

**REGULAR MEETING OF THE BOARD OF TRUSTEES**

**Monday, October 3, 2011**

**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, October 3, 2011.

**Present:** Mayor George Starkie  
Deputy Mayor Patricia Christiansen  
Trustee Ralph Ekstrand  
Trustee William Barrett  
Trustee Cheryl Parisi  
Administrator/Clerk/Treasurer Brian Harty  
Deputy Clerk/Treasurer Barbara Kelly  
Village Attorney Kevin Walsh  
Village Attorney Claudio DeBellis  
Public Works Superintendent Andy Fisch  
Village Building Consultant Steve Fellman

Mayor Starkie opened the meeting at 8:05 PM with the pledge to the flag.

**NOVEMBER BOARD MEETING** – The Mayor announced that the next public meeting will be held on Monday, November 7, 2011 at 8:00 p.m. with a work session to begin at 7:00 p.m.

**PUBLIC HEARING NOTICE** – Upon a motion duly made and seconded, it was unanimously,

**RESOLVED**, to set the public hearing on proposed Local Law 6 of 2011 to amend the Zoning Code of the Incorporated Village of Farmingdale, Article XIA, Office-Residence District, Section 105-78.2, Permitted uses for November 7, 2011 at 8 p.m.

**FIRE COMMISSIONERS** – Mayor Starkie swore in Fireman William Reilly to complete the unexpired portion of Timothy Dillon's term to the Board of Fire Commissioners. Commissioner Reilly term will end April 2014.

Mayor Starkie invited the public to make Good and Welfare comments at this time since the agenda was extremely long. No residents made comments.

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

**RESOLVED (#2012-48)**, that the Abstract of audited vouchers #1034 dated 10/03/11, be approved for payment holding check 67558 for further clarification.

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**WIRE TRANSFERS** – Upon a motion made by Trustee Ekstrand and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2012-49)**, to approve the wire transfers from 06/01/2011 thru 09/16/2011 as adhered on to these minutes.

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

**RESOLVED (#2012-50)**, to approve the minutes of BOT Work Sessions of 09/06/11; 09/12/11 and BOT Public Meeting on 09/06/11 as corrected.

**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:

- Farmingdale Luncheon Rotary – On Saturday, October 29<sup>th</sup>, for the Rag a muffin parade from Northside Elementary School to the Village Green beginning at 1:00 p.m.
- Women’s Club of Farmingdale - Village Court room for their monthly meetings on the third Thursday of each month during 2012 calendar year from 10 a.m. until 1:00 p.m.
- Women’s Club of Farmingdale to change the rain date for “Art in the Park” from September 25<sup>th</sup> 2011 to October 8<sup>th</sup>, 2011.
- The Chamber of Commerce - annual Holiday Parade on Saturday, November 19, 2011. Parade begins at Northside Elementary School at 12:00 noon and ends at the Village Green.

**BUILDING PERMITS** – Administrator Harty presented the following building permits issued since the last meeting:

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Milone 5 Linwood Ave. DB 11-102	Replace kitchen, bathroom and finish basement.	N/A
St. Thomas Church 290 Conklin St. SP 11-30	Replace existing 3’ x 6’ sign. ARB and BOT approval granted.	X
Lavan 35 Quaker Ln. DB 11-103	Maintain deck and retaining walls. ZBA approved 9/8/11.	N/A
F’dale Village Hall 361 Main St. DB 11-104	Interior alteration to Fire Captain’s office.	N/A
NYS DEC 450 Main St. SP 11-31	DEC remediation site sign.	N/A
Crisera 12 Duane St. DB 11-105	Installation of 27 solar panels.	N/A

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Gleeson 95B Fulton St. DB 11-106	Remodel store for a new hair and makeup salon.	N/A
Gentidis 245 Grant Ave. RO 11-09	Road opening for new gas service.	N/A
Mascia 77 Duane St. PP 11-15	Oil to gas conversion.	N/A
Kasper 65 Fairview Rd. DB 11-106	Walkway and steps to front door.	N/A
Interrante 176 Grant Ave. DB 11-107	Maintain 5'x12' portico.	N/A
Synergy Gym 410 Conklin St. SEW 11-2	Connect to Nassau County sewer system.	N/A
Academy Mortgage 105 Conklin St. PP 11-16	Rough plumbing for 2 water closets, 2 lavatories, and 1 shower.	N/A
Gambino 120 Jefferson Rd. DB 11-108	Maintain existing 20'x14' masonry patio.	N/A

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

**RESOLVED (#2012-51)**, to issue 1 taxi permit.

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

**RESOLVED (#2012-52)**, to issue 5 taxi licenses to Long Island Checker Cab Company.

**TAX CERTIORARI** – Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2012-53)**, to approve the following tax certiorari:

- Sec 49, Blk 127, Lot 221 – 114 Eastern Parkway– settle tax cert for years 2008/09 thru and including 2011/12 for \$3,500.

**TRAFFIC CALMING** – Mayor Starkie mentioned that the village was working with Nassau County on making the intersection of Jefferson & Thomas Powell safer.

**FIRE DEPARTMENT THANK YOU** – Fire Commissioner O’Brien thanked the DPW Department and Superintendent Fisch for the fantastic job done during the storm.

**PUBLIC HEARING PROPOSED LL #4 OF 2011 – TRAFFIC REGULATIONS** - Upon a motion by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

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**RESOLVED (#2012-54)**, to open the public hearing on the proposed local law 4-2011 to amend Village Code Section §98.2.

Village Attorney Walsh explained that currently, a local law needs to be adopted to add a stop sign. New York State law provides the ability to add them by Board of Trustees resolution.

No comments were made from the public.

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

**RESOLVED (#2012-55)**, to close the public hearing.

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

**RESOLVED (#2012-56)**, to adopt local law #4 of 2011 amending Village Code Section §98.2.

**STOP SIGN** - Upon a motion by Trustee Parisi and seconded by Trustee Ekstrand, it was unanimously,

**RESOLVED (#2012-57)**, to approve the installation of one stop sign on the south corner of Jefferson Road at the intersection with Sherman Road.

**PUBLIC HEARING PROPOSED LL #5 OF 2011** – amending the Zoning Code of the Incorporated Village of Farmingdale to add: ARTICLE XIV - “Downtown Mixed-Use (D-MU) Zoning District”. Upon a motion by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2012-58)**, to open the public hearing on the proposed local law 5-2011.

Mayor Starkie asked for comments from the public:

- Robert, residing at 25 Elizabeth St unit 2g – read a long statement.
- Mr. Diurno, 128 Fairview Rd – stated that Robert’s statement was a disservice to the Downtown Revitalization Committee’s and the Board of Trustee’s hard work in preparing the law.
- Ms. Licausi, 135 Main St – explained that the apartments located next to her business park in from of their store all day and that Code Enforcement is not ticketing. She went on to state that the apartments are in poor condition. Mayor Starkie stated that tickets are being issued since he is getting complaints. The Mayor also stated that the existing apartments are non-conforming.

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- Mr. Bartone, 201 Lenox Ct – commented that parking requirements are too strict and not the norm and might prevent some from building in the Village. He went on to say that the portion of the law requiring entrances to apartments be in the rear of the property should be specific to Main Street. Grand entrances in the front would work for other areas.
- Mr. Weinstein, 35 Hillside Rd, Downtown Revitalization Committee wanted a lower height than stated in the proposed law, can an applicant get a taller building. Village Attorney Walsh stated that State law permits any applicant to seek relief from existing code by applying to the Zoning Board of Appeals. Such relief would be granted or denied during a public hearing. Mr. Weinstein wanted to know what % of additional taxes would benefit homeowners. Mr. Walsh replied that the commercial tax payers would mainly benefit from increased tax revenue.
- Mr. Wilson, 16 Normandy Dr., discussed height caps and ZBA variances and the possibility of allowing professional offices on the first floor.
- Mr. Gosline, 33 Waverly Pl. – wants to increase the 200 foot notice radius for new applications to 500-600 feet. He feels that height is a major factor and would only like to see 2 or 3 stories and is concerned about 60 units per acre. He would also like to see more affordable housing and was very happy to see the requirement for apartment inspections. Attorney Walsh stated that inspections would insure that apartments are not overcrowded and up to standards. Mr. Gosline stated that he was in favor of the law.

Mayor Starkie presented a drawing of the possible building converted from multiple empty Main Street business. It shows ground floor stores with two stories of apartments.

- Ms. Pearson, 126 Staples St – drawing was nice but inquired if all businesses would look alike. Mayor Starkie stated that the Architectural Review Board would review all applications. The Mayor also stated that Commercial Rehab Grant funds were being used to improve the look of Main Street's businesses.
- Mr. Carosella, 21 Sherman Rd – asked if a professional wanted to open a first floor business would they be able to go to the Zoning Board to get a variance. Attorney Walsh stated that they could apply for a variance but it would be much more difficult to get.
- Mr. Bagnasco 497 Main St – what happens if your business is not a permitted use? Right now the new law does not allow for a furniture manufacturer.
- Mr. Diurno would prefer to leave the height at 3 stories.
- Mr. Gosline inquired how many units were in the building depicted in the drawing Mayor Starkie presented. The Board answered 16 rental units. Mr. Gosline is concerned about parking for all the new units.
- Mr. Cerrone, 234 Main St – stated that busy downtowns have parking issues but people go there to eat and shop. He feels the Board has to be pro-active.
- Mr. Capobianco, 37 Van Cott Ave – asked if green energy was being encouraged during the building. The Board answered that it had not considered the issue.

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

**RESOLVED (#2012-59)**, to continue the public hearing on the proposed local law 5-2011 until November 7, 2011 at 8:00 p.m.

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

**RESOLVED (#2012-60)**, to set the public hearing on the proposed local law 5-2011 on November 7, 2011 at 8:00 p.m.

**GOOD & WELFARE** - The following comments were made

- Ms. Manchin, 85 Melville Rd – concerned about traffic and the availability of water with the new buildings. Mayor Starkie stated that the problem is being addressed.
- Ms. Licausi was happy to see the village addressed parking issues with entrance to the apartments being in the back of the buildings.
- Ms. Defelice, Prospect St – stated that she was opposed to any restaurant at the Chase Bank property on Conklin. Mayor Starkie invited Ms. Defelice and any neighbors to tour another restaurant owned by the prospective buyers of the Chase property.
- Mr. Fitzpatrick, 6 Laurelton – does not want another bank or restaurant. The bank was a terrible neighbor.
- Mr. Occhipinti – Laurelton – does not want the traffic a restaurant would have.
- Ms. Fitzpatrick, 6 Laurelton – would the restaurant just be renovating the bank? Mayor Starkie stated that the buyers own Tellers Steak House because they love to renovate banks.
- Ms. Miles, 225 Cherry St – was concerned that a restaurant would attract rodents and be serving alcohol next to a nursery school.
- Mr. Wilson, 16 Normandy Drive – asked for an update on the hookah bar and hotel. Mayor Starkie stated that the hookah bar is under construction and the hotel has all the approvals needed to proceed.
- Ms. Sena, 1 Jerome Dr – asked for a status on the synagogue property. Mayor Starkie stated that a mosque has inquired about purchasing. Ms. Sena asked if there was any chance the property would come back on the tax rolls. Mayor Starkie answered that the mosque would be tax exempt.
- Mr. Fitzpatrick, asked for enforcement of the stop signs. Mayor Starkie stated that they would ask Legislator Belisi to ask for additional enforcement from the police department.
- Christine Darcy, Babylon Village, stated that she grew up in the Village of Farmingdale and moved to Babylon because she could not afford to stay. She went on to thank the Board for their efforts to improve the affordability and make the Village upbeat.

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**BOND PAYMENTS** - Upon a motion by Trustee Barrett and seconded by Trustee Ekstrand, it was unanimously,

**RESOLVED (#2012-61)**, to approve the following bond payments:

- On November 1<sup>st</sup>, for the \$3.3MM bond, \$260,000 in principle and \$46,725 in interest.
- On November 15<sup>th</sup>, for the \$8.6MM bond, \$675,000 in principle and \$86,265.63 in interest.
- On December 1<sup>st</sup>, for the \$1.0345MM bond, \$17,193.75 in interest.

**CAPITAL PROJECT – WATER METERS** - Upon a motion by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2012-61)**, to increase the water meter project appropriation in the Capital Fund from \$300,000 to \$350,000 classifying undesignated funds.

**BEAUTIFICATION BUDGET** – Mayor Starkie requested that Deputy Clerk Kelly speak to Trustee Barrett to find better coding of Village Green improvement invoices.

**BEAUTIFICATION COMMITTEE** - The Beautification Committee gathered on Saturday, October 1st and planted 255 mums in the street pots, hanging baskets, Memorial Garden at Village Green, Triangle Park and Village Hall. They also put up 30 cornstalks on poles at the major intersections and constructed a fall display in Village Green. Special thanks to all the volunteers of the Beautification Committee, Junior Firemen, Diane Fisch for making the plaid bows, Mayor and Trustees for their efforts.

Holiday decorating will take place on Saturday, November 19th and Saturday, November 26<sup>th</sup> at 9:00 AM at Village Hall.

**PART TIME EMPLOYEES** – Upon a motion made by Trustee Parisi and seconded by Trustee Ekstrand, it was unanimously,

**RESOLVED (#2012-62)**, to hire the following part time employees:

- PT Laborer, DPW Department – James Kozikowski at a rate of \$12/hour
- PT Parking Meter Attendant, Code Enforcement – Anthony Santoro at a rate of \$12/hour
- PT Parking Meter Attendant, Code Enforcement – Kenneth Trypuc at a rate of \$12/hour

**PIERCE PUMPER FIRE TRUCK** - Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

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**RESOLVED (#2012-63)**, to change the approval for the Pierce Pumper fire truck from \$525,000 to \$530,860. The difference in cost is:

- Add TAK-4 Front Suspension           \$10,422.00
- Add Performance Bond                 3,150.00
- Less Chassis Discount                 (7,712.00)

**HANDICAP ACCESSABILITY GRANT** – Deputy Clerk Kelly informed the Board of Trustees that Nassau County gave the Village of Farmingdale \$32,500 in grant funds, for a Handicap Accessibility project. The funding is reserved for a resident who was on the Able program’s list when the program was eliminated. Nassau County provided the funding to complete the project as approved within the Able Program. Funding was received as follows – Year 33 Residential Rehab \$15,000 and Year 37 Commercial Rehab \$17,500. Upon a motion by Trustee Ekstrand and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2012-64)**, to authorize the transfer of \$17,500 of Year 36 CDBG Commercial Rehab funds to Year 36 Residential Rehab in order to complete a handicap accessibility project.

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

**RESOLVED (#2012-65)**, to approve the handicap accessibility project on Resident #5 in the amount of \$32,500. Funding for the project would utilize \$15,000 of Year 33 Residential Rehab and \$17,500 of Year 36 Commercial Rehab.

**PENFLEX SERVICE AWARD PROGRAM AGREEMENT** - Upon a motion made by Trustee Ekstrand and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2012-66)**, to authorize Mayor Starkie’s signing of the 2011/2012 Service Award Program Service Fee Agreement with Penflex for an estimated total fee of \$5,100.

**BEAUTIFICATION COMMITTEE** - Deputy Mayor Christiansen reported that the fall flowers have been planted.

**FILMING** – Upon a motion by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2012-67)**, to approve the use of the Village parking lot for parking cars during the filming at a Farmingdale location.

**OLD BUSINESS** –

- Trustee Parisi stated that the owner of 100 Cherry Street is researching the triangle of land to determine the owner.



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- Trustee Barrett asked for the status of the drainage problem from the Carmen building. Administrator Harty stated that he would ask Building Consultant Steve Fellman to assess the problem and suggest a solution.
- Trustee Barrett asked the status of the lighting in parking lot #2. Administrator Harty stated that the poles are being manufactured.

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

**RESOLVED**, to move to Executive Session to discuss legal matters.

At 11:30 p.m. upon a motion duly made and seconded, it was unanimously,

**RESOLVED**, to reconvene the meeting.

**OVERTIME** - Upon a motion by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2012-68)**, to authorize overtime only with the prior approval of the Village Administrator/Clerk/Treasurer or the Superintendent of Public Works. This resolution supersedes any prior overtime resolution or authorization.

There being no further work, the meeting was adjourned at 12:15 p.m.

Respectfully submitted,

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Brian P. Harty  
Administrator, Village Clerk-Treasurer