

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday May 2, 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, May 2, 2011.

Present: Mayor George Starkie
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Ralph Ekstrand
Trustee Cheryl Parisi
Village Attorney Kevin Walsh
Clerk/Treasurer Brian Harty
Deputy Clerk/Treasurer Barbara Kelly
Public Works Superintendent Andrew Fisch

Mayor Starkie opened the meeting at 8:12 PM with the pledge to the flag.

JUNE BOARD MEETING – The Mayor announced that the next public meeting will be held on Monday, June 6, 2011 at 8:00 p.m. with a work session to begin at 7:00 p.m.

PUBLIC COMMENTS ON FIRE DISPATCHERS – Mayor Starkie explained that the budget for 2011-2012 has passed with no reductions in staffing but that the Board is looking for comments on ways to finance the new trucks by possibly eliminating one dispatcher shift. He went on to say that having our own dispatchers is the gold standard. The following comments were made:

- Chief Jack Scherer agreed with the Mayor the Village has the gold standard in having our own dispatch staff and that errors can be made where the Village has streets with the same or similar names. He went on to say that the Fire Department is here to serve the needs of the residents and that they were not in favor of reducing dispatch staff.
- Nick Ezzo was concerned with the difference in response time and was not in favor of a reduction in staff.
- Jerry Ahearn requested statistics on the number of calls that already come in using the 911 system as opposed to direct calls to the dispatch. Chief O'Brien stated that 60% of the calls come in through 911 vs. 40% direct.
- Chief Scherer stated that calling 911 gets you a police response and that there is a delay before the Fire Department is called.
- Anthony Addeo asked if we can charge people for ambulance services. Mayor Starkie responded that to do that the Ambulance would need to be a separate Special District.
- Chief O'Brien mentioned that the Fire Department has been looking at this for over two years and that they and the Board of Trustees are concerned about residents' safety. The residents need to voice their opinion.

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- Anthony Addeo asked how many calls come in each year. Chief Scherer stated between 500-1,000 calls.
- Chuck Goslin stated that he supports keeping the dispatchers.
- Georgiana Sena asked what does one dispatcher cost. Mayor Starkie responded that they average \$50,000 for salary plus benefits. Ms. Sena wanted to know if we could hire only part-timers to avoid benefits. Chief Scherer stated that Civil Service Law prevents that.
- Rich Goslin feels that benefits across the board need to be discussed. He feels that the dispatchers are needed.
- Christy Hinko asked if the Fire dispatchers are called for other reasons besides fire/rescue. Chief O'Brien stated that they are called for other non-fire emergencies like water main breaks.
- Nick Ezzo wants the Village to leave the dispatchers alone and increase code enforcement revenue by issuing more tickets.

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

RESOLVED (#2011-205), that the Abstract of audited vouchers #1029 dated 05/02/11, be approved for payment with the exception of holding # 66890 for further clarification.

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

RESOLVED (#2011-206), to approve the minutes of BOT Work Sessions of 04/04/11; 04/11/11 and BOT Public Meeting on 04/04/11 as corrected.

REQUEST TO UTILIZE VILLAGE PROPERTY – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED, to allow the following uses of Village property:

- Tuesday June 21, 2011 to allow Discover Farmingdale Study Group to meet in the Court room from 6:30 p.m. to 8:00 p.m. to hold their Annual Meeting
- Wednesday, June 1, 2011 (rain date of Friday, June 3rd), Peanuts Nursery School would like use of Gergras Park to hold their 15th Annual Picnic. Times not listed.
- Monday, May 30, 2011 to allow the Farmingdale Fire Department to hold their Memorial Day Parade down Main Street beginning at 10:00 a.m.
- Saturday, September 24, 2011 to allow the Women's Club of Farmingdale the use of Village Green for the Fourth Annual Art in the Park from 10:00 a.m. to 5:00 p.m.

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- Pops Concert – Eve Eskin Brown Foundation requests to hold its annual Christmas in July food drive during the Pops Concerts at the Village Green.

BLOCK PARTIES – The Board reviewed a request from a commercial property owner to have a party/car/motorcycle show in his private business parking lot. The Board stated that it does not decide who has parties on private property but mentioned that the property owner should be asked to notify the police department.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Maier 33 Sherman Rd. DB 11-23	Replace siding, roof, door and boiler.	N/A
Baucio 41 Yoakum St. DB 11-24	Installation of in ground pool.	N/A
Perciballi 325 Van Cott Ave. DB 11-25	Legalize roof structure over outdoor rear patio.	N/A
Karimi 18 Hill Rd. DB 11-26	Construct one story family room w/fireplace and exterior cellar stairs.	N/A
Singh 623 Conklin St. DB 11-27	Alterations to second floor of single family dwelling.	N/A
Farrell 16 Hampshire Dr. DB 11-28	Maintain garage conversion.	N/A
Fairfield Conklin LLC 675 Conklin St. DB 11-29	Kitchen and bathroom renovation. Apt. 9-B	N/A
Fairfield Conklin LLC 675 Conklin St. PP 11-04	Replace kitchen sink and shower body. Apt. 9-B	N/A
Tummolo 207 Main St. PP 11-05	Remove kitchen sink and tub on first floor.	N/A
Laudoto 28 Elizabeth St. PP 11-06	Oil to gas conversion.	N/A
Tortoso 11 Lincoln Rd. SWP 11-04	Replace 160 l/f of sidewalk	N/A
Gorchov 25 Elizabeth St. DB 11-30	Minor interior alterations to apt. 3D	N/A
Krumenacker 107 Duane St. SWP 11-05	Replace 6 flags	N/A
Moustaka 141 William St. DB 11-32	Construct a window for egress from basement. Maintain finished basement with bathroom	N/A

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USA Gas 356 Fulton St. SP 11-15	Replace plastic insert for sign. ARB approved 4/26/11	X
Village Farmdale 365 Main St. DB 11-33	Construct masonry wall and landscaping	N/A
Collins 10 Maple St. SWP 11-06	Replace 10 flags	N/A
Dr. Heskell 99-101 Fulton St. DB 11-34	Modify existing bathroom	N/A

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

RESOLVED (#2011-207), to issue 8 taxi permits.

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

RESOLVED (#2011-208), to approve the following tax certiorari:

- 380 Fulton Street – Angle House Owners Corp. (Sec 48, Blk 447, Lots 268, 279, 295) for tax years 2009-2010 in the amount of \$5,000

PUBLIC HEARING OUTDOOR SEATING AT RESTAURANTS – The Board continued the public hearing on Proposed Local Law #2 for outdoor seating at Main Street restaurants. The following public comments were made:

- Terry Robey, 10 Cornelia St. - stated that the fence behind the Republic allows outdoor dining that the Village allowed without consideration of the residents near the property. She stated that Mr. Sharp the owner of the Republic has spoken to them but she wants to know what happens when other establishments on Main Street want the same backyard dining. She feels that they should keep it in the front.
- Chuck Gosline, Waverly Place – commented that all these establishments have improved the downtown area.
- Chief O'Brien remarked that it was a good idea that the permits have a one year renewal.

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

RESOLVED (#2011-209), to continue the public hearing on proposed Local Law #2 on Outdoor Dining until Monday, June 6, 2011 at 8:00 p.m.

PUBLIC HEARING BARTONE HOTEL – The Board continued the public hearing on the Site Plan Approval for the Bartone Hotel project and discussed the land swap

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agreement that will create additional green space at the train station. The following comments were made by the public:

- Chief O'Brien asked how long before the project begins to be built. Anthony Bartone stated that they expect to start late 2011.
- Nick Ezzo asked how much money would we lose on our parking? Trustee Barrett replied that we would lose \$5,750. Mr. Ezzo wanted to know what the village would be gaining. Mayor Starkie replied that we would gain green space and easement payment.

Upon a motion duly made and seconded, it was unanimously resolved to go into Executive Session to discuss legal matters.

Upon a motion duly made and seconded, it was unanimously resolved to reconvene the regular meeting.

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

RESOLVED (#2011-210), to approve the Land Exchange Agreement with Bartone Properties LLC for securing park land/green space upon the Bartone/Hilton property site. Full resolution signed by the Mayor to be attached to these minutes.

Attorney Walsh stated that the following needs to be completed to finalize the site plan and land swap:

- Land swap contract
- Copy of the final Zoning Board decision given to the Board and Village attorney
- Final sealed appraisal of the land swap
- Engineer sign off of the final drainage plan referencing date drawings
- One final set of plans and site plan package for the Village Attorney and Board's review including plans for basement, all floors and roof.

Mayor Starkie asked the Village Administrator to expedite the Engineer's review of final drainage plans.

Upon a motion duly made and seconded, it was unanimously resolved to continue the public hearing on June 6th at 8:00 p.m.

FIRE COMMISSIONER APPOINTMENT – Upon a motion by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2011-211), to appoint Fred Schumeyer to the Board of Fire Commissioners for a five year term ending April 2016.

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PUBLIC HEARING DRAFT STORM WATER MANAGEMENT REPORT - Upon a motion by Trustee Paris and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2011-212), to open the public hearing on the draft of the 2010/2011 Storm Water Management Report (MS4) as prepared by Michael Keffer from H2M.

Mr. Keffer explained the report to the Board and the public.

There being no public comment and upon a resolution made by Trustee Paris and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2011-213), to close the public hearing on the draft of the 2010/2011 Storm Water Management Report (MS4).

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

RESOLVED (#2011-214), to authorize Administrator Harty to sign the final Storm Water Management report.

HOOKAH BAR - Upon a motion by Trustee Ekstrand and seconded by Trustee Parisi, with Deputy Mayor Christiansen voting Nay, it was,

RESOLVED (#2011-215), to set the public hearing on the Special Use application of RSM Lounges, Inc., 356-358 Conklin Street, Farmingdale for Monday, June 6, 2011 at 8:00 p.m. Special Use application is to allow a smoking lounge or Hookah Bar on said premises.

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

RESOLVED (#2011-216), to relevy unpaid water to the 2011-2012 tax roll as follows:

Water	\$38,952.08
Sprinklers	\$ 150.00
Surcharge	\$16,500.00
Penalty	<u>\$ 4,366.59</u>
Total	<u>\$59,968.67</u>

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

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RESOLVED (#2011-217), to levy property taxes for 2011-2012 fiscal year and authorize the Mayor to sign the Tax Warrant:

For the Current Budget	\$3,534,590.00
For the Releived Water Rents	\$ 59,968.67
Charges for Services	\$ 0.00
	<hr/>
Total	\$3,594,558.67

YOUTH COUNCIL GRANT - Upon a motion by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-218), to approve the Youth Council's filing for a grant from the Town of Oyster Bay.

2011-2012 HOLIDAY SCHEDULE – Upon a motion by Trustee Barrett and seconded by Trustee Ekstrand, it was unanimously,

RESOLVED (#2011-219), to approve the 2011-2012 Holiday Schedule.

2011 NEW YORK STATE MAIN STREET PROGRAM – Upon a motion by Trustee Barrett and seconded by Trustee Ekstrand, it was unanimously,

RESOLVED (#2011-220), to approve Vision Accomplished to act as our agent in filing for the 2011 New York State Main Street Program.

BOA STEP 2 SCOPING - Upon a motion by Trustee Ekstrand and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2011-221), to accept the Final Scoping Document for Downtown Farmingdale BOA Step 2 BOA Nomination Study/DGEIS.

FAÇADE IMPROVEMENT PROGRAM – Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-222), to adopt the policy for participation in Phase I Façade Improvement Grants.

FIRE DEPARTMENT GRANT - Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-223), to purchase the forcible entry door system from Firehouse Innovations at a cost of \$6,400, subject to Nassau County approval, to be paid for by a grant from Nassau County.

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BEAUTIFICATION COMMITTEE - Deputy Mayor Christiansen informed the Board that all was ready for the spring planting. She stated that volunteers were needed on Saturday May 14 and 21 at 9:00 a.m. to work on the plantings needed throughout the village in time for the Memorial Day celebrations.

OLD BUSINESS

- Deputy Mayor Christiansen asked that the Village Investment and Procurement Policies be reviewed at the June 6th meeting.

GOOD & WELFARE

- Ms. Rogers stated that the Girl Scouts are looking to have signs made for the two neglected cemeteries in the Village. Deputy Mayor asked that they work with the Historical Society on the project.
- Chief Scherer notified the Board that Mrs. Oxindine will be the Grand Marshal of the Memorial Day Parade.
- Mr. Ezzo wants the Board to get the Code Officers working on Prospect Street.
- Mr. Carosella mentioned that Carlyle on the Green is offering a wedding package that includes a buggy ride through historic Farmingdale. He also mentioned that a Nassau County report stated that an additional traffic light on Route 109 would be dangerous. He also asked for an explanation on the gas delivery company mentioned in a letter from the village. He wanted to know the status of the purchase of a PA system and screen for the Board Room.

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

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

At 11:45 p.m. upon a motion duly made and seconded, it was unanimously,

RESOLVED, to reconvene the meeting.

There being no further work session business the meeting was adjourned at 11:45 p.m.

Respectfully submitted,

Brian P. Harty
Administrator, Village Clerk-Treasurer



**INCORPORATED VILLAGE OF FARMINGDALE
RESOLUTION**

The Mayor and Board of Trustees of the Incorporated Village of Farmingdale hereby pledge their support for the New York State Main Street Program 2011 (NYMS). *Vision Accomplished, Inc.*, acting as the Village's economic and community development consultant, will complete and submit the application for NYMS grant funds on behalf of the Village. The application will be entitled *Farmingdale Village, New York Main Street Program 2011*.

The following resolution was made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was therefore

RESOLVED to authorize Tom Savino of *Vision Accomplished, Inc.* to represent the Village and enter data and information about the Village into the NYMS online application for *Farmingdale Village, New York Main Street Program 2011*.

I certify that the foregoing is a true excerpt of the minutes of the regular meeting of the Board of Trustees of May 2, 2011.

Signed: _____

Brian Harty, Administrator

Dated: _____

INC. VILLAGE OF FARMINGDALE

RESOLUTION

In re: The Land Exchange Agreement
with Bartone Properties LLC
for securing park land/green space upon the
Bartone/Hilton Property site

WHEREAS, the Mayor and Board of Trustees of the Village of Farmingdale ("VILLAGE BOARD") has initiated a master planning process, which includes the preparation of a Downtown Master Plan, and a proposed zoning text amendment, creating a new Downtown Mixed-Use ("D-MU") Zoning District, and

WHEREAS, pursuant to the proposed Downtown Master Plan and based upon our knowledge of the Downtown, the VILLAGE BOARD believes that it is in the best interest of the Village and its residents to preserve, promote and increase the park land/green space within the Village and in particular the Downtown, and

WHEREAS, the VILLAGE BOARD has identified certain properties which would help to increase the park land and green space within the Village, and

WHEREAS, Bartone Properties, LLC ("BARTONE") has made applications to construct a hotel on the property located at 154 South Front Street, Farmingdale, New York, said parcel being known on the Nassau County Tax Maps as Section 49; Block 80; Lot 3 ("BARTONE PROPERTY") and

WHEREAS, in connection with the hotel construction BARTONE proposes to construct a small park area on the BARTONE PROPERTY.

WHEREAS, the VILLAGE desires to increase the size of the proposed park area so as to increase the public green space/parkland within the Village by acquiring a portion of the BARTONE PROPERTY.

WHEREAS, in connection with the VILLAGE'S desire to increase the public green space/park land BARTONE is willing to subdivide the BARTONE PROPERTY and convey a portion of the BARTONE PROPERTY to the VILLAGE to allow the Village to increase the park area in the Downtown.

WHEREAS, in exchange for the transfer of a portion of the BARTONE PROPERTY, for the park, BARTONE requires land owned by the

Village located on Sperry Place, Farmingdale, New York, with the allowing tax map designation: Section 49; Block 80; Lot 2, ("THE VILLAGE PROPERTY"), and

WHEREAS, the VILLAGE Property is directly adjacent to the Bartone Property; and

WHEREAS, the VILLAGE BOARD has undertaken a review and analysis of the VILLAGE PROPERTY and has determined that it is no longer needed for a public use, and

WHEREAS, in connection with the hotel construction BARTONE requires an underground easement for parking and for the interment of dry wells, and

WHEREAS, the VILLAGE pursuant to Village law §1-102(1) has the power to sell or exchange municipal property or grant easements or rights of way to adjoining property owners, and

WHEREAS, the VILLAGE BOARD has determined after due consideration that the public interest is best served by this proposed land exchange and easement agreement, and

NOW THEREFORE BE IT RESOLVED;

1. That the Mayor be authorized to enter into a Land Exchange and Easement Agreement in accordance with this resolution which shall authorize the Mayor to exchange the VILLAGE PROPERTY for the aforementioned portion of the BARTONE PROPERTY, grant the subterranean easements to BARTONE and to place certain dry wells in the VILLAGE street at Atlantic Avenue in accordance with the Survey/Site Plan prepared by Robert Brown, L.S., Land Design Associates Consulting Group, P.C. dated April 28, 2011 and to accept the payment from BARTONE in accordance with the following for use of a Village Property:

- a. Beginning thirty (30) days after closing BARTONE shall pay the VILLAGE six thousand five hundred dollars and zero cents (\$6,500.00) per year in accordance with the Land Exchange/Easement Agreement.

- b. Beginning ten (10) years after closing and continuing in perpetuity and for all time, BARTONE

shall pay the VILLAGE Five Thousand Dollars and Zero Cents (\$5,000.00) per year in accordance with the Land Exchange/Easement Agreement.

c. This resolution is conditioned upon the VILLAGE BOARD's receipt of the appraisal report of Michael Haberman Associates, Inc. demonstrating that the proposed land exchange agreement is supported by fair and adequate consideration.

2. This proposed land exchange/easement agreement is expressly conditioned upon final site plan approval being granted to BARTONE.

Mayor, George Starkie	Aye
Trustee Patricia Christiansen	Aye
Trustee Ralph Ekstrand	Aye
Trustee Cheryl Parisi	Aye
Trustee William Barrett	Aye

DULY RESOLVED, by the Board of Trustees, this 2nd day of May, 2011.

George Starkie
Mayor
Inc. Village of Farmingdale

Attest:

Brian Harty
Clerk/Treasurer
Inc. Village of Farmingdale