

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, August 3, 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, August 3, 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
Superintendent of Buildings Steve Fellman
Public Works Superintendent Andy Fisch

Absent: Deputy Clerk/Treasurer Barbara Kelly

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 on Tuesday, September 8, 2015 at 8:00 p.m.: Board of Trustees Work Sessions begin at 7:00 p.m. on August 17th and August 24th, 2015.
- The Village POPS play on the Village Green every Wednesday night until August 12th
- The Village will be showing movies on the Village Green each Thursday until August 20th

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, the following items were unanimously, **RESOLVED (#2016-08-01)**,

- Abstract of Audited Vouchers #1080 dated August 3, 2015
- June Wire Transfers
- Minutes of 7/6 regular meeting and 7/6, 7/20 and 7/27 work sessions as amended
- Taxi permits
- Use of Village Property:
 - F.I.S.T., Family in Support of Treatment is requesting to hold part of their “uniting Long Island for Recovery: Walk for Hope” through the Village on August 30, 2015 from 4:00 to 8:00 p.m. The walk will begin at Farmingdale College and make its way down Melville

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Road, Main Street, Conklin Street and Elizabeth Street ending back at Farmingdale College.

- Outdoor Dining
 - Las Delicias Latinas – 56 Conklin 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
Molina 19 Vernon St. DB 15-73	First floor interior alterations.	N/A
Beukelaer 10 Sullivan Rd. DB 15-74	Extend existing deck.	N/A
312 Conklin St. LLC 312 Conklin St. DB 15-75	Interior renovation of first floor and basement.	N/A
312 Conklin St. LLC 312 Conklin St. FP 15-16	Erect 5' wrought iron fence along south and east property line at parking lot edge.	N/A
Alessi 130 Hillside Rd. DB 15-76	Interior alterations.	N/A
Beresford 19 Jerome Dr. DB 15-77	Install solar panels.	N/A
Scherer 44 Clinton Ave. DB 15-78	Construct two car detached garage.	N/A
Merchan 366 Secatogue Ave. DB 15-79	Install twelve roof top solar panels.	N/A
Options Comm. Living 20 Staples St. DB 15-80	Install thirty eight solar panels.	N/A
Cavanagh 50 Sherman Rd. DB 15-81	Construct two story addition.	N/A
Bowe 196 Melville Rd. DB 15-82	Maintain basement bathroom and second floor half bath.	N/A
Hardscrabble Apts. 404 Main St. DB 15-83	Repair overhangs, provide new columns.	N/A
Carelus 14 Van Cott Ave. RO 15-12	Open 4 bell holes for gas installation.	N/A
Staller 285 Eastern Pkwy. RO 15-13	Open 3 bell holes and 120' trench for gas installation.	N/A
Manaktala 26 Heisser Ln. DB 15-84	Maintain finished basement with exterior stairs. Install new interior stair from first floor to basement.	N/A

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Molina 94 Grant Ave. DB 15-85	Install 18 solar panels.	N/A
VOF 315 Eastern Pkwy. DP 15-7	Remove Metro PCS antennas & equipment.	N/A
Gilt & Glitz 222 Main St. – rear SP 15-6	Erect sign and awning. ARB approved 7/28/15.	X
Lauritsen 122 Staples St. PP 15-17	2 water closets, kitchen sink, 2 lav., 1 shower, dishwasher	N/A

PUBLIC HEARING DATES – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Ryan, it was unanimously **RESOLVED (#2016-08-02)**, to set the following public hearings for September 8, 2015 at 8:00 p.m.

- Proposed Local Law 2015 – Modifying permitted uses in the D-MU zoning district.
- Proposed Local Law 2015 – Amending incentive bonus provisions.
- Proposed Special use permit and incentive bonus provisions for the redevelopment of 824 and 828 Fulton Street to build 24 townhomes.

LEAD AGENCY & SEQRA - Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-08-03) That the Village Board declares itself, pursuant to SEQRA, as Lead Agency in connection with the proposed applications and local laws; and

FURTHER RESOLVED, that the Village Board classifies these applications and local laws 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 these applications and local laws.

FURTHER RESOLVED, that the Village Board directed the Village attorney to send the proposed applications and local laws to Nassau County Planning.

CONTINUED PUBLIC HEARING 306 MAIN STREET (GTM’S SPORTS BAR) – Mayor Ekstrand explained that this public hearing was opened and the Board voted to send this application to Nassau County Planning at the July 6th Board of Trustees meeting. As of

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tonight, the application is incomplete. Therefore, it has been adjourned to September 8, 2015 at 8:00 p.m.

CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT MULTI-FAMILY DWELLINGS/INCENTIVE BONUSES/SITE PLAN APPROVAL 168-190 FULTON STREET (168-190 FULTON ST. LLC) – Superintendent Fellman explained that the applicant complied with Nassau County’s recommendations. Therefore the Board can vote on this application tonight.

Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously, **RESOLVED (#2016-08-04),**

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

WHEREAS, 168-190 Fulton Street, LLC. (APPLICANT) is the owner of the property located at 168-190 Fulton Street, Farmingdale, New York and known as Section: 48; Block 443; Lots 23 and 28 (the “PROPERTY”); and

WHEREAS, the PROPERTY is located in the Business D Zoning District of VILLAGE; and

WHEREAS, APPLICANT proposed to construct a multifamily residence consisting of 63 units (42 one bedroom and 21 two bedroom units) (ACTION) and submitted a building permit application in connection with the ACTION; and

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the zoning code:

1. Article XII of Business D District §105-79(o), multi-family dwellings require a Special Use Permit from the Board of Trustees; and
2. Article XII of Business D District §105-79(o)2, development incentive bonus required to exceed 20 units per acre (30 units per acre proposed); and
3. Article XII of Business D District §105-79(o)3, development incentive bonus required to exceed maximum height of 2 ½ stories or 30 feet to the proposed 3 stories and 45 feet; and
4. Article XII of Business D District §105-79(o)5, development incentive bonus required to reduce the minimum size of an apartment from 850 square feet minimum to 729 square feet proposed; and

WHEREAS, pursuant to §600-100(P) the Village Board has the authority to award development incentive bonuses varying the requirements of the Business D Zoning District as well as the parkland requirements of Chapter 264 of the Code of the Village of Farmingdale; and

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WHEREAS, APPLICANT has applied for a special use permit and has applied for development incentive bonuses pursuant to §600-100(P);

WHEREAS, the ACTION was 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”) 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, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the Board of Trustees, on April 6, 2015, June 1, 2015, and August 3, 2015, held public hearings in connection with the ACTION; and

WHEREAS, a traffic study was conducted on behalf of the VILLAGE by RMS Engineering, and a report prepared by RMS Engineering, dated May, 2015, was submitted and considered by the VILLAGE in connection with the ACTION; and

WHEREAS, The APPLICANT appeared on its behalf at the public hearing(s); and

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

WHEREAS, on June 22, 2015, the Nassau County Planning Commission deferred to the VILLAGE to take any action it deemed appropriate in connection with the application and recommended that the VILLAGE:

1. Conduct further study of the traffic impacts of the development;
2. Consider the community amenities/benefits offered by APPLICANT in exchange for the incentive bonuses; and
3. Require the APPLICANT to comply with the Long Island Workforce Housing Program.

WHEREAS, the VILLAGE required APPLICANT to give further consideration to the traffic impacts; and

WHEREAS, APPLICANT communicated and worked with the New York State Department of Transportation to address the concerns of the Nassau County Planning Commission and amended its site plan in accordance with the recommendations of the New York State Department of Transportation; and

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WHEREAS, the VILLAGE has required APPLICANT to provide various community amenities/benefits in exchange for bonus incentives and has mandated APPLICANT's compliance with the Long Island Workforce Housing Program; and

WHEREAS, APPLICANT has agreed to provide the following amenities/benefits in exchange for the bonus incentives:

1. \$200,000 payable over 10 years; and
2. Provide and install on the PROPERTY a monument sign welcoming the public to the VILLAGE.

WHEREAS, APPLICANT has agreed to indemnify and provide insurance for the benefit of the VILLAGE against Fair Housing Act claims or other housing discrimination claims.

NOW, THEREFORE, BE IT DECIDED, that VILLAGE BOARD hereby grants site plan approval, a Special Permit, and Development Incentive Bonuses in connection with the ACTION, subject to the following conditions:

1. Full compliance with:
 - a. The Site Plan, Floor Plans (Basement, First Floor, Second Floor, Third Floor and Bedroom Units) and Elevation Plans of Angelo Francis Corva & Associates, Architects dated March 16, 2015).
 - b. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board.
2. APPLICANT shall make development incentive bonus payments in the amount of Two Hundred Thousand Dollars (\$200,000) payable as follows:
 - a. In the amount of \$20,000 (Twenty Thousand Dollars) within sixty (60) days of the issuance of the certificate of occupancy; ("Initial Development Incentive Bonus Payment");
 - b. In the amount of \$20,000 (Twenty Thousand Dollars), each year thereafter, on each anniversary date of the Initial Development Incentive Bonus Payment, until the entire Two Hundred Thousand Dollars (\$200,000) has been paid to the VILLAGE; and
 - c. APPLICANT shall enter into an agreement with the VILLAGE confirming the development incentive payments; and
3. APPLICANT shall set aside six (6) units as workforce or affordable housing.

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- a. Three (3) units shall be provided in accordance with VILLAGE Code §600-133. Each unit must be targeted and set aside for households with incomes at less than eighty percent (80%) of the Nassau County Area Median Income as defined by the United States Department of Housing and Urban Development) (“80% Qualified Median Income”). The annual rent for those units cannot exceed thirty percent (30%) of the 80% Qualified Median Income. For purposes of calculating the permissible rental fees, the 80% Qualified Median Income shall be reduced by a utility allowance based on the household size of: Studio: 1 household; 1BR: 1.5 household members; 2BR: 3 household members; 3BR: 4.5 household members; or 4BR: 6 household members.
- b. The remaining three (3) units must be targeted and set aside for households with incomes at less than fifty percent (50%) of the Nassau County Area Median Income (“50% Qualified Median Income”). The annual rent for those units will not exceed thirty percent (30%) of the 50% Qualified Median Income. For purposes of calculating the permissible rental fees for the 50% Qualified Median Income units, the 50% Qualified Median Income is reduced by the same utility allowance referenced in (a);
- c. APPLICANT shall execute a restrictive covenant memorializing the affordable housing restrictions set forth herein and cause said restrictive covenant to be filed with the Nassau County Clerk; and
- d. APPLICANT, and any subsequent owner of the PROPERTY shall:
 1. Defend and promptly indemnify and hold harmless the VILLAGE from, against, for, and in respect of and pay any and all Losses, suffered or incurred by the VILLAGE, its Board of Trustees, officers, agents and employees, volunteers, individually and collectively (INDEMNITEES), from: all costs, losses, claims, demands, suits, actions, payments and judgments, including reasonable legal and attorney fees, which arise out, or are in way related to, or result from the affordable housing units in this decision, including but not limited to any Fair Housing Act (FHA) or other housing discrimination claims, however caused, brought or recovered against INDEMNITEES; and
 2. Purchase and maintain, in perpetuity, insurance coverage for the benefit of the VILLAGE, insuring the VILLAGE against all costs, losses, claims, demands, suits, actions, payments and judgments, including reasonable legal and attorney fees, which arise out of, or are in way related to, or result from the affordable housing units in

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this decision, including but not limited to any Fair Housing Act (FHA) or other housing discrimination claims, with policy limits of \$2,000,000 per person and \$5,000,000 per occurrence. The insurance requirements herein are minimum requirements and in no way limit the indemnity obligations contained herein. The VILLAGE in no way warrants that the minimum limits contained herein are sufficient, and APPLICANT is free to purchase additional insurance.

3. Enter into a written agreement confirming the requirements set forth in (d)(1) and (d)(2); and

4. APPLICANT shall also:
 - a. Require all tenants to lease a parking space with each unit. APPLICANT shall not permit tenants to lease units without a parking space;
 - b. Not install any satellite, cell phone antennas or other telecommunication facilities upon the PROPERTY without the prior written approval of the VILLAGE BOARD. APPLICANT relinquishes any rights it has or may have to the installation of, or the remuneration for the installation of, of same upon the PROPERTY. The VILLAGE, in its sole discretion, may by written approval of the VILLAGE BOARD grant the right to install such antennas. In the event that any such are installed upon the PROPERTY site without the prior written approval of the VILLAGE, APPLICANT agrees to pay the VILLAGE, a fine, of two hundred fifty dollars (\$250.00) per day for each day that the installation exist without the proper written approval or a per day dollar amount which is equal to two (2) times the daily rental fee any third party has agreed to pay APPLICANT, whichever is greater.
 - c. Otherwise comply with all Federal, State, or local law and any directives of the Building Department of the Inc. Village of Farmingdale.
 - d. Reimburse the VILLAGE for all expert or consultant fees incurred by it connection with the ACTION and there is full compliance with Section 6-100(v) 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.

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CONTINUED PUBLIC HEARING PROPOSED LOCAL LAW - 2015 REVISION TO D-MU SIGN CODE – Mayor Ekstrand explained that this public hearing was closed on June 1st and decision is being deferred to September 8th Board of Trustees meeting.

PUBLIC HEARING PROPOSED LOCAL LAW – 2015 PARKING WAIVERS – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-08-05), to open the public hearing.

Mayor Ekstrand explained the law as presented.

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 (#2016-08-06), to close the public hearing.

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

RESOLVED (#2016-08-07), to adopt Local Law 7 - 2015.

PUBLIC HEARING ON PROPOSED SPECIAL USE PERMIT/INCENTIVE BONUS/PARKING RELIEF 137 MAIN STREET (FARMINGDALE GARDENS) – Mayor Ekstrand announced that this public hearing has been cancelled.

PARKING PERMIT IMPACT ZONE - Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-08-08), to approve the attached resolution, as annexed to these minutes, to establish an impact zone within the Village and to prohibit the sale of RR parking passes to residents residing within the impact zone.

LIVING FAITH CHURCH PARKING – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-08-09), to approve Living Faith Church's request to expand parking by 73 spaces that are currently land banked.

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

RESOLVED (#2016-08-10), to approve the following tax certiorari's, as recommended by Scott Stone:

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- 150 Secatogue Ave (Sec 49, Blk 79, Lot 150), Fairfield Farmingdale for the tax years 2010/2011 up to and including 2015/2016 settling for \$2,550 with no reduction in the 2015/2016 final assessed value.
- 675 Conklin Street (Sec 49, Blk 85, Lots 30-38, 52), Fairfield Conklin for the tax years 2008/2009 up to and including 2009/2010 settling for \$9,700 with no reduction in the 2015/2016 final assessed value.

FINANCIAL TRANSACTIONS – This resolution was tabled.

12 HOUR PARKING HOURS – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-08-11), to change back to 12 hour permits, from 10 hour, with the hours of enforcement being from 4:00 a.m. to 4:00 p.m.

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

RESOLVED (#2016-08-12), to approve the repair of the drain at Grant Street and William Street for a cost not to exceed \$32,545.40 under the requirements contract.

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

RESOLVED (#2016-08-13), to approve the reconstruction of certain village roads at the recommendation of Savik & Murray, including engineering oversight, not to exceed \$687,000.

BOND RESOLUTION FOR VILLAGE PARKING LOTS – Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-08-14):

BOND RESOLUTION OF THE VILLAGE OF FARMINGDALE, NEW YORK, ADOPTED AUGUST 3, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO PARKING LOTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO

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**EXCEED \$2,000,000 TO FINANCE SAID
APPROPRIATION**

THE BOARD OF TRUSTEES OF THE VILLAGE OF FARMINGDALE, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Farmingdale, in the County of Nassau, New York (herein called the "Village"), is hereby authorized to construct improvements to parking lots. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$2,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$2,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(f) of the law, is ten (10) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in

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anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Farmingdale Observer*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

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VILLAGE OF FARMINGDALE, NEW YORK

PLEASE TAKE NOTICE that on August 3, 2015, the Board of Trustees of the Village of Farmingdale, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Farmingdale, New York, adopted August 3, 2015, authorizing the construction of improvements to parking lots, stating the estimated maximum cost thereof is \$2,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$2,000,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to parking lots; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$2,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$2,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

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DATED: August 3, 2015

Brian Harty
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Ralph Ekstrand
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Cheryl Parisi
Trustee Thomas Ryan

NOES:

The resolution was declared adopted.

BOND RESOLUTION FOR VILLAGE ROADS – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously, **RESOLVED (#2016-08-15),**

BOND RESOLUTION OF THE VILLAGE OF FARMINGDALE, NEW YORK, ADOPTED AUGUST 3, 2015, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VARIOUS VILLAGE ROADS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,000,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF FARMINGDALE, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Farmingdale, in the County of Nassau, New York (herein called the “Village”), is hereby authorized to construct improvements to various

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Village roads. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,000,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$4,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$4,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20(c) of the law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes,

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and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Farmingdale Observer*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

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VILLAGE OF FARMINGDALE, NEW YORK

PLEASE TAKE NOTICE that on August 3, 2015, the Board of Trustees of the Village of Farmingdale, in the County of Nassau, New York, adopted a bond resolution entitled:

“Bond Resolution of the Village of Farmingdale, New York, adopted August 3, 2015, authorizing the construction of improvements to various Village roads, stating the estimated maximum cost thereof is \$4,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$4,000,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to various Village roads; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,000,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$4,000,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$4,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

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SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 3, 2015

Brian Harty
Village Clerk

Section 8. The Village Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary or in full, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES: Mayor Ralph Ekstrand
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Cheryl Parisi
Trustee Thomas Ryan

NOES:

The resolution was declared adopted.

SPRINGBROOK ACCOUNTS RECEIVABLE MODULE – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-08-16), to approve the purchase of the license for the Springbrook AR module at an upfront cost of \$5,915.30 with a recurring yearly charge of \$2,000.00.

BUILDING DEPARTMENT ESCROW FEE – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-08-17), to set escrow fee for application review of \$5,000.00 for commercial and subdivision applicants.

BFJ PLANNING/CODE REVIEW – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-08-18), to approve the payment not to exceed \$1,950.00 to Jonathan Martin of BFJ, Inc for 10 hours of planning and code review.

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BEAUTIFICATION – Deputy Mayor Christiansen reported that everything looks great and the committee will meeting in early September to begin preparations for the fall planting.

OLD BUSINESS - None

CORRESPONDENCE – None

PUBLIC COMMENT – A discussion began on the new quarterly water billing.

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 10:45 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer