

In the Matter Of:

VILLAGE OF FARMINGDALE - BOARD OF TRUSTEES MEETING

WORK SESSION

April 19, 2021



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BOARD OF TRUSTEES MEETING

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WORK SESSION

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THE INCORPORATED VILLAGE OF FARMINGDALE

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7

REMOTE ZOOM MEETING

8

April 19, 2021

9

7:00 p.m.

10

11

Due to the Novel Coronavirus (COVID-19)

12

Pandemic and recent Executive Orders issued

13

by the Governor, the Village of Farmingdale,

14

Board of Trustees Work Session was held

15

electronically via Zoom Webinar.

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A P P E A R A N C E S :

RALPH EKSTRAND, Mayor

WILLIAM BARRETT, Deputy Mayor

ANTHONY ADDEO, Trustee

CHERYL PARISI, Trustee

WALTER PRIESTLEY, Trustee

BRIAN HARTY, Village Administrator

BARBARA KELLY, Deputy Village Clerk

CLAUDIO DE BELLIS, ESQ., Village Attorney

A L S O P R E S E N T :

STEPHEN FELLMAN, Village Building Superintendent

KEVIN WOOD, Zoom coordinator

1 BOT - 4/19/21

2 MAYOR RALPH EKSTRAND: Good evening
3 ladies and gentlemen and welcome to the
4 Monday, April 19th, 2021, Farmingdale
5 Village Board of Trustees work session.

6 We'll start off with the Pledge of
7 Allegiance, followed by a brief moment of
8 silence to support our military personnel
9 and our first responders.

10 So, put your hand over your heart.

11 (WHEREUPON, the assemblage recited
12 the Pledge of Allegiance, after which the
13 following transpired:)

14 MAYOR RALPH EKSTRAND: A moment of
15 silence for our first responders who are
16 always putting themselves in harm's way,
17 and for our Armed Forces who are out
18 throughout the globe defending Americans'
19 freedom and justice.

20 (WHEREUPON, a moment of silence was
21 observed by the assemblage, after which
22 the following transpired:)

23 MAYOR RALPH EKSTRAND: Thank you.

24 We'll start off tonight, a
25 resolution to hire Anna or Anne Signa as

1 BOT - 4/19/21

2 part-time parking meter attendant, at a
3 salary of \$20 per hour.

4 Motion to approve?

5 TRUSTEE WALTER PRIESTLEY: I'll
6 make a motion to approve.

7 DEPUTY MAYOR BARRETT: I'll second
8 it.

9 MAYOR RALPH EKSTRAND: All in
10 favor.

11 (WHEREUPON, there was a unanimous,
12 affirmative vote of the Board Members
13 present. Motion passed 5-0)

14 MAYOR RALPH EKSTRAND: Okay,
15 resolution to approve a use of facilities
16 request from Elieza Rodriguez and Robert
17 Tartaro to use the gazebo for a wedding on
18 Saturday, August 7, 2021, from 3:30 p.m.
19 to 4:30 p.m. Approximately 50 people will
20 be attending, and they have all been read
21 the current rules and regulations
22 concerning the outdoor weddings. I'm sure
23 they will change prior to this.

24 Motion to approve.

25 TRUSTEE CHERYL PARISI: So moved.

1 BOT - 4/19/21

2 TRUSTEE ANTHONY ADDEO: I'll second
3 it.

4 MAYOR RALPH EKSTRAND: All in
5 favor.

6 (WHEREUPON, there was a
7 unanimous, affirmative vote of the Board
8 Members present. Motion passed 5-0)

9 MAYOR RALPH EKSTRAND: The Fire
10 Department: They had a wonderful
11 installation, as we all know, a couple of
12 weeks ago.

13 Congratulations to the three new
14 chiefs and congratulations to Chief
15 Michael DiBartolo for his six years as
16 chief; two, of course, as --

17 TRUSTEE CHERYL PARISI: We don't
18 need this; do we?

19 MAYOR RALPH EKSTRAND: (Continuing)
20 -- engineer.

21 Okay, we're back?

22 TRUSTEE CHERYL PARISI: Yes.

23 MAYOR RALPH EKSTRAND: Building
24 Department.

25 Anything else on the Fire

1 BOT - 4/19/21

2 Department, by anyone?

3 (WHEREUPON, no response heard.)

4 MAYOR RALPH EKSTRAND: Okay.

5 Building Department.

6 Stevie, take it away with Kickin'

7 Chicken.

8 STEVE FELLMAN: Everybody can't
9 wait for Kickin' Chicken, I got news for
10 you. Everybody's dying to try it. Had a
11 very good reputation, apparently.

12 We sent out the letter. They gotta
13 come to you for a special use permit.

14 BRIAN HARTY: Hi, everybody. Sorry
15 I'm late. It's Brian.

16 MAYOR RALPH EKSTRAND: Okay, Brian.

17 And Lynn sent out the letter that
18 -- from Nassau County Planning that they
19 gave us local determination.

20 STEVE FELLMAN: Yes. Which we
21 assumed. I think Claudio helped with
22 that. Thank you, Claudio.

23 For the record, Claudio's been nice
24 to me for the last week. I'd like to
25 applaud him for that.

1 BOT - 4/19/21

2 CLAUDIO DE BELLIS, ESQ.: You're
3 welcome. You're welcome. I don't want
4 to go into my being mean to you, but --

5 STEVE FELLMAN: I want to encourage
6 his good behavior over the last week.

7 I don't know if you all heard about
8 Robbie Lee?

9 TRUSTEE CHERYL PARISI: No.

10 MAYOR RALPH EKSTRAND: Yes. I'm
11 sorry, I forgot to tell the Board. You
12 should tell the Board.

13 STEVE FELLMAN: Go ahead, you
14 actually are more up to date than I am.

15 MAYOR RALPH EKSTRAND: Well, Robbie
16 had his -- I think his sixth stroke, if
17 I'm counting correctly. And he also had
18 COVID.

19 STEVE FELLMAN: Yeah, he had COVID,
20 he had a stroke. They got him back from
21 Texas out to Stony Brook, I believe.

22 MAYOR RALPH EKSTRAND: Stony Brook
23 University Hospital, yes.

24 STEVE FELLMAN: And while at Stony
25 Brook, he had another stroke.

1 BOT - 4/19/21

2 TRUSTEE ANTHONY ADDEO: Oh, my God.

3 STEVE FELLMAN: Yeah, he's having a
4 very tough time of it. So he's in our
5 prayers. It's a tough -- you don't wish
6 that on anybody, especially him, he's a
7 good guy.

8 Other than that, we had Mr.
9 Smeltzer (phonetic) our towing guy, into
10 court and paid a fine and his attorney
11 indicated that they were going to renew
12 the permit and get back at it and they've
13 done absolutely nothing.

14 Wrote a letter to the folks at 20
15 Merritts Road to implore them to let's get
16 this finished and they've yet to respond.
17 They ignored that letter.

18 TRUSTEE CHERYL PARISI: Can I ask a
19 question about 20 Merritts Road?

20 STEVE FELLMAN: Sure.

21 TRUSTEE CHERYL PARISI: So I think
22 it's the third house in, there seems to be
23 -- they have a retaining wall and a fence
24 on top of that retaining wall. So has
25 someone purchased that home?

1 BOT - 4/19/21

2 STEVE FELLMAN: We've been told
3 that they have buyers for four of the
4 houses. I don't know if it's true or not.

5 TRUSTEE CHERYL PARISI: Okay, so my
6 question is, you need to have a permit to
7 put up a fence. So I'm not understanding
8 how that fence got put up.

9 STEVE FELLMAN: They certainly
10 haven't taken out any fence permits for
11 the --

12 TRUSTEE CHERYL PARISI: Okay, and
13 also it looks like they put up a huge
14 retaining wall, you know, like on the side
15 of both houses. So from far away it looks
16 like this retaining wall is, I don't know,
17 eight feet high, and on top of that is a
18 fence.

19 STEVE FELLMAN: Yeah, what happened
20 is they wanted to -- that they put in for
21 the retaining wall because the homeowners
22 on both sides wanted level property.

23 TRUSTEE CHERYL PARISI: I mean, I
24 could get that. I can totally understand
25 it. I just was surprised to, you know...

1 BOT - 4/19/21

2 STEVE FELLMAN: Again, apparently,
3 that was part of the request of people
4 that were in contract to buy it. They
5 wanted a level yard. They did put in a
6 permit for the retaining wall, he did not
7 put in a permit for the fence.

8 TRUSTEE CHERYL PARISI: Okay. So
9 there is a fence there now. So I guess we
10 need to -- so, again, how do you do these
11 things without a C/O? I'm assuming they
12 don't have C/O's yet; right?

13 MAYOR RALPH EKSTRAND: No.

14 TRUSTEE CHERYL PARISI: Or do they?

15 STEVE FELLMAN: No.

16 TRUSTEE CHERYL PARISI: No.

17 STEVE FELLMAN: No. No, there's no
18 C/O's. They're not even close.

19 TRUSTEE CHERYL PARISI: Right.
20 Okay.

21 STEVE FELLMAN: I mean that would
22 be part of the building permit.

23 TRUSTEE CHERYL PARISI: Okay.

24 STEVE FELLMAN: But we'll follow
25 up. It's not under permit. It's amazing.

1 BOT - 4/19/21

2 TRUSTEE CHERYL PARISI: Right. I
3 mean I totally get the retaining wall and
4 the fence. You want your backyard -- I
5 totally get that. I just was surprised
6 because I thought you needed C/O's and a
7 whole lot of other stuff before you could
8 go that way, so...

9 STEVE FELLMAN: That could be part
10 of the -- like, he has to put in an estate
11 fence across the whole northern property
12 line. So he has to put a guardrail up
13 there; has to put in an estate fence that
14 whole way.

15 MAYOR RALPH EKSTRAND: That was
16 part of the site plan agreement.

17 STEVE FELLMAN: Yeah.

18 TRUSTEE CHERYL PARISI: Right.

19 STEVE FELLMAN: I mean, so I said
20 they gotta bunch to go yet. The one thing
21 that's amazing is they put the
22 streetlights in and how it starts to
23 suddenly look like a real place.

24 TRUSTEE CHERYL PARISI: It looks
25 like a neighborhood; right?

1 BOT - 4/19/21

2 STEVE FELLMAN: Yeah, it looks like
3 a neighborhood all a sudden. What a
4 difference a streetlight makes.

5 TRUSTEE CHERYL PARISI: Yeah,
6 absolutely.

7 STEVE FELLMAN: A nice touch.
8 We're all going, the house looks really
9 good, you know. So --

10 TRUSTEE CHERYL PARISI: Okay.

11 STEVE FELLMAN: (Continuing) --
12 slowly but surely.

13 Other than that, I think we're --

14 MAYOR RALPH EKSTRAND: Well,
15 Stevie, 368 Melville Road. They sent a
16 proposal through the Board for the two
17 houses and -- well, we know the parking is
18 no good. They have to --

19 STEVE FELLMAN: I believe Brian
20 might want to chip in. I know Brian spoke
21 with their attorney and I think they've
22 got some more revisions they want to make.

23 BRIAN HARTY: Yeah, they want to
24 get the feedback from the Board. I
25 mentioned to them about the parking issues

1 BOT - 4/19/21

2 and they want to get the feedback from the
3 Board about the -- whatever the comments
4 are from the Board, they want to move
5 forward.

6 MAYOR RALPH EKSTRAND: Stevie, was
7 the size of the houses, the setback, the
8 amount of property versus the size of the
9 house, was that all in --

10 BRIAN HARTY: Apparently, the
11 houses are compliant because the floor
12 area ratio, the FAR on those lots is 35
13 percent. So it's -- they're 8,000 square
14 foot lots, give or take, I believe -- I
15 don't have the drawing in front of me, but
16 according to the calculations by their
17 architect, they are compliant, as
18 submitted, at about 2900 square feet each.
19 That's the square footage of the houses
20 that they are right now.

21 They were not compliant,
22 apparently, with the parking when I looked
23 at it earlier today, because they had two
24 parking spaces out in the front. They
25 needed to add one for each house and then

1 BOT - 4/19/21

2 there's a 35 percent front yard coverage
3 for parking on the outside because they
4 need one in the garage, one outside for
5 the two first two-bedrooms and each
6 bedroom after that needs a parking spot.
7 So there are four-bedroom houses. So they
8 need three outside, one in the garage.
9 That's four. That meets the code.

10 STEVE FELLMAN: You need one more
11 for the bathroom.

12 MAYOR RALPH EKSTRAND: And one for
13 the bathroom. If they have three
14 bathrooms --

15 BRIAN HARTY: If they have three
16 bathrooms --

17 MAYOR RALPH EKSTRAND: They need
18 another spot.

19 BRIAN HARTY: (Continuing) They
20 need another spot. A half bath -- when I
21 read the code today -- did you read it as
22 well? Did you reread it? When I looked
23 at it, it defined a bathroom as a sink, a
24 bowl and a shower or tub. If you had a
25 half bath, you wouldn't have the shower or

1 BOT - 4/19/21
2 tub. So I don't think it would count if
3 it was a half bath. So two and-a-half
4 baths, you wouldn't need the -- you would
5 not need the additional -- at least the
6 way I read it -- you would not need the
7 additional space.

8 MAYOR RALPH EKSTRAND: It didn't
9 say it was a half bath, first of all.

10 STEVE FELLMAN: Yeah, I've got to
11 verify that it's a half bath. Step number
12 one. Is it --

13 TRUSTEE CHERYL PARISI: And also,
14 you know, on the drawing that they sent,
15 they said that one would be 2900 and the
16 other one would be 2900 something. But
17 then on the email that they sent you,
18 Brian --

19 BRIAN HARTY: Yeah that was --

20 TRUSTEE CHERYL PARISI:
21 (Continuing) -- it was 3100 so they added
22 200 square feet to each house. I mean...

23 BRIAN HARTY: He indicated that the
24 email was incorrect, apparently. You've
25 got to go by the drawing not by what they

1 BOT - 4/19/21
2 just put down. I think that that was a
3 quick thing. They may have run 3100
4 square feet when they did this. This
5 developer, a vendee on the project now, is
6 the same guy that developed the property
7 over Fuschetto Court. And that house that
8 you see there is actually built on
9 Fuschetto Court, I understand. Is that
10 correct, Steve?

11 STEVE FELLMAN: Yes.

12 TRUSTEE CHERYL PARISI: Yeah,
13 that's what I took to understand.

14 BRIAN HARTY: That may be 3100.
15 That house may be 3100 square feet, so...
16 But they would be in compliance with what
17 the --

18 STEVE FELLMAN: I'll check the
19 square footage and the plans.

20 BRIAN HARTY: I'm just surmising
21 that. I haven't confirmed that. I
22 haven't discussed that with their
23 attorney. But I did forward everybody
24 what I got from their attorney. Their
25 attorney might be mistaken because he

1 BOT - 4/19/21

2 wasn't familiar with the -- the architect
3 was, but not the attorney was familiar
4 with the FAR.

5 DEPUTY MAYOR BARRETT: Stevie, do
6 you have the plans in front of you?

7 STEVE FELLMAN: I do not, Bill.

8 DEPUTY MAYOR BARRETT: Okay.

9 TRUSTEE ANTHONY ADDEO: We have
10 exterior entrance to the basement in both
11 of them?

12 BRIAN HARTY: No, the exterior
13 entrance to the basement are not allowed.

14 TRUSTEE ANTHONY ADDEO: Well, in
15 the back of the home --

16 DEPUTY MAYOR BARRETT: There's
17 something on the south side of the one on
18 Balcom and on the west side of the one on
19 Melville -- a little square. I was going
20 to ask you what that was.

21 BRIAN HARTY: If they missed that,
22 they're -- the exterior entrances are no
23 longer allowed on new construction. That
24 was some of the changes we made back a few
25 years back.

1 BOT - 4/19/21

2 STEVE FELLMAN: Yeah.

3 BRIAN HARTY: And the ceiling
4 heights in the basement have to be six-
5 foot-eleven, the max, as well. You know,
6 that was to -- that was specifically done
7 in the codes to avoid (inaudible).

8 TRUSTEE ANTHONY ADDEO: This home
9 that's attached to the email, I don't
10 recognize as one of the homes on Fuschetto
11 Court.

12 TRUSTEE CHERYL PARISI: I think
13 it's the new one that he just built.

14 STEVE FELLMAN: Yeah, I think it
15 is, too.

16 MAYOR RALPH EKSTRAND: Stevie --

17 TRUSTEE ANTHONY ADDEO: What's the
18 name of the developer?

19 BRIAN HARTY: I don't know.

20 MAYOR RALPH EKSTRAND: It started
21 with at "B."

22 BRIAN HARTY: Nicholas something.
23 He is a --

24 STEVE FELLMAN: He came in, he
25 built that one house over on Fuschetto and

1 BOT - 4/19/21

2 he was all aglow about how much he loves
3 working in the Village of Farmingdale --

4 BRIAN HARTY: Yeah, Nick Burma
5 (phonetic).

6 STEVE FELLMAN: (Continuing) -- he
7 wants to do more stuff for the Village.

8 TRUSTEE CHERYL PARISI: Sorry,
9 Brian, what did you --

10 BRIAN HARTY: Nick Burma
11 (phonetic). Nicolas Burma (phonetic).
12 He's the vendee on the property, the fella
13 that built that one property over on
14 Fuschetto Court.

15 MAYOR RALPH EKSTRAND: Okay,
16 Stevie, you'll double check the dimensions
17 that were submitted are correct as opposed
18 to the ones with the email and give a good
19 thorough look about the egresses that the
20 other trustees had asked about.

21 STEVE FELLMAN: You bet.

22 MAYOR RALPH EKSTRAND: And we got
23 time to talk about it again.

24 STEVE FELLMAN: Yup.

25 MAYOR RALPH EKSTRAND: After we see

1 BOT - 4/19/21

2 -- get some answers.

3 TRUSTEE ANTHONY ADDEO: I hate to
4 be a BB, but I'm looking in the mirror of
5 that truck in the bottom right-hand corner
6 of the picture, and that's not Fuschetto
7 Court.

8 TRUSTEE CHERYL PARISI: Oh, okay.

9 TRUSTEE ANTHONY ADDEO: And this
10 photo is simply not Fuschetto Court. If
11 you look to the right of this house,
12 there's a brown garage with a white
13 pitched roof, white fascia and then a
14 roof. That doesn't exist on Fuschetto
15 Court. And --

16 BRIAN HARTY: I don't know for
17 sure. I just don't know.

18 TRUSTEE ANTHONY ADDEO: Oh, okay.

19 STEVE FELLMAN: We'll find out.
20 I'll verify tomorrow where it was taken.

21 TRUSTEE ANTHONY ADDEO: It doesn't
22 matter, but it's just not a Fuschetto
23 Court house.

24 BRIAN HARTY: (Inaudible) as an
25 illustration of what --

1 BOT - 4/19/21

2 TRUSTEE ANTHONY ADDEO: What he's
3 going to build.

4 BRIAN HARTY: (Continuing) -- the
5 type of house that he would build.

6 TRUSTEE ANTHONY ADDEO: Absolutely.
7 That's good.

8 BRIAN HARTY: That's all it is, is
9 an illustration.

10 TRUSTEE ANTHONY ADDEO: Okay.

11 TRUSTEE CHERYL PARISI: Okay. My
12 misunderstanding. I thought it was
13 Fuschetto Court.

14 STEVE FELLMAN: Yeah, you know, I
15 kind of --

16 BRIAN HARTY: It was my
17 understanding, too, but we can certainly
18 check that out and find out where the
19 house is located, if you want to see it.

20 STEVE FELLMAN: We may have
21 confused the fact that he was bragging
22 about how he built one of the houses at
23 Fuschetto Court and then he offered us
24 this picture and we just kind of put it
25 together maybe in our own minds.

1 BOT - 4/19/21

2 BRIAN HARTY: We may have
3 (inaudible) that. I just don't know, off
4 the top of my head, so...

5 STEVE FELLMAN: I'll find out.

6 BRIAN HARTY: What do you think of
7 the look of the house though? I mean as
8 far as the esthetic is concerned? To give
9 them some guidance on this.

10 TRUSTEE ANTHONY ADDEO: That's what
11 folks want, colonials. Lots of windows.

12 TRUSTEE CHERYL PARISI: I think
13 colonials fit in that neighborhood nicely.

14 STEVE FELLMAN: Shall we steer him
15 into the siding?

16 TRUSTEE CHERYL PARISI: Yes, we
17 should. Yeah.

18 STEVE FELLMAN: Like HardiePlank,
19 that kind of thing?

20 TRUSTEE CHERYL PARISI: Yeah, yeah.
21 Yes.

22 STEVE FELLMAN: Architectural roof
23 shingles and --

24 TRUSTEE CHERYL PARISI: You know,
25 in that direction, yes.

1 BOT - 4/19/21

2 STEVE FELLMAN: Okay.

3 BRIAN HARTY: Is there anything
4 about the size of the property, the size
5 of the houses that there is a concern to
6 you, at this point? I mean the height is
7 -- the height meets the height
8 requirement, apparently.

9 TRUSTEE CHERYL PARISI: Yeah, it
10 says that -- it says that the footprint is
11 basically 1500 square feet. And then, you
12 know, the upstairs is like 1300 or
13 something like that, whatever. I mean
14 that neighborhood, they have fairly big
15 houses over there; don't they, Bill? I
16 mean on Balcom Road right there?

17 DEPUTY MAYOR BARRETT: Yeah, yeah.
18 Two houses, three houses in, there's two
19 big houses right next to each other.

20 TRUSTEE CHERYL PARISI: Correct.
21 They have fairly large homes so --

22 TRUSTEE ANTHONY ADDEO: Builders,
23 by the way. George Miller and Buckman
24 (phonetic), Tom Buckman (phonetic) are
25 those two big houses.

1 BOT - 4/19/21

2 TRUSTEE CHERYL PARISI: Okay.

3 TRUSTEE WALTER PRIESTLEY: And
4 those big houses on Melville Road as well.

5 TRUSTEE CHERYL PARISI: Yes.

6 TRUSTEE ANTHONY ADDEO: Yeah, so --

7 BRIAN HARTY: Is the size of the
8 property an issue?

9 TRUSTEE ANTHONY ADDEO:
10 (Continuing) -- proposal is four feet
11 under the height requirement of 35 feet --
12 the height limit. They're at 30 feet and
13 point three, three inches.

14 BRIAN HARTY: Okay.

15 MAYOR RALPH EKSTRAND: Stevie, just
16 verify that -- I don't want -- I just want
17 to make sure that what was shown to us is
18 what is in reality. You know what I mean?

19 STEVE FELLMAN: I gotcha.

20 DEPUTY MAYOR BARRETT: Stevie this
21 is residence B; right?

22 BRIAN HARTY: Right.

23 STEVE FELLMAN: I think so, yeah.

24 DEPUTY MAYOR BARRETT: It is B.
25 Okay.

1 BOT - 4/19/21

2 BRIAN HARTY: Yup.

3 MAYOR RALPH EKSTRAND: Okay,
4 anything else?

5 Stevie, I guess the next one up is
6 453 Main Street. I saw nothing abnormal
7 with that, but we just want to check with
8 the Board.

9 TRUSTEE CHERYL PARISI: Well, she
10 just changed her office space again now;
11 right?

12 MAYOR RALPH EKSTRAND: Yeah.

13 TRUSTEE ANTHONY ADDEO: Yeah.

14 TRUSTEE CHERYL PARISI: The two
15 offices that were up there, she made one
16 apartment already; right? And now --

17 MAYOR RALPH EKSTRAND: Yes.

18 TRUSTEE CHERYL PARISI:
19 (Continuing) -- doing a second one.

20 STEVE FELLMAN: Yup.

21 MAYOR RALPH EKSTRAND: And
22 everything's compliant except for what
23 Stevie noted.

24 TRUSTEE CHERYL PARISI: What's not
25 compliant, Steve?

1 BOT - 4/19/21

2 STEVE FELLMAN: Well, you need a
3 special use permit for apartments on the
4 second floor.

5 TRUSTEE CHERYL PARISI: Oh, right.
6 Okay. I thought there was something
7 within their --

8 STEVE FELLMAN: No, no.

9 TRUSTEE CHERYL PARISI: Okay.

10 STEVE FELLMAN: The funny thing is,
11 they're actually reducing the amount of
12 parking because the office space requires
13 one space for 200 square feet and the one
14 bedroom requires one and-a-half spaces for
15 a one bedroom apartment. So they're
16 actually reducing the...

17 MAYOR RALPH EKSTRAND: And they're
18 within 500 feet.

19 STEVE FELLMAN: Yes, but you got
20 to --

21 MAYOR RALPH EKSTRAND: Retail.

22 STEVE FELLMAN: (Continuing) -- you
23 have to fly like a crow.

24 MAYOR RALPH EKSTRAND: I know that.
25 I was watching you measure it.

1 BOT - 4/19/21

2 STEVE FELLMAN: I was like the old
3 Barton Liquors, I could not believe that
4 was within 500 feet as the crow flies of
5 our municipal parking lot. I was shocked.

6 TRUSTEE CHERYL PARISI: Kickin'
7 Chicken, he's still using both stores;
8 correct? He's using the Jay and Ubaldo's
9 (phonetic) or is he just doing Ubaldo's
10 (phonetic).

11 STEVE FELLMAN: I believe it's
12 both.

13 TRUSTEE CHERYL PARISI: Both okay.

14 MAYOR RALPH EKSTRAND: But he's not
15 doing -- he's only doing approximately 50
16 percent of the seating.

17 STEVE FELLMAN: Yeah, he's only
18 applying for 40 seats.

19 TRUSTEE CHERYL PARISI: Right.

20 STEVE FELLMAN: Where Ubaldo's
21 (phonetic) had 90-something seats.

22 TRUSTEE CHERYL PARISI: Right.
23 He's got a huge kitchen.

24 STEVE FELLMAN: Yeah, well, they
25 gotta kick that chicken, you know.

1 BOT - 4/19/21

2 TRUSTEE CHERYL PARISI: And he's
3 also got like a -- like an online place
4 and like, you know, walk-in pick up kind
5 of area, whatever.

6 MAYOR RALPH EKSTRAND: Well,
7 Ubaldo's (phonetic) kitchen was very small
8 and --

9 TRUSTEE CHERYL PARISI: Yes, this
10 is a huge kitchen with walk-in boxes and
11 everything else, yeah.

12 STEVE FELLMAN: Google them,
13 they've got a very interesting menu,
14 actually.

15 TRUSTEE CHERYL PARISI: Oh, okay.

16 STEVE FELLMAN: I Googled up and
17 the menu's got a lot of extra --

18 TRUSTEE CHERYL PARISI: Are they
19 someplace -- where else are they?

20 STEVE FELLMAN: Well, they're at --
21 I think they run out of Louisiana, but if
22 you just go -- there is a place maybe --

23 TRUSTEE CHERYL PARISI: So this is
24 a franchise.

25 STEVE FELLMAN: Yeah. I think --

1 BOT - 4/19/21

2 TRUSTEE CHERYL PARISI: Oh, okay.

3 STEVE FELLMAN: (Continuing) --

4 Nanuet is the closet one.

5 TRUSTEE CHERYL PARISI: Okay.

6 STEVE FELLMAN: But they got a lot

7 of funky things on there like some taco

8 stuff and a bunch of salads and -- very

9 eclectic menu.

10 TRUSTEE CHERYL PARISI: Okay.

11 DEPUTY MAYOR BARRETT: Stevie, he's

12 not looking for any variances other than

13 he needs a special use permit to have a

14 restaurant.

15 STEVE FELLMAN: Correct.

16 MAYOR RALPH EKSTRAND: Actually,

17 he's downsizing the seating.

18 STEVE FELLMAN: There won't be all

19 the cars coming at one time like the

20 catering would have been, so...

21 TRUSTEE CHERYL PARISI: Correct.

22 This is a big relief.

23 STEVE FELLMAN: Yes, this is

24 kickin'.

25 MAYOR RALPH EKSTRAND: Oh, boy.

1 BOT - 4/19/21

2 STEVE FELLMAN: Bad jokes for a
3 hundred.

4 TRUSTEE WALTER PRIESTLEY: Well, I
5 hope it works for him. We haven't really
6 had any franchises in town in a while.

7 MAYOR RALPH EKSTRAND: No. No, we
8 have not.

9 STEVE FELLMAN: We get the one
10 franchise in that none of us have ever
11 heard of them.

12 TRUSTEE CHERYL PARISI: Well, you
13 know.

14 MAYOR RALPH EKSTRAND: Okay --

15 TRUSTEE CHERYL PARISI: Gotta find
16 something new when you're going with
17 restaurants. So it's gotta be like...

18 MAYOR RALPH EKSTRAND: Okay, any
19 more questions for Stevie before we move
20 on.

21 (WHEREUPON, no response was heard.)

22 MAYOR RALPH EKSTRAND: Okay.
23 Brian, if you want to grab anything with
24 Highway.

25 BRIAN HARTY: Just quickly. We've

1 BOT - 4/19/21
2 been working down by the Harrison Street
3 sump, cleaning that up in the neighborhood
4 up down there. Cleaning the sump for the
5 neighborhood. And we'll be coming back to
6 the Board with some ideas if we get some
7 of the stimulus money back about some
8 beautification down there and some changes
9 to the sump front. So I'll be coming back
10 to the Board if some of that stimulus
11 money comes back to us. I mentioned that
12 to the neighbors down there, they were
13 very appreciative of it. They were
14 appreciative of the work we've done so
15 far. So that's really good.

16 A quick update: The rest of the
17 Highway Department is as usual. If you
18 haven't seen the new sweeper out is
19 because we don't have plates for it yet.
20 We had to mail in for them. So as soon as
21 we get them, we'll have the sweeper
22 operational.

23 The Water Department everything is
24 moving ahead as planned. The contract is
25 signed. Work is going to be done on the

1 BOT - 4/19/21
2 site -- electrical side. They'll be --
3 utilities will be getting in there shortly
4 to start the work on the -- the
5 underground work to connect into the new
6 tank -- and the pedestal and the tank.

7 Code Department, as you know, we've
8 seated two people. They'll be starting
9 some time in May once the service is
10 approved.

11 And then the marijuana law,
12 Claudio --

13 TRUSTEE CHERYL PARISI: Wait, wait.
14 I'm sorry, Brian. You said two people.
15 We only approved hiring one person.

16 BRIAN HARTY: Ernie Kosey
17 (phonetic) and Ann Foley (phonetic), I
18 believe her name is.

19 TRUSTEE CHERYL PARISI: We only
20 approved Ann, we didn't approve --

21 DEPUTY MAYOR BARRETT: No, she's
22 not a code enforcer, though.

23 MAYOR RALPH EKSTRAND: We approved
24 the other two last time, Cheryl.

25 TRUSTEE CHERYL PARISI: Oh, okay.

1 BOT - 4/19/21

2 MAYOR RALPH EKSTRAND: Waiting for
3 CSEA.

4 TRUSTEE CHERYL PARISI: Okay.

5 MAYOR RALPH EKSTRAND: Even though
6 we hired them, they have to be vetted by
7 Nassau County.

8 TRUSTEE CHERYL PARISI: Okay.

9 BRIAN HARTY: Just makes sense for
10 them to go through the process for CSEA.

11 MAYOR RALPH EKSTRAND: It could
12 take up to six weeks, believe it or not,
13 to go through the Nassau County's CSEA
14 process. And this was -- I'm sorry, I
15 mean Civil Service. But that's okay, the
16 old guy that was there for 20 years, used
17 to take three months. Remember that,
18 Brian?

19 BRIAN HARTY: That I do. It was
20 laborious back then. They're usually very
21 cooperative when we get a hold of them and
22 move things ahead, so...

23 The Marijuana Law, I don't know if
24 Claudio wants to comment on it, but the
25 basics on it are the Village can opt out.

1 BOT - 4/19/21
2 If you don't opt out by the end of the
3 year, you can never opt out. There is a
4 -- subject to referendum to opt out, which
5 means that -- in our case, if 20 percent
6 of the -- if you have a petition of 20
7 percent of the registered voters, as of
8 the last Village election, would have to
9 sign a petition to put it on the ballot
10 for a vote. If that did happen then you'd
11 have to have a vote. It was a little
12 muddled to me on our webinar that we were
13 on with NYCOM about it, about when you
14 have to have it, if you can have it --
15 there's within a certain timeframe of the
16 next election, you could have it at the
17 next election period or if it came in at a
18 certain date, you'd have to have a special
19 election just for that issue only. I have
20 to clarify that.

21 But, Claudio, do you have anything
22 to shed on that?

23 CLAUDIO DE BELLIS, ESQ.: Did
24 everybody get the email that I sent around
25 last night?

1 BOT - 4/19/21

2 BRIAN HARTY: No.

3 MAYOR RALPH EKSTRAND: Yeah.

4 TRUSTEE CHERYL PARISI: Yes.

5 CLAUDIO DE BELLIS, ESQ.: Okay.

6 BRIAN HARTY: I didn't see it.

7 CLAUDIO DE BELLIS, ESQ.: I don't
8 know if there's anything more to add. I
9 think the email is a bit presumptuous but,
10 you know, I was taking my lead from the
11 Mayor.

12 DEPUTY MAYOR BARRETT: Can I just
13 ask a couple of questions?

14 I read I guess on the internet --
15 and, of course, everything on the internet
16 is true -- that the State's charging nine
17 percent and the local is four percent?

18 MAYOR RALPH EKSTRAND: This is how
19 it breaks down. There is a 13 percent tax
20 on the sale of non-medical marijuana. The
21 State gets nine percent. Of the other
22 four percent, one percent goes to the
23 County, in our case, Nassau County. The
24 other three percent, if the Town of Oyster
25 Bay opts in, and if the Village of

1 BOT - 4/19/21

2 Farmingdale opts in, and there was a place
3 in the Village of Farmingdale --
4 Farmingdale would get one and-a-half
5 percent and --

6 DEPUTY MAYOR BARRETT: They split
7 it.

8 MAYOR RALPH EKSTRAND: (Continuing)
9 -- we'll split it unless we make a special
10 deal with the Town of Oyster Bay. And I
11 don't see the Town of Oyster Bay not doing
12 50 -- not asking us for fifty-fifty.

13 DEPUTY MAYOR BARRETT: Now, whether
14 we opt in or opt out -- well, what I saw
15 that you had, Claudio, is there would be
16 -- I read a couple of things. You're
17 allowed to do this, according to State
18 Law, wherever you can smoke cigarettes.

19 MAYOR RALPH EKSTRAND: We can zone
20 it.

21 CLAUDIO DE BELLIS, ESQ.: Prohibit
22 smoking?

23 DEPUTY MAYOR BARRETT: Well, I
24 understand -- I believe --

25 BRIAN HARTY: You can create a

1 BOT - 4/19/21

2 local law that they can't smoke in public
3 with this; they can't smoke in the parks;
4 they can't smoke on Main Street.

5 MAYOR RALPH EKSTRAND: We can do
6 that.

7 BRIAN HARTY: You can restrict it.

8 DEPUTY MAYOR BARRETT: Do you have
9 to do that with cigarettes and marijuana,
10 or can you just segregate marijuana?

11 MAYOR RALPH EKSTRAND: No, you have
12 to do it with cigarettes, vaping and
13 marijuana.

14 BRIAN HARTY: It's a public health
15 issue.

16 CLAUDIO DE BELLIS, ESQ.: We can
17 speak a little bit more about that when we
18 go into exec. I can't give you --

19 MAYOR RALPH EKSTRAND: Yeah, but
20 that has to do with -- it mirrors, really,
21 not cigarette smoking but the -- help me
22 out here, Claudio -- the Clean Air
23 Environmental Act. It mirrors an act of
24 New York State. That's what it mirrors.
25 You would have to include vaping and

1 BOT - 4/19/21

2 tobacco use in the zoning out of cannabis.

3 If we so choose.

4 DEPUTY MAYOR BARRETT: Right, but
5 in order -- you'd have to zone out first
6 or opt out I guess I should say. You have
7 to opt out and then you then --

8 CLAUDIO DE BELLIS, ESQ.: Two
9 things. You opt out --

10 MAYOR RALPH EKSTRAND: Two
11 different things.

12 CLAUDIO DE BELLIS, ESQ.:
13 (Continuing) -- you opt out making it
14 illegal for anybody to sell. You can't --

15 DEPUTY MAYOR BARRETT: Oh, okay.
16 Okay.

17 CLAUDIO DE BELLIS, ESQ.: And then
18 you have the use. The use part, you can
19 regulate it, but it's very limited. You
20 just tell where you can smoke it.

21 MAYOR RALPH EKSTRAND: Now, just
22 remember if we stayed in this law and we
23 had a cannabis selling facility, we would
24 only get the one and-a-half percent of the
25 13 percent of the tax sales from a

1 BOT - 4/19/21

2 facility within the Village boundaries.
3 Even if we do nothing and opt in, we get
4 nothing from any surrounding marijuana
5 cannabis selling place. It has to be
6 within the boundaries of the Village. So
7 if nothing occurs within the boundaries of
8 the Village, we would -- there would be no
9 money, period. Even if we stayed in.

10 DEPUTY MAYOR BARRETT: This would
11 be even like -- these would all be State
12 controlled. They'd be tighter than the
13 sales tax. Where sales tax you just
14 identify where the sale was, what County
15 it was, and then the money goes to the
16 County and then, you know, they keep it
17 and give a little bit to villages and
18 towns. This -- each store would have to
19 report what they're doing and they --

20 MAYOR RALPH EKSTRAND: That's
21 correct, each store has to report what
22 their -- that's correct, Bill. And these
23 books and recordkeeping, the rules and
24 regulations for the books and record-
25 keeping -- and I believe there's even a

1 BOT - 4/19/21
2 bond they have to put up. You cannot -- a
3 mom and pop can't operate one of these
4 things. From what I have been reading --
5 and Claudio will talk more about it in
6 exec -- it's a lot of money to open one of
7 these.

8 DEPUTY MAYOR BARRETT: Good.

9 TRUSTEE ANTHONY ADDEO: And the
10 reason is, if you violate the law, New
11 York State wants to be able to fine
12 someone with a lot of money to pay the
13 fine.

14 MAYOR RALPH EKSTRAND: Good point.

15 TRUSTEE ANTHONY ADDEO: That's the
16 prime reason that mortgage brokers are
17 basically not permitted in the State of
18 New York because you don't have to put up
19 any of your own money to become a mortgage
20 banker, you've got to put up a million
21 dollars of your own money and then if you
22 violate the law, they can take any part of
23 the million they want. They already have
24 it. It would be the same theory.

25 MAYOR RALPH EKSTRAND: Thank you.

1 BOT - 4/19/21

2 All right --

3 TRUSTEE CHERYL PARISI: Who
4 distributes the tax money, the sales tax
5 money from -- does it go straight to the
6 State or is this another thing that it --
7 the State sends to the County and the
8 County sends to the Towns and Villages.

9 MAYOR RALPH EKSTRAND: The way I
10 read it, Cheryl, the nine percent goes
11 directly to the State of New York; the
12 four percent will be sent to the County;
13 the County will send it to the Town and
14 the Village.

15 Did I get that right, Claudio?

16 CLAUDIO DE BELLIS, ESQ.: I think
17 so, but, you know, a lot of this is not
18 set in stone yet.

19 MAYOR RALPH EKSTRAND: Yeah.

20 TRUSTEE CHERYL PARISI: Okay.

21 MAYOR RALPH EKSTRAND: Well, the --
22 well, actually the law is set in stone, it
23 just doesn't go into effect until 2022,
24 and what people don't realize -- and I'll
25 just throw this in as a side kick -- that

1 BOT - 4/19/21

2 the -- it is illegal to grow pot in your
3 home until 18 months after the first sale
4 in the State of New York. So that's
5 somewhere in 2024 you'll be able to grow
6 pot in your home.

7 TRUSTEE ANTHONY ADDEO: Has anyone
8 else noticed, driving around, that the
9 smell of marijuana is emanating from many
10 cars?

11 MAYOR RALPH EKSTRAND: Yup.

12 TRUSTEE ANTHONY ADDEO: Recently,
13 in the last two or three weeks.

14 MAYOR RALPH EKSTRAND: One of the
15 things that annoy me, Anthony, and why I
16 want to do some of this when -- I've been
17 at two restaurants in the Village, one by
18 a railroad gate, one by a stop traffic
19 light, and the smell of the marijuana from
20 the cars came in through the accordion
21 windows. And it's -- nobody wants to do
22 that while their having a good time
23 enjoying a meal. Nobody wants to smell
24 that -- and I'm going to call it skunk
25 weed because that's what it smells like.

1 BOT - 4/19/21

2 It smells like skunk.

3 CLAUDIO DE BELLIS, ESQ.: Yeah, it
4 does smell like -- yeah.

5 MAYOR RALPH EKSTRAND: And nobody
6 wants to -- you know, we spent a lot of
7 time and effort -- everybody here -- on
8 promoting our downtown and outdoor dining
9 and the open space windows, and twice in
10 the last seven days we've had -- I've had
11 instances where the smell from the pot
12 just rolled right in. Right into the
13 restaurant. Not just the outside portion,
14 but the restaurant itself.

15 TRUSTEE ANTHONY ADDEO: I don't
16 think we're ever going to be able to get
17 the police to enforce it -- enforce the
18 rules -- because they're so disenchanted
19 with the decriminalization of it all, why
20 bother? I know that. I've talked to a
21 few police officers. They're very
22 disenchanted. Why lock anybody up if
23 they're smoking a joint in their car,
24 which is not permitted because it's going
25 to be an ACOD anyway. What's the point?

1 BOT - 4/19/21

2 But, you know, I didn't make the rules,
3 we'll just follow them.

4 MAYOR RALPH EKSTRAND: We have to
5 make the best we can with the hand we're
6 being dealt.

7 TRUSTEE ANTHONY ADDEO: Could our
8 Village Code Officers give a summons --

9 MAYOR RALPH EKSTRAND: No.

10 TRUSTEE ANTHONY ADDEO:
11 (Continuing) -- for violating a Village
12 Code provision in this?

13 MAYOR RALPH EKSTRAND: That was
14 asked -- Wade -- the lawyer for NYCOM and
15 they said that no.

16 CLAUDIO DE BELLIS, ESQ.: They
17 can't be treated criminally at the Village
18 level.

19 TRUSTEE ANTHONY ADDEO: Okay.

20 TRUSTEE CHERYL PARISI: Wow.

21 TRUSTEE ANTHONY ADDEO: So it's
22 really going to be a free-for-all no
23 matter what we do?

24 MAYOR RALPH EKSTRAND: Correct. In
25 terms of we would have to have Nassau

1 BOT - 4/19/21

2 County -- well, two things: One, I hope
3 that the great majority of people would
4 respect the not smoking it in front of the
5 restaurants in the downtown, if we change
6 the code to do that. I always like to
7 think the great majority of people do obey
8 the rules and we'd have to work with
9 Nassau County to penalize the ones who
10 don't want to abide by the rules and have
11 the ability to ruin eating experience for
12 many people. And it's not just
13 Farmingdale, it's all --

14 TRUSTEE CHERYL PARISI: Everybody.
15 Right, everybody.

16 MAYOR RALPH EKSTRAND: (Continuing)
17 -- Rockville Center, Babylon, Huntington.
18 They're all going to have this problem
19 with the -- especially with the open air
20 dining and whichever way the wind blows.

21 We'll talk more about this as time
22 goes by. There's some certain legal
23 aspects, Claudio will bring up in our
24 legal session.

25 Anything else?

1 BOT - 4/19/21

2 TRUSTEE ANTHONY ADDEO: A question
3 for Steve. 254 Prospect, a home which was
4 recently sold, they've clear cut the
5 backyard. The backyard is shaped like an
6 "L." It goes south from Prospect Street,
7 then it turns east and it goes all the way
8 past the Post Office. They're
9 refurbishing the home and they've clear
10 cut the backyard, the many, many, many
11 trees. I saw it today. I was pretty
12 astounded.

13 DEPUTY MAYOR BARRETT: (Inaudible)
14 took care of the front, too.

15 TRUSTEE CHERYL PARISI: Yeah. Yes.

16 DEPUTY MAYOR BARRETT: Cut some
17 trees down in the front. Okay.

18 TRUSTEE ANTHONY ADDEO: Yeah, that
19 was the old --

20 TRUSTEE CHERYL PARISI: I didn't
21 realize it went behind Bruder's (phonetic)
22 house, as well.

23 TRUSTEE ANTHONY ADDEO: And mine.

24 TRUSTEE CHERYL PARISI: And yours.

25 Wow.

1 BOT - 4/19/21

2 TRUSTEE ANTHONY ADDEO: And they
3 clear cut it.

4 TRUSTEE CHERYL PARISI: Oh, wow.

5 STEVE FELLMAN: Unfortunately, we
6 don't have any --

7 MAYOR RALPH EKSTRAND: That's
8 legal. That's the bottom line.

9 STEVE FELLMAN: That would have
10 cost them about \$10,000 in Roslyn.

11 TRUSTEE ANTHONY ADDEO: Did they
12 submit any permits for the renovation of
13 the home?

14 STEVE FELLMAN: I'll check. I
15 wrote it down here. I will check on that.

16 TRUSTEE CHERYL PARISI: They
17 changed all the windows and everything.
18 Right?

19 TRUSTEE ANTHONY ADDEO: Yeah.

20 TRUSTEE CHERYL PARISI: Yeah.

21 STEVE FELLMAN: It sounds familiar,
22 so I think they did, but I'll email you in
23 the morning, Anthony.

24 TRUSTEE ANTHONY ADDEO: Thank you.

25 STEVE FELLMAN: You're welcome.

1 BOT - 4/19/21

2 MAYOR RALPH EKSTRAND: Okay,
3 Cheryl?

4 TRUSTEE CHERYL PARISI: Yeah, I
5 just have one thing. Yvette Floresta, she
6 is Sven's daughter. You know Sven owned
7 Captain Andy's -- whatever -- you know,
8 that Sven. So she was wondering if the
9 Village would be interested in one of
10 his --

11 TRUSTEE ANTHONY ADDEO: Metal
12 sculptures.

13 TRUSTEE WALTER PRIESTLEY:
14 Sculptures.

15 TRUSTEE CHERYL PARISI: One of his
16 sculptures. Yes. She sent me quite a few
17 pictures of them. I think we should be
18 very interested. You know, maybe they
19 might think about donating more than one.
20 So is it a big deal for us to accept
21 these? Do we have to do anything crazy,
22 Claudio, or can we just say thank you,
23 very much, we'll take this one and this
24 one?

25 CLAUDIO DE BELLIS, ESQ.: Yeah, I

1 BOT - 4/19/21

2 would think so.

3 STEVE FELLMAN: And the other one.

4 TRUSTEE CHERYL PARISI: Yeah, and
5 the other one.

6 STEVE FELLMAN: How many blocks we
7 got, that's how many we need.

8 TRUSTEE CHERYL PARISI: I'm gonna
9 see her in a couple of days and I will see
10 how we go about picking what we like or
11 whatever, and I'll get back to you.

12 TRUSTEE ANTHONY ADDEO: When we get
13 them in the Village, can we paint them
14 blue and yellow?

15 MAYOR RALPH EKSTRAND: Oh, Cub
16 Scout colors?

17 TRUSTEE WALTER PRIESTLEY: It's
18 funny you mentioned that. I was driving
19 by today and I was admiring some of the
20 pieces and I saw her, she lives across the
21 street --

22 TRUSTEE CHERYL PARISI: Okay.

23 TRUSTEE WALTER PRIESTLEY:
24 (Continuing) -- (inaudible) his house and
25 I'm wondering, you know, like I don't see

1 BOT - 4/19/21

2 a for sale. I guess his wife still lives
3 there?

4 TRUSTEE WALTER PRIESTLEY: Yes.

5 MAYOR RALPH EKSTRAND: Yes.

6 TRUSTEE ANTHONY ADDEO: Yes.

7 TRUSTEE WALTER PRIESTLEY: So I was
8 wondering what was going to happen to his
9 art work. I like the one that looks like
10 an everglade in front there.

11 TRUSTEE ANTHONY ADDEO: Yeah.

12 TRUSTEE CHERYL PARISI: Okay, so
13 she -- yeah, she sent me quite a few
14 pictures. And she said there were more in
15 the backyard that I was welcome to come
16 look at. So I will get in touch with her
17 and see what we can do and we'll go from
18 there.

19 MAYOR RALPH EKSTRAND: Okay.

20 TRUSTEE WALTER PRIESTLEY: Good
21 idea. That's great. That's awesome.

22 TRUSTEE CHERYL PARISI: Yup. I
23 said we would, you know -- we would put a
24 plaque that this was donated by the
25 family, et cetera, et cetera.

1 BOT - 4/19/21

2 STEVE FELLMAN: Nice touch.

3 TRUSTEE CHERYL PARISI: Thank you.

4 TRUSTEE WALTER PRIESTLEY: A piece

5 of Farmingdale history.

6 TRUSTEE CHERYL PARISI: Absolutely.

7 Yes.

8 MAYOR RALPH EKSTRAND: Long time

9 history.

10 Okay, do we have a motion to go

11 into exec?

12 TRUSTEE CHERYL PARISI: So moved.

13 TRUSTEE ANTHONY ADDEO: Second.

14 MAYOR RALPH EKSTRAND: All in

15 favor?

16 (WHEREUPON, there was a unanimous,

17 affirmative vote of the Board Members

18 present. Motion passed 5-0)

19 (WHEREUPON, this meeting was

20 concluded at 7:43 p.m.)

21

22

23

24

25

866-388-2277 info@accuratecorp.com 631-331-3753
BOT - 4/19/21

C E R T I F I C A T I O N

STATE OF NEW YORK

Ss:

COUNTY OF SUFFOLK

I, LORRAINE D. BERARDI, Court
Reporter and Notary Public of the State of New York,
do hereby certify:

That the within transcript was
prepared by me and is a true and accurate record of
this hearing to the best of my ability.

I further certify that I am not
related to any of the parties to this matter by
blood or by marriage and that I am in no way
interested in the outcome of any of these matters.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd of May, 2021.

Lorraine D. Berardi

LORRAINE D. BERARDI

\$

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\$20 4:3

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254 46:3
2900 13:18 15:15,16

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3100 15:21 16:3,14,15
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368 12:15
3:30 4:18

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4/19/21 3:1 4:1 5:1 6:1 7:1 8:1 9:1
10:1 11:1 12:1 13:1 14:1 15:1
16:1 17:1 18:1 19:1 20:1 21:1
22:1 23:1 24:1 25:1 26:1 27:1
28:1 29:1 30:1 31:1 32:1 33:1
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5-0 4:13 5:8 51:18
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A

abide 45:10
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absolutely 8:13 12:6 21:6 51:6
accept 48:20
accordion 42:20
ACOD 43:25
act 37:23
add 13:25 35:8
added 15:21
ADDEO 5:2 8:2 17:9,14 18:8,17
20:3,9,18,21 21:2,6,10 22:10
23:22 24:6,9 25:13 40:9,15 42:7,
12 43:15 44:7,10,19,21 46:2,18,
23 47:2,11,19,24 48:11 49:12
50:6,11 51:13
additional 15:5,7
admiring 49:19
affirmative 4:12 5:7 51:17

aglow 19:2
agreement 11:16
ahead 7:13 31:24 33:22
air 37:22 45:19
Allegiance 3:7,12
allowed 17:13,23 36:17
amazing 10:25 11:21
Americans' 3:18
amount 13:8 26:11
and-a-half 15:3 26:14 36:4 38:24
Andy's 48:7
Ann 32:17,20
Anna 3:25
Anne 3:25
annoy 42:15
answers 20:2
Anthony 5:2 8:2 17:9,14 18:8,17
20:3,9,18,21 21:2,6,10 22:10
23:22 24:6,9 25:13 40:9,15 42:7,
12,15 43:15 44:7,10,19,21 46:2,
18,23 47:2,11,19,23,24 48:11
49:12 50:6,11 51:13
apartment 25:16 26:15
apartments 26:3
apparently 6:11 10:2 13:10,22
15:24 23:8
applaud 6:25
applying 27:18
appreciative 31:13,14
approve 4:4,6,15,24 32:20
approved 32:10,15,20,23
approximately 4:19 27:15
April 3:4
architect 13:17 17:2
Architectural 22:22
area 13:12 28:5
Armed 3:17
art 50:9
aspects 45:23

assemblage 3:11,21
assumed 6:21
assuming 10:11
astounded 46:12
attached 18:9
attendant 4:2
attending 4:20
attorney 8:10 12:21 16:23,24,25
 17:3
August 4:18
avoid 18:7
awesome 50:21

B

Babylon 45:17
back 5:21 7:20 8:12 17:15,24,25
 31:5,7,9,11 33:20 49:11
backyard 11:4 46:5,10 50:15
Bad 30:2
Balcom 17:18 23:16
ballot 34:9
banker 40:20
BARRETT 4:7 17:5,8,16 23:17
 24:20,24 29:11 32:21 35:12 36:6,
 13,23 37:8 38:4,15 39:10 40:8
 46:13,16
Barton 27:3
basement 17:10,13 18:4
basically 23:11 40:17
basics 33:25
bath 14:20,25 15:3,9,11
bathroom 14:11,13,23
bathrooms 14:14,16
baths 15:4
Bay 35:25 36:10,11
BB 20:4
beautification 31:8
bedroom 14:6 26:14,15

behavior 7:6
BELLIS 7:2 34:23 35:5,7 36:21
 37:16 38:8,12,17 41:16 43:3
 44:16 48:25
bet 19:21
big 23:14,19,25 24:4 29:22 48:20
Bill 17:7 23:15 39:22
bit 35:9 37:17 39:17
blocks 49:6
blows 45:20
blue 49:14
Board 3:5 4:12 5:7 7:11,12
 12:16,24 13:3,4 25:8 31:6,10
 51:17

bond 40:2
books 39:23,24
BOT 3:1 4:1 5:1 6:1 7:1 8:1 9:1
 10:1 11:1 12:1 13:1 14:1 15:1
 16:1 17:1 18:1 19:1 20:1 21:1
 22:1 23:1 24:1 25:1 26:1 27:1
 28:1 29:1 30:1 31:1 32:1 33:1
 34:1 35:1 36:1 37:1 38:1 39:1
 40:1 41:1 42:1 43:1 44:1 45:1
 46:1 47:1 48:1 49:1 50:1 51:1
bother 43:20
bottom 20:5 47:8
boundaries 39:2,6,7
bowl 14:24
boxes 28:10
boy 29:25
bragging 21:21
breaks 35:19
Brian 6:14,15,16 12:19,20,23
 13:10 14:15,19 15:18,19,23
 16:14,20 17:12,21 18:3,19,22
 19:4,9,10 20:16,24 21:4,8,16
 22:2,6 23:3 24:7,14,22 25:2
 30:23,25 32:14,16 33:9,18,19
 35:2,6 36:25 37:7,14
bring 45:23
brokers 40:16
Brook 7:21,22,25

brown 20:12
Bruder's 46:21
Buckman 23:23,24
build 21:3,5
Builders 23:22
building 5:23 6:5 10:22
built 16:8 18:13,25 19:13 21:22
bunch 11:20 29:8
Burma 19:4,10,11
buy 10:4
buyers 9:3

C

C/o 10:11
C/o's 10:12,18 11:6
calculations 13:16
call 42:24
cannabis 38:2,23 39:5
Captain 48:7
car 43:23
care 46:14
cars 29:19 42:10,20
case 34:5 35:23
catering 29:20
ceiling 18:3
Center 45:17
cetera 50:25
change 4:23 45:5
changed 25:10 47:17
charging 35:16
check 16:18 19:16 21:18 25:7
 47:14,15
Cheryl 4:25 5:17,22 7:9 8:18,21
 9:5,12,23 10:8,14,16,19,23 11:2,
 18,24 12:5,10 15:13,20 16:12
 18:12 19:8 20:8 21:11 22:12,16,
 20,24 23:9,20 24:2,5 25:9,14,18,
 24 26:5,9 27:6,13,19,22 28:2,9,
 15,18,23 29:2,5,10,21 30:12,15
 32:13,19,24,25 33:4,8 35:4 41:3,

10:20 44:20 45:14 46:15,20,24
 47:4,16,20 48:3,4,15 49:4,8,22
 50:12,22 51:3,6,12
chicken 6:7,9 27:7,25
chief 5:14,16
chiefs 5:14
chip 12:20
choose 38:3
cigarette 37:21
cigarettes 36:18 37:9,12
Civil 33:15
clarify 34:20
Claudio 6:21,22 7:2 32:12 33:24
 34:21,23 35:5,7 36:15,21 37:16,
 22 38:8,12,17 40:5 41:15,16 43:3
 44:16 45:23 48:22,25
Claudio's 6:23
Clean 37:22
cleaning 31:3,4
clear 46:4,9 47:3
close 10:18
closet 29:4
code 14:9,21 32:7,22 44:8,12
 45:6
codes 18:7
colonials 22:11,13
colors 49:16
comment 33:24
comments 13:3
compliance 16:16
compliant 13:11,17,21 25:22,25
concern 23:5
concerned 22:8
concluded 51:20
confirmed 16:21
confused 21:21
congratulations 5:13,14
connect 32:5
construction 17:23

Continuing 5:19 12:11 14:19
 15:21 19:6 21:4 24:10 25:19
 26:22 29:3 36:8 38:13 44:11
 45:16 49:24
contract 10:4 31:24
controlled 39:12
cooperative 33:21
corner 20:5
correct 16:10 19:17 23:20 27:8
 29:15,21 39:21,22 44:24
correctly 7:17
cost 47:10
count 15:2
counting 7:17
County 6:18 33:7 35:23 39:14,16
 41:7,8,12,13 45:2,9
County's 33:13
couple 5:11 35:13 36:16 49:9
court 8:10 16:7,9 18:11 19:14
 20:7,10,15,23 21:13,23
coverage 14:2
COVID 7:18,19
crazy 48:21
create 36:25
criminally 44:17
crow 26:23 27:4
CSEA 33:3,10,13
Cub 49:15
current 4:21
cut 46:4,10,16 47:3

D

date 7:14 34:18
daughter 48:6
days 43:10 49:9
DE 7:2 34:23 35:5,7 36:21 37:16
 38:8,12,17 41:16 43:3 44:16
 48:25
deal 36:10 48:20

dealt 44:6
decriminalization 43:19
defending 3:18
defined 14:23
Department 5:10,24 6:2,5 31:17,
 23 32:7
DEPUTY 4:7 17:5,8,16 23:17
 24:20,24 29:11 32:21 35:12 36:6,
 13,23 37:8 38:4,15 39:10 40:8
 46:13,16
determination 6:19
developed 16:6
developer 16:5 18:18
Dibartolo 5:15
difference 12:4
dimensions 19:16
dining 43:8 45:20
direction 22:25
directly 41:11
discussed 16:22
disenchanted 43:18,22
distributes 41:4
dollars 40:21
donated 50:24
donating 48:19
double 19:16
downsizing 29:17
downtown 43:8 45:5
drawing 13:15 15:14,25
driving 42:8 49:18
dying 6:10

E

earlier 13:23
east 46:7
eating 45:11
eclectic 29:9
effect 41:23

effort 43:7
egresses 19:19
EKSTRAND 3:2,14,23 4:9,14
 5:4,9,19,23 6:4,16 7:10,15,22
 10:13 11:15 12:14 13:6 14:12,17
 15:8 18:16,20 19:15,22,25 24:15
 25:3,12,17,21 26:17,21,24 27:14
 28:6 29:16,25 30:7,14,18,22
 32:23 33:2,5,11 35:3,18 36:8,19
 37:5,11,19 38:10,21 39:20 40:14,
 25 41:9,19,21 42:11,14 43:5 44:4,
 9,13,24 45:16 47:7 48:2 49:15
 50:5,19 51:8,14
election 34:8,16,17,19
electrical 32:2
Elieza 4:16
email 15:17,24 18:9 19:18 34:24
 35:9 47:22
emanating 42:9
encourage 7:5
end 34:2
enforce 43:17
enforcer 32:22
engineer 5:20
enjoying 42:23
entrance 17:10,13
entrances 17:22
Environmental 37:23
Ernie 32:16
ESQ 7:2 34:23 35:5,7 36:21 37:16
 38:8,12,17 41:16 43:3 44:16
 48:25
estate 11:10,13
esthetic 22:8
evening 3:2
everglade 50:10
Everybody's 6:10
everything's 25:22
exec 37:18 40:6 51:11
exist 20:14
experience 45:11

exterior 17:10,12,22
extra 28:17

F

facilities 4:15
facility 38:23 39:2
fact 21:21
fairly 23:14,21
familiar 17:2,3 47:21
family 50:25
Farmingdale 3:4 19:3 36:2,3,4
 45:13 51:5
fascia 20:13
favor 4:10 5:5 51:15
feedback 12:24 13:2
feet 9:17 13:18 15:22 16:4,15
 23:11 24:10,11,12 26:13,18 27:4
fella 19:12
FELLMAN 6:8,20 7:5,13,19,24
 8:3,20 9:2,9,19 10:2,15,17,21,24
 11:9,17,19 12:2,7,11,19 14:10
 15:10 16:11,18 17:7 18:2,14,24
 19:6,21,24 20:19 21:14,20 22:5,
 14,18,22 23:2 24:19,23 25:20
 26:2,8,10,19,22 27:2,11,17,20,24
 28:12,16,20,25 29:3,6,15,18,23
 30:2,9 47:5,9,14,21,25 49:3,6
 51:2
fence 8:23 9:7,8,10,18 10:7,9
 11:4,11,13
fifty-fifty 36:12
find 20:19 21:18 22:5 30:15
fine 8:10 40:11,13
finished 8:16
Fire 5:9,25
fit 22:13
flies 27:4
floor 13:11 26:4
Floresta 48:5
fly 26:23
Foley 32:17

folks 8:14 22:11
follow 10:24 44:3
foot 13:14
foot-eleven 18:5
footage 13:19 16:19
footprint 23:10
Forces 3:17
forgot 7:11
forward 13:5 16:23
four-bedroom 14:7
franchise 28:24 30:10
franchises 30:6
free-for-all 44:22
freedom 3:19
front 13:15,24 14:2 17:6 31:9
 45:4 46:14,17 50:10
funky 29:7
funny 26:10 49:18
Fuschetto 16:7,9 18:10,25 19:14
 20:6,10,14,22 21:13,23

G

garage 14:4,8 20:12
gate 42:18
gave 6:19
gazebo 4:17
gentlemen 3:3
George 23:23
give 13:14 19:18 22:8 37:18
 39:17 44:8
globe 3:18
God 8:2
good 3:2 6:11 7:6 8:7 12:9,18
 19:18 21:7 31:15 40:8,14 42:22
 50:20
Google 28:12
Googled 28:16
gotcha 24:19

gotta 6:12 11:20 27:25 30:15,17
grab 30:23
great 45:3,7 50:21
grow 42:2,5
guardrail 11:12
guess 10:9 25:5 35:14 38:6 50:2
guidance 22:9
guy 8:7,9 16:6 33:16

H

half 14:20,25 15:3,9,11
hand 3:10 44:5
happen 34:10 50:8
happened 9:19
Hardieplank 22:18
harm's 3:16
Harrison 31:2
HARTY 6:14 12:23 13:10 14:15, 19 15:19,23 16:14,20 17:12,21 18:3,19,22 19:4,10 20:16,24 21:4, 8,16 22:2,6 23:3 24:7,14,22 25:2 30:25 32:16 33:9,19 35:2,6 36:25 37:7,14
hate 20:3
head 22:4
health 37:14
heard 6:3 7:7 30:11,21
heart 3:10
height 23:6,7 24:11,12
heights 18:4
helped 6:21
high 9:17
Highway 30:24 31:17
hire 3:25
hired 33:6
hiring 32:15
history 51:5,9
hold 33:21

home 8:25 17:15 18:8 42:3,6 46:3,9 47:13
homeowners 9:21
homes 18:10 23:21
hope 30:5 45:2
Hospital 7:23
hour 4:3
house 8:22 12:8 13:9,25 15:22 16:7,15 18:25 20:11,23 21:5,19 22:7 46:22 49:24
houses 9:4,15 12:17 13:7,11,19 14:7 21:22 23:5,15,18,19,25 24:4
huge 9:13 27:23 28:10
hundred 30:3
Huntington 45:17

I

idea 50:21
ideas 31:6
identify 39:14
illegal 38:14 42:2
illustration 20:25 21:9
implore 8:15
inaudible 18:7 20:24 22:3 46:13 49:24
inches 24:13
include 37:25
incorrect 15:24
installation 5:11
instances 43:11
interested 48:9,18
interesting 28:13
internet 35:14,15
issue 24:8 34:19 37:15
issues 12:25

J

Jay 27:8

joint 43:23
jokes 30:2
justice 3:19

K

keeping 39:25
kick 27:25 41:25
kickin' 6:6,9 27:6 29:24
kind 21:15,24 22:19 28:4
kitchen 27:23 28:7,10
Kosey 32:16

L

laborious 33:20
ladies 3:3
large 23:21
late 6:15
law 32:11 33:23 36:18 37:2 38:22 40:10,22 41:22
lawyer 44:14
lead 35:10
Lee 7:8
legal 45:22,24 47:8
letter 6:12,17 8:14,17
level 9:22 10:5 44:18
light 42:19
limit 24:12
limited 38:19
Liquors 27:3
lives 49:20 50:2
local 6:19 35:17 37:2
located 21:19
lock 43:22
Long 51:8
longer 17:23
looked 13:22 14:22
lot 11:7 27:5 28:17 29:6 40:6,12

41:17 43:6
lots 13:12,14 22:11
Louisiana 28:21
loves 19:2
Lynn 6:17

M

made 17:24 25:15
mail 31:20
Main 25:6 37:4
majority 45:3,7
make 4:6 12:22 24:17 36:9 44:2,5
makes 12:4 33:9
making 38:13
marijuana 32:11 33:23 35:20
 37:9,10,13 39:4 42:9,19
matter 20:22 44:23
max 18:5
Mayor 3:2,14,23 4:7,9,14 5:4,9,
 19,23 6:4,16 7:10,15,22 10:13
 11:15 12:14 13:6 14:12,17 15:8
 17:5,8,16 18:16,20 19:15,22,25
 23:17 24:15,20,24 25:3,12,17,21
 26:17,21,24 27:14 28:6 29:11,16,
 25 30:7,14,18,22 32:21,23 33:2,5,
 11 35:3,11,12,18 36:6,8,13,19,23
 37:5,8,11,19 38:4,10,15,21 39:10,
 20 40:8,14,25 41:9,19,21 42:11,
 14 43:5 44:4,9,13,24 45:16 46:13,
 16 47:7 48:2 49:15 50:5,19 51:8,
 14
meal 42:23
means 34:5
measure 26:25
meeting 51:19
meets 14:9 23:7
Melville 12:15 17:19 24:4
Members 4:12 5:8 51:17
mentioned 12:25 31:11 49:18
menu 28:13 29:9
menu's 28:17

Merritts 8:15,19
Metal 48:11
meter 4:2
Michael 5:15
military 3:8
Miller 23:23
million 40:20,23
minds 21:25
mine 46:23
mirror 20:4
mirrors 37:20,23,24
missed 17:21
mistaken 16:25
misunderstanding 21:12
mom 40:3
moment 3:7,14,20
Monday 3:4
money 31:7,11 39:9,15 40:6,12,
 19,21 41:4,5
months 33:17 42:3
morning 47:23
mortgage 40:16,19
motion 4:4,6,13,24 5:8 51:10,18
move 13:4 30:19 33:22
moved 4:25 51:12
moving 31:24
muddled 34:12
municipal 27:5

N

Nanuet 29:4
Nassau 6:18 33:7,13 35:23 44:25
 45:9
needed 11:6 13:25
neighborhood 11:25 12:3 22:13
 23:14 31:3,5
neighbors 31:12
news 6:9

nice 6:23 12:7 51:2
nicely 22:13
Nicholas 18:22
Nick 19:4,10
Nicolas 19:11
night 34:25
non-medical 35:20
northern 11:11
noted 25:23
noticed 42:8
number 15:11
NYCOM 34:13 44:14

O

obey 45:7
observed 3:21
occurs 39:7
offered 21:23
office 25:10 26:12 46:8
officers 43:21 44:8
offices 25:15
online 28:3
open 40:6 43:9 45:19
operate 40:3
operational 31:22
opposed 19:17
opt 33:25 34:2,3,4 36:14 38:6,7,9,
 13 39:3
opts 35:25 36:2
order 38:5
outdoor 4:22 43:8
owned 48:6
Oyster 35:24 36:10,11

P

p.m. 4:18,19 51:20
paid 8:10

paint 49:13
PARISI 4:25 5:17,22 7:9 8:18,21 9:5,12,23 10:8,14,16,19,23 11:2, 18,24 12:5,10 15:13,20 16:12 18:12 19:8 20:8 21:11 22:12,16, 20,24 23:9,20 24:2,5 25:9,14,18, 24 26:5,9 27:6,13,19,22 28:2,9, 15,18,23 29:2,5,10,21 30:12,15 32:13,19,25 33:4,8 35:4 41:3,20 44:20 45:14 46:15,20,24 47:4,16, 20 48:4,15 49:4,8,22 50:12,22 51:3,6,12
parking 4:2 12:17,25 13:22,24 14:3,6 26:12 27:5
parks 37:3
part 10:3,22 11:9,16 38:18 40:22
part-time 4:2
passed 4:13 5:8 51:18
past 46:8
pay 40:12
pedestal 32:6
penalize 45:9
people 4:19 10:3 32:8,14 41:24 45:3,7,12
percent 13:13 14:2 27:16 34:5,7 35:17,19,21,22,24 36:5 38:24,25 41:10,12
period 34:17 39:9
permit 6:13 8:12 9:6 10:6,7,22,25 26:3 29:13
permits 9:10 47:12
permitted 40:17 43:24
person 32:15
personnel 3:8
petition 34:6,9
phonetic 8:9 19:5,11 23:24 27:9, 10,21 28:7 32:17 46:21
photo 20:10
pick 28:4
picking 49:10
picture 20:6 21:24
pictures 48:17 50:14

piece 51:4
pieces 49:20
pitched 20:13
place 11:23 28:3,22 36:2 39:5
plan 11:16
planned 31:24
Planning 6:18
plans 16:19 17:6
plaque 50:24
plates 31:19
Pledge 3:6,12
point 23:6 24:13 40:14 43:25
police 43:17,21
pop 40:3
portion 43:13
Post 46:8
pot 42:2,6 43:11
prayers 8:5
present 4:13 5:8 51:18
presumptuous 35:9
pretty 46:11
PRIESTLEY 4:5 24:3 30:4 48:13 49:17,23 50:4,7,20 51:4
prime 40:16
prior 4:23
problem 45:18
process 33:10,14
Prohibit 36:21
project 16:5
promoting 43:8
property 9:22 11:11 13:8 16:6 19:12,13 23:4 24:8
proposal 12:16 24:10
Prospect 46:3,6
provision 44:12
public 37:2,14
purchased 8:25

put 3:10 9:7,8,13,20 10:5,7 11:10, 12,13,21 16:2 21:24 34:9 40:2,18, 20 50:23
putting 3:16

Q

question 8:19 9:6 46:2
questions 30:19 35:13
quick 16:3 31:16
quickly 30:25

R

railroad 42:18
RALPH 3:2,14,23 4:9,14 5:4,9, 19,23 6:4,16 7:10,15,22 10:13 11:15 12:14 13:6 14:12,17 15:8 18:16,20 19:15,22,25 24:15 25:3, 12,17,21 26:17,21,24 27:14 28:6 29:16,25 30:7,14,18,22 32:23 33:2,5,11 35:3,18 36:8,19 37:5, 11,19 38:10,21 39:20 40:14,25 41:9,19,21 42:11,14 43:5 44:4,9, 13,24 45:16 47:7 48:2 49:15 50:5, 19 51:8,14
ratio 13:12
read 4:20 14:21 15:6 35:14 36:16 41:10
reading 40:4
real 11:23
reality 24:18
realize 41:24 46:21
reason 40:10,16
recently 42:12 46:4
recited 3:11
recognize 18:10
record 6:23
record- 39:24
recordkeeping 39:23
reducing 26:11,16
referendum 34:4
refurbishing 46:9

registered 34:7
regulate 38:19
regulations 4:21 39:24
relief 29:22
remember 33:17 38:22
renew 8:11
renovation 47:12
report 39:19,21
reputation 6:11
request 4:16 10:3
requirement 23:8 24:11
requires 26:12,14
reread 14:22
residence 24:21
resolution 3:25 4:15
respect 45:4
respond 8:16
responders 3:9,15
response 6:3 30:21
rest 31:16
restaurant 29:14 43:13,14
restaurants 30:17 42:17 45:5
restrict 37:7
Retail 26:21
retaining 8:23,24 9:14,16,21
 10:6 11:3
revisions 12:22
right-hand 20:5
Road 8:15,19 12:15 23:16 24:4
Robbie 7:8,15
Robert 4:16
Rockville 45:17
Rodriguez 4:16
rolled 43:12
roof 20:13,14 22:22
Roslyn 47:10
ruin 45:11

rules 4:21 39:23 43:18 44:2 45:8,
 10
run 16:3 28:21

S

salads 29:8
salary 4:3
sale 35:20 39:14 42:3 50:2
sales 38:25 39:13 41:4
Saturday 4:18
Scout 49:16
sculptures 48:12,14,16
seated 32:8
seating 27:16 29:17
seats 27:18,21
segregate 37:10
sell 38:14
selling 38:23 39:5
send 41:13
sends 41:7,8
sense 33:9
service 32:9 33:15
session 3:5 45:24
set 41:18,22
setback 13:7
shaped 46:5
shed 34:22
shingles 22:23
shocked 27:5
shortly 32:3
shower 14:24,25
shown 24:17
side 9:14 17:17,18 32:2 41:25
sides 9:22
siding 22:15
sign 34:9
Signa 3:25

signed 31:25
silence 3:8,15,20
simply 20:10
sink 14:23
site 11:16 32:2
six- 18:4
sixth 7:16
size 13:7,8 23:4 24:7
skunk 42:24 43:2
slowly 12:12
small 28:7
smell 42:9,19,23 43:4,11
smells 42:25 43:2
Smeltzer 8:9
smoke 36:18 37:2,3,4 38:20
smoking 36:22 37:21 43:23 45:4
sold 46:4
someplace 28:19
sounds 47:21
south 17:17 46:6
space 15:7 25:10 26:12,13 43:9
spaces 13:24 26:14
speak 37:17
special 6:13 26:3 29:13 34:18
 36:9
specifically 18:6
spent 43:6
split 36:6,9
spoke 12:20
spot 14:6,18,20
square 13:13,18,19 15:22 16:4,
 15,19 17:19 23:11 26:13
start 3:6,24 32:4
started 18:20
starting 32:8
starts 11:22
State 35:21 36:17 37:24 39:11
 40:11,17 41:6,7,11 42:4

State's 35:16
stayed 38:22 39:9
steer 22:14
Step 15:11
Steve 6:8,20 7:5,13,19,24 8:3,20
 9:2,9,19 10:2,15,17,21,24 11:9,
 17,19 12:2,7,11,19 14:10 15:10
 16:10,11,18 17:7 18:2,14,24 19:6,
 21,24 20:19 21:14,20 22:5,14,18,
 22 23:2 24:19,23 25:20,25 26:2,8,
 10,19,22 27:2,11,17,20,24 28:12,
 16,20,25 29:3,6,15,18,23 30:2,9
 46:3 47:5,9,14,21,25 49:3,6 51:2
Stevie 6:6 12:15 13:6 17:5 18:16
 19:16 24:15,20 25:5,23 29:11
 30:19
stimulus 31:7,10
stone 41:18,22
Stony 7:21,22,24
stop 42:18
store 39:18,21
stores 27:7
straight 41:5
street 25:6 31:2 37:4 46:6 49:21
streetlight 12:4
streetlights 11:22
stroke 7:16,20,25
stuff 11:7 19:7 29:8
subject 34:4
submit 47:12
submitted 13:18 19:17
sudden 12:3
suddenly 11:23
summons 44:8
sump 31:3,4,9
support 3:8
surely 12:12
surmising 16:20
surprised 9:25 11:5
surrounding 39:4

Sven 48:6,8
Sven's 48:6
sweeper 31:18,21

T

taco 29:7
taking 35:10
talk 19:23 40:5 45:21
talked 43:20
tank 32:6
Tartaro 4:17
tax 35:19 38:25 39:13 41:4
terms 44:25
Texas 7:21
theory 40:24
thing 11:20 16:3 22:19 26:10
 41:6 48:5
things 10:11 29:7 33:22 36:16
 38:9,11 40:4 42:15 45:2
thought 11:6 21:12 26:6
throw 41:25
tighter 39:12
time 8:4 19:23 29:19 32:9,24
 42:22 43:7 45:21 51:8
timeframe 34:15
tobacco 38:2
today 13:23 14:21 46:11 49:19
told 9:2
Tom 23:24
tomorrow 20:20
tonight 3:24
top 8:24 9:17 22:4
totally 9:24 11:3,5
touch 12:7 50:16 51:2
tough 8:4,5
towing 8:9
town 30:6 35:24 36:10,11 41:13
towns 39:18 41:8

traffic 42:18
transpired 3:13,22
treated 44:17
trees 46:11,17
truck 20:5
true 9:4 35:16
TRUSTEE 4:5,25 5:2,17,22 7:9
 8:2,18,21 9:5,12,23 10:8,14,16,
 19,23 11:2,18,24 12:5,10 15:13,
 20 16:12 17:9,14 18:8,12,17 19:8
 20:3,8,9,18,21 21:2,6,10,11
 22:10,12,16,20,24 23:9,20,22
 24:2,3,5,6,9 25:9,13,14,18,24
 26:5,9 27:6,13,19,22 28:2,9,15,
 18,23 29:2,5,10,21 30:4,12,15
 32:13,19,25 33:4,8 35:4 40:9,15
 41:3,20 42:7,12 43:15 44:7,10,19,
 20,21 45:14 46:2,15,18,20,23,24
 47:2,4,11,16,19,20,24 48:4,11,13,
 15 49:4,8,12,17,22,23 50:4,6,7,
 11,12,20,22 51:3,4,6,12,13
trustees 3:5 19:20
tub 14:24 15:2
turns 46:7
two-bedrooms 14:5
type 21:5

U

Ubaldo's 27:8,9,20 28:7
unanimous 4:11 5:7 51:16
underground 32:5
understand 9:24 16:9,13 36:24
understanding 9:7 21:17
University 7:23
update 31:16
upstairs 23:12
usual 31:17
utilities 32:3

V

vaping 37:12,25

variances 29:12
vendee 16:5 19:12
verify 15:11 20:20 24:16
versus 13:8
vetted 33:6
Village 3:5 19:3,7 33:25 34:8
 35:25 36:3 39:2,6,8 41:14 42:17
 44:8,11,17 48:9 49:13
villages 39:17 41:8
violate 40:10,22
violating 44:11
vote 4:12 5:7 34:10,11 51:17
voters 34:7

W

Wade 44:14
wait 6:9 32:13
Waiting 33:2
walk-in 28:4,10
wall 8:23,24 9:14,16,21 10:6 11:3
WALTER 4:5 24:3 30:4 48:13
 49:17,23 50:4,7,20 51:4
wanted 9:20,22 10:5
watching 26:25
Water 31:23
webinar 34:12
wedding 4:17
weddings 4:22
weed 42:25
week 6:24 7:6
weeks 5:12 33:12 42:13
west 17:18
whichever 45:20
white 20:12,13
wife 50:2
wind 45:20
windows 22:11 42:21 43:9 47:17
wonderful 5:10

wondering 48:8 49:25 50:8
work 3:5 31:14,25 32:4,5 45:8
 50:9
working 19:3 31:2
works 30:5
wow 44:20 46:25 47:4
wrote 8:14 47:15

Y

yard 10:5 14:2
year 34:3
years 5:15 17:25 33:16
yellow 49:14
York 37:24 40:11,18 41:11 42:4
Yup 19:24 25:2,20 42:11 50:22
Yvette 48:5

Z

zone 36:19 38:5
zoning 38:2