

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, November 7, 2011
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 7, 2011.

Present: Mayor George Starkie
Deputy Mayor Patricia Christiansen
Trustee Ralph Ekstrand
Trustee William Barrett
Trustee Cheryl Parisi
Administrator/Clerk/Treasurer Brian Harty
Deputy Clerk/Treasurer Barbara Kelly
Village Attorney Kevin Walsh
Public Works Superintendent Andy Fisch
Village Building Consultant Steve Fellman

Mayor Starkie opened the meeting at 8:02 PM with the pledge to the flag.

DECEMBER BOARD MEETING – The Mayor announced that the next public meeting will be held on Monday, December 5, 2011 at 8:00 p.m. with a work session to begin at 7:00 p.m.

PRESENTATION TO ROSEMARY TRUDDEN – Mayor Starkie and the Board of Trustees presented a proclamation to Rosemary Trudden in recognition of her selection as Small Business Person of the Year and for her long-standing service to the community.

ANNOUNCEMENTS – Mayor Starkie announced that the Tricentennial Tree lighting ceremony will take place on Tuesday, November 29th at 6 p.m. on the Village Green. Trustee Ekstrand mentioned that the Chamber of Commerce is having their Holiday Parade on November 19th beginning at 12:00 p.m.

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

RESOLVED (#2012-69), that the Abstract of audited vouchers #1035 dated 11/07/11, be approved for payment holding checks 67761, 67719, 67690 and vouchers 19029 and 19113 for further clarification.

WIRE TRANSFERS – Upon a motion made by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2012-70), to approve the wire transfers from 10/05/11 thru 11/01/2011 as adhered on to these minutes.

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

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RESOLVED (#2012-71), to approve the minutes of BOT Work Sessions of 10/03/11; 10/17/11, 10/24/11 and BOT Public Meeting on 10/03/11 as corrected.

USE OF VILLAGE PROPERTY – Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED, to allow the following use of Village property:

- Runner’s Edge Blood Drive – Saturday, January 21st, 9:00 a.m. to 5:00 p.m.
- Farmingdale-Bethpage Historical Society – Annual Meeting, concert, awards and Strawberry Festival on Village Green Sunday, June 3, 2012 from 1:00 p.m. to 4:30 p.m.
- United States Air Force Academy – LI Parents Club meetings on Sunday, November 6th and Sunday, February 5th from 3:00 to 5:00 p.m. at Village Hall.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Gentidis 245 Grant Ave. PP 11-17	Install new gas boiler and hot water heater. Oil to gas conversion.	N/A
Campbell 292 Van Cott Ave. PP 11-18	Install new gas boiler and hot water heater. Oil to gas conversion.	N/A
Bresnahan 333 Staples St. DB 11-109	Kitchen renovation.	N/A
Staller Assoc. 319 Main St. DB 11-110	Interior alterations for E&J Jewelers.	N/A
Coven 269 Oakview Ave. SWP 11-14	Replace six (6) sidewalk flags.	N/A
Moreira 117 Staples St. FP 11-16	Install fencing along side and rear property lines.	N/A
Urban 18 Linwood Ave. PP 11-19	Direct replacement of oil burner.	N/A
Forte 676 Conklin St. FP 11-17	Install 6 ft. PVC fence on side property line.	N/A
Hookah Lounge 356-358 Conklin St. PP 11-20	Installation of seven (7) plumbing fixtures.	N/A
Island Gardens 490 Main St. DB 11-111	Repave parking lot and add four (4) drainage rings.	N/A
Tortora 8 Laurelton St.	Replace five (5) flags.	N/A

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SWP 11-15		
DelBalso 27 Leonard St. DB 11-112	Concrete patios and retaining walls. ZBA approved 9/27/11.	N/A
Bull 18 Ridge Rd. DB 11-113	Maintain portico and 12'x25' wood deck. ZBA approved.	N/A
Shatz 129 Staples St. PP 11-21	New gas boiler.	N/A
Persad 570 Conklin St. FP 11-18	Replace existing fence w/6' stockade fencing.	N/A
Zhang 352 Main St. DB 11-114	Refurbish interior of retail store for new tenancy.	N/A
Raleigh 312 Van Cott Ave. SWP 11-16	Replace fifteen (15) flags.	N/A
Raleigh 312 Van Cott Ave. CC 11-02	Widen existing curb cut 4-5 ft.	N/A
NYS DEC 450 Main St. FP 11-19	Erect 7'x7' enclosure around pole.	N/A
Gleeson 95B Fulton St. PP 11-22	Install sinks, washing machine, hot water heater.	N/A
Sullivan 308 Van Cott Ave. SWP 11-17	Replace 3 or 4 sidewalk flags.	N/A
Masci 985 Fulton St. DB 11-115	Expand driveway and construct retaining walls.	N/A
Moby Drugs 226 Main St. SP 11-32	Facade renovation, carved 18'x2' sign with four goose neck lights and three sconces.	X

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

RESOLVED (#2012-72), to issue 3 taxi permits.

TAX CERTIORARI – Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Ekstrand, it was unanimously,

RESOLVED (#2012-73), to approve the following tax certiorari:

- Sec 49, Blk 97-1, Lots 32, 33, 131, 231, 543, 544 – 250 Conklin Street – Citibank - settle tax cert for years 2004/05 thru and including 2011/12 for \$23,000,000 payable \$11,500 within 190 days of Order & Judgment and \$11,500 in one year. Reduction of 2012/2013 assessed value from \$1,692,850 to \$1,400,000. If the assessment remains at \$1,400,000 for 2012/2013 – 2014/2015 the petitioner cannot file a grievance.

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BAN PAYMENT – Upon a motion by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2012-74), to approve the payment of \$668,000 in principle plus \$5,795.45 in interest for the BAN on the first fire truck.

Village Attorney Walsh explained the Master Plan process.

PUBLIC HEARING PROPOSED LL #5 OF 2011 – amending the Zoning Code of the Incorporated Village of Farmingdale to add: ARTICLE XIV - “Downtown Mixed-Use (D-MU) Zoning District”. - Upon a motion by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2012-75), to open the public hearing.

A court stenographer was hired to take verbatim minutes of the entire public hearing. A transcript of the public hearing are adhered to these minutes.

Comments were made by the Board and the public. Attorney Walsh asked the board to table the public hearing to adopt the Findings Statement and Master Plan.

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

RESOLVED (#2012-76), to table the public hearing.

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

RESOLVED (#2012-76), to adopt the Findings Statement.

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

RESOLVED (#2012-77), to adopt the Master Plan.

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

RESOLVED (#2012-78), to open the public hearing.

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

RESOLVED (#2012-79), to close the public hearing.

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

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RESOLVED (#2012-80), to adopt LL5 of 2011 amending the Zoning Code of the Village to add Article XIV, "Downtown Mixed Use (D-MU) Zoning District.

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

RESOLVED (#2012-81), to adopt the resolution adhered to these minutes concerning the adoption of the LL5-2011, the Findings Statement and the Master Plan.

The stenographer concluded her verbatim minutes.

PUBLIC HEARING PROPOSED LL #6 OF 2011 – adding uses to Office-Residence district of the Village Code section 105-78.2. Upon a motion by Trustee Parisi and seconded by Trustee Ekstrand, it was unanimously,

RESOLVED (#2012-82), to open the public hearing on the proposed local law 6-2011.

Mayor Starkie explained that the hearing was open but the law would not be voted on until it was reviewed by the Nassau County Planning Commission.

The following comments were made by the public:

- Ms. Defelice, 109 Prospect St. – purchased her home after finding out that a restaurant could not be her neighbor according to the zoning code. She is not supporting the proposed change.
- Mr. Ezzo, 131 Prospect St. – questioned the legality of the rescinding a prior section of the code.
- Mr. Gatto, 7 Manetto Rd. – asked what the current permitted use for the Chase property. Can a new owner seek to change the use?
- Ms. Fitzpatrick, 6 Laurelton St. – Asked why the code was being changed? Stated that banks were quiet at night. Mayor Starkie stated that permitted use was offices with residence on top. Ms. Fitzpatrick liked that better than a restaurant. She opposes a restaurant or funeral home.
- Mr. Orobona, 4 Eastern Pkwy. – thinks that a restaurant is not appropriate for this district.
- Mr. Walsh, 12 Laurelton – opposes a restaurant.
- Mr. Graf, 101 Prospect – would accept any other use in the proposed law with the exception of the restaurant.

Mayor Starkie thanked the public for the comments and stated that more research would be done.

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

WHEREAS, the Village Board wishes to comply with its obligations under SEQRA; and

WHEREAS, the Village Board, pursuant to SEQRA has classified the Action as an unlisted action not subject to coordinated review;

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

RESOLVED (#2012-83), to:

1. Issue a negative declaration and notice of determination of non-significance in connection with the action and declares its intention to act as the Lead Agency for the uncoordinated environmental review of the Action; and
2. Forward the proposed amendment to the Office-Residence District to the Nassau County Planning Commission.

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

RESOLVED (#2012-84), to continue the public hearing on December 5 at 8:00 p.m.

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

RESOLVED (#2012-85), to accept the Village Election resolutions as adhered to these minutes.

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

RESOLVED (#2012-86), to purchase a Gum Buster Machine for a cost not to exceed \$3,000 including start up chemicals.

BEAUTIFICATION COMMITTEE – Deputy Mayor Christiansen reported that Holiday decorations will be put up on November 17th, 19th and 26th all volunteers are welcome.

OLD BUSINESS –

- Trustee Barrett inquired on the drainage issue with the Carmen building. Administrator Harty reported that a pipe would need to be run under the sidewalk.
- Mayor Starkie stated that a meeting with residents on Thomas Powell and Jefferson need to be set up to come up with a plan to correct the traffic/speeding problem at the intersection.

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GOOD & WELFARE - The following comments were made

- Ms. Lichtenstein, 148 Jefferson Rd. stated that she has a vision impaired child and the corner of Thomas Powell and Jefferson is a hazard to her child. Mayor Starkie stated that experts are recommending a solution but that one resident is opposed to the changes suggested.
- Ms. Leiblich, 191 Thomas Powell, stated she is opposed to the change and that no one has approached her with any plans.
- Ms. Lichtenstein asked how long will the process take, she's asked for the changes for the last four years.
- Mr. Ezzo stated that since the signs were removed near St. Lukes, people are double parking on Prospect Street. He is concerned on the safety of the children. Trustee Parisi stated that she will talk to the Pastor about the situation.
- Ms. Leiblich asked to see the traffic studies.

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

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

At 12:15 a.m. 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 12:15 a.m.

Respectfully submitted,

Brian P. Harty
Administrator, Village Clerk-Treasurer