

**REGULAR MEETING OF THE BOARD OF TRUSTEES**  
**Tuesday, September 4, 2012**  
**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 Tuesday, September 4, 2012.

**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  
Deputy Clerk/Treasurer Barbara Kelly  
Public Works Superintendent Andy Fisch  
Building Superintendent Steve Fellman

Upon a motion duly made and seconded, the Board adjourned to executive session to discuss a legal matter.

Upon a motion duly made and seconded, the Board resumed the public meeting.

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

**ANNOUNCEMENTS** – Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held Monday, October 1, 2012 at 8:00 pm: Board of Trustees Work Sessions are scheduled at 7:00 pm on 9/10, 9/17 and 9/24.

**PUBLIC HEARING ON PROPOSED CODE REVISION TO BUSINESS DISTRICT D**

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

**RESOLVED (#2013-64)**, to open the public hearing on the proposed local law on code changed to Business District D to permit multi-family dwellings by special permit of the Board of Trustees.

Mayor Ekstrand opened the hearing for public comment:

- Mr. Diurno, Fairview Rd., asked if the current code allows for this type of housing. Mayor Ekstrand replied that it allows only for townhouses. Mr. Diurno asked why the Board was considering this change and why is the Board given so much power/discretion in considering future applications. Attorney DeBellis answered that New York State law allows for the discretion.
- Mr. Orobono asked what the parking requirements were. Attorney DeBellis stated that code section 105.97 defines the parking requirements.

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

**RESOLVED (#2013-65)**, to continue the hearing on October 1st at 8:00 p.m.

**PUBLIC HEARING PROPOSED CODE CHANGE CREATING 55 AND OVER HOUSING CATEGORY** - Upon a motion made by Trustee Ryan and seconded by Deputy Mayor Christiansen, it was unanimously,

**RESOLVED (#2013-66)**, to open the public hearing on code change creating 55 and over housing category.

Mayor Ekstrand opened the hearing for public comment:

- Mr. Diurno, commented that we already have a senior code and the government is looking to raise the age for seniors, why are we looking to reduce it. Mayor Ekstrand explained that Long Island demographics has shown that baby boomers, who are not yet 62, are looking to downsize and there is a great need for housing. Mayor Ekstrand went on to say that the parking requirements are much higher for the over 55 category. Mr. Diurno asked if the density changes. Mayor Ekstrand replied that it does not.

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

**RESOLVED (#2013-67)**, to continue the hearing on October 1st at 8:00 p.m.

**PUBLIC HEARING SPECIAL USE PERMIT FOR 337 MAIN STREET FOR A GAME STORE WITH SEATING** - Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-68)**, to open the public hearing on the application for a special use permit from Scott Sarfaty for a game store.

Scott Sarfaty owner of the proposed store explained the intended use for the property. The average day the store will be open from 10 a.m. to 10 p.m. with later hours during game tournaments.

After a brief discussion, Mayor Ekstrand asked for comments from the public:

- No comments were made.

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

**RESOLVED (#2013-69)**, to close the public hearing on the application to a special use permit for a game store.

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

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**RESOLVED (#2013-70)**, to approve the special use permit for a game store to be located at 337 Main Street with payment of \$10,000 spread over 3 years, for two parking spots in the municipal lot, going to the parking lot fund.

**PUBLIC HEARING SPECIAL USE PERMIT FOR 205 MAIN STREET FOR A CAFE**

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

**RESOLVED (#2013-71)**, to open the public hearing on the application for a special use permit from Giuseppe Bruzzese, 205 Main Street, to allow a café with seating.

Brad Kenealy explained the proposed use for the property located at 205 Main Street. They will be serving pizzettas, coffee, gelato, desserts, wraps and salads. They will have seating for 25 and their hours of operation will be 11 a.m. to 11 p.m. with closing extended to 1 a.m. on the weekend.

After a brief discussion, Mayor Ekstrand asked for comments from the public:

- Mr. Diurno stated that there are a large number of restaurants on Main Street; do we have a plan that says we don't need any more pizzerias? Mayor Ekstrand stated that the Village has a plan that states what businesses can open.
- Mr. Ubaldo stated that some businesses cannot even pay their rent.
- Mr. Gosline asked what the parking requirement was. Mayor Ekstrand stated that one parking spot is required after the Board decides to waive 90% of the requirement as has been past practice.

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

**RESOLVED (#2013-72)**, to close the public hearing on the application to a special use permit for a cafe.

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

**RESOLVED (#2013-73)**, to approve the special use permit for a cafe to be located at 205 Main Street with payment of \$5,000 spread over 3 years, for one parking spot in the municipal lot, going to the parking lot fund.

**PUBLIC COMMENT** – Mayor Ekstrand opened the public comment section of the meeting earlier.

- Mr. Mangahas, Elizabeth St., stated that the loading dock on the Bartone property has become a teenage hang out. Administrator Harty stated that he would contact the police department's POP officer about the problem.

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- Mr. Diurno mentioned that there are still tenants in the building. Mayor Ekstrand stated that all tenants were to leave by September 4<sup>th</sup>. Mr. Diurno also asked if the Village had any results of the impact Barclay's had on the Village. Mayor Ekstrand stated that they did not but that the Village had signs advertising Main Street businesses and a booth at the tournament with information and restaurant menus.
- Mr. Ubaldo stated that both the Barclay's tournament and the Fire Department's car shows caused them to lose money.
- Mr. Gosline, asked what the status of the 20 Merritts property, and mentioned that it is a mess since they cut all the trees down. Mayor Ekstrand stated that it is still awaiting the decision of the Nassau County Planning Board.
- Mr. O'Brien asked if the property was within the boundaries of the Village. Building Superintendent Fellman stated that approximately 80% is within the village.
- Mr. Lopicolo wanted an explanation of illegal occupancy ordinance. Attorney DeBellis explained the criteria and the fines associated.
- Mr. Diurno asked if any building plans have been submitted for apartments being built on top of business on Main Street. Building Superintendent Fellman stated that we've only had inquiries.

**PUBLIC HEARING DATE** - Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-74)**, to set the public hearing on a proposed local law to amend the current skateboarding law for October 1, 2012 at 8:00 p.m.

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

**RESOLVED (#2013-75)**, that the Abstract of audited vouchers #1045 dated September 4, 2012, be approved for payment holding checks 1437 and 1477 for further clarification.

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

**RESOLVED (#2013-76)**, to approve the wire transfers made during August as adhered on to these minutes.

**MINUTES** – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-77)**, to approve the minutes of BOT Work Sessions of 08/06/12; 08/13/12; 08/20/12 and BOT Public Meeting on 08/06/12.

**USE OF VILLAGE PROPERTY** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

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**RESOLVED**, to allow the following use of Village property:

- Historical Society would like to use the Court Room on Wednesday October 24<sup>th</sup> from 2 p.m. to 5:30 p.m. with the knowledge that they would need to be out by 5:30 due to court being in session that evening.
- Women’s Club of Farmingdale would like to use the Court Room on the third Thursday of each month from September through May from 10 a.m. – 1:00 p.m.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
48 Quaker Lane Dizeo PP 12-30	Direct replacement of oil tank.	N/A
Trypuc 10 Leonard St. DB 12-84	Maintain wood burning fireplace.	N/A
Hauptage 297 Main St. DB 12-85	Repair brick façade on storefront.	N/A
Turbendian 301 Main St. DB 12-86	Repair brick façade on storefront.	N/A
Hua An Int'l. 18 Dale Dr. DB 12-87	Install two 4’x8’ dry wells in front and rear yards.	N/A
Zandbaf 5 Lafayette Rd. RO 12-10	New gas service installation.	N/A
Anthony Addeo 51 Jerome Dr. FP 12-19	Install approx. 112’ of fencing along front and side property lines.	N/A
Options For Community 115 Rose St. DB 12-88	Installation of solar panels.	N/A
Addeo 215 Prospect St. FP 12-20	Install 63’ of vinyl fencing along rear property line.	N/A
Catholic Charities 128 Duane St. PP 12-31	Install new gas boiler and hot water heater.	N/A

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

**RESOLVED**, to issue 5 taxi permits.

**PEDDLER PERMIT** – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

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**RESOLVED (#2013-78)**, to issue the following peddlers permits:

- Richard Iacopelli to sell Verizon FIOS service door to door in the Village.
- Vincent Bavero to operate a coffee truck at the train station.

**HIGHWAY SUPERVISOR** – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-79)**, to approve the promotion of Kenneth Tortoso to Highway Supervisor effective September 5, 2012 with a base salary increase of \$2,250 with an additional increase of \$2,250 at the end of a six month probationary period.

Mayor Ekstrand then presented Ken with a proclamation from the Village for his service as Chief of the Fire Department in 2010.

**VACTOR TRUCK RENTAL** - Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-80)**, to authorize the Mayor or the Village Administrator to enter into a lease agreement with Dejana Industries, Inc. to lease a vactor machine to be used for drain cleaning for 30 days within the next 12 months, in five day increments. The cost of the contract is \$7,422 in accordance with NYS OGS contract number PC6157.

**GARAGE DOOR – EASTERN PARKWAY** - Upon a motion made Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

**RESOLVED (#2013-81)**, to approve Edward Mojica Installations as the lowest responsible bidder for the installation of garage doors at Eastern Parkway for a lump sum price of \$4,750 using Capital Fund money.

**TEMPORARY HELP**– Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2013-82)**, to approve using the services of Robert Half agency to provide temporary employees to the Clerk’s office as required.

**VILLAGE GREEN LIGHTING** - Upon a motion made Deputy Mayor Christiansen and seconded by Trustee Ryan, it was unanimously,

**RESOLVED (#2013-83)**, to approve the installation of new lighting on the Village Green, utilizing Magniflood supplied fixtures matching existing lighting in parking lot two. Cost of each fixture not to exceed \$2,300 and

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estimated cost of each foundation not to exceed \$600 reimbursement for costs to be charged to the Nassau County Parkland Grant.

**BEAUTIFICATION** – Deputy Mayor Christiansen reported that the committee would be meeting on Saturday to plan for the fall plantings and holiday decorations.

**APPRAISAL CHERRY ST. & WESCHE** – Upon a motion made Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

**RESOLVED (#2013-84)**, to authorize Attorney DeBellis to get an appraisal on the Village property located at Cherry Street and Wesche.

**OLD BUSINESS**

- Trustee Parisi wanted to thank McDonalds, LI Checker and Farmingdale Library for their support and contributions to the summer events on the Village Green.

**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.

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

Respectfully submitted,

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Brian P. Harty  
Administrator, Village Clerk-Treasurer