

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, November 5, 2018
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 5, 2018.

Present: Mayor Ralph Ekstrand
Deputy Mayor William Barrett
Trustee Cheryl Parisi
Trustee Walter Priestley
Trustee Anthony Addeo
Attorney Claudio DeBellis
Administrator/Clerk/Treasurer Brian Harty
Deputy Clerk 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, December 3rd, 2018 at 8:00 p.m. Regular Work Sessions will be held on Monday, November 19th (in the conference room), Monday, November 26th and Monday, December 3rd at 7:00 p.m.
- The Farmer's Market is being held every Sunday from 10:00 a.m. to 3:00 p.m. on the Village Green until November 18, 2018.
- Holiday Tree Lightings: Village Green – Tuesday, November 27th (Rain Date – Thursday, November 29th) and Gerngas Park – Friday, November 30th. All tree lightings are at 7:00 p.m.
- The following resolutions were approved at the October 15, 2018 Work Session:
 - Authorized Mayor Ekstrand to sign the Year 44 CDBG contract. The total budget under this contract is \$300,000. This was approved 4-0 (Deputy Mayor Barrett was late).
 - Approved Merrick Utilities to replace a transite pipe in the Melville Road water main at a cost of \$155,000 from the Water Fund balance. This was approved 4-0 (Deputy Mayor Barrett was excused).
 - Adopted Local Law establishing the Farmingdale Business Improvement District (BID). This was approved 5-0.
- The following resolutions were approved at the October 22, 2018 Work Session:

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- Authorized Mayor Ekstrand to execute a sales listing agreement with Brindlee Mountain to market two fire engines that are soon to be declared surplus.

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, the following items were, **RESOLVED (#2019-11-01)**,

- Abstract of Audited Vouchers #1119 dated November 5, 2018
- September Wire Transfers
- Minutes of Work Sessions of 10/1/18, 10/15/18 & 10/22/18 and Regular Public Meeting of 10/1/18, as amended.
- Taxi permits - None
- Use of Village Property:
 - The Farmingdale Chamber of Commerce is requesting to hold their annual Holiday Parade on Saturday, November 17th, 2018 at 12 noon. The parade will assemble at Northside School and continue south on Main Street to the Village Green.
 - Farmingdale Baseball League is requesting to hold their Annual Opening Day Parade on Sunday, April 14th, 2019. The parade will assemble at Cherry Street at 1:30 p.m. and kick off at 2:00 p.m. The parade will make a left from Cherry Street to Conklin Street and make a left on Main Street and proceed south to a right on Motor Avenue to Allen Park. **This has been tabled.**
 - Farmingdale Baseball League is requesting that the part of Cherry Street from Conklin Street beyond the opening of the Howitt Middle School parking lot be closed on Sunday, April 14th, 2019 from 12:00 p.m. through 3:00 p.m. so they can utilize the side parking lot of Howitt Middle School for their Opening Day Parade. **This has been tabled.**
 - Group Guadalupano of St. Kilian's Church is having a parade/procession on December 8, 2018 beginning at approximately 7:30-7:45 p.m., after Mass has ended. It will begin at the front of the church on Conklin St., with a right turn on Cherry St., a right turn on Grant Ave., a right turn on Rose St., and will end at St. Kilian School.
 - Island Gardens Owners are requesting use of the Courtroom for their annual community meeting on Monday, October 19, 2018 from 7:00 p.m. – 9:00 p.m.

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- Tax certiorari's:
 - None

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
10/5/18 20 Merritts Rd. James Vilardi DB 18-00085	Two story dwelling (parcel #3) with attached one car garage as per drawings by Todd O'Connell dated 5/29/18. Cost \$400,000.00	X
10/5/18 20 Merritts Rd. James Vilardi DB 18-00080	Two story dwelling (Parcel #1) with attached one car garage as per drawings by Todd O'Connell dated 5/29/18. Cost: \$400,000.00	X
10/5/18 20 Merritts Rd. James Vilardi DB 18-00079	Two story dwelling (Parcel #2) with attached one car garage as per drawings submitted by Todd O'Connell dated 5/29/18. Cost: \$400,000.00	X
10/5/18 20 Merritts Rd. James Vilardi DB 18-00084	Two story dwelling (Parcel #4) with attached one car garage as per drawings submitted by Todd O'Connell Architect dated 5/29/18. Cost: \$400,000.00	X
10/5/18 252 Main Street Peter Kanaras DP 18-00002	Demolition of interior of existing chinese restaurant, remove front and rear façade.	N/A
10/5/19 94 Nelson St. Fogarty PP 18-00016	Boiler replacement.	N/A
10/5/18 69 Jefferson Rd. Brian Fiore DB 18-00094	Convert garage to habitable space and convert porch into one car garage as per drawings submitted by Brian Fiore Architect dated 9/24/18. Cost: \$18,000.00	N/A
10/5/18 50 Sherman Rd. Brian Fiore DB 18-00095	New portico over existing front stoop as per drawings submitted by Brian Fiore dated 9/7/18. Cost: \$5,500.00	N/A
10/5/18 557 Fulton St. Shanghai Spa DB 18-00096	Install interior non load bearing partitions for new spa. Cst: \$1,000.	N/A
10/9/18 936 Fulton St. Angelo Fuschetto PP 18-00017	3 water closets, 1 kitchen sink, 4 lavatories, 1 bathtub, 3 showers, 1 dishwasher.	N/A
10/12/18 15 Leonard St. Richard Greiner DB 18-00097	Install 22 KW gas fired generator	N/A
10/12/18 27 Quaker Lane Thomas Hall DB18-00098	Add one foot to width of driveway. Pitch to run rain water on grass.	X
10/12/18 3 Jerome Drive Nancy Kelly DB18-00093	Widen driveway from 18.1 – 22'.	X
10/12/18 50 Cherry Street Journey Prep School SP 18-00010	Install monument sign as per drawings submitted by "Signs by Tomorrow" with the text writing increased to 4 ½" high for smallest lettering, with the other lettering scaled larger.	X
10/12/18 776 Fulton St. Robert Lee DB 18-00099	Site plan approved by Village Planning Board 9/25/18 with the following conditions: A. reverse gable on front elevation centered on entry. B. Awning to be darker brown to match shutters. C. Estate fencing. D. Do not	X

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		plant honey locust trees. As per drawings submitted by Thomas D. Blore Architect dated 7/16/18.	
10/12/18	86 Clinton St. Lori Hartney DB 18-00100	Add second floor addition approximately 5' x 9' as per drawings submitted by Mark Anthony Munisteci Architect dated 9/11/18.	N/A
10/12/18	210 Main St. Lee Seelig DB 18-00101	Temporary storage container freezer unit in rear of building.	N/A
10/12/18	9 Fairview Rd. Martha Thomatos PP 18-00019	One boiler, one dryer, one gas fireplace.	N/A
10/15/18	66 Nelson St. Jason & Melissa Jansky DB 18-00102	Install 51 roof mounted solar panels as per drawings submitted by Paul Cataldo Architect dated 8/6/18.	N/A
10/15/18	94 Nelson St. Jennifer Fogarty DB 18-00103	Install new central air conditioning.	N/A
10/15/18	114 Eastern Pkwy Albano Contracting PP 18-00018	Gas pressure test on existing lines to reinstall meter.	N/A
10/16/18	14 Pinehurst Rd. Jeanette Muirhead DB 18-00104	Installation of ramp across the front of the house and along the driveway as per drawings submitted.	N/A
10/16/18	345 Conklin St. Certified Plumbing & Heating PP 18-00020	Repair gas pipe to legalize old permit #05-28.	N/A
10/17/18	462 Secatogue Ave. Theresa DeGallo PP18-00021	Oil to gas conversion with new boiler.	N/A
10/17/18	272 Oakview Avenue David L. Hart FP 18-00014	6' x 48' PVC fence along the north side of the backyard (3' along west front yard) as per drawing submitted.	N/A
10/17/18	39 Oakview Avenue Melissa Barten DB 18-00105	Repair pavers in driveway and back patio. Install a 14 x 18 pavillion in rear yard.	N/A
10/17/18	97 Nelson St. National Grid RO 18-00008	One 4 x 4 mac bell hole to repair gas leak.	N/A
10/23/18	64 Jefferson Rd. John Gibbons DB 18-00106	Maintain garage conversion to living room with fireplace and second floor bathroom dormer.	N/A
10/23/18	2 Tulane Street Joseph Barcarella SW 18-00005	Replace sidewalk.	N/A
10/23/18	1 McCarthy Court National Grid RO 18-00009	One 4 x 4 bellhole to install gas service.	N/A
10/23/18	107 Duane St National Grid RO 18-00010	One 4 x 4 bellhole for gas leak repair.	N/A
10/23/18	456 Secatogue Ave Andrew Braum PE DB 18-00107	Maintain existing rear deck as per drawings submitted by Andrew Braum P.E. dated 8/7/18.	N/A
10/23/18	456 Secatogue Ave Andrew Braum PE	Install in-ground swimming pool as per drawings submitted by Andrew Braum P.E. dated 8/7/18.	N/A

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	Db 18-00108		
10/23/18	57 Duane St. Thomas Montemarano PP 18-00022	Install new gas boiler and water heater.	N/A
10/26/18	48 Nelson St. Barbara/James Catania DB 18-00109	Maintain garage converted to living space.	N/A
10/26/18	315 Conklin St. Nancy White DB 18-00110	Repair existing wood fascia boards.	N/A
10/26/18	481 Secatogue Ave. Lawrence Trapasso PP 18-00023	Oil to gas conversion.	N/A
10/29/18	32 Quaker Lane National Grid RO 18-00011	One 4 x 4 bellhole to install gas service.	N/A
10/29/18	81 Duane St. National Grid RO 18-00012	One 4 x 4 x 3 bellhole to repair gas leak.	N/A

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

RESOLVED (#2019-11-02), to set the following public hearings:

- Special Use Permit and Parking Requirements for 453 Main Street to renovate second floor office space into a one bedroom apartment.
- Special Use Permit and Parking Requirements for “Whiskey Down” 252 Main Street for an 81 Seat restaurant.
- Special Use Permit and Parking Requirements for High Tide Taco (La Bottega) 257 Main Street.

PUBLIC HEARING ON SPECIAL USE PERMIT FOR LIBRARY CAFÉ – Upon a motion made by Trustee Priestley and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2019-11-03), to continue the hearing.

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

RESOLVED (#2019-11-04), to close the public hearing.

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

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RESOLVED (#2019-11-05), to approve the Special Use Permit for the Library Café (274 Main Street) to add a roof dining deck and bar, which will be open seasonally only.

PUBLIC HEARING ON SPECIAL USE PERMIT FOR 332 FULTON STREET – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-06), to continue the hearing.

Andrea Curto presented for the applicant:

- Exhibits were presented – Notice of denial and 2 court cases
- The proposed use is less intense for traffic
- Proposed significant buffers with neighboring properties

Robert Eschbacher also presented for the applicant:

- Plan was modified for Nassau County Planning, Building Inspector/Nelson & Pope, NYSTAD DOT
- The driveway on Heisser Lane is now curved to be left turn facing only and will be Exit Only and the driveway on Fulton Street is Enter Only with no exit onto Fulton Street.

Jose Monttero will be the operator of the business. He wants a 24 hour operation with external wash only after a certain time. He has multiple locations.

The following public comment was made:

- A resident doesn't think neighbors would like lights from patrons 24 hours a day, not to mention the pollution.
- Regarding the presentation, a resident discussed 17 cars that were shown waiting for car wash – how many were waiting for lube? The applicant answered that 2 cars were waiting for lube.
- John McGrath, representing the Suburbia Owners Association, said that they do not want this application to be approved. He doesn't think that lighting will not encroach on neighbors.

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- A resident is concerned about U-turns by westbound traffic looking to use the car wash. He asked about how many cars per day, the answer was 250 cars per day.

SEQRA requirements have been satisfied.

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

RESOLVED (#2019-11-07), to continue the public hearing until December 3, 2018 at 8:00 p.m. This will be sent to the Planning Board and ARB.

PUBLIC HEARING ON AMENDING SPECIAL USE PERMIT FOR THE CARLYLE (776-780 FULTON STREET) – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-08), to continue the hearing.

Village Attorney DeBellis read the conditions on the Extension of the Special Use Permit:

1. The payment upon the execution of this approval of an extension fee of Five Thousand Dollars (\$5,000.00);
2. A building permit along with all plans and documents required by the Village Superintendent of Buildings shall be filed by February 1, 2019 and all building permit fees shall be paid upon the issuance of the building permit;
3. Substantial construction, as determined in the sole discretion of the Village Building Superintendent, shall be completed within one (1) year of the issuance of the building permit;
4. No further extensions of the building permit or of the special permit approval shall be granted unless an application is made and a public hearing held and there is a payment of fifty percent (50%) of the original building department fee, as calculated by the Village Building Superintendent;
5. All construction shall comply with Plans prepared by Thomas Blore dated July 6, 2018, last revised September 5, 2018;

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6. Set aside Three (3) units of affordable housing in accordance with the following:
 - a. One (1) unit shall be provided in accordance with Village Code §600-133. This unit must be targeted and set aside for households with incomes at less than eighty percent (80%) of the Nassau County Area Median Income as defined by the United States Department of Housing and Urban Development (“80% Qualified Median Income”). The annual rent for those units cannot exceed thirty percent (30%) of the 80% Qualified Median Income. For purposes of calculating the permissible rental fees, the 80% Qualified Median Income shall be reduced by a utility allowance based on the household size of: Studio: 1 household; 1BR: 1.5 household members; 2BR: 3 household members; 3BR: 4.5 household members; or 4BR: 6 household members.
 - b. The remaining two (2) units must be targeted and set aside for households with incomes at less than fifty percent (50%) of the Nassau County Area Median Income (“50% Qualified Median Income”). The annual rent for those units will not exceed thirty percent (30%) of the 50% Qualified Median Income. For purposes of calculating the permissible rental fees for the 50% Qualified Median Income units, the 50% Qualified Median Income is reduced by the same utility allowance referenced in (a);
 - c. Written confirmation of compliance with this paragraph 6 shall be submitted to the Village Clerk on or before January 15th of each year. In the event that the January 15th deadline is

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not met, a Two Hundred Fifty Dollar (\$250.00) per day fine shall be assessed for each day the written confirmation is not so filed;

7. Shall procure and maintain insurance coverage, in accordance with the limits set forth in Exhibit 1, for any and all Losses, suffered or incurred by the Village which may arise out of or result from the R. Lee Development;
8. All terms, requirements, conditions set forth in the 2013 Approval not amended herein shall remain in full force and effect. To the extent that there is a conflict between a prior term, condition or requirement, the more restrictive, i.e., the one providing for the greater benefit to the Village and its residents as determined in the sole discretion of the Village Board of Trustees shall govern;
9. The Village shall be reimbursed for all expert or consultant fees incurred by it in connection with the Action and there is full compliance with Section 600- 100 of the Code of the Incorporated Village of Farmingdale. No building permit shall be issued until all such expenses have been reimbursed. In the event that a building permit is issued prior to the reimbursement of such fees, the building permit and this special permit shall be immediately revoked if reimbursement to the Village for such expenses is not made within five (5) days of the request for same;
10. 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;
11. R. Lee agrees to pay the Village for any attorney fees incurred by the Village in enforcing 2013 and 2018 Special Permit Decisions or any reasonable fees related thereto, including but not limited to, reasonable attorney fees incurred as a result of any action taken or proceedings related to revoking the 2013 and 2018 Special Permit Decisions or otherwise compelling R. Lee to comply with the Village code.

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

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RESOLVED (#2019-11-09), to approve to amend an existing Special Use Permit for the Carlyle (776-780 Fulton Street) to address affordable housing, elevation changes and type of apartments.

PUBLIC HEARING ON SPECIAL USE PERMIT FOR 356 FULTON STREET – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-10), to open the hearing.

Harold Gephardt, the architect representing the applicant, stated that the canopy at 356 Fulton Street will be similar to the canopy at the gas station at 511 Fulton Street.

The plan will be sent to the Nassau County Planning Board, the Village Planning Board & ARB.

Trustee Parisi stated that the property needs to be cleaned up.

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

RESOLVED (#2019-11-11), to continue the public hearing until December 3, 2018 at 8:00 p.m.

PUBLIC HEARING ON LOCAL LAW FOR MORATORIUM ON NEW CONSTRUCTION – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-12), to adjourn the public hearing until December 3rd, 2018 at 8:00 p.m.

PUBLIC HEARING ON SPECIAL USE PERMIT FOR 994 FULTON STREET – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2019-11-13), to adjourn the public hearing until December 3rd, 2018 at 8:00 p.m.

VILLAGE PERSONNEL POLICY BOOK – This has been tabled to December 3rd, 2018 at 8:00 p.m.

GRANT APPLICATIONS – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was unanimously,

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RESOLVED (#2019-11-14), to approve H2M to prepare the following grant applications: Emerging Contaminant Planning Grant for 1,4 Dioxane, PFOS and PFOA \$2,000 and to amend Well1-3 engineering report to submit a grant request for Emerging Contaminants for VOC's \$3,900. Total for the two grant applications: \$5,900.

ENGINEERING SERVICES – Upon a motion made by Trustee Priestley and seconded by Trustee Addeo, it was unanimously,

RESOLVED (#2019-11-15), to approve D&B Engineers and Architects, P.C. to provide Engineering Services for the replacement of the 0.5MG Elevated Water Storage Tank in the amount of \$301,000.

CURBING, DRAINAGE & PAVING AT DPW YARD – Upon a motion made by Trustee Parisi and seconded by Trustee Addeo, it was unanimously,

RESOLVED (#2019-11-16), to approve Savik and Murray Engineers estimate for Roadwork Ahead to install new curbing, drainage and paving at the Ridge Road DPW Yard under a current requirements contract in the amount of \$38,302.00. \$27,000 will come from the General Fund and the balance will come from the Water Fund.

ESTABLISHMENT OF CAPITAL PROJECT - NEW DPW GARAGE – Upon a motion made by Deputy Mayor Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2019-11-17), to authorize the establishment of a capital project for a new DPW Garage at a cost of \$1.5M.

GC GRAMMAS – NEW DPW GARAGE – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-18), to approve GC Grammas Consultants Architects and Engineers as the vendor to supply certain services to design and provide construction administration of a new DPW Garage at the DPW facility at Ridge Road in the amount of \$43,800.00.

LANDSCAPE SERVICES – Upon a motion made by Trustee Parisi and seconded by Trustee Priestley, it was unanimously,

RESOLVED (#2019-11-19), to approve JMI Landscaping, Inc. to supply certain labor and materials for landscape services for parking lot planting beds and other locations as identified by the village. Labor rate of

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\$50.00/hr. with plant and other elements at all but one at the lowest price/unit.

SYNERGY GYM – Upon a motion made by Trustee Priestley and seconded by Deputy Mayor Barrett, it was unanimously,

RESOLVED (#2019-11-20), to approve Synergy Gym as the vendor to fulfill Fire Department responsibilities for workout availability.

FENCE INSTALLATIONS – Upon a motion made by Trustee Priestley and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2019-11-21), to approve Anchored Fence as the lowest responsible bidder to install various types of fence in multiple locations at a cost of \$7,125.00.

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

RESOLVED (#2019-11-22), to hire Darnell Perrien as a Part-Time Firehouse Maintainer at a salary of \$15.00 per hour.

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

RESOLVED (#2019-11-23), to approve C.J. Flag to install holiday decorations in the Village at a cost of \$23,260.

BEAUTIFICATION – From Trustee Parisi: Thank you to DPW for keeping our Village looking beautiful – they water, water, water! We are looking for volunteers to help get the wreaths ready for Main Street (Thursday, November 15th at 11:15 a.m. at Village Hall) and on Saturday, November 17th at 9:00 a.m.

We are forever grateful for all the work volunteers do! Without their help, our Village would not look like it does! Thank you!

OLD BUSINESS – None

CORRESPONDENCE – Letters from Senior Citizens of Farmingdale, Inc. and Joseph Scalia

PUBLIC COMMENT – A discussion began on the following topics:

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- A resident asked about CDBG - application
- A resident asked to remove the dead end on Bernard Street.

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

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 11:00 p.m.

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer