

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, February 4, 2013
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, February 4, 2013.

Present: Mayor Ralph Ekstrand
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Cheryl Parisi
Trustee Thomas Ryan
Attorney Claudio DeBellis
Administrator/Clerk/Treasurer Brian Harty
Public Works Superintendent Andy Fisch
Building Superintendent Steve Fellman

Absent: Deputy Clerk/Treasurer Barbara Kelly

Mayor Ekstrand opened the meeting at 8:01 PM with the pledge of allegiance.

ANNOUNCEMENTS – Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held Monday, March 4, 2013 at 8:00 pm: Board of Trustees Work Sessions begins at 7:00 pm on Monday, February 11th, and Monday, February 25th. Tax Grievance night and work session will be on Tuesday, February 19th from 5:00 p.m. until 9:00 p.m.
- Announce the sale of tax liens will be held on March 12, 2013 at 11:00 a.m.
- Formation of new Farmingdale Downtown Master Plan Implementation Committee ó Chairman Gosline made a statement.
- Building Superintendent, Steve Fellman read a statement.

PUBLIC HEARING PRINCE STREET – Mayor Ekstrand announced that the public hearing was not legally noticed by the applicant and will be adjourned until March 4, 2013 at 8:00 p.m.

CONTINUED PUBLIC HEARING SPECIAL USE PERMIT 776 AND 780 FULTON STREET ó Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-186), to continue the public hearing.

Mr. Tom Blore (architect) and Mr. Robert Lee presented the application to the Board. Mr. Blore explained that the building will be a 55+ senior citizen rental complex consisting of 24 units, built to condominium standards.

Mayor Ekstrand asked for comments from the Board:

- Trustee Parisi had the following questions:

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- Inquired about parking code and Mr. Blore stated that it is within the required code
- Asked about assembly area and gym and Mr. Blore stated that it will be for tenants only and that it is within the NYS occupancy code
- Asked for a description of the units and Mr. Blore responded that there will a total of (21) 1+2 bedroom units and (4) 2 bedroom penthouse units
- Proposed changing awnings and shutters, as to add more charm
- Trustee Barrett had the following questions:
 - Inquired about height of gable and Mr. Blore stated that it is within the required code
 - Also asked for clarification of the parking lot and Mr. Blore stated it is within the required code for a senior citizen complex
- Mayor Ekstrand had the following questions:
 - Asked for clarification on number of units
 - Inquired about exterior siding
 - Asked about water meters and Mr. Blore stated that each unit will be individually metered

Mayor Ekstrand asked for comments from the public:

- Mr. Diurno, Fairview Rd., asked the following questions:
 - Asked if the parking requirements meets all village codes. This same question was asked by Mr. Gosline, Mr. Funston, and Mayor Starkie. Steve Fellman addressed this question responding that the parking lot is within permissible limits and no variances are required. Mr. Blore also stated that code allows for 35 spots and complex has 36 spots.
 - Commented on old condo project and asked if changes have been made to allow for this larger project. This same question was asked by Mr. Gosline.
 - Asked if this project was permitted as a senior complex and was told that it is being built as a condominium for future conversion at the owner's discretion.
 - Asked if one curb cut is a fire hazard. Owner Mr. Lee stated that a fire truck can pull up on 3 sides of building.
- Mr. Chuck Gosline, Waverly Pl., asked the following questions:
 - Asked if plans were only going before the Planning Board. Mayor Ekstrand stated that plans were being sent to ARB and Nassau County Planning in addition to our Planning Board.
 - Expressed concerns about visitor parking on Fulton Street.
 - Inquired about Special Use Permits. Mayor Ekstrand stated that Board cannot consider bonuses until there is a public hearing.
 - Asked the Board to consider the number of senior housing units already existing in the village.
- Former Mayor Starkie, Doud St., had the following issue to discuss:

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- Asked the Board to check with counsel in regard to multiple dwellings east of Main St. on Rt. 109 and expressed concerns over what the Village is potentially opening itself up to as far as future projects. He asked the Board to reconsider multiple dwellings, except in Downtown Mixed Use.
- Mr. Carosella, Sherman Rd., had the following questions:
 - Asked if there was a traffic study done. Mr. Funston asked the same question. Mayor Ekstrand stated a traffic study was not done, however the Planning Board could ask for one.
 - Inquired if the Village is granting exemptions and receiving a density bonus for this project. Mayor Ekstrand stated that the Board cannot discuss these issues until a continued public hearing takes place.
- Mr. Rich Gosline, Linwood Ave., asked what the advantage is of owning a senior housing complex. Mr. Lee stated that he is very satisfied with that demographic of renters.
- Deputy Mayor Christiansen inquired about a refuse area. Mr. Lee responded that there will be a double container and concierge will be responsible.
- Mr. Funston, Prince St., had the following questions:
 - Asked how many handicapped parking spaces there will be. Mr. Lee stated that there will be (2).
 - Asked if building will be handicap accessible. Mr. Lee stated that the building will have (2) elevators.
- Mr. Wilson, Normandy Dr., discussed the following issues:
 - Asked Mr. Lee if he had any prior experience with upscale properties. Mr. Lee stated that he did with mixed use properties.
 - Inquired if Mr. Lee had an exit strategy for converting to condominiums re: 10% workforce housing.
- Mayor Graf, Prospect St., had the following concerns:
 - Mentioned that the ratio of 2 bedrooms to 1 bedroom was high.
 - Asked Board to consider future conversion and parking issues. Mayor Ekstrand reiterated that the senior restriction will stay in place in regard to parking code should the units convert to condominiums.
- Mayor Starkie inquired if incentive bonus agreements will allow for restrictions. Mayor Ekstrand responded that this cannot be discussed until there is a public hearing.

EXECUTIVE SESSION, upon a motion made by Trustee Parisi and seconded by Trustee Ryan it was unanimously,

RESOLVED, to move to Executive Session to discuss Local Law and incentive bonuses.

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

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RESOLVED, to reconvene the meeting.

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

RESOLVED (#2013-187), to continue the public hearing for the Special Use permit for Robert Lee for the construction of an apartment building at 776 and 780 Fulton Street for March 4, 2013 at 8:00 p.m.

PUBLIC HEARING DATES – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2013-188), to set the public hearing date for March 4, 2013 for the following:

- Year 39 CDBG application
- Proposed amendment to site plan for 120 Secatogue Avenue ó Phase 1
- Special Use Permit and parking/loading approvals for 120 Secatogue Ave. ó phase 2
- Special Use Permit and parking/loading approvals for Paninis R Us Inc. 257 Main Street.
- Proposed LL3-2013 ó Time Limit for Special Exceptions and Special Permits.
- Proposed LL4-2013 ó Expirations of site plan approval.
- Proposed LL5-2013 ó Amendment to Business DD Districts

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

RESOLVED (#2013-189), that the Abstract of Audited Vouchers #1050 dated February 4, 2013 be approved for payment holding check 2203 for further clarification.

WIRE TRANSFERS - Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-190), to approve the wire transfers made in January as adhered on to these minutes.

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

RESOLVED (#2013-191), to approve the corrected minutes of 1/7/13 Public Meeting and Work Sessions of 1/7/13, 1/14/13, 1/22/13, and 1/28/13.

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USE OF VILLAGE PROPERTY – Upon a motion made by Trustee Parisi, seconded by Trustee Ryan, with Trustee Barrett voting nay on the Farmerø Market, and Mayor Ekstrand abstaining from the vote, it was,

RESOLVED, to allow the following use of Village property:

- ðA Taste of Long Islandö to conduct a ðFarmerø Marketö in a designated area in parking lot #7 on Sundays from May 12, 2013 through November 24, 2013 from 9:00 am until 4:00 pm, allowing no permit for music. The FarmerøMarket will be open to the public from 10:00 am until 3:00 pm in order to provide for set-up and break down time for the vendors.
- St. Lukeø Lutheran Church requests to hold their Mardi Gras parade on Prospect Street, Sunday, February 10th beginning at 12 p.m.
- American Association of University Women would like to hold their meetings the second Tuesday of every month from 2 p.m. to 4 p.m. in the Board Room(February 12, March 12, April 9, May 14, June 11, September 10, October 8 and November 12).
- St. Patø Day Committee requests a parade Sunday March 17, 2013 on Main Street from Northside School to Village Green between the hours of 12:30 p.m. and 2:00 p.m.

GOOD AND WELFARE

- Mr. Carosella discussed the following:
 - o Inquired about a snow removal policy for vacant stores.
 - o Thanks to Superintendent Fisch for replacing Hill Rd. sign and mentioned that the street signs south of Hempstead Turnpike say ðMerritts Rd.ö and was told that this is a Town of Oyster Bay issue.
 - o Mention a small pot hole on South Front Street
- Mr. Wilson, Normandy Dr. discussed the following:
 - o Inquired about the length of time it took to accept the Villageø financials
 - o Asked about changing the parking signs in Lot #4 to ease parking on weekends for residents
- Mayor Ekstrand
 - o Reported that (12) No Skateboarding signs have been stolen
 - o Stated his thanks to John Cort (Nuttu Irishman) for efforts with the downtown rehab program

BUILDING PERMITS ó The Board of Trustees accepted the listing of following building permits issued since the last meeting:

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Dexter 53 Weiden St. DB 13-2	Maintain wood deck. ZBA approved 12/13/12.	N/A

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Masjid Bilal Mosque 425 Fulton St. DB 13-3	Install bathroom/foot wash stations.	N/A
Cascarinoø 300 Main St. PP 13-1	Install sinks, water closet and floor drains.	N/A
Gavin 151 Hillside Rd. DB 13-4	Legalize single family house.	N/A
Potorski 34 Ridge Rd. DB 13-5	Maintain enclosed porch.	N/A
Russo 30 Duane St. DB 13-6	Maintain pool and deck.	N/A
Carosella 20 Quaker Ln. DB 13-7	Repair masonry retaining wall.	N/A
Masjid Bilal 425 Fulton St. PP 13-3	Install foot wash stations, showers, water closets, laundry tubs and sump pit.	N/A
Alber 32 Staples St. RO 13-1	4ø4øhole in road for new gas service.	N/A
Empire Games 337 Main St. SP 13-1	Install 18ø2ø sign.	X
Staller Assoc. 306 Main St. FP 13-1	Erect 4øchain link fence on north property line and rear property line.	N/A
Staller Assoc. 323 Main St. FP 13-2	Erect 6øwood stockade on south property line and double gate at rear.	N/A
AB Land Corp. 356 Fulton St. SP 13-2	Install 6ø4ø aluminum sign.	X

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

RESOLVED, to issue 11 taxi permits after additional information is supplied for one.

TAX CERTIORARI'S ó Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2013-192), to approve the following tax certiorariø

- 2012/2013 residential tax certø for properties on the listing adhered to the minutes for a total refund of \$2,477.64
- JP Morgan Chase/Bank of NY, Sec 49, B1 971, Lots 35-38,540, 170 Conklin, for tax years 2005/06 through and including 2012/13 with no reduction in the current assessment value for a total refund of \$12,500.

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- McDee Realty, Sec 49, Bl 140, lot 163, Potter/Murray/Fulton Street, for tax years 2006/07 through and including 2012/13 for a refund of \$7,500 reducing the 2012/13 assessment value to \$625,000.
- Varveris, 137 & 154 Main Street, Sec 49, Bl 73, Lots 4,8,9,10, for tax yearø 2007-08 thru and including 2012/13 for a refund of \$5,300.

2011/2012 JUSTICE COURT AUDITED FINANCIALS ó Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-193), to accept the 2011/2012 Village Justice Court audit as presented by Satty, Levine & Ciacco, CPAø.

VILLAGE FINANCIALS – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-194), to accept the 05/31/2012 audit of the Villageø financials as presented by Satty, Levine & Ciacco, CPAø.

REAL PROPERTY TAX LAW – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-195), to acknowledge the return of the tax roll and warrant and report of unpaid taxes pursuant to 1436 of the Real Property Tax Law of the State of New York.

CODE VEHICLES – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-196), to approve surplusung of the remaining 2004 Dodge Stratus (VIN 1B3EL36T24N137855) from Code.

HEALTHPLEX COVERAGE – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-197), to discontinue coverage in the Healthplex Dental and Optical plans as of 3/1/13 and to allow the employeeø to join the CSEA Dental and Optical plan.

CDBG COMMERCIAL REHAB – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-198), to increase the CDBG Commercial Rehab grant funding from \$300 to \$500/linear foot of store front for new applicants.

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RESIDENTIAL REHAB PROJECT – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2013-199), to approve the emergency decision to okay a residential rehab project for a cost not to exceed \$8,850 for a new boiler, windows and garage door. Project to be paid out of CDBG Year 37 grant funding leaving \$837 in the fund.

SURPLUS BACKHOE – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2013-200), to approve the sale of one surplus JCB Backhoe to Long Island Checker Cab as the successful bidder at a price of \$3,666.66.

REPAIR WORK ON WELLS 1 & 3 ó Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-201), to approve additional repair work on well 1-3, working under a requirements contract, by Delta Well and Pump Company in the amount of \$16,392.

CODE VEHICLES – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2013-202), to approve Whelen Engineering Company/Mobile Fleet quotation under Nassau County Contract #BPNC11000425 to provide and install emergency lights and decals and to install Village provided radios in two new Chevrolet Equinox Code Vehicles for a total cost of \$2,290.72.

VILLAGE RESTORATION CHANGE ORDER – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-203), to approve a change order for Paza Contracting Corp to amend their current contract to supply and install one steel entry door to the rear of the Farmingdale Firehouse at a cost of \$4,700.

MIXED USE PROJECT – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-204), to approve VHB Engineering to provide certain environmental, planning and traffic services to analyze changes from proposed Hotel use to new mixed use project consisting of 115 units and retail space on the northeast corner of Secatogue Avenue and Eastern Parkway for an approximate cost of \$10,000, to be billed immediately. Cost to be reimbursed to the Village by the applicant.

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SERVER REPLACEMENT – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-205) to approve the proposal from LMS for the replacement of one server at a cost of \$10,284.

NEW HIRE – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-206), to hire Ellen Ingenito as Secretary to the Board of Trustees at an annual salary of \$32,000.

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

RESOLVED (#2013-207), to appoint Ellen Ingenito as Registrar for the Village of Farmingdale during and after business hours.

CSEA CONFERENCE – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2013-208), to allow Geary Gerhardt to attend a CSEA sponsored safety training conference in Albany, NY in April 2013, at no cost to the Village.

BEAUTIFICATION ó Deputy Mayor Christiansen stated that the Committee has been on a hiatus, but has plans to meet in the next month to discuss spring and summer planting.

OLD BUSINESS ó None

GOOD AND WELFARE

- Mr. Wilson, Normandy Dr., inquired if there had been a change in status in regard to the mixed use project on the northeast corner of Secatogue Ave and Eastern Pkwy and if so, will there be Special Use Permits issued. Mayor Ekstrand replied that the project is set for public hearing on March 4, 2013.

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

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

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

RESOLVED, to reconvene the meeting.

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There being no further work, the meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer