

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, February 6, 2017
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 6, 2017.

Present: Mayor Ralph Ekstrand
Deputy Mayor Patricia Christiansen
Trustee William Barrett
Trustee Cheryl Parisi
Trustee Walter Priestley
Attorney Claudio DeBellis
Administrator/Clerk/Treasurer Brian Harty
Deputy Clerk/Treasurer Barbara Kelly
Superintendent of Buildings Steve Fellman
Public Works Superintendent Andrew Fisch

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance.

ANNOUNCEMENTS – Mayor Ekstrand made the following announcements:

- The next Board meeting with public comment period will be held on Monday, March 6th, 2017 at 8:00 p.m. Board of Trustees Work Session/Tax Grievance Night will be held on Tuesday, February 21st from 5:00 to 9:00 p.m. and regular Work Sessions will be held at 7:00 p.m. on Monday, February 27th and Monday, March 6th at 7:00 p.m.
- The following resolution was passed at the January 23rd Work Session:
 - Indicated that the Nassau County Inter Municipal Agreement (IMA) is considered a Type II Action under Section 6175.5. In accordance with paragraph 617.3(f) no SEQRA determination of significance, EIS or findings statement is required for actions which are Type II.
- The following resolution was passed 4-0 (Trustee Barrett abstained) at the January 23rd Work Session:
 - Approved a salary increase for Joe Ramos from \$18.50 to \$19.50 per hour and Bruce Watson a raise of \$1.00 to \$20.50 per hour.

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, the following items were, **RESOLVED (#2017-02-01)**,

- Abstract of Audited Vouchers #1098 dated February 6, 2017
- December Wire Transfers
- Minutes of Work Sessions of 1/3/17, 1/17/17 & 1/23/17 and Regular Public Meeting of 1/3/17.
- Taxi permits
- Use of Village Property:

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- The Greater Long Island Running Club is requesting to have Leg 3 of their 32nd annual Ocean to Sound Relay take place within the Village on Sunday, September 24, 2017. Leg 3 passes through the Village along Quaker Meeting House Road between Merritt Road and Round Swamp Road.
- The Junior League of the Women's Club of Farmingdale is requesting to use the courtroom for their monthly meetings on the following dates: 1/13/17, 2/2/17, 3/2/17, 4/6/17, 5/4/17, 9/8/17, 10/5/17 and 11/2/17. The meetings would be from 7:00 to 10:00 p.m.
- The Farmingdale Hawks Midget Football organization is requesting use of the Court Room on the third Thursday of every month in 2017, except for July & August when they will meet on the third Tuesday, from 8:00 to 10:00 p.m. for their monthly membership meeting.
- The Cultural Arts Committee is requesting to use the courtroom & lobby for a "TEDxLiveFarmingdale" event on Friday, April 28, 2017 from 6:00 to 10:00 p.m. They will show several programs videotaped at the 2017TED conference in Vancouver.
- The Farmingdale Fire Department is requesting to hold their annual Memorial Day parade being held on Monday, May 29, 2017. Assembly will be at Thomas Powell Blvd. and Yoakum Street and kickoff will be at 10:00 a.m. The viewing stand will be in front of Village Hall for the ceremonies after the parade.
- The FVMA is requesting to hold the 5th Annual St. Patrick's Day Parade on Sunday, March 26, 2017 (rain or shine). Assembly will be at Northside School and will begin at 1:00 p.m. and will end at the Village Green. Main Street will be closed between Northside School and Prospect Street from 1:00 p.m. until approximately 2:30 p.m.
- The Empire State Snow Dog Club is requesting use of the Village Green and Gazebo to hold a charity dog walking event on Saturday, September 23rd, 2017 from 9:00 a.m. to 4:00 p.m. Sign in would begin at 11:00 a.m. and walk would start at 12:00 noon. Dogs will be leashed and Village Green will be left clean.
- Tax certiorari's:
 - Tax Certiorari settlement Re: 375 Route 109 Associates LLC, Inc. Sec 49, Blk. 96, Lot 102, 213: Premises 375 Route 109 Farmingdale, for tax years 2007/08 through and including 2016/17 for a refund of \$24,000 to be payable as follows: \$12,000 to be payable within 120 days of the date of the signed Order & Judgment and \$12,000 to be payable one year after the signed Stipulation of Settlement, with no reduction in the final assessed value of \$993,467.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
52 Jerome Drive Joe Ludwig Plumbing & Heating PP16-00027	Gas conversion with new boiler, hot water heater, dryer and stove.	N/A
294 Main Street Brian Fiore DB16-00050	Finish cellar area for party room and bar with new rear entrance as per drawings submitted by Fiore Architecture dated 8/16/16.	N/A
47 Jerome Street Steven Pristina PP16-00028	Install gas stove.	N/A
40 Jefferson Road Patriot Energy Solution DB16-00051	Install 26 roof mounted solar panels as per drawings submitted by Neal Michael Wechsler Architect.	N/A
Merritts Rd. Orchid Sewer & Water Contracting Corp. PP16-00029	New 2” water line for railroad, 320’ north of Conklin Street.	N/A
86 Clinton Street Sunation Solar Systems Inc. DB16-00052	Install 23 roof mounted solar panels as per drawings submitted by William G. Fischer P.E.	N/A
219 Main Street Mama Properties DB16-00053	Replace existing rear vestibule with new frames and glass.	N/A
400 Fulton Street, Apt. 3E Diane Powers DB16-00054	Direct replacement of second floor bathroom.	N/A
38 Washington Street Matthew Porcaro PP16-00030	Replace two water closets, two kitchen sinks, two lavatories, two bath tubs and two dishwashers.	N/A
52 Prospect Place Bob Williams PP16-00031	Install new gas dryer.	N/A
10 Puritan Lane Pristina Heating Corp. PP16-00032	Install gas fired stove, hot water heater, boiler and dryer.	N/A
385 Conklin Street Absolute Plumbing of Long Island PP16-00033	Install one slop sink, six indirect wastes, one dishwasher, two hand sinks, and one ice machine.	N/A
19 Simonson Place Ivan Zimic DB16-00055	Install geothermal heating and cooling system.	N/A
398 Conklin St. First Mobile USA Inc. SP16-00005	Composite front sign and blade sign, gooseneck lighting and black awning with wording “398”, as submitted by Vision Long Island and ARB approved on 1/24/17. Chaser lights and open light to be removed.	X
385 Conklin St. Don Miller SP16-00006	Wood front wall sign, gooseneck lighting and black awning as submitted by Vision Long Island and ARB approved on 1/24/17.	X
223 Main St. Vinoco East Inc. SP16-00007	Wood carved front wall sign and gooseneck lighting as submitted by Vision Long Island and ARB approved on 1/24/17. Paint conduit to match brick.	X
435 Main Street Dr. Rachel Kushner SP16-00008	Composite front wall sign, gooseneck lighting and black awning as per drawings submitted by Vision Long Island and ARB approved on 1/24/17. Blade sign can go either side of awning.	X
52 Jerome Drive Joe Ludwig Plumbing & Heating	Gas conversion with new boiler, hot water heater, dryer and stove.	N/A

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PP16-00027		
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219 Main Street Mama Properties DB16-00053	Replace existing rear vestibule with new frames and glass.	N/A
400 Fulton Street, Apt. 3E Diane Powers DB16-00054	Direct replacement of second floor bathroom.	N/A
38 Washington Street Matthew Porcaro PP16-00030	Replace two water closets, two kitchen sinks, two lavatories, two bath tubs and two dishwashers.	N/A
52 Prospect Place Bob Williams PP16-00031	Install new gas dryer.	N/A
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398 Conklin St. First Mobile USA Inc. SP16-00005	Composite front sign and blade sign, gooseneck lighting and black awning with wording "398", as submitted by Vision Long Island and ARB approved on 1/24/17. Chaser lights and open light to be removed.	X

PUBLIC HEARING DATES – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously **RESOLVED (#2017-02-02)**, to set the following public hearings for March 6, 2017 at 8:00 p.m.

- Local Law 1-2017 to exceed the tax cap
- CDBG Year 43 application

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PUBLIC HEARING ON SPECIAL USE AND PARKING ALLOWANCE FOR GM BURGER BAR – Upon a motion made by Trustee Parisi and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2017-02-03), to open the public hearing.

GM Burger Bar has applied for 72 seats, which requires 32 parking spaces. Waive 90%, 3 spaces to be bought at a cost of \$15,000 over 3 years: 1st payment when C.O. is received, 2nd payment on January 15, 2018 and the 3rd payment on January 15, 2019.

Deputy Mayor Christiansen asked about the hours of operation. The response was that it will be open from 12:00 noon to 10:00 p.m. for food and later for the bar. They are hoping for a summer opening and outdoor dining – they are working with the landlord.

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

RESOLVED (#2017-02-04), to close the public hearing.

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

RESOLVED (#2017-02-05), to adopt the Special Use permit for GM Burger Bar, with 3 parking spots at a cost of \$15,000 to be paid over 3 years.

PUBLIC HEARING ON SPECIAL USE ALLOWANCE FOR HI DENTAL – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2017-02-06), to open the public hearing.

Office space permitted on side street off Main Street with Special Use permit.

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

RESOLVED (#2017-02-07), to close the public hearing.

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

RESOLVED (#2017-02-08), to adopt the Special Use permit for Hi Dental.

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FARMINGDALE COMMUNITY SUMMIT AND HEALTH FAIR - Upon a motion by Trustee Parisi and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2017-02-09), to purchase a table at the Farmingdale Community Summit and Health Fair, to be held March 29, 2017 at a cost of \$55.

WATER INTEREST AND PENALTIES - Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously, **RESOLVED (#2017-02-10)**,

WHEREAS, the Mayor and Board of Trustees (“Village Board”) of the Village of Farmingdale (“Village”) upon due consideration has determined that the waiver of interest and penalties for the late payment of water charges shall be, in the circumstances herein described, just, equitable, reasonable and in the best interests of the Village; and

WHEREAS, the Village Board has determined to waive the interest and penalties as herein described because the lateness was the result of a condition outside the control of the water customers herein specified; and

WHEREAS, the waiver shall be applicable to the following water customers, and for the specified period, only:

Cycle - Residential Cycle (56)
Period Affected – Interest and penalties from December, January and February
Account number sequence – 6876-7405: and

NOW, THEREFORE, BE IT RESOLVED THAT;

The interest and penalties for the late payment of water charges shall be, for those water customers specified herein and for the time period specified hereunder, waived.

The following vote was recorded in connection with this matter:

Mayor Ralph Ekstrand	aye
Deputy Mayor Patricia A. Christiansen	aye
Trustee William Barrett	aye
Trustee Cheryl Parisi	aye
Trustee Walter Priestly	aye

2016/2017 BUDGET ADJUSTMENTS - Upon a motion by Trustee Barrett and seconded by Trustee Priestley, it was unanimously,

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RESOLVED (#2017-02-11), to approve the 2016/2017 budget adjustments as presented, with an additional adjustment to the fund balance of \$375,000 for land purchase.

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

RESOLVED (#2017-02-12), to acknowledge the return of the 2016/2017 tax roll and warrant and report of unpaid taxes pursuant to §1436 of the Real Property Tax Law of the State of New York.

VILLAGE FINANCIAL AUDIT – The Board agreed to ask Nawrocki Smith for an estimated price to complete the financial audit for the Village for the next 3 years.

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

RESOLVED (#2017-02-13), to appoint Lynn Ventura as Registrar of Vital Statistics, Ann Rodenburg as Deputy Registrar and Barbara Kelly as Sub-Registrar.

DRUG AND ALCOHOL TESTING CONTRACT - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2017-02-14), to authorize Mayor Ekstrand to sign the contract with Alere eScreen to provide drug and alcohol testing for 2017.

PROPOSAL FOR MAINTENANCE CONTRACTS - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2017-02-15), to approve H2M proposal for professional engineering services related to the following three annual contracts:

- Distribution System Maintenance & Repair
- Well and Booster Pump Maintenance
- Electrical Maintenance and Repair

H2M will complete these services for all 3 contracts for a fee not to exceed \$4,900.

WATER DEPARTMENT TRAINING CONFERENCE - Upon a motion made by Trustee Priestley and seconded by Trustee Parisi, it was unanimously,

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RESOLVED (#2017-02-16), to authorize Geary Gerhardt to attend a conference in Saratoga Springs, NY on April 4-6, 2017 for training as a Safety Instructor. All expenses paid by the CSEA Union.

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

RESOLVED (#2017-02-17), to approve the hiring of the following temporary/seasonal personnel to cover for vacations and to work on the scanning of records for the Building Department, effective 04/01/2017 – 08/31/2017:

- Colleen Kelly \$15/hour
- Meghan Kelly \$15/hour

NEW BANK ACCOUNT FOR METER COINS - Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2017-02-18), to allow the Clerk-Treasurer to open an account at FNBLI for the purpose of counting and depositing meter coins and to approve the change to Appendix A as presented.

LANDSCAPE PERMIT FEES - Upon a motion made by Trustee Priestley and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2017-02-19), to approve an increase for Landscape permit fees from \$15 per car to \$20 and from \$15 per trailer to \$20.

SMALL CLAIMS ASSESSMENT REVIEW - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2017-02-20), to approve the Small Claims Assessment Review refunds for 2016/2017, as per attached schedule.

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

RESOLVED (#2017-02-21), to approve the purchase of a Valve Maintenance Trailer from E.H. Wachs at a cost of \$68,037.83, to be paid using water fund balance and Budget adjustment.

PUBLIC HEARING ON PROPOSED LOCAL LAWS – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2017-02-22), to continue the public hearing.

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Chapter 600 “Off Street Parking Requirements”

The following public comment was made:

- A resident asked why we are using 50% value. Superintendent Fellman stated that State Code uses 50% of value.
- A resident asked why parking restrictions for funeral homes are not listed. Village Attorney DeBellis stated that if problems arose from funeral homes, they would be addressed.

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

RESOLVED (#2017-02-23), to close the public hearing.

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

RESOLVED (#2017-02-24), to adopt the Local Law modifying Chapter 600 “Off Street Parking Requirements” with one change.

Chapter 600 “Floor Area Ratio”

Superintendent Fellman explained FAR to the public. Trustee Barrett stated that the only changes were to items B & C.

The following public comment was made:

- A resident asked for clarification.

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

RESOLVED (#2017-02-25), to close the public hearing.

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

RESOLVED (#2017-02-26), to adopt the Local Law modifying Chapter 600 “Floor Area Ratio (FAR)”.

Chapter 437 “Rebuttable Presumptions”

Village Attorney DeBellis clarified the new law tracking bathroom for illegal occupancy.

The following public comment was made:

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- A resident stated that illegal apartments have to disprove the illegal occupancy.

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

RESOLVED (#2017-02-27), to close the public hearing.

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

RESOLVED (#2017-02-28), to adopt the Local Law modifying Chapter 437 “Rebuttable Presumptions”.

Chapter 600 “Update Jump Cites”

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

RESOLVED (#2017-02-29), to close the public hearing.

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

RESOLVED (#2017-02-30), to adopt the Local Law modifying Chapter 600 “Update Jump Cites”.

BEAUTIFICATION – 123 hanging baskets have been ordered. Planning has begun for spring and summer planting.

OLD BUSINESS – Trustee Barrett asked about lights.

CORRESPONDENCE – None

PUBLIC COMMENT – A discussion began on the following topics:

- A resident asked about work on the double wood poles. Administrator Harty said that the utilities have been notified and the Village is working hard to get them to comply. He also said that Verizon is exceedingly slow.
- A resident mentioned that a car on Thomas Powell Blvd. keeps getting ticketed and asked if they are paying their tickets.

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

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

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

RESOLVED, to reconvene the meeting.

There being no further business, the meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer