

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, April 5, 2021
INC. VILLAGE OF FARMINGDALE

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held remotely at 8:00 p.m. on Monday, April 5, 2021.

Present: Mayor Ralph Ekstrand
Deputy Mayor William Barrett
Trustee Cheryl Parisi
Trustee Walter Priestley
Trustee Anthony Addeo
Administrator/Clerk/Treasurer Brian Harty
Deputy Clerk Barbara Kelly
Attorney Claudio DeBellis
Superintendent of Buildings Steve Fellman

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance and a moment of silence.

2021/2022 ORGANIZATIONAL MEETING ITEMS – Upon a motion made by Trustee Parisi and seconded by Trustee Priestley, the following items were, **RESOLVED (#2021-04-01)**,

- List of appointments
- Village office’s Holiday schedule
- Board of Trustees Meeting schedule
- Standard Workday Resolution
- Signatures for Village bank accounts – Mayor, Deputy Mayor, Village Clerk/Treasurer, Deputy Clerk/Treasurer; any two signing together.
- Use of Mayor’s facsimile signature to the following:
 - Wire transfers between Village’s accounts
 - Wire transfers approved by Board resolution
 - Village of Farmingdale and Youth Council payroll checks
 - Youth Council expenditures as listed on abstract
- Existing Village policies:
 - Employee Manual including the following:
 - Procurement Policy
 - Ethic Policy
 - Sexual Harassment
 - Workplace Violence

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- Investment Policy

SWEARING IN OF APPOINTED OFFICIALS – Oaths of office will be taken in Village Hall in the next 30 days.

ANNOUNCEMENTS –Mayor Ekstrand made the following announcements:

- The following resolutions were approved at the March 15th, 2021 Work Session:
 - Surplus Sweeper #1, a yellow Mobil Road Sweeper. VIN # is 1A9P24DR3TR059007.
 - Sold Sweeper #1, a yellow Mobil Road Sweeper, to Merrick Utilities at a cost of \$7,500.00. The VIN # is 1A9P24DR3TR059007.
 - Made the following changes to the 2021/2022 Tentative Assessment Roll:
 - Remove Veteran exemption on 44 Columbia St. due to change in qualification.
 - Remove Veteran exemption on 121 Prospect St. due to change in qualification.
 - Reimbursed John Falbo for the cost of a Water Operator Certification class that he recently completed at a total cost of \$721.00. Further resolved to reimburse Mr. Falbo for a Grade I Advanced Operations class that he will be taking in April, at an approximate cost of \$825.00. Trustee Parisi asked if we can have a commitment of time from the employees. The Board discussed this option.
 - Reimbursed Hannah Meyer for the reimbursement of tuition for a “Not for Profit Accounting” class at a cost of \$716.25.
 - Approved scheduled maintenance agreements with Huntington Power for the following Village generators:
 - Generac SG300: \$1,034.00 per year
 - Generac SG050: \$639.00 per year
 - Approved a Use of Facilities request from Rachel Hamberger to use the Gazebo for a wedding on Saturday, June 26, 2021 from 4:00 p.m. to 5:30 p.m. 16-18 people will be attending.
 - Approved a Use of Facilities request from Rev. Joseph Ewoodzie of the Farmingdale United Methodist Church to use the Village Green

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for an Easter sunrise worship service on Sunday, April 4, 2021 from 6:00 a.m. to 7:30 a.m. Approximately 25 people will be attending.

- Lease a Ravo5 iSeries Street Sweeper from Real Lease with the option of either Sixty (60) monthly payments of \$4,745.27 or Eighty-Four (84) monthly payments of \$3,468.60, both at an interest rate of 2.97%. The Board approved the 60 monthly payment plan.
- Set a public hearing for the proposed Village budget on Monday, April 12, 2021 at 8:00 p.m.
- The following resolutions were approved at the March 22nd, 2021 Work Session:
 - Adopted the Public Employer Health Emergency Plan.
 - Approved Commander Fleet Corp., as the lowest bidder, to outfit the new Fire Department's Chief's vehicle in the amount of \$17,291.90.
 - Hired John Langon as a Part-Time Firehouse Maintainer at a salary of \$15.00 per hour.
- The next Board meeting with public comment period will be held on Monday, May 3rd, 2021 at 8:00 p.m. Budget Hearing will be held on Monday, April 12, 2021 at 7:00 p.m. Regular Work Session will be held on Monday, April 19th, 2021, Monday, April 26th, 2021 and Monday, May 3rd, 2021. All meetings will be held virtually, look at the Farmingdale Village website at www.farmingdalevillage.com for further details.
- April is Fair Housing Month.

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, the following items were, **RESOLVED (#2021-04-02)**,

- Abstract of Audited Vouchers #1148 dated April 5, 2021.
- February Wire Transfers
- Minutes of Work Sessions of 2/16/21, 3/1/21, 3/15/21, 3/22/21, with changes
- Use of Village Property:
 - Schneider's Farm is requesting use of the Village Green for their Farmer's Market on Sundays starting June 6th, 2021 and running through November 21st, 2021 from 9:00 a.m. to 4:00 p.m. (Open to the public from 10:00 a.m. to 3:00 p.m.)
- Tax certiorari's:

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- None

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

DATE	LOCATION	CONSTRUCTION/COMMENTS	ARB	C/R
3/2/21	177 Prospect St. Ronny Attia DB21-00026	Install pre-fab inground swimming pool 18’ x 32’.	N/A	R
3/2/21	125 Secatogue Ave Michael Napolitano SP21-00005	ARB approved on 2/23/21 with stipulation 1” silver metallic border on sign 18” x 28” centered above main entrance, approx. 9’ from the ground.	X	C
3/3/21	537 Fulton St. Khaimov Khizkiya SP21-00006	ARB approved 2/23/21 with stipulation that gold leaf lettering be used in sign lettering not gold paint.	X	C
3/9/21	14 Cooper St. David Biggin DB21-00027	Replace front stoop, walkway and driveway.	N/A	R
3/9/21	441 Main St. Laura Napolitano PP21-00008	Interior plumbing work as per drawings submitted by Robert Alweiss Engineer dated 9/25/20.	N/A	C
3/16/21	2 Dexter St. Joseph DiPietro DB 21-00028	Replace existing driveway and sidewalk same dimensions.	N/A	R
3/19/21	105 Cherry St. Thomas DeVito SW21-00001	Three small slabs in front sidewalk.	N/A	R
3/19/21	184 Cherry St. Argie Karavas FP 21-00002	6’ Stockade fence.	N/A	R
3/22/21	206 Lenox St. Denise Veracka DB21-00029	Install 29 roof top mounted solar panels and 4 tesla power wall batteries.	N/A	R
3/29/21	297 Main St. Peter Yelizar DB21-00030	Interior alterations to existing dental office as per drawings submitted by Eugene Khankanov AIA dated 2021.	N/A	C
3/30/21	52 Jefferson Rd. John Monica FP21-00003	6’ PVC fence.	N/A	R
3/30/21	1 Tulane St. Richard Levatino SW-21-00002	Replace sidewalk.	N/A	R
3/30/21	175 Thomas Powelll Blvd. Patrick Mucci FP21-00004	6’ PVC fence	N/A	R
3/30/21	50 Fairview Rd. Susan McCoy DB21-00031	One story addition, interior alterations, and side entry patio as per drawings submitted by Michele Wagner Nebbia Architect dated 2/19/21.	N/A	R

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PUBLIC HEARING DATES – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Addeo, it was unanimously,

RESOLVED (#2021-04-03), to set the following public hearings for Monday, May 3, 2021 at 8:00 p.m.:

- Special Use Permit for 453 Main Street to convert office space on the second floor to an apartment in the DM-U Zoning District.
- Stormwater Management MS4 Annual report period ending 3/9/2021.
- Special Use Permit for 342 Main Street – Kicken Chicken restaurant.

PUBLIC HEARING TO SUBDIVIDE PROPERTY AT 368 MELVILLE ROAD – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2021-04-04), to adjourn the hearing to Monday, May 3, 2021 at 8:00 p.m. This public hearing will also be re-noticed as the original legal notice had a typo in the name of the applicant.

PUBLIC HEARING FOR SPECIAL USE PERMIT FOR WORK FORCE HOUSING PROJECT – Upon a motion made by Trustee Priestley and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2021-04-05), to open the hearing.

Kathleen Deegan Dickson spoke on behalf of D&F Development:

- Seeking a special use permit to develop property under the Workforce Housing code for the Village.
- There will be 29 one-bedroom and 41 two-bedroom units – 100% Workforce Housing units plus one superintendent unit.
- They are looking to land bank 15 of the 128 parking spaces to offer more green space. They feel that 113 spaces are enough to cover the parking needs but they will develop what of the land banked spaces would be needed in the future.
- Need a front yard and side yard setback relief and relief from the landscape buffer along the property lines.
- They are seeking relief for the one bedroom units to be 650 sq. feet and not 750 sq. feet as the code requires.

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Michael Marinis spoke on the attributes of the project.

Salvatore Coco spoke about the look of the building with entrances in the front and the back and two courtyards in the back for the benefit of the residents.

Mayor Ekstrand asked about the traffic pattern. Sean Mulryan, traffic engineer, spoke:

- He believes that the 113 parking spaces to be paved would be sufficient, but the 15 land banked spaces could be used in the future for additional parking if needed.
- He looked at the trip generated by the project and feels that the road could handle the necessary volume without problems.

Trustee Priestley asked about seating in the green space. The answer was that there would be seating.

The following public comment was made:

- Christopher Ahern's family owns the building at 850 Fulton Street. He is concerned about residents parking in the street and in their lot. Sean Mulryan replied that based on use in similar projects there should be sufficient parking, but they would use the land banked spaces if there is a problem with parking in the future.
- Joe Staudt asked if there will be a charge for parking to the residents. The answer was that there will be no charge for parking.
- Mr. Staudt also questioned the side setbacks on the east side, would it bring the building close to the properties on Staples Street.
- Tony Socias from James Street (home borders the south side of the property) is concerned about lights on the building shining into their property and about the sounds of the dumpster being emptied at 3:00 a.m. He is looking at no set back on the south side of the building and is also concerned about rodents collecting around the dumpster.
 - Peter Florey stated that lighting will not shine into the neighbor's property. The dumpster will be picked up at a time where residents will not be woken up.
- Anthony Wehle is concerned about overflow parking in front of his house and the construction debris and dust going onto their property. Mr. Florey said they have controls to limit debris and dust to a minimum.
- Mr. Wehle is also concerned about the times that construction would be starting and ending. Mr. Florey said that work starts at 7:30 a.m. and ends by 3:30 p.m., with the occasional work on Saturdays.

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- Mark Moyer stated that his house is the most affected by the relief on the setback and the effect of the 3 story building being 25 feet away from his property. Mayor Ekstrand asked to have large trees planted along the setback. Mr. Florey stated that it would be possible to plant Green Giants. Superintendent Fellman said they would grow 2-3 feet a year and fill in like a hedge. Mr. Moyer would also be very happy to see some of the existing trees saved.
- George Starkie is against a new code being written and now they are asking for relief from the code written for this project. Asked that the hearing be held over until it can be held in public, probably at Howitt. He thought that it would be 56 units but now its 70 units. He feels it is an overreach and over-development. Mayor Ekstrand thanked him for his comments.
- Jason Raggio of James Street is concerned about noise and lighting. Peter Florey stated that a six foot solid fence will prevent headlights from going into the properties neighboring the project.
- Ann Crawford has concerns about parking for visitors and construction vehicles.
- Pat Christiansen is concerned about the size of one bedroom, also ingress and egress onto Route 109.
 - Sean Mulryan said that the driveway and traffic direction is the responsibility of the NYS Dept. of Transportation and part of their review process.
 - Mrs. Christiansen is very concerned about the setbacks. She is really not happy with the Hearthstone buildings on Route 109 and asked that the front setback be adhered to.
- Joanna Cerepka is concerned about guest parking, if there is any and how many, and how many spots per unit. Peter Florey stated that there are 1.6 spots per unit.

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

RESOLVED (#2021-04-06), to close the hearing.

Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2021-04-07), to approve the Special Use Permit for D&F Development to build a three story 70 unit work force housing with the following conditions: planting Green Giants, save as many border trees as possible, and dumpster pickup timing.

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PUBLIC HEARING FOR SPECIAL USE PERMIT FOR NUNZI'S RESTAURANT

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

RESOLVED (#2021-04-08), to open the hearing.

Thomas Kiernan, Director of Operations from Nunzi's, presented:

- Deputy Mayor Barrett had questions about the layout of the restaurant.
- Mayor Ekstrand clarified the \$15,000 payment to the parking lot funds.

There being no public comment, upon a motion made by Trustee Parisi and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2021-04-09), to close the hearing.

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

RESOLVED (#2021-04-10), to approve the Special Use Permit and Parking Resolution for Nunzi's Restaurant at 125 Secatogue Avenue with seating for 86.

NEW HIRE - FIRE DEPARTMENT – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was,

RESOLVED (#2021-04-11), to hire William Novikov as a Part-Time Cleaner at a salary of \$15.00 per hour.

NEW HIRE – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Parisi, it was,

RESOLVED (#2021-04-12), to hire Alice Hogan & Ernest Kozee as Part-Time Parking Meter Attendants at a salary of \$18 per hour.

MUNICIPAL GROUP SELF-INSURANCE PROGRAM – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Addeo, it was unanimously,

RESOLVED (#2021-04-13), to approve signing of Perma Workers Compensation and VFBL contract for two years for a total of no more than \$213,234 including NYS Assessments (vs Comp Alliances two year quote of \$251,981 plus 2 Est. Assessments). With the following resolution:

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RESOLUTION TO JOIN MUNICIPAL GROUP SELF-INSURANCE PROGRAM –

WHEREAS, the Authorized Representative of the Farmingdale, Village of desires to secure the Farmingdale, Village of obligation to provide volunteer firefighters’ benefit law, volunteer ambulance workers’ benefit law and workers’ compensation benefits, as applicable, through participation in a group self-insurance program of which the Farmingdale, Village of will be a member,

The Authorized Representative of the Farmingdale, Village of, duly convened in regular session, does hereby resolve, pursuant to, and in accordance with the provisions of Section 50 of the New York State Workers Compensation Law and other applicable provisions of law and regulations thereunder, as follows:

Section 1. The Authorized Representative (hereinafter “Representative”) of the Farmingdale, Village of does hereby resolve to secure the Farmingdale, Village of obligation to volunteer firefighters’ benefit law, volunteer ambulance workers’ benefit law and workers’ compensation benefits, as applicable, through participation in a group self-insurance plan of which the Farmingdale, Village of will be a member;

Section 2. The Representative of the Farmingdale, Village of does hereby resolve to become a member of Public Employer Risk Management Association, Inc., a workers’ compensation group self-insurance program for local governments and other public employers compensation group self-insurance program for local governments and other public employers and instrumentalities of the State of New York;

Section 3. In order to effect the Farmingdale, Village of membership in said group self-insurance program, the authorized officer of the Farmingdale, Village of is hereby authorized to execute and enter into the Public Employer Risk Management Workers’ Compensation Program Agreement, annexed hereto as Exhibit A, on behalf of the Farmingdale, Village of.

2020/2021 BUDGET ADJUSTMENTS – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2021-04-14), to approve the 2020/2021 budget adjustments as presented.

2021 NORTHEAST FIRE PROTECTION DISTRICT CONTACT – Upon a motion made by Trustee Parisi and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2021-04-15), to approve Mayor Ekstrand to sign the Town of Oyster Bay’s 2021 contract for the Northeast Fire Protection District for \$115,299.59.

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BEAUTIFICATION – Hanging baskets have been ordered and planting will begin sometime in May.

OLD BUSINESS – None

CORRESPONDENCE – Already discussed

FAIR HOUSING COMPLAINTS & COMMENTS - None

PUBLIC COMMENT – A discussion began on the following topics:

- Pat Christiansen is concerned about the sale of marijuana, if the Village will opt out and if it will affect funding. Mayor Ekstrand will discuss after reviewing the law and if we do opt out we would lose the 1%. His recommendation would be to opt out but review of the law is first.
- Joe Staudt complained about National Grid digging up newly paved roads. Mayor Ekstrand answered that we asked about their plans and they didn't mention the projects that involve digging up newly paved roads. Administrator Harty said that we are in negotiation with them to repave the roads.
- Mr. Staudt asked about the law to override the tax cap. Mayor Ekstrand stated that we have a tentative budget where we did not exceed the cap.
- Mr. Staudt also asked when the 5 Corners Park Project is going to break ground. Trustee Parisi said that Nassau County is deciding on the project so we can't start until they make their decision.

EXECUTIVE SESSION, upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2021-04-16), to move to Executive Session.

Upon a motion duly made and seconded, it was unanimously,

RESOLVED (#2021-04-17), to reconvene the meeting.

There being no further business, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,
Brian P. Harty
Village Clerk/Treasurer