

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, March 4, 2013
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 4, 2013.

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
Public Works Superintendent Andy 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 Monday, April 1, 2013 at 8:00 pm: Board of Trustees Work Sessions begin at 7:00 pm on Monday, March 11, Monday, March 18, and Monday, March 25, 2013.
- Announce the sale of tax liens will be held on March 12, 2013 at 11:00 a.m.
- St. Patrick's Day Parade will be held on Sunday, March 17, 2013 on Main Street from Northside School to Village Green between the hours of 12:30 pm and 2 pm.

SWEARING IN - Mayor Ekstrand swore in a list of members of the Downtown Master Plan Implementation Committee, annexed to these minutes.

MISSION STATEMENT ó Mayor Ekstrand read the Mission Statement of the Downtown Master Plan Implementation Committee, annexed to these minutes.

SWEARING IN ó Mayor Ekstrand swore in John Capobianco as an alternate member on the Zoning Board.

CONTINUED PUBLIC HEARING SPECIAL USE PERMIT 776 AND 780 FULTON STREET ó Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-209), to continue the public hearing.

Mr. Tom Blore (architect) presented application to the Board.

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Mayor Ekstrand explained that the application will be sent to Nassau County Planning Committee after the EAF is reviewed by the Board.

Mayor Ekstrand asked for comments from the public:

- Mr. Diurno, Fairview Rd., asked if the Board had considered the ramifications of building a multi-family dwelling in that area. Mayor Ekstrand stated that it had considered them.
- Former Mayor Starkie, Doud St., asked if incentive bonuses were being considered tonight. Mayor Ekstrand stated that incentive bonuses will be presented and considered at continuation on April 1, 2013 at 8:00 p.m.
- Deputy Mayor Christiansen expressed concerns over the visitor parking being limited, as well as how hazardous parking on Fulton Street is.

Mayor Ekstrand expressed his gratitude for the applicant's quick submission of the redesign.

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

RESOLVED (#2013-210), to continue the public hearing for the Special Use permit for Robert Lee for the construction of an apartment building at 776 and 780 Fulton Street for April 1, 2013 at 8:00 p.m.

PUBLIC HEARING YEAR 39 CDBG GRANT APPLICATION – Mayor Ekstrand announced that the public hearing will be adjourned until March 18, 2013 at 7:00 p.m.

PUBLIC HEARING BARTONE PHASE 1 ó A court reporter's verbatim minutes are in a separate permanent record binder.

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

RESOLVED (#2013-211), to open the public hearing.

Anthony Bartone briefly spoke about the application.

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

RESOLVED (#2013-212), to close the public hearing.

PUBLIC HEARING BARTONE PHASE 2 ó A court reporter's verbatim minutes are in a separate permanent record binder.

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

RESOLVED (#2013-213), to open the public hearing.

Anthony Bartone introduced Gary Cannella (architect) and Robert Brown (drainage engineer) who presented the application.

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

RESOLVED, to move to Executive Session to discuss legal questions about voting.

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

RESOLVED, to reconvene the meeting.

Attorney DeBellis explained that the Board discussed SEQRA analysis and voting.

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

RESOLVED (#2013-214), to continue the public hearing for a Special Use permit and parking/loading approvals for 120 Secatogue Avenue-Phase 2 on April 1, 2013 at 8:00 p.m.

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

RESOLVED (#2013-215), to declare Farmingdale Board of Trustees as Lead Agency in SEQRA filing with a negative declaration in the matter of Bartone Properties, LLC located at 120 Secatogue Avenue for Phase I and Phase II applications, as per attached resolution.

PUBLIC HEARING SPECIAL USE PERMIT 257 MAIN STREET ó Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously

RESOLVED (#2013-216), to open the public hearing.

Mayor Ekstrand explained that the applicant is requesting a Special Use permit for restaurant with off street parking requiring 9 spaces. The Board of Trustees is waiving 90% and applicant will pay \$5,000.00 over a 3 year period in equal annual installments, with 1st installment due upon receipt of Certificate of Occupancy.

Mayor Ekstrand asked for comments from the Board:

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- Trustee Parisi asked why knee wall was removed. The applicant explained that it was removed because the door had to be moved and replacing knee wall bricks is not possible financially.

Mayor Ekstrand asked for comments from the public:

- Mr. Miller, Quaker Lane, commented on the look of the building, stating that he felt it did not fit with our Master Plan.

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

RESOLVED (#2013-217), to close the public hearing.

Attorney DeBellis explained that Board could approve Special Use permit with the condition that the knee wall be added and approved by Board.

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

RESOLVED (#2013-218), to approve Special Use permit and parking/loading approvals for Paninis R Us Inc. 257 Main Street with the condition that the knee wall be added and approved by Board.

PUBLIC HEARING ON PROPOSED LOCAL LAW 3-2013 – TIME LIMIT FOR SPECIAL EXCEPTIONS AND SPECIAL PERMITS – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-219), to open the public hearing.

Mayor Ekstrand asked for comments from the public:

- Former Mayor Starkie, Doud St., asked the following questions:
 - asked the Board to explain proposed law. Trustee Parisi read the text of Local Law 3-2013.
 - inquired what the fee will be. Mayor Ekstrand explained it will be a case by case decision.

There being no further comments and upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2013-220), to close the public hearing.

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

RESOLVED (#2013-221), to adopt Local Law 3-2013 on time limit for Special Exceptions and Special Permits.

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PUBLIC HEARING ON PROPOSED LOCAL LAW 4-2013 EXPIRATIONS OF SITE PLAN APPROVAL ó Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-222), to open the public hearing.

There being no comments made and upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-223), to close the public hearing.

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

RESOLVED (#2013-224), to adopt Local Law 4-2013-Expirations of site plan approval.

PUBLIC HEARING ON PROPOSED LOCAL LAW 5-2013 AMENDMENT TO BUSINESS DD DISTRICTS ó Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-225), to open the public hearing.

Mayor Ekstrand asked for comments from the public:

- Mr. Orobono suggested changing the wording of the law as presented.

Attorney DeBellis stated that it is common practice to have this wording.

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

RESOLVED (#2013-226), to close the public hearing.

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

RESOLVED (#2013-227), to adopt Local Law 5-2013 amendment to Business DD Districts.

PUBLIC HEARING PRINCE STREET ó Mayor Ekstrand announced that the public hearing is adjourned until April 1, 2013 at 8:00 p.m.

PUBLIC HEARING DATES ó Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

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RESOLVED (#2103-228), to set the public hearing date for April 1, 2013 for the following:

- Proposed amendment to Special Use permit for Mystique Gardens Hookah Lounge, 356 Conklin Street
- Proposed LL6-2013 ó Override Tax Levy Limit
- Proposed Special Use permit, parking/loading relief/incentive bonuses for 231-245 Main Street

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

RESOLVED (#2103-229), that the Abstract of Audited Vouchers #1051 dated March 4, 2013 be approved for payment holding check #2239 for further clarification.

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

RESOLVED (#2013-230), to approve the wire transfers made in February as annexed on to these minutes.

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

RESOLVED (#2013-231), to approve the corrected minutes of 12/3/12 and 2/4/13 Public Meetings and Work Sessions of 12/3/12, 2/4/13, 2/11/13, 2/18/13 and 2/25/13.

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

RESOLVED, to allow the following use of Village property:

- The Farmingdale Board of Fire Commissioners would like to use the court room for their elections on Tuesday, April 2, 2013 from 7:00 pm to 9:00 pm and on Friday, April 5, 2013 from 6:30 pm to 8:30 pm for their swearing in ceremony.
- óRunnerø Edgeö would like to hold a blood drive on Saturday, April 13, 2013 utilizing the Bloodmobile parked behind 242 Main Street (Lot1). The drive will run from 10:00 am to 4:00 pm, with the bus arriving at 9:00 am and leaving by 5:00 pm.
- The Farmingdale-Bethpage Historical Society is requesting use of the Village Green, Gazebo, and Court room (in case of rain) on Sunday, June 2, 2013 from 12:00 pm to 5:00 pm for their Strawberry Festival.
- The Greater Long Island Running Club would like to hold their annual Ocean to Sound Relay in Farmingdale along Quaker Meeting House Road for a portion of the relay on Sunday, September 29, 2013.

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- The Farmingdale Fire Department has requested to host the Spring Main Street Fair on Sunday, June 2, 2013 with a rain date of Sunday, June 9, 2013.
- The Farmingdale Fire Department has requested to host the "Nights on Main" car shows on the following dates Friday, July 26 and Friday August 23, 2013.
- The Farmingdale High School Go Green Club has requested use of the Village Green for an Earth Day Celebration on Sunday, April 28, 2013. The event will be held between the hours of 12:00 and 4:00 p.m.
- The Chamber of Commerce will be hosting its annual Easter Egg Hunt on the Village Green on Saturday, March 23, 2013 at 12:00 p.m.

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

| LOCATION | TYPE OF CONSTRUCTION/COMMENTS | ARB |
|--|--|-----|
| Mauro 25 Dale Dr. DB 13-8 | Install 37 solar panels on roof. | N/A |
| Calibar 14 Sherman Rd. PP 13-2 | Oil to gas conversion. | N/A |
| Medina 60 Prospect Pl. DB 13-9 | Maintain A/C unit. | N/A |
| Crisera 12 Duane St. DB 13-10 | Maintain semi in-ground pool and A/C unit. | N/A |
| Option For Living 115 Rose St. PP 13-4 | New gas boiler. Oil to gas conversion. | N/A |
| Faber 34 Sullivan Rd. DB 13-11 | Maintain finished basement and A/C unit. | N/A |
| Wong 94 Grant Ave. DB 13-12 | Maintain roof dormer. | N/A |
| DeVito 292-298 Main St. DB 13-13 | Partial interior demolition in preparation for future renovations. | N/A |
| 354/356 Main St. LLC 356 Main St. DB 13-14 | Interior alterations to create yoga studio. | N/A |
| Woodbridge 481 Fulton St. SWP 13-1 | Replace existing handicap ramp in parking lot. | N/A |

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

RESOLVED, to issue 4 taxi permits.

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

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RESOLVED (#2013-232), to convene the Board of Assessment Review.

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

RESOLVED (#2013-233), to deny all property tax complaint petitions with the exception of properties on the schedule annexed to minutes.

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

RESOLVED (#2013-234), to reconvene the meeting of the Board of Trustees.

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

RESOLVED (#2013-235), to apply water bill overpayments as a credit on future invoices.

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

RESOLVED (#2013-236), to approve the transfer of \$54,739.10 from the fund balance to the Fire Department reserve for 2011/2012 budgeted savings.

H2M – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2013-237), to approve H2M to perform the preparation of the Village of Farmingdale's MS4 Annual Report Form at a cost not to exceed \$2,500.00.

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

RESOLVED (#2013-238), to charge back to Building Department applicants all costs for the review of the application (i.e. engineering and legal) and costs incurred for the public hearing (i.e. legal notice and court reporter).

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

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RESOLVED (#2013-239), to authorize Building Department to require all businesses in Commercial District within Village of Farmingdale to file a Certificate of Tenancy for a fee of \$50.00.

WASHINGTON STREET – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-240), to allow six spaces of resident parking spots on the street for a cost of \$50.00 per car for certain designated Washington Street residents, two per household.

NASSAU COUNTY GRANT– Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-241), to declare Farmingdale Board of Trustees as Lead Agency in SEQRA filing with a negative declaration in the matter of Nassau County roof and bay doors Grant, as per attached resolution.

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

RESOLVED (#2013-242), to authorize the construction of improvements to Village Hall at a maximum cost thereof \$475,000, as per attached resolution.

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

RESOLVED (#2013-243), to authorize the acquisition of heavy duty trucks for use by the Village of Farmingdale at a maximum cost thereof \$281,000, as per attached resolution.

VILLAGE HALL RESTORATION – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-244), to approve Marfi Contracting as the lowest responsible bidder for the roof work as part of the Village Hall Restoration at a cost of \$243,240.

BEAUTIFICATION ó Deputy Mayor Christiansen stated that the Committee will be meeting March 16 to plan for spring.

CORRESPONDENCE - None

OLD BUSINESS ó None

GOOD AND WELFARE

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- Former Mayor Starkie discussed the following:
 - Inquired if there was any budget ready for review. Mayor Ekstrand stated that there are no budgets ready for review.
 - Inquired if there is bond resolution that has any unspent money. Mayor Ekstrand stated that all money has been spent on roads, Chief's car and Scott packs.
 - Expressed concern that Planning Board is not following the downtown plan.

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

RESOLVED, to move to Executive Session to discuss personnel and 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 12:00 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer