

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
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, December 2, 2013.

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
Superintendent of Buildings Steve Fellman
Public Works Superintendent Andy Fisch

Mayor Ekstrand opened the meeting at 8:00 PM with the pledge of allegiance led by Legislator Joe Belesi.

PROCLAMATION – In honor of “Joe Belesi Day” Mayor Ekstrand presented Legislator Belesi with a Proclamation and thanked him for all his efforts on behalf of the Village of Farmingdale. Legislator Belesi received a standing ovation.

A Proclamation was scheduled to be presented to Sergeant Thomas Heinsohn in appreciation of volunteer efforts with the Beautification Committee. This has been postponed.

ANNOUNCEMENTS – Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held Monday, January 6, 2014 at 8:00 pm: Board of Trustees Work Session begins at 7:00 pm on Monday, December 16, 2013.
- Budget Adjustments will be resolved on December 16, 2013 at 7:00 p.m.

PUBLIC HEARING PROPOSED SPECIAL USE PERMIT/OFF STREET PARKING/LOADING/INCENTIVE BONUSES – 155 MAIN STREET (SAM GLASS) – Mayor Ekstrand stated that the public hearing is adjourned to January 6, 2014 at 8:00 p.m. pending receipt of revised plans.

PUBLIC HEARING PROPOSED SPECIAL USE PERMIT/PARKING MODIFICATION/ADDITIONAL SEATING – 294 MAIN STREET (CHARLOTTE’S YOGURT SHOP) – Upon a motion made by Trustee Ryan and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2014-161), to open the public hearing.

Architect Barbara Bundas presented the application.

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

There being no comment from the Board, Mayor Ekstrand asked for comment from the public.

- Mr. Diurno, Fairview Road, inquired about fire code with the increase in occupancy.

There being no further comment, upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2014-162), to close the public hearing.

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

RESOLVED (#2014-163), that the Village Board declares itself Lead Agency pursuant to SEQRA and classifies this action as an unlisted action with no significant, adverse environmental impacts and issues a negative declaration and notice of determination of non-significance.

Upon a motion made by Deputy Mayor Christiansen and seconded by Trustee Ryan, the following was unanimously, **RESOLVED (#2014-164)**,

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

WHEREAS, Charlotte’s Yogurt Shop (“APPLICANT”) is the tenant of the property located at 294 Main Street, Farmingdale New York, 11735, said parcel being known on the Nassau County Tax Maps as Section 49; Block 9701; Lot 58 (“PROPERTY”).

WHEREAS, the PROPERTY is located within the Downtown Mixed Use (“D-MU”) Zoning District of the VILLAGE; and

WHEREAS, APPLICANT desires to renovate the existing building on the PROPERTY to operate a yogurt shop with 38 seats in accordance with the plans prepared by Steven J. Trejbert, P.E., dated August 20, 2013 (“ACTION”) and has applied for a building permit in connection with the ACTION; 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, in accordance with General Municipal Law Section 239-m, the ACTION was referred to the Nassau County Planning Commission (“NCPC”) for review; and

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the D-MU Zoning District, Article XIV, of the Zoning Code of the Inc. Village of Farmingdale in that the proposed use would require a special use permit and upon the ground that it lacked the required parking (a shortfall of 12.7 spaces); and

WHEREAS, The VILLAGE BOARD may, in accordance with Article XIV, Section Section 105-94 A(1), grant a special use permit for a yogurt shop with 38 seats; and

WHEREAS, Article XIV, Section 105-112, of the Zoning Code of the Inc. Village of Farmingdale allows the VILLAGE Board of Trustees, following a public hearing, to modify the requirements of Article XIV and provide relief from Section 105-97 by waiving up to 90 percent of the required off street parking spaces provided that the applicant makes a payment in lieu thereof to Village Capital Reserve Fund; and

WHEREAS, APPLICANT has applied for a special use permit to operate the yogurt shop with 38 seats pursuant to Article XIV, Section 105-94 A(1)and for relief from Section 105-97 and has agreed to make a parking waiver payment in accordance with Section 105-112; and

WHEREAS, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the Board of Trustees, on December 2, 2013, held a public hearing in connection with the ACTION; and

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

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

NOW, THEREFORE BE IT DECIDED, the Board of Trustees grants the Special Permit to operate a yogurt shop, provided that the following conditions are satisfied:

1. There is full compliance with the plans prepared by Steven J. Trejbert, P.E., dated August 20, 2013 and all Federal, State, or local law and any directives of the Building Department of the VILLAGE.
2. Payment in the amount of Five Thousand Dollars (\$5,000) is made to the Parking Reserve Fund of the Inc. Village of Farmingdale. Payments shall be made as follows: No less than \$1,677 shall be paid on or before the 1st day of June 2014; No less than \$1,677 shall be paid on or before the 1st day of June 2015; and the final payment of the Five Thousand Dollars (\$5,000) shall be paid on or before the 2nd day of December, 2016. APPLICANT shall enter into an agreement with the VILLAGE memorializing this understanding; and

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

3. The VILLAGE is reimbursed for all expert or consultant fees incurred by it connection with the ACTION and there is full compliance with Section 105-103 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; and
4. APPLICANT shall comply with any directives or requests of the NCPC; and
5. 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.

This approval is granted by a vote as follows:

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

285 EASTERN PARKWAY FAÇADE – Mayor Ekstrand thanked Mr. Staller for listening to comments and making changes to the design. Upon a motion made by Trustee Parisi and seconded by Trustee Ryan, the following was unanimously, **RESOLVED (#2014-165)**,

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

WHEREAS, SPA 79 M.L.P (“SPA”) is the owner of the property located at 285 Eastern Parkway, Farmingdale, NY, and also known as, and designated on the Nassau County Land and Tax Maps, Section 49, Block 57, Lot 110 (“PROPERTY”); and

WHEREAS, on the 5th day of August, 2013 the VILLAGE granted SPA special permit and Site Plan Approval in accordance with it decision of the same date to construct a new 3 ½ story residential building consisting of 27 apartments with 55 car parking; and

WHEREAS, after the approvals were granted as aforesaid, the VILLAGE met with concerned village residents about the proposed façade of the proposed building; and

REGULAR MEETING OF THE BOARD OF TRUSTEES

Monday, December 2, 2013

INC. VILLAGE OF FARMINGDALE

WHEREAS, the VILLAGE thereafter met with SPA and advised SPA of the aforesaid village resident concerns; and

WHEREAS, SPA, thereafter, submitted plans prepared by GRCH Architecture to address the concerns of the village residents; and

WHEREAS, the revised plans were cosmetic in nature, modifying only the façade's appearance; and

WHEREAS, the VILLAGE reviewed the plans and now wishes to amend the August 5, 2013 approvals to permit the SPA to construct the façade as it is depicted in the plans identified as Scheme I, titled 'Oakview Avenue Elevation', prepared by GRCH Architecture dated October 30, 2013, leaving in full force and effect all of the other provisions and requirements of the August 5, 2013 decision;

NOW, THEREFORE BE IT DECIDED, The VILLAGE Board Of Trustees amends the special permit, site plan approval and development incentive bonuses approval granted on August 5, 2013 to permit the façade as depicted in the plans identified as Scheme I, titled 'Oakview Avenue Elevation', prepared by GRCH Architecture dated October 30, 2013; the VILLAGE Board of Trustees' August 5, 2013 decision shall in all other respects remain in full force and effect.

This approval is granted by a vote as follows:

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

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

RESOLVED (#2014-166), to set the following public hearings for January 6, 2014 at 8:00 p.m.:

- Proposed Special Use permit for additional seating and site plan approval for 282 Main Street (Farmingdale Diner LLC)

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

RESOLVED (#2014-167), that the Abstract of Audited Vouchers #1060 dated December 2, 2013 be approved for payment with the exception of some held.

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

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

RESOLVED (#2014-168), to approve the wire transfers made since the prior meeting, as annexed to these minutes.

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:

- Stratford Green Homeowners is requesting use of the Court Room on Tuesday, December 10, 2013 from 7:00 p.m. to 9:00 p.m. to hold their Association meeting.
- Farmingdale Baseball League is requesting to hold its Annual Opening Day Parade on Sunday, April 27, 2014 at 2:00 p.m.

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

Nat. Grid RO 13-17	Bell hole for gas service on Secatogue Ave. between Conklin St. & Van Cott Ave.	N/A
Gross 42 Anita Pl. FP 13-28	Erect 6' high wood fencing on side property line at rear of house.	N/A
Lin Yan Zheng 252 Main St. DB 13-78	Replace front door, windows and rear planter box.	X
Bartone Properties 120 Secatogue Ave. DP 13-06	Demolish existing building.	N/A
Haberman 100 Cherry St. FP 13-29	Erect approx. 80 ft. of 6' PVC fencing on Wesche Dr. ZBA approved 9/10/13.	N/A
Ophals 30 Harrison Pl. DB 13-79	Enclose garage with windows and doors.	N/A
Distefano 65 Hill Rd. PP 13-37	Install new gas boiler. Oil to gas conversion.	N/A
St. Luke's Church 170 Conklin St. DB 13-80	Replace existing roof.	N/A
Dark Horse Tavern 273 Main St. DB 13-81	Interior renovations for new tavern.	N/A
Living Faith Church 25 Hempstead Tpke. DB 13-82	Parking lot expansion with drainage, landscaping and lighting.	X
Snelling 98 Staples St. PP 13-38	Install two gas boilers, two gas stoves, and one gas dryer.	N/A
Kilday 177 Staples St. PP 13-39	Install gas boiler. Oil to gas conversion.	N/A

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

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

RESOLVED, to issue 5 taxi permits pending receipt of additional information.

7-11 SIGN MONUMENT – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2014-169), to approve construction of a monument sign at 150 Main Street (7-11) conditioned on removal of light boxes and their participation in the Village sign program.

COMMUNITY SUMMIT EXPO – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2014-170), to approve the purchase of a table at the Annual Community Summit Expo and Health Fair on March 25, 2014 at Farmingdale High School from 6:00 to 8:30 p.m.

GERNGRAS PARK EQUIPMENT – This resolution has been tabled until January 6, 2014.

GOOD & WELFARE – A discussion began on the following topics:

- Parking issues on Elizabeth Street and Melville Road.
- Empty store fronts on Main Street
- Applicant plans for Fire Department

ANNUAL COMMERCIAL VEHICLE PARKING FEES – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2014-171), to approve annual parking fees for overnight van and truck parking in designated municipal lots within the Village. Commercial vehicle fee is \$100.00, Not-For-Profit vehicle fee is \$25.00, and Government vehicles will be exempt.

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

RESOLVED (#2014-172), to approve the allocation of Barclay funds to a predetermined list of charities, as discussed and agreed upon by this Board.

PARKING WAIVER AGREEMENT – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

RESOLVED (#2014-173), to approve a parking waiver agreement between building department applicants and the Village.

2012/2013 JUSTICE COURT AUDITED FINANCIALS – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2014-174), to accept the 2012/2013 Village Justice Court audit as presented by NawrockiSmith, CPA's.

2012/2013 VILLAGE AUDITED FINANCIALS – Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2014-175), to accept the 2012/2013 Village audit as presented by NawrockiSmith, CPA's.

DESIGN ELEMENTS & SIGN CODE – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2014-176), to approve the hiring of Jonathan Martin to do design elements and evaluate and produce new sign code for outside the downtown area subject to negotiation of costs and confirmation of costs to be reimbursed by CDBG funds.

LIGHT & SIGN PROGRAM – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2014-177), to approve the hiring of Barbara Bundas to provide renderings for the Village light and sign program subject to negotiation and confirmation of costs to be reimbursed by CDBG funds.

BEAUTIFICATION – Deputy Mayor Christiansen reported that the committee is very close to being finished with Holiday decorating.

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

RESOLVED, to move to Executive Session to discuss 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 10:15 p.m.

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 2, 2013
INC. VILLAGE OF FARMINGDALE

Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer