

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Monday, October 5, 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, October 5, 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 Andrew Fisch

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 Monday, November 2, 2015 at 8:00 p.m.: Board of Trustees Work Sessions begin at 7:00 p.m. on October 19<sup>th</sup> and October 26<sup>th</sup>, 2015.
- The Annual Farmingdale Fire Department's Columbus Day street fair, carnival and parade will be held starting this Thursday, October 8<sup>th</sup> running through Monday, October 12<sup>th</sup>.
- Farmingdale Village Restaurant Week begins October 12<sup>th</sup> and runs through October 18<sup>th</sup>.

**REGULAR MEETING BUSINESS ITEMS** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, the following items were unanimously, **RESOLVED (#2016-10-01)**,

- Abstract of Audited Vouchers #1082 dated October 5, 2015
- August Wire Transfers
- Minutes of 8/3 and 9/8 regular meetings and 8/3, 8/17, 8/24, 9/8, 9/21 and 9/28 work sessions with corrections
- Taxi Permits
- Use of Village Property:
  - The Junior League of the Women's Club of Farmingdale is requesting to use the court room for their monthly meetings on the following dates: 10/16/15, 11/5/15, 1/7/16, 2/4/16, 3/3/16, 4/7/16,

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5/5/16, 9/9/16, 10/6/16 and 11/3/16. The meetings would be from 7:00 to 10:00 p.m.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Burns 136 Jefferson Rd. PP 15-19	Direct replacement of oil burner.	N/A
Coletti 310 Staples St. PP 15-20	Install gas fired boiler/hwh combination. Oil to gas conversion.	N/A
Glikos 984 Fulton St. DB 15-103	Replace windows, siding, shingles & doors.	N/A
Schuman 19 Puritan Ln. FP 15-19	Install 6’ pvc fencing along rear property line.	N/A
Vine & Barrel 223 Main St. PP 15-21	Install two 3-compartment sinks, two hand sinks, one slop sink, one dishwasher, two indirect waste lines.	N/A
Croxley’s 50 S. Front St. RO 15-21	Open one 4’x4’ bell hole to disconnect water service.	N/A
Hernandez 230 Eastern Pkwy. RO 15-22	Open one 4’x4’ bell hole for gas service installation.	N/A
Falbo 2 Lafayette Rd. SWP 15-18	Replace 166 l/f on Lafayette & Ridge Rd.	N/A
Villatoro 34 S. Front St. FP 15-20	Install 6’ PVC fencing on side and rear property lines.	N/A
Lichtenstein 148 Jefferson Rd. DB 15-104	Install 23 solar panels.	N/A
Smith 64 Melville Rd. FP 15-21	Install 4’ aluminum fencing along east property line to rear.	N/A
VOF 315 Eastern Pkwy. DB 15-105	Replace 3 existing antennas with 3 new antennas.	N/A

**PUBLIC HEARING DATES** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously **RESOLVED (#2016-10-02)**, to set the following public hearings for November 2, 2015 at 8:00 p.m.

- Proposed Special Use permit for seating/off street parking/loading for 180 Atlantic Avenue (Starbucks)
- Proposed Amendment to Special Use permit for revisions to floor plan for 206-208 Main Street (Fino Enterprises)

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**PUBLIC HEARING PROPOSED LOCAL LAW – 2015 AMENDING INCENTIVE BONUS PROVISIONS** – Mayor Ekstrand stated that this public hearing has been tabled.

**PUBLIC HEARING PROPOSED LOCAL LAW – 2015 MODIFYING PERMITTED USES D-MU ZONING DISTRICT** – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2016-10-03)**, to open the public hearing.

Mayor Ekstrand explained the law and asked for public comment.

The following topics were discussed:

- Clarification of hours
- Current businesses will be grandfathered in

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

**RESOLVED (#2016-10-04)**, to close the public hearing.

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

**RESOLVED (#2016-10-05)**, to adopt Local Law 8 of 2015 – Modifying Permitted Uses in the D-MU Zoning District.

The vote was as follow:

- |                             |     |
|-----------------------------|-----|
| • Mayor Ekstrand            | Aye |
| • Deputy Mayor Christiansen | Aye |
| • Trustee Cheryl Parisi     | Aye |
| • Trustee William Barrett   | Nay |
| • Trustee Thomas Ryan       | Aye |

**CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT & SITE PLAN APPROVAL 824 AND 832 FULTON STREET (BARTONE & PELLERITO HOLDINGS LLC)** – Mayor Ekstrand explained that this application has been sent back to ARB/Planning Board; therefore this hearing is adjourned to November 2, 2015 at 8:00 p.m.

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**CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT SEATING/PARKING/LOADING 306 MAIN STREET (GTM'S SPORTS BAR)** – Mayor Ekstrand stated that this public hearing is adjourned to November 2, 2015 at 8:00 p.m.

**CONTINUED PUBLIC HEARING PROPOSED LOCAL LAW – 2015 REVISION TO D-MU SIGN CODE** – Mayor Ekstrand stated that this law is still under discussion and is adjourned to November 2, 2015 at 8:00 p.m.

**PUBLIC HEARING PROPOSED LOCAL LAW – 2015 AMENDING GENERAL PARKING CODE** – Mayor Ekstrand explained the purpose of amending the parking code.

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

**RESOLVED (#2016-10-06)**, to open the public hearing.

Mayor Ekstrand asked for public comment.

The following topics were discussed:

- Clarification of Master Plan's parking code
- Schools are grandfathered in – future additions would have to conform

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

**RESOLVED (#2016-10-07)**, to continue the public hearing on November 2, 2015 at 8:00 p.m.

**PUBLIC HEARING AMENDMENT TO SITE PLAN, SPECIAL USE PERMIT & INCENTIVE BONUS 180 ATLANTIC AVENUE f/k/a 120 SECATOGUE AVENUE (BARTONE/TDI/PHASE II)** – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-10-08)**, to open the public hearing.

Mayor Ekstrand explained how the use of zip cars would reduce parking. He further explained that the zip cars would be an amenity to the Village.

Mayor Ekstrand asked for public comment.

The following topics were discussed:

- Incentives for using zip cars

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- Clarification of parking requirements

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

**RESOLVED (#2016-10-09)**, to close the public hearing.

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

**RESOLVED (#2016-10-10)**, to adopt an amended Site Plan approval, Special Use permit and incentive bonus decision for 180 Atlantic Avenue f/k/a 120 Secatogue Avenue (Bartone/TDI/Phase II), as annexed to these minutes.

**COMMUNITY DEVELOPMENT BLOCK GRANT** - Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-10-11)**, to authorize Mayor Ekstrand to sign the Year 41 CDBG contract.

**PENFLEX 2015/2016 SERVICE AWARD** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2016-10-12)**, to authorize Mayor Ekstrand to sign the Penflex 2015/2016 Service Award Program Service Fee Agreement for an estimated fee of \$5,700.00.

**MUNICIPAL LOT #2 REHABILITATION BID** – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-10-13)**, to award Roadwork Ahead Inc., as the lowest responsible bidder, the contract for the Municipal Lot 2 Rehabilitation project at their proposed price of \$893,791.00.

**BOND RESOLUTION FOR STREETLIGHT IMPROVEMENTS** – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2016-10-14)**,

BOND RESOLUTION OF THE VILLAGE OF FARMINGDALE,  
NEW YORK, ADOPTED OCTOBER 5, 2015, AUTHORIZING  
THE ACQUISITION AND INSTALLATION OF STREET

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LIGHTING IMPROVEMENTS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$250,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSES, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$250,000 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 acquire and install street lighting improvements. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000 and said amount is hereby appropriated for such purposes. The plan of financing includes the issuance of bonds in the principal amount of \$250,000 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 \$250,000 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.

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

(a) The period of probable usefulness applicable to the purpose for which said serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 purposes 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 not 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 the issuance 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 of 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.



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Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "*The Farmingdale Observer*," a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

\* \* \*

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.

**WELL ENGINE MAINTENANCE** – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-10-15)**, to authorize payment of \$2,272.43 to PowerPro Service Company, Inc for full service engine maintenance of the (2) wells located at Ketcham Lane and (1) well located at Eastern Parkway.

**CONFINED SPACE EXTRACTION EQUIPMENT** – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

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**RESOLVED (#2016-10-16)**, to approve the purchase of certain safety extraction equipment for use by the water department in confined spaces in the amount of \$6,053.51.

**VILLAGE ROAD PAVING & REPAIRS** – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2016-10-17)**, to approve price changes and additional road paving and concrete and related work as listed in the attached spread sheet and supporting documents in the amount of \$1,039,787.30 under a requirements contract with Rosemar Contracting, Inc. Plus a contingency amount of 15% of the base contract to pay for consulting engineering costs to Village Engineers Savik and Murray and possible field change orders for a total of \$1,195,787.30, list annexed to these minutes.

**CRACK SEALING EQUIPMENT** – Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-10-18)**, to approve the bulk purchase of crack sealing materials in the amount of \$2,400/pallet that includes vendor supplied crack sealing installation equipment for three days and the purchase of a 30 gallon Gingway Flex Kettle for crack sealing in the amount of \$1,115 and two Gingway pour pots for \$115/each. Vendor is Velvet Top Products.

**SHORT TERM PARKING LOCATIONS** – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-10-19)**, to authorize the Village Administrator to select and designate short term parking locations in Village parking areas.

**PART TIME DISPATCHER** – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2016-10-20)**, to approve the hiring of part time dispatcher John Fitzwilliam at an hourly rate of \$12.55.

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

**RESOLVED (#2016-10-21)**, to authorize the sale of a surplus air compressor for \$500.00 to Stapleton Tree Service, as the sole bidder.

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**BEAUTIFICATION** – Deputy Mayor Christiansen reported that fall planting took place on September 28th and October 3rd. Holiday wreaths will be put up on November 21st. She thanked all the volunteers and the Junior Firemen for their help.

**OLD BUSINESS** - None

**CORRESPONDENCE** – None

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

- Future Starbucks location
- Metered Parking
- TDI trailer status
- Building moratorium status – on hold
- Signs on developing properties
- Parking lot and road pavement issues
- Merritt Road property

Attorney DeBellis stated that the Village wrote a letter to that developer's council and stated that the Board will not renew their permit, therefore an new application needs to be submitted if they still intend to build.

**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 10:15 p.m.

Respectfully submitted,

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Brian P. Harty, Village Clerk-Treasurer