

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, November 2, 2015
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, November 2, 2015.

Present: 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
Superintendent of Buildings Steve Fellman
Public Works Superintendent Andrew Fisch

Absent: Mayor Ralph Ekstrand

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

ANNOUNCEMENTS – Deputy Mayor Christiansen made the following announcements:

- Next Board meeting with public comment period will be held on Monday, December 7, 2015 at 8:00 p.m.: Board of Trustees Work Sessions begin at 7:00 p.m. on November 16th and November 30th, 2015.
- The Annual lighting of the Tri Centennial Tree on the Village Green will be on Tuesday, December 1st at 7:00 p.m. (rain date Dec. 3rd). Refreshments will be served immediately following in Village Hall compliments of the Farmingdale-Bethpage Historical Society.
- The Gerngras Park tree lighting will take place on Friday, December 4th at 6:00 p.m. (rain date December 5th)

Deputy Mayor updated the audience on roadwork, crack sealing, LED lighting and building development.

Elizabeth Wintenberger, Director of Bethpage State Park gave a short presentation on the features of the park and its benefits to the Village.

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

RESOLVED (#2016-11-01), to approve the hiring of Ryan Stone as a full time laborer replacing an open MEO position in the Highway Department at an annual salary of \$30,000.

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REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, the following items were unanimously, **RESOLVED (#2016-11-02)**,

- Abstract of Audited Vouchers #1083 dated November 2, 2015
- September Wire Transfers
- Minutes of 10/5 regular meetings and 10/5, 10/19 and 10/26 work sessions
- Taxi Permits
- Peddler permit – Vincent Bavero
- Use of Village Property:
 - The Chamber of Commerce is requesting to hold their annual Holiday Parade on Saturday, November 21st, 2015 at 12:00 noon. The parade will assemble at Northside School and continue south on Main Street to the Village Green.
 - The New York Blood Center is requesting to use the court room on Sunday, December 27th, 2015 from 9:00 a.m. to 3:00 p.m. for a blood drive in conjunction with a Dine around Farmingdale.
 - Farmingdale Baseball League is requesting to hold their Annual Opening Day Parade on Sunday, April 17th, 2016. The parade will assemble at Howitt Field at 1:30 p.m. and kick off at 2:00 p.m. The parade will exit Howitt field to Conklin Street and make a left on Main Street and proceed south to a right on Motor Avenue.

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
Defendini 106 Fairview Rd. RO 15-23	Open one 4’x4’ bell hole to replace water line.	N/A
Defendini 106 Fairview Rd. PP 15-22	Replace water line from street main to house.	N/A
Cara Cara Restaurant 354 Main St. DB 15-106	Temporary outdoor dining.	N/A
Bartone Properties 180 Atlantic Ave. DB 15-107	Interior alterations for Starbuck’s coffee shop w/12 seats.	N/A
Dallow Realty 392 Conklin St. PP 15-23	Replace water line from street main to building.	N/A
Guthy 30 Ridge Rd. SWP 15-19	Replace five sidewalk flags.	N/A

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Bartholomew 179 Thomas Powell Bl. DB 15-108	Maintain existing rear wood deck.	N/A
Panache 315 Main St. PP 15-24	Install water closet, lavatory & mop sink.	N/A
LaCast 98 Staples St. DB 15-109	Maintain wood deck.	N/A
Rossi 9 Ridge Rd. DB 15-110	Maintain finished basement w/o habitable space.	N/A
Panache 315 Main St. DB 15-111	Replace roof top HVAC unit.	N/A
Staller 285 Eastern Pkwy. DB 15-112	Construct 3 ½ story residential building. 20 apartments and parking for 55 cars.	X
Panache 315 Main St. DB 15-113	Construct new ADA compliant bathroom.	N/A
Yanez 28 Columbia St. FP 15-22	Erect 6' PVC on rear property line, sloping to 3' in front.	N/A
Treasure Box Gift Shop 211 Main St. SP 15-9	Erect 10'x2' HDU sign with 3 gooseneck lights. ARB approved 9/29/15	X
Croxleys 190 Main St. SP 15-11	Pin mounted letters on S. Front St. and back wall. ARB approved 9/29/15	X
Marin 108 Jefferson Rd. SEW 15-3	Connect to Nassau County sewers.	N/A
Carman 280 Main St. PP 15-25	Replace oil burner.	N/A
Fairfield 717 Conklin St., Apt. 12 DB 15-114	Interior renovations to kitchen, bathroom and living room.	N/A
984 Fulton St. LLC 984 Fulton St. FP 15-23	Replace chain link with PVC fence adjacent to front of house.	N/A
Conklin Property LLC 330 Conklin St. DB 15-115	Tenant demising walls.	N/A
Staller Assoc. 323 Main St. DB 15-116	Install 8'x8' drainage pool and attach plumbing.	N/A
230 Eastern Pkwy LLC 230 Eastern Pkwy. PP 15-26	Install gas boiler/hot water heater. Oil to gas conversion.	N/A
Bartone/Cornerstone 100 Secatogue Ave. DP 15-8	Demolish structures on site.	N/A
Bartone/Cornerstone 143 N. Front St. DP 15-9	Demolish structures on site.	N/A
National Grid 10 Cornelia St. RO 15-24	Open bellhole to repair gas leak.	N/A

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St. Christopher Ottile 760 Conklin St. DB 15-117	Interior and exterior modifications.	N/A
National Grid 136 Elizabeth St. RO 15-25	Repair gas leak.	N/A
Arlin 103 Rose St. PP 15-27	Replacement of gas boiler.	N/A
Ferrante 870 Fulton St. PP 15-28	Install gas fired boiler. Oil to gas conversion.	N/A

PUBLIC HEARING DATES – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously **RESOLVED (#2016-11-03)**, to set the following public hearing for December 7, 2015 at 8:00 p.m.

- Proposed Special Use permit for drive through window for 450 Main Street (CVS Pharmacy)

PUBLIC HEARING PROPOSED SPECIAL USE PERMIT SEATING/OFF STREET PARKING/LOADING FOR 180 ATLANTIC AVENUE (STARBUCKS) – Deputy Mayor Christiansen explained that this hearing was announced for tonight, however the legal notice mailing was not completed in time.

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

RESOLVED (#2016-11-04), to re-announce this hearing for December 7, 2015 at 8:00 p.m.

PUBLIC HEARING PROPOSED AMENDMENT TO SPECIAL USE PERMIT REVISIONS TO FLOOR PLAN FOR 206-208 MAIN STREET (MEETBALL PLACE/FINO ENTERPRISES) – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-11-05), to open the public hearing.

The applicant’s attorney, Thomas Abbate explained the amendment to the Special Use permit requesting to re-configure a previously approved seating plan and add a three season outdoor patio to the site.

Deputy Mayor Christiansen asked for public comment. There being no comment, upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-11-06), to close the public hearing.

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Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, the following was unanimously **RESOLVED (#2016-11-07)**,

WHEREAS, The Incorporated Village of Farmingdale (“VILLAGE”) is a municipal corporation duly organized under the laws of the State of New York; and

WHEREAS, Fino Enterprises (APPLICANT) is the owner of the property located at 206-208 Main Street, Farmingdale, New York and known as Section 49; Block 70 ; Lot 418, 443 (the “PROPERTY”); and

WHEREAS, the PROPERTY is located in the D-MU Zoning District of VILLAGE; and

WHEREAS, on April 6, 2015 the VILLAGE Board of Trustees granted APPLICANT a special permit for an eating and drinking establishment in accordance with §105-94A(1) of the VILLAGE Code; and

WHEREAS, on September 8, 2015 the VILLAGE Board of Trustees granted APPLICANT a special permit for a eating and drinking establishment in accordance with §105-94A(1) amending the April 6, 2105 grant; and

WHEREAS, APPLICANT wishes to amend the previously granted special permit(s) to allow for the operation of an eating and drinking establishment on the second floor of the PROPERTY in accordance with the plans of Hoffman Grayson Architects, LLP dated April 29, 2015 (revised June 24, 2015, August 11, 2015, September 24, 2015, and September 30, 2015), said second floor area being no more than a three-season, non-climatized area. (ACTION); and

WHEREAS, APPLICANT has submitted a building permit application in connection with the ACTION; and

WHEREAS, the building permit application was denied on the grounds that the proposed use and development violated the Code of the VILLAGE, and required an amendment to the previously granted special permits; and

WHEREAS, the ACTION is subject to review under 6 NYCRR Part 617, the New York State Environmental Quality Review Act, (“SEQRA”); and

WHEREAS, The Board of Trustees for the Incorporated Village of Farmingdale (“VILLAGE BOARD”) has declared itself Lead Agency pursuant to SEQRA, declared the ACTION to be an unlisted action with no significant, adverse environmental impacts and issued a negative declaration and notice of determination of non-significance; and

WHEREAS, after the VILLAGE referred the APPLICANT’s request to operate an eating and drinking establishment to the Nassau County Planning Commission (“NCPC”) in accordance with General Municipal Law Section 239-m, the NCPC issued a decision authorizing the VILLAGE to take that action it deemed appropriate; and

WHEREAS, APPLICANT has applied for a special use permit amending the previously granted special permits in accordance with the ACTION; and

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WHEREAS, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the VILLAGE Board of Trustees, on November 2, 2015 held a public hearing in connection with the ACTION; and

WHEREAS, The APPLICANT appeared on its behalf at the public hearings; and

WHEREAS, at the public hearings members of the public were given the opportunity to speak and did speak regarding the application; and

NOW, THEREFORE BE IT DECIDED, that VILLAGE BOARD grants a Special Permit subject to the following conditions:

1. Full compliance with the representations of APPLICANT and:
 - a. The plans prepared by Hoffman Grayson Architects, LLP, dated April 29, 2015 (revised June 24, 2015, August 11, 2015, September 24, 2015, and September 30, 2015) and all Federal, State, or local law and any directives of the Building Department of the Inc. Village of Farmingdale; and
 - b. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board; and
2. All requirements and conditions set forth in the April, 6, 2015 and September 8, 2015 special permits, other than those amended by this special permit shall remain in full force and effect.
3. The noncompliance with any of the terms or conditions of this decision shall result in the immediate revocation of the building permit and special permit unless the Board of Trustees determines, for good cause, that revocation is not in the best interests of the VILLAGE; and

This approval is granted by a vote as follows:

Mayor Ralph Ekstrand	absent
Deputy Mayor Patricia A. Christiansen	aye
Trustee William Barrett	aye
Trustee Cheryl Parisi	aye
Trustee Thomas Ryan	aye

CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT & SITE PLAN APPROVAL 824 AND 832 FULTON STREET (BARTONE & PELLERITO HOLDINGS LLC) – Deputy Mayor Christiansen stated that this application was sent back

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to ARB/Planning Board and was approved. However, tonight's public hearing is being adjourned to December 7, 2015 at 8:00 p.m.

CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT SEATING/PARKING/LOADING 306 MAIN STREET (GTM'S SPORTS BAR) –

Deputy Mayor Christiansen stated that this hearing was opened in June and sent to Nassau County Planning in July. The applicant was not present tonight; therefore the hearing is being adjourned to December 7, 2015 at 8:00 p.m.

CONTINUED PUBLIC HEARING PROPOSED LOCAL LAW – 2015 REVISION TO D-MU SIGN CODE – Deputy Mayor Christiansen stated that this law is still under discussion and is being adjourned to December 7, 2015 at 8:00 p.m.

CONTINUED PUBLIC HEARING PROPOSED LOCAL LAWS – 2015 AMENDING GENERAL PARKING CODE – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-11-08), to open the public hearing.

Superintendent Fellman explained the purpose of amending the parking code was to make it uniform throughout the Village.

Deputy Mayor Christiansen asked for public comment. There being no comment, upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-11-09), to close the public hearing.

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

RESOLVED (#2016-11-10), to adopt Local Laws 9-13 – 2015 Amending General Parking Code.

VILLAGE INVESTMENT POLICY - Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-11-11), to approve the revision to the Village investment policy adding Investment Cash Sweep service to the choices of investment options.

FLUSHING BANK CUSTODIAL AGREEMENT – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

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RESOLVED (#2016-11-12), to approve Deputy Clerk-Treasurer Kelly's signature to Flushing Bank's revised Custodial Agreement and the ICS Deposit Placement Agreement.

BUILDING DEPARTMENT FLOW TEST FEE – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-11-13), to approve the addition of a "Flow Test Fee" of \$250.00 to the Building Department Fee Schedule.

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

RESOLVED (#2016-11-14), to accept the Village Election resolutions, as annexed to these minutes.

HOLIDAY DECORATIONS – Upon a motion made by Trustee Ryan and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-11-15), to approve the purchase of holiday decorations for the Village from Rileigh's Outdoor Décor for a total cost of \$1,054.00, including shipping costs.

OUTDOOR LIGHTING DECORATIONS – Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-11-16), to approve CJ Flag and Son to supply holiday decorations for Main Street for 2015, 2016 and 2017 (a three year agreement in year one \$26,030 and years 2 & 3 \$14,228 each).

2014/2015 VILLAGE JUSTICE COURT AUDIT – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-11-17), to accept the 2014/2015 Village Justice Court Audit as presented by Nawrocki Smith, CPA's.

2014/2015 VILLAGE AUDITED FINANCIALS – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2016-11-18), to accept the 2014/2015 Village Audited Financial Statements with supplementary information and the Auditor's reports as presented by Nawrocki Smith, CPA's, subject to minor changes in wording.

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BUILDING DEPARTMENT PERSONNEL – Upon a motion made by Trustee Barrett and seconded by Trustee Ryan, it was unanimously,

RESOLVED (#2016-11-19), to approve the creation of an Account Clerk position in the Building Department at an annual salary of \$32,000.

PART TIME SEASONAL HIRES – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-11-20), to approve the hiring of the following part time seasonal hires to work on the documentation and purging of records for both the Building and Clerk’s departments:

- Colleen Kelly - \$10/hour
- Meghan Kelly - \$10/hour

BEAUTIFICATION – Deputy Mayor Christiansen reported that there were many compliments this year on the fall decorations. The Beautification Committee will be meeting to discuss the upcoming holiday season and she stated Village wide decorating will begin on November 21st. Volunteers are always welcomed.

OLD BUSINESS - None

CORRESPONDENCE – Compliments for the Highway Department’s work clearing branches.

PUBLIC COMMENT – A discussion began on the following topics:

- Parking on Secatogue
- Open building department applications
- Water Billing questions

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 business, the meeting was adjourned at 9:35 p.m.

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Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer