

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held at 8:00 p.m. on Monday, June 6, 2022.

**Present:** Mayor Ralph Ekstrand  
Deputy Mayor William Barrett  
Trustee Walter Priestley  
Trustee Craig Rosasco  
Administrator/Clerk/Treasurer Brian Harty  
Deputy Clerk Daniel Ruckdeschel  
Attorney Claudio DeBellis

**Absent:** Trustee Cheryl Parisi  
Superintendent of Buildings Stephen Fellman

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance and a moment of silence.

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

- The next Board meeting with public comment period will be held on Monday, July 11<sup>th</sup>, 2022. Regular Work Sessions will be held on Tuesday, June 21<sup>st</sup>, 2022, Monday, June 27<sup>th</sup>, 2022, and Monday, July 11<sup>th</sup>, 2022 at 7:00 p.m.
- The following resolution was approved at the April 11<sup>th</sup> Work Session:
  - Adopted the 2022-2023 Budget.
- The following resolutions were approved (4-0) at the May 16<sup>th</sup> Work Session:
  - Approved Deputy Mayor Barrett to sign the 2022/2023 Tax Warrant.
  - Approved a request from the Cultural Arts Committee to use the Court Room for a presentation by the Long Island Chrysanthemum Society on the growing and showing of Exhibition Chrysanthemums on Thursday, June 30, 2022 at 7:00 p.m.
  - Approved the purchase of a new Befco Flail Mower H40-S72 from All Island Equipment Corp., as the lowest responsible bidder, at a cost of \$6,222.00.
  - Approved the revision of the following salaries, retroactive to April 4, 2022: Change Village Justice Anthony Addeo from \$13,000 to \$10,000 and Associate Justice Thomas Dell Aquila from \$1,000 to \$4,000.

## REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, June 6, 2022

### INC. VILLAGE OF FARMINGDALE

- Approved the salary of DPW Superintendent John Mirando in the amount of \$50.00 per hour.
- The following resolution was approved at the May 23<sup>rd</sup> Work Session:
  - Appointed Bernie Hothersall as a member of the Planning Board to fill a vacancy ending in 2025 (4-0 vote). He needs to be sworn in.
  - Authorized the Pride Event scheduled for Sunday, June 12, 2022 in the Village of Farmingdale (3-2 vote).
  - Authorized the settlement of the Village's claims against Aluminum Louvre Corp., et al and Aljo-Gefa Precision Manufacturing LLC, et al in the contamination lawsuit, and the Village Board consents to the settlement of the coverage action, to the extent that this consent is necessary. (5-0 vote).
  - Approved the purchase of a new Komatsu Pay Loader and attachments indicated in the attached proposal through "Sourcewell" buying cooperative, of which we are a member. The net purchase price of \$204,172.41 includes a trade in credit of \$24,800 for 1994 and 2003 pay loaders. This is a capital purchase through a Komatsu 6 year lease purchase agreement (4-0 vote).
  - Approved a request by the Cultural Arts Committee to use the Court Room for an Open Mic Night on Friday, June 10, 2022 at 7:00 p.m. The event can be held either outside in the Gazebo or in the Court Room.
  - Approved the waiver of penalties and interest accrued by a number of commercial water customers due to USPS delivery issues. (4-0 vote).

**REGULAR MEETING BUSINESS ITEMS** – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, the following items were, **RESOLVED (#2023-06-01)**,

- Abstract of Audited Vouchers #1162 dated June 6, 2022.
- Minutes of Board Meetings of 5/2/22, 6/16/22, 5/23/22
- Use of Village Property:
  - Lithology Brewing Co. is requesting the use of 5 parking spaces in Parking Lot 3, behind Lithology (211A Main St.) for a 6 Year Anniversary party on Saturday, July 16, 2022 from 12:00 Noon – 9:00 p.m.
  - The Farmingdale Breakfast Rotary Club is requesting to hold a Puppy Parade & Expo on Saturday, October 8, 2022. The Rotary

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

Club has requested the use of the Gazebo and Village Green (front) from 10:00 a.m. to 5:00 p.m.

- Block Party Applications:
  - Darlene Hawes, 51 Jerome Drive, Monday, July 4<sup>th</sup> (rain date July 5<sup>th</sup>) from 11:00 a.m. to 10:00 p.m. Jerome Drive closed between 51-67 Jerome Drive and 88-104 Jerome Drive.
  - Lisa Marazzo, 24 Jerome Drive, Saturday, September 10<sup>th</sup> (raid date September 17<sup>th</sup>) from 12:00 Noon to 9:00 p.m. Jerome Drive closed between Leonard Street and Adrienne Court.
- Tax certiorari's:
  - None

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

DATE	LOCATION	CONSTRUCTION/COMMENTS	ARB	C/R
4/29/2022	Toni Anastasiadis 63 Jerome Dr. DB22-00043	Maintain existing above ground pool and deck.	N/A	R
4/29/2022	256 Oakview Ave Sunation Solar DB22-00044	Install 12 roof mounted solar panels as per drawings submitted by Sunation dated 4/21/22.	N/A	R
4/29/2022	322 Secatogue Ave David and Jessica Innes DB22-00045	Replace 12 windows	N/A	R
4/29/2022	130 Prospect St. Anne Seeley DB22-00046	Two one story additions as per drawings submitted by James Elberfeld dated 3/22/22.	N/A	R
5/2/2022	331-337 Main St. Staller Associates PP22-00019	Two grease traps.	N/A	C
5/6/2022	250 Fulton St. Sushil Saggar DB22-00047	Interior alterations for doctor's office and exterior handicap lift.	N/A	C
5/6/2022	115 William St. Ann Crawford FP22-00010	4' ornamental alluminium fence.	N/A	R
5/6/2022	90 Conklin St. Chelsea Ng DB22-00048	Install 17 roof mounted solar panels as per drawings submitted by Amergy Solar dated 4/19/22.	N/A	R
5/11/2022	23 Maple St. Scott Gonyon DB22-00049	Construct new 16' x 24' detached garage	N/A	R
5/13/2022	277 Main St. Dark Horse Tavern DB22-00050	Second floor tavern as per drawings submitted by Joseph Brenen Architect dated 5/10/22.	N/A	C
5/16/2022	50 Duane St. Nancy Johnson DB22-00051	Install new air conditioning system.	N/A	R

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

5/17/2022	39 Quaker Lane Corey Stein & Hui Jiang FP22-00011	6' wood and PVC fence	N/A	R
5/17/2022	50 Linwood Ave Peggy McCutcheon FP22-00012	6' white PVC	N/A	R
5/17/2022	31 Jerome Drive Bob Galli FP22-00013	Aluminum & PVC fence and gate	N/A	R
5/17/2022	300 Fulton St. Dan Heller P & H PP22-00020	Pressure Test	N/A	C
5/17/2022	25 Pinehurst Rd. Vincent Patrowicz DB22-00052	Install 28 roof mounted solar panels as per drawings submitted by Empower Solar dated 5/16/22.	N/A	R
5/20/2022	5 Puritan Lane National Grid RO22-00004	One 4 x 4 bellhole to install gas service	N/A	R
5/24/2022	36 Hallock St. Ishrat Rafiq DB22-00053	Maintain interior alteration to existing detached garage, maintain roof.	N/A	R
5/27/2022	332 Fulton St. Tony Desousa DP22-00001	Interior demolition	N/A	C
6/3/2022	27 Oakview Ave National Grid RO22-00005	One 4 x 4 bellhole to install gas service.	N/A	R

**PUBLIC HEARING DATES** – No new hearings for Monday, July 11, 2022.

**PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR 153 FULTON STREET** – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, it was,

**RESOLVED (#2023-06-02)**, to continue the hearing.

Howard Avrutine, attorney for the applicant, indicated that the plans for the location of the building had been changed. The dumpsters are now on the Merritts Road side of the building, moving the building to the east. Andrew Stewart from High Point Engineering also indicated that the building had been moved and that the corner of the building essentially lines up with the neighboring property to the north. He also said that parking spaces proposed has increased by one to sixteen spaces.

Concern was expressed regarding the view from the windows on the north side of the building. Some possible solutions were discussed and will be looked into.

The proposed fence between properties was discussed, the applicant is willing to take another look for a possible change.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**Monday, June 6, 2022**

**INC. VILLAGE OF FARMINGDALE**

The applicant stated that the new building will be 2998 sq. feet, which is virtually equal to the current building and that landscaping will be added to soften and enhance certain areas. The elimination of parking spaces 15 & 16 was discussed, potentially providing access/egress from 7-11 to the building on the north side. The applicant will consider this from legal, functional and code perspectives.

Ken Bordiene from 7-11 discussed the canopy with the Board. The Board stated that it had to be a mansard and that no striping or 7-11 logos were allowed. Trustee Rosasco suggested a larger monument sign on NY 24. Mr. Bordiene agreed, saying “I can make that trade”.

The following public comments were made:

- A resident noted that the proposed dumpsters would block the view of the building to the north.
- James Israti, owner of the building to the north, expressed his appreciation to the Board for trying to assist with a workable plan for all parties. He said that the current practice of “shared” parking with 7-11 has been in practice for some time, and raised questions about the look of the proposed dumpster location along with the proposed fence.
- The owner of the dry cleaner in the north building does not like the fence and requested that the layout remain the same.
- A resident expressed support for the revised plan.
- A resident agreed with the revisions but suggested that incremental advertising be allowed on the north building to assist businesses located there.
- A resident stated that he disagreed with the proposed traffic pattern plan for the redeveloped 7-11. Mr. Villari, representing the applicant, indicated that New York State (for Rte. 24) and Nassau County (for Merritts Road) who make the determination of access and egress.

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

**RESOLVED (#2023-06-04)**, to continue the hearing until Monday, July 11, 2022 at 8:00 p.m. and to send the application to the Planning Board for review and comment.

**PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR 356 FULTON STREET –**

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

**RESOLVED (#2023-06-05)**, to open the hearing.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

Anthony Curcio, attorney for the applicant, indicated that the property in resolving property maintenance issues in Village Court and that the property had been cleaned up.

Complaints have been lodged regarding parked cars that are in for repair on the street and on the sidewalk. The owner stated that he has 6 on-site parking stalls, room for 4 vehicles inside and 2 vehicles on driveway for a total of 12 on-site parking spots. He said that no auto body work is done there, but mechanical repairs are done on trucks, cars and SUVs.

Trustee Priestley asked if the owner had tried to lease offsite parking. The owner said that he had not.

The following public comments were made:

- Doreen Soto of 3 Heisser Lane said that in the past cars in for repairs have routinely blocked her driveway. She said that there have been numerous verbal altercations and threats over a number of years, with customers parking there and blocking her driveway.
- Mary Cassidy, owner of 3 Heisser Lane, said that there has been garbage everywhere on the site and their dumpster comes at 1:30 a.m. Her house shakes and there is very loud noise when the dumpster is being picked up. She also said the vehicles block the line of sight when leaving her driveway, creating a dangerous condition.
- The attorney noted that the site has been a gas station since 1959.

**EXECUTIVE SESSION**, upon a motion made by Trustee Priestley and seconded by Trustee Rosasco, it was,

**RESOLVED (#2023-06-06)**, to move to Executive Session.

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

**RESOLVED (#2023-06-07)**, to reconvene the meeting.

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

**RESOLVED (#2023-06-08)**, to close the hearing.

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

**RESOLVED (#2023-06-09)**, to grant a Special Use Permit for 6 months to 356 Fulton Street to operate an auto repair station in a Business D Zoning District, with the condition that operating hours are to be from Monday – Saturday from 9:00 a.m. to 6:00 p.m. and closed on Sunday. All cars in for repair must be parked on-site and not in the street.

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**Monday, June 6, 2022**

**INC. VILLAGE OF FARMINGDALE**

**PUBLIC HEARING FOR A SPECIAL USE PERMIT FOR 505 CONKLIN STREET**

– Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, it was,

**RESOLVED (#2023-06-10)**, to open the hearing.

There being no public comment, upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was,

**RESOLVED (#2023-06-11)**, to close the hearing.

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

**RESOLVED (#2023-06-12)**, to approve a Special Use Permit to 505 Conklin Street for a deli with 30 seats. The applicant will purchase 1 parking space at a cost of \$5,000 which is due upon issuance of the Certificate of Occupancy. Hours of operation are 6:00 a.m. to 9:00 p.m.

**PUBLIC HEARING TO ADOPT A LOCAL LAW TO INCREASE IN FINES** – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, it was,

**RESOLVED (#2023-06-13)**, to open the hearing.

There being no public comment, upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was,

**RESOLVED (#2023-06-14)**, to close the hearing.

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

**RESOLVED (#2023-06-15)**, to adopt a local law to reflect an increase in fines from weekly to daily.

**LOSAP** – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was, **RESOLVED (#2023-06-16)**,

WHEREAS, the Village is the sponsor of a Defined Benefit Length of Service Award Programs (“LOSAP”) on behalf of the Farmingdale Fire Department in accordance with Article 11-A of the New York State General Municipal Law (GML);

WHEREAS, the annual contribution due to the Trust Fund is calculated by the actuary retained by the Board of Trustees, which is currently Firefly Admin Inc.;

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

WHEREAS, the actuary uses certain assumptions in the calculations; namely, an assumed investment rate of return and a mortality assumption;

WHEREAS, past administrative practice has been that the actuarial assumptions used when calculating lump-sum benefits payable at death and disability are the same as the assumptions used to calculate the annual cost of the LOSAP;

WHEREAS, when the actuary determines that a change in one or more of the actuarial assumptions is necessary, these changes then impact the calculation of lump-sum benefits, which can cause delays and other undesired consequences in the calculation and distribution of benefits;

WHEREAS, there is no requirement in the General Municipal Law that mandates how actuarial equivalent benefits are to be calculated, but just that different forms of payment are to be actuarially equivalent;

WHEREAS, it is generally a common administrative practice in the administration of defined benefit plans for a sponsor to adopt a specific set of Actuarial Equivalence Assumptions so that conversion between different forms of payment can be consistent and uniform regardless of changes in other factors that might require the change in actuarial assumptions for determining the annual contribution;

WHEREAS, Firefly Admin Inc. is recommending that the Board adopt static Actuarial Equivalence Assumptions; and

WHEREAS, the Board desires to facilitate consistent and timely administration and payment of benefits owed to participants and their beneficiaries; NOW, THEREFORE BE IT

RESOLVED, that the Village Board of Trustees hereby adopts the following Actuarial Equivalence Assumptions effective January 1, 2021 for the calculation of any benefit that is to be calculated on an actuarial equivalent basis:

- Interest rate: 5.25%
- Pre-entitlement age mortality table: None
- Post-entitlement age mortality table: RP-2014 Healthy Annuitant Male, no projection



**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

BE IT FURTHER RESOLVED, that a copy of this resolution shall be attached to the LOSAP Plan Document and provided to Firefly Admin Inc. for the future administration of the LOSAP effective January 1, 2021.

**WELL BUILDING DOORS** – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was,

**RESOLVED (#2023-06-17)**, to approve Westar Construction Group Inc. to replace doors for Well Building 2-2 at a cost of \$12,100 and doors for Well Building 2-3 at a cost of \$5,210. In addition, doors and a hatch will be added at Well 1-3 at a cost of \$18,368, and new windows in the hallway and clerk’s office in Village Hall will be added at a cost of \$79,920.

**BEAUTIFICATION** – Mayor Ekstrand reported the following:

- All planters and hanging baskets have been deployed.

**OLD BUSINESS** – None

**CORRESPONDENCE** – East End Financial Group Scholarship Award and a thank you letter to Kenny Tortoso.

**FAIR HOUSING COMPLAINTS & COMMENTS** - None

**PUBLIC COMMENT** – A discussion began on the following topics:

- Michelle from Stratford Green commented about rats from the pizza parlor dumpster adjacent to her property.
- A resident asked about port-a-potties at large events – they are provided.
- A resident expressed concern that demo permits are issued without a new tenant identified in Village properties.
- A water main cap on Washington Street needs repair.

**EXECUTIVE SESSION**, upon a motion made by Trustee Priestley and seconded by Trustee Rosasco, it was,

**RESOLVED (#2023-06-18)**, to move to Executive Session.

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

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, June 6, 2022**  
**INC. VILLAGE OF FARMINGDALE**

**RESOLVED (#2023-06-19)**, to reconvene the meeting.

There being no further business, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,  
Brian P. Harty  
Village Clerk/Treasurer