mold.

Trustee Ryan asked who regulates the business and what licenses they have. Mr. Mirkin stated that it is the New State Department of Labor.

Mayor Ekstrand asked for comment from the public.

A discussion began on the following topics:

- Hazardous waste
- Traffic concerns
- Excessive noise
- Parking on Fulton Street
- Clean up of tools

There being no further comment, upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-222)**, to send application to Nassau County Planning due to location on State Highway and declare Village Board as Lead Agency pursuant to SEQRA filing and classify this action as an unlisted action with no significant, adverse environmental impacts and issue a negative declaration and notice of determination of non-significance.

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

**RESOLVED (#2014-223)**, to continue the public hearing on March 17, 2014 at 7:00 p.m.

**PUBLIC HEARING YEAR 40 CDBG GRANT APPLICATION** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2014-224)**, to open the public hearing.

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Tom Savino presented the application to the Board.

Deputy Mayor Christiansen inquired if there was money available for sidewalk replacement for senior citizens.

Mr. Gosline inquired if the funds can be used for a performing arts center and low income housing.

Tom Savino said he would look into funding for both items.

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

**RESOLVED (#2014-225)**, to close the public hearing.

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

**RESOLVED (#2014-226)**, to authorize Administrator Harty to sign and submit Year 40 CDBG Grant Application for a total of \$797,000.

**PUBLIC HEARING LOCAL LAW 1 OF 2014 – OVERRIDE TAX LEVY LIMIT –**

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

**RESOLVED (#2014-227)**, to open the public hearing.

Mayor Ekstrand and Trustee Barrett explained that the Board does not have any intention of exceeding the tax cap.

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

**RESOLVED (#2014-228)**, to close the public hearing.

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

**RESOLVED (#2014-229)**, to adopt Local Law 1 of 2014 – Override Tax Levy Limit.

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

**RESOLVED (#2014-230)**, to set the following public hearings for April 7, 2014 at 8:00 p.m.:

- Proposed Local Law 2 of 2014 – For the inclusion in the Village Code a requirement for all commercial and residential properties to have carbon monoxide detection equipment.

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

**RESOLVED (#2014-231)**, that the Abstract of Audited Vouchers #1063 dated March 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 (#2014-232)**, 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 (#2014-233)**, to approve minutes of 12/2/13 and 1/6/14 BOT public meetings and 2/3/14, 2/10/14 and 2/18/14 work sessions.

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

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

- The Farmingdale Board of Fire Commissioners is requesting to change previously approved dates for their elections and swearing in ceremony to be held in the Court Room. The new dates are Tuesday, April 1<sup>st</sup> and Friday, April 4<sup>th</sup>, 2014 from 7:00 to 10:00 p.m.
- The Farmingdale High School Go Green Club is requesting to host an Earth Day Celebration on Sunday, April 27, 2014 (rain date Sunday, May 4<sup>th</sup>) on the Village Green from 12:00 noon to 4:00 p.m.
- The Greater Long Island Running Club is requesting to hold their Ocean to Sound Relay on Sunday, September 28, 2014. The race route passes through the Village along Quaker Meeting House Road between Merritt Road and Round Swamp Road.

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

Hilas 455 Main St. DB 14-7	Interior alterations for consignment store.	N/A
Cascarino's 302 Main St. DB 14-8	Install exterior walk in refrigeration box.	X

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T&F Great Enterprises 291 Main St. PP 14-2	Install four sinks, one dishwasher, one stove, one hot water heater and one dish table with sink.	N/A
Olson 35 Maple St. S.E. DB 14-9	Install 16'x32' swimming pool.	N/A
Krop 104 Cherry St. PP 14-3	Install sink, dishwasher and stove.	N/A
Dark Horse Tavern 275 Main St. DB 14-10	Build conference room in T-Mobile store.	N/A
Lightfoot 29 Columbia St. DB 14-11	Install interior chair lift.	N/A
DiMartino 1-32 Atlantic Ave. PP 14-4	Replace one(1) water closet, one(1) lavatory, one(1) tub.	N/A
Dark Horse Tavern 273 Main St. DB 14-12	Exterior building and site renovations w/ outdoor beer garden.	X
Duffy 283 Van Cott Ave. RO 14-3	Open 4'x4' bell hole for gas service.	N/A
DiMartino 1-32 Atlantic Ave. DB 14-13	Replace bathroom fixtures, tub surround and floor tile.	N/A
Howard 10 Sherman Rd. DB 14-14	Replace fifteen (15) windows.	N/A
Gordon 31 Quaker Lane DB 14-15	Maintain finished basement and central A/C unit.	N/A
Cheshire 101 Staples St. RO 14-4	Open one 4'x' bell hole for gas service.	N/A

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

**RESOLVED**, to issue 7 taxi permits.

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

**RESOLVED (#2014-234)**, to convene the Board of Assessment Review.

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

**RESOLVED (#2014-235)**, to deny all the property tax complaint petitions, annexed to these minutes.

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

**RESOLVED (#2014-236)**, to reconvene the meeting of the Board of Trustees.

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

**RESOLVED (#2014-237)**, to approve the 2013/2014 budget adjustments, as annexed to these minutes.

**FIRE DEPARTMENT VEHICLE** - Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-238)**, to approve the purchase of one 2014 Chevrolet Express Passenger Van 1LS in the amount of \$26,598.28 From Chautauqua County Award Proposal No. E-12-13 PFTH (This vehicle is replacing a Ford Van that was previously approved and no longer available) plus additional Firematic equipment in the amount of \$6,482.10.

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

**RESOLVED (#2014-239)**, to authorize the Board of Trustees' signing of the 2013 Sponsor Approval Form for the Fire Department's Service Award Program.

**PART TIME DEPUTY COURT CLERK** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2014-240)**, to approve the hiring of Ginning Schnabel as a part time Deputy Court Clerk at \$15.00 per hour.

**PART TIME LABORER** – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2014-241)**, to approve the hiring of Anthony Rubino as a part time laborer at \$15.00 per hour.

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

**RESOLVED (#2014-242)**, to approve the hiring of Herman Miller as a research assistant to the Board of Trustees at \$90.00 per hour.

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

**RESOLVED (#2014-243)**, to declare one Brother Typewriter, serial number J58931446, as surplus and not usable.

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

**RESOLVED (#2014-244)**, to approve the hiring of the following part time Firehouse Maintainers at \$12.55 per hour: Robert Warnken, William Sielski and Thomas Kelly.

**EMPIRE GAMING PARKING FEE** – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2014-245)**, to approve change in Special Use permit for Empire Gaming parking fee from \$10,000 to \$5,000 for this year and the beginning of the third year based on lowering of occupancy allowed in premises.

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

**RESOLVED (#2014-246)**, to purchase tax liens.

**BEAUTIFICATION** – Waiting for Spring

**OLD BUSINESS** – None

**CORRESPONDENCE** –Letter read regarding homeowner clean up during snow storms

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

- Compliments to DPW crew in regard to snow removal
- Research Assistant for water department
- Merritt Road project
- Vitamin Store property

**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.

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

**RESOLVED (#2014-247)**, to authorize the Mayor to sign the agreement between the Village and Hofstra Law.

There being no further work, the meeting was adjourned at 10:45 p.m.

Respectfully submitted,

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Brian P. Harty, Village Clerk-Treasurer