

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, July 6, 2015**  
**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, July 6, 2015.

**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 8:10 PM with the pledge of allegiance.

Mayor Ekstrand and the Board of Trustees presented a proclamation to Kevin Blais for 50 years for service in the Village Fire Department.

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

- Next Board meeting with public comment period will be held on Monday, August 3, 2015 at 8:00 p.m.: Board of Trustees Work Sessions begin at 7:00 p.m. on July 20<sup>th</sup> and July 27<sup>th</sup>, 2015.
- The Village POPS began on July 1<sup>st</sup> and will continue to run through August 12<sup>th</sup> on Wednesday evenings on the Village Green.
- The Village will be showing movies beginning this Thursday July 9<sup>th</sup> at dusk and will continue each Thursday until August 20<sup>th</sup>.

**REGULAR MEETING BUSINESS ITEMS** – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, the following items were unanimously, **RESOLVED (#2016-07-01)**,

- Abstract of Audited Vouchers #1079 dated July 6, 2015
- May Wire Transfers
- Minutes of 6/1 and 6/15, 6/22 work sessions as amended
- Taxi permits
- Block Party Applications:

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- Kevin Faber, 34 Sullivan, for 9/6/15 noon to 11pm, rain date 9/7, closing Sullivan Road from Secatogue to Pinehurst and Manetto from Sullivan to Pinehurst.
- Use of Village Property:
  - Home Goods, 318 Main Street, application for Sidewalk Display for seasonal products.
- Outdoor Dining
  - Dark Horse, 273 Main Street, 5 tables with chairs.
  - Ubaldo's, 346 Main Street, 2 tables with chairs
  - Nutty Irishman, 323 Main Street

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Creations Pizza & Yogurt 193 Main St. SP 15-5	Erect 91"x19" sign	X
Wissenbach 40 Clinton Ave. DB 15-49	Install 28 roof mounted solar panels	N/A
222 Main St. LLC 222 Main St. DB 15-50	Interior alterations for a day spa	N/A
Elvizio 240 Grant Ave. DB 15-51	Install 18' above ground pool	N/A
Elvizio 240 Grant Ave. DB 15-52	Repair fire damaged garage and construct 16'x20' addition	N/A
Sullivan 255 Prospect St. DB 15-53	Add first floor half bath and second floor expansion.	N/A
Kehoe 32 Clinton Ave. FP 15-13	Replace 34' of fence along rear property line with 3' gate on south side and 4' gate across driveway.	N/A
Kehoe 32 Clinton Ave. DB 15-54	Interior alterations, doors, flooring, windows, ½ bath and basement.	N/A
GTM Sports Bar 306 Main St. DB 15-55	Interior alterations for a sports bar with seating for twelve.	N/A
Heiderstadt 203 Lenox Ct. FP 15-14	Erect 6' PVC fence along rear and side property line with two gates.	N/A
Isca 23 Anita Pl. SWP 15-9	Replace ten sidewalk flags.	N/A
Hunt 23 Harrison Pl. RO 15-6	Open one bellhole for gas installation.	N/A

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Premier Builders 769 Fulton St. DB 15-56	Construct two car detached garage.	N/A
Asllani 6 Sherman Rd. FP 15-14A	Install 4' fence on north side of property and Melville Rd. side fence stepped down from 6' to 4' on Jackson Ave. side. ZBA approved 6/11/15.	N/A
Ahrens 2 Harrison Pl. DB 15-57	Maintain detached garage, finished basement with bath, wood burning fireplace. ZBA approved 6/11/15.	N/A
Ahmed 103 Elizabeth St. PP 15-11	Install twelve fixtures.	N/A
Charlotte's 294 Main St. DB 15-58	BOT approved outdoor benches.	N/A
Gino's Pizza 333 Main St. DB 15-59	BOT approved tables & chairs outside.	N/A
Perna 64 Ridge Rd. CC 15-01	Replace 19' apron and 75' sidewalk.	N/A
DePietro 2 Dexter St. PP 15-12	Install gas boiler/hot water heater.	N/A
Hunt 23 Harrison Pl. PP 15-13	Install gas fired boiler.	N/A
C&J Farmingdale 211 Main St. DP 15-6	Interior demolition to create gift shop.	N/A
511 Fulton Holding Corp. 511 Fulton St. PP 15-14	Install hot water heater, sinks & floor drain.	N/A
Staller Associates 231 Main St. RO 15-7	Open one bell hole for gas service.	N/A
Cutter 170 Bethpage Rd. DB 15-68	Install 53 solar panels.	N/A
Gallina 10 Puritan Ln. DB 15-69	Install central A/C unit.	N/A
Fairfield Conklin East 717 Conklin St., Apt. 6 DB 15-70	Interior renovations.	N/A
Procida 26 Weiden St. DB 15-71	Maintain enclosed front porch, roof over side stoop, semi-inground pool, finished basement with bath.	N/A
Lemenille 12 Linden St. DB 15-72	New roof, siding, front & back doors & front steps.	N/A
Policke 2 Ivy St. PP 15-15	Replace gas boiler.	N/A

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Carelus 14 Van Cott Ave. PP 15-16	Install boiler and stove. Oil to gas conversion.	N/A
National Grid 81 Jefferson Rd. RO 15-8	Open 3 bell holes and one trench on Jefferson Rd. & Paine Ave for gas service.	N/A
National Grid 85 Jefferson Rd. RO 15-9	Open 3 bell holes and one trench on Jefferson Rd. & Paine Ave for gas service.	N/A
National Grid 89 Jefferson Rd. RO 15-10	Open 3 bell holes and one trench on Jefferson Rd. & Paine Ave for gas service.	N/A
Alessi 130 Hillside Rd. RO 15-11	One bellhole for gas installation.	N/A
Anderson 92 Powell Pl. SWP 15-10	Replace five sidewalk flags.	N/A

**PUBLIC HEARING DATES** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Ryan, it was unanimously **RESOLVED (#2016-07-02)**, to set the following public hearings for August 3, 2015 at 8:00 p.m.

- New Local Law on Incentive Bonuses and Parking Waivers.
- New Local Law on the issuance of Rail Road Parking permits within close proximity of the train station.
- Public hearing on the application from Farmingdale Gardens 137 N. Main Street, for a special use permit to allow for increased density, increased height and parking waiver.

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

**RESOLVED (#2016-07-03)** That the Village Board declares itself, pursuant to SEQRA, as Lead Agency in connections with the proposed local law on Incentive Bonuses and Parking Waivers; and

**FURTHER RESOLVED**, that the Village Board classifies this application as unlisted actions which will not result in any significant adverse environmental impact; and

**FURTHER RESOLVED**, that the Village Board issues a negative declaration and notice of determination of non-significance in connection with this application.

**FURTHER RESOLVED**, that the Village Board directed the Village attorney to send the proposed local law to Nassau County Planning.

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**LOCAL LAW 5-2015 AND LOCAL LAW 6 2015** – Limiting tattoo parlors to the industrial zone. Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2016-07-04)** To open the public hearing.

Mayor Ekstrand explained that the Master Planners made the recommendation to move Tattoo Parlors to the Industrial Zone, but since the Village had an active parlor working in the DMU Zone the decision was to ignore the recommendation at that time. The tattoo parlor has since moved outside the Village boundaries so the Board is now considering the change.

The Mayor asked for comments from the Board and the public, there being none, upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2016-07-05)** To close the public hearing.

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

**RESOLVED (#2016-07-06)** To adopt Local Law 5-2015 and Local Law 6-2015 Limiting Tattoo Parlors to the industrial zone.

**CONTINUED PUBLIC HEARING GMT SPORTS BAR** – Upon a resolution made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-07-07)** That the Village Board declares itself, pursuant to SEQRA, as Lead Agency in connections with the proposed application for a Special Use Permit for GMT Sports Bar; and

**FURTHER RESOLVED**, that the Village Board classifies this application as unlisted actions which will not result in any significant adverse environmental impact; and

**FURTHER RESOLVED**, that the Village Board issues a negative declaration and notice of determination of non-significance in connection with this application.

**FURTHER RESOLVED**, that the village directs the Village attorney to send this application to Nassau County Planning.

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

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**RESOLVED (#2016-07-07)** to continue the public hearing for August 3, 2015 at 8 p.m.

**CONTINUED PUBLIC HEARING 168-190 FULTON ST** – Superintendent Fellman explained that Nassau County Planning had an issue with two curb cuts on the property and made the recommendation that only one curb cut be allowed with right turn only. Mr. Zaccaro has been informed and is making changes. Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2016-07-08)** to continue the public hearing until August 3, 2015 at 8:00 p.m.

**CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT FOR ADDITIONAL SEATING/PARKING/LOADING FOR 223 MAIN STREET (Rob Bernardini)** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously, **RESOLVED (#2016-07-09)**

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

**WHEREAS**, Rob Bernardini (“APPLICANT”) is the owner of restaurant/bar at 223 Main Street, Farmingdale New York, 11735, (“PROPERTY”) said parcel being known on the Nassau County Tax Maps as Section 49; Block 76; Lot 24; and

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

**WHEREAS**, APPLICANT desires to renovate the property and operate a thirty-four (34) seat wine bar on the PROPERTY (“ACTION”); and

**WHEREAS**, the VILLAGE has jurisdiction over the development of the PROPERTY; and

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

**WHEREAS**, at the June 1, 2015 public hearing, the VILLAGE, pursuant to SEQRA, declared itself lead agency and classified the proposed development as an unlisted action with a negative declaration pursuant to SEQRA; 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**, in connection with the ACTION, APPLICANT applied for a building permit, and submitted, in connection with its application the following:

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1. Plans of Hawthorne Engineering and Consulting, PLLC dated April 24, 2015 (First floor egress plan; first floor plan; enlarged food warming plan; and lounge area with enlarged wine bar plan); and
2. Short Form Environmental Assessment Form verified June 5, 2015; and

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the D-MU Zoning District as follows:

1. §105-94A(1) – Special Use Permit from Board of Trustees for Seating in excess of 12 seats;
2. §105-97 – Off Street Parking – Parking Request 1 space per 3 seats (34) (11.3); Parking Request 1 space per 3' of bar (12) (4.0); total required is 15.3.
3. The Board may waive up to 90% of requires seats, or 13.77, leaving a deficit of 1.53 or 2 spaces. These spaces may be purchased for \$5,000 per space for a total of \$10,000.
4. §105-97(9)C – At least one loading space is required unless waived by the Board of Trustees; and

WHEREAS, APPLICANT has applied for a special permit pursuant to Section 105-94 (Now Section §600-128), for a restaurant with more than 12 seats; and

WHEREAS, APPLICANT has applied for relief from Section 105-97 (Now Section 600-131) and a parking waiver pursuant to Section 600-143, of the Zoning Code of the Inc. Village of Farmingdale, which allows the VILLAGE Board of Trustees, following a public hearing, to modify the parking requirements set forth in the code in exchange for the payment of a sum determined by the Board of Trustees to be a sufficient substitute value for the deficiency in parking spaces; and

WHEREAS, APPLICANT has offered to pay the sum of Ten Thousand dollars (\$10,000) in exchange for a parking waiver; and

WHEREAS, the Nassau County Planning Commission has, following its review, by resolution dated, June 11, 2015, deferred to the VILLAGE to take any action it deems appropriate in connection with the ACTION; and

WHEREAS, in accordance with Section 600-138 of the Zoning Code of the Inc. Village of Farmingdale, on June 1, 2015 and July 6, 2015 the VILLAGE held public hearings in connection with APPLICANT's request for a special permit and parking waiver at the Village Hall in Farmingdale; and

WHEREAS, at the public hearings APPLICANT presented witnesses who testified on APPLICANT's behalf; and

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

NOW, THEREFORE BE IT DECIDED, that the Board of Trustees grants a Special Permit for a wine bar and a parking waiver subject to the following:

1. All construction shall comply with:
  - a. Plans of Hawthorne Engineering and Consulting, PLLC dated April 24, 2015 (First floor egress plan; first floor plan; enlarged food warming plan; and lounge area with enlarged wine bar plan); and
2. APPLICANT shall pay Ten Thousand Dollars (\$10,000) to the VILLAGE to be deposited into the VILLAGE Capital Reserve Fund for parking field acquisition and improvement. Said payment shall be made as follows:
  - a. Three Thousand Five Hundred Dollars (\$3,500) upon the execution of this special permit parking waiver decision (the "EFFECTIVE DATE");
  - b. Three Thousand Two Hundred and Fifty Dollars (\$3,250) within one (1) year of the EFFECTIVE DATE as defined in (a); and
  - c. Three Thousand Two Hundred Fifty Dollars (\$3,250) within two (2) years of the EFFECTIVE DATE as defined in (a); and
3. APPLICANT shall enter into a parking waiver agreement which shall incorporate the requirements of paragraph 2; 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 600-137 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.



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**PUBLIC HEARING PROPOSED LOCAL LAW 4-2015 REVISION TO CHAPTER 577 OF VILLAGE CODE TO ALLOW FOR QUARTERLY BILLING** – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-07-10)**, to open the public hearing.

There being no comments from the Board or public and upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2016-07-11)**, to close the public hearing.

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

**RESOLVED (#2016-07-12)**, to adopt Local Law 4-2015.

**CONTINUED PUBLIC HEARING ON PROPOSED LOCAL LAW REVISING THE DMU SIGN CODE** – the Board reviewed comments made by Nassau County Planning. Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-07-13)**, to continue the public hearing.

There being no comments from the public and upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-07-14)**, to close this public hearing.

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

**RESOLVED (#2016-07-15)**, to adjourn the hearing until August 3, 2015 at 8 p.m. for a decision only.

**ROBBIE LEE RENEWAL OF SITE PLAN APPROVAL & SPECIAL USE PERMIT**, upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-07-16)**, to set the fee for the one year renewal of the building site plan and Special Use permit for Robbie Lee to \$2,500.

**FIRE DEPARTMENT PART-TIME DISPATCHER HIRINGS** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

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**RESOLVED (#2016-07-17)**, to approve the hiring of the following part-time dispatcher/firehouse maintainers at the fire department at a salary of \$12.55/hour:

- Tim Curley
- Daniel McMonagle
- Ryan Casquarelli

**TAX CERTIORARI** – This topic was tabled for further information.

**FIRE DEPARTMENT DISPATCH BOOTH** – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-07-18)**, to authorize the purchase of a modular dispatch booth and related equipment for a total cost of \$145,602.30 based on the written recommendation by Farmingdale Fire Department. Funding to come from Legislator Rose Walker through a Nassau County Grant.

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

**RESOLVED (#2016-07-19)**, to hire Vision Long Island to provide certain services for the CDBG Sign, Light and Awning program at an estimated cost of \$24,000 subject to a written contract approved by Village Attorney DeBellis.

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

**RESOLVED (#2016-07-20)**, declare a DPW Dresser air compressor as surplus.

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

**RESOLVED (#2016-07-21)**, to authorize Rosemar to pave part of Elizabeth Street, Cornelia Street, Eastern Parkway and Eastern Parkway extension, Franklin Place, Oakview Avenue and Prospect Place under the requirements contract for a total of \$617,344.50. Funding to be provided by BAN/Bond.

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

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**RESOLVED (#2016-07-22)**, to approve the hiring of Rosemar, under the requirements contract, to repair drains identified around the Village for \$14,945.

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

**RESOLVED (#2016-07-23)**, to authorize Savik & Murray to prepare a bid for the re-engineering of parking lots 2 & 4.

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

**RESOLVED (#2016-07-24)**, to authorize the borrowing \$680,000 for paving and related expenses after consultation with Bond Counsel and Bond advisor.

**WATER DEPARTMENT IMPROVEMENTS** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, the following was unanimously,

**RESOLVED (#2016-07-25)**, to authorize H2M to prepare the engineering for the creation of a high pressure zone for a cost of \$177,400 funding included in the \$3.195MM bond authorization.

**BEAUTIFICATION** – Deputy Mayor Christiansen reported that the plants are doing well; renovation at Merritts Road is complete and the Village is waiting on the results on the water and that the Northside park's planting is being adjusted.

**CORRESPONDENCE** – None

**PUBLIC COMMENT** – No comments were made.

**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 business, the meeting was adjourned at 11:15 p.m.

Respectfully submitted,

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Brian P. Harty, Village Clerk-Treasurer