

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday, December 7, 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, December 7, 2015.

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 Andrew Fisch

Absent: Trustee Thomas Ryan

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

ANNOUNCEMENTS ó Mayor Ekstrand made the following announcements:

- Next Board meeting with public comment period will be held on Monday, January 4, 2016 at 8:00 p.m.
- The Board of Trustees Work Session scheduled for December 21st has been cancelled.

REGULAR MEETING BUSINESS ITEMS – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, the following items were unanimously, **RESOLVED (#2016-12-01)**,

- Abstract of Audited Vouchers #1084 dated December 7, 2015
- October Wire Transfers
- Minutes of 11/2, 11/16 and 11/30 work sessions
- Taxi Permits
- Peddler permit ó Pronto NY Famous Brick Oven Pizza
- Use of Village Property:
 - Sgt. Thomas Heinsohn from the Hicksville Substation for USMC is requesting use of the court room on Saturday, December 12, 2015 from 10:00 a.m. to 3:00 p.m. for a Marine Corp Christmas party.

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- Island Gardens Owners Association is requesting to hold its annual shareholderø meeting in the court room on Tuesday, January 12, 2016 from 7:00 to 10:00 p.m.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
2 Old LLC 261 Oakview Ave. DB 15-118	Maintain finished basement with three piece bath.	N/A
Fardale Owners 6-26 Ivy St. DB 15-119	Brick façade repairs 6-26 Ivy St.	N/A
Greiner 15 Leonard St. PP 15-29	Replace sewer line from curb to house.	N/A
Greiner 15 Leonard St. SWP 15-20	Replace two sidewalk flags.	N/A
Glikos 984 Fulton St. DB 15-120	Replace asphalt, curbing & landscaping.	N/A
Bartone 100 S. Front St. FP 15-23	Erect 6ø vinyl fence on north side of property and metal estate fence on right of way.	N/A
Simon 146 Fairview Rd. DB 15-121	Install 14øx28ø in ground pool.	N/A
Shaw 3 McCarthy Ct. DB 15-122	Install 49 roof mounted solar panels.	N/A
Glass 155 Main St. DB 15-123	New 3 story apartment building.	X
Healey 93 Jefferson Rd. PP 15-30	Install gas boiler and hot water heater. Oil to gas conversion.	N/A
Foreman 769 Fulton St. PP 15-31	Install gas boiler/hot water heater and gas generator.	N/A
Maurer 53 William St. DB 15-124	Install solar panels.	N/A
Kelley 324 Melville Rd. DB 15-125	Maintain finished basement and enclosed porch. ZBA approved 11/12/15.	N/A
Zucaro 168-178 Fulton St. DP 15-10	Demolish all structures.	N/A
Zucaro 190 Fulton St. DP 15-11	Demolish all structures.	N/A
Finnerty 39 Merokee Pl. DB 15-126	Second floor master bedroom addition.	N/A

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Cecchini 8 Hampshire Dr. DB 15-127	Install 22 solar panels.	N/A
Nemeth 288 Van Cott Ave. DB 15-128	Install 26 solar panels.	N/A
Lerner 33 Linwood Ave. DB 15-129	Construct 6x20 kitchen addition.	N/A
Roden 5 Sullivan Rd. SWP 15-21	Replace 37 sidewalk flags.	N/A
Pleines 182 Melville Rd. PP 15-33	Direct replacement of gas boiler.	N/A

PUBLIC HEARING DATES – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously **RESOLVED (#2016-12-02)**, to set the following public hearing for January 4, 2016 at 8:00 p.m.:

- Proposed renewal of Special Use permit for operating a repair facility for 994 Fulton Street (Star Transmission)

PUBLIC HEARING PROPOSED SPECIAL USE PERMIT SEATING/OFF STREET PARKING/LOADING FOR 180 ATLANTIC AVENUE (STARBUCKS) – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-03), to open the public hearing.

Robbie Lee presented the application for a proposed Starbucks restaurant/coffee shop.

Superintendent Fellman explained the parking fees.

Mayor Ekstrand asked for public comment.

The following topics were discussed:

- Hours of operation
- Wi-Fi availability
- Parking concerns

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

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RESOLVED (#2016-12-04), to close the public hearing.

Upon a motion made by Trustee Barrett and seconded by Trustee Parisi, the following was unanimously, **RESOLVED (#2016-12-05)**,

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

WHEREAS, Train Station Coffee Shop, LLC. (APPLICANT) is the tenant of the property located at 180 Atlantic Avenue, Farmingdale, New York and known as Section - 49; Block 80; Lot 5 (the öPROPERTYö); and

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

WHEREAS, APPLICANT proposes to operate a coffee shop with thirty (30) seats (ACTION) and has submitted a building permit application 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, (öSEQRAö); and

WHEREAS, The Board of Trustees for the Incorporated Village of Farmingdale (öVILLAGE BOARDö) 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, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the zoning code of the Incorporated Village of Farmingdale (the öCodeö): (1) special permit required for drinking establishments with more than twelve (12) seats (Code §600-127; §600-128); (2) Ten (10) parking spaces provided where twenty-seven (27) are required (Code §600-131); and (3) No loading space provided (Code §600-141).

WHEREAS, Article XIX, Section 600-143, 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, and provide relief from, Section 600-131 by waiving the required off street parking spaces provided that the applicant makes a payment in lieu thereof to Village Capital Reserve Fund for Village Parking; and

WHEREAS, Article XVIII, Section 600-131(C) authorizes the VILLAGE Board of Trustees to waive off-street loading and unloading requirements where such loading is infeasible given existing parking lots that otherwise serve the subject site; and

WHEREAS, APPLICANT has applied for a special use permit to operate the intended use and for relief from Section 600-131 (A) (Off Street Parking Deficiencies); and Section 600-131(C) (Loading Requirement Deficiencies) in accordance with the Zoning Code of the Inc. Village of Farmingdale; and

WHEREAS, the VILLAGE has considered the previous special permit approval granted in connection with the Front Street Redevelopment at 120 Secatogue Avenue and

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the amenities provided, and the payments made, in exchange for the incentive bonuses authorizing that development; and

WHEREAS, the VILLAGE received, in connection with the Front Street Redevelopment, amenities and payments to account for the parking deficiencies at 120 Secatogue Avenue; and

WHEREAS, the TS COFFEE SHOP is located within the Front Street Redevelopment area; and

WHEREAS, the VILLAGE desires to give APPLICANT a credit for the amenities and payments previously made in connection with the Front Street Redevelopment for the retail parking component of the Front Street Redevelopment, so as to not require to APPLICANT to account for parking that was previously accounted for in the Front Street Redevelopment grant; and

WHEREAS, APPLICANT has agreed to enter into a parking waiver agreement, demonstrating compliance with Section 600-143; and

WHEREAS, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the Board of Trustees, on December 7, 2015, 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, that VILLAGE BOARD grants a Special Permit to operate a coffee shop with thirty (30) seats, waiver of onsite parking and loading requirements and Development Incentive Bonuses subject to the following conditions:

1. Full compliance with:
 - a. the plans of Thomas D. Blore Architect, P.C. (Design Republic) dated June 15, 2015 and revised July 7, 2015 (G-0001 - G0005; G-0010 - G-0021; C0-1; A-2001; I-1103 ó I-1105; I-1107 ó I-1109; I-1111; I-2101 - 2102; I-2105; I-4102; I-5001 - I-5007; I-5011 ó I-5013; I-6001 ó I-6002; P-0001; P-1101; P5001; M-0001; E-0001; E-1101; E-5001).
 - b. all Federal, State, or local law and any directives of the Building Department of the Inc. Village of Farmingdale; and
 - c. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board.
2. APPLICANT shall make payment in the amount of Ten Thousand Dollars

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(\$10,000) to the Capital Reserve Fund of the Inc. Village of Farmingdale for Village Parking. Payments shall be made as follows: Two Thousand Five Hundred Dollars (\$2,500) shall be paid at the time the certificate of occupancy is issued (Initial Parking Waiver Payment); One Thousand One Hundred Dollars (\$1,100) shall be paid on or before the first anniversary date of the Initial Parking Waiver Payment; and Eight Hundred Dollars (\$800) shall be made on or before the anniversary date of the Initial Parking Waiver Payment in years three (3) through ten (10); and

3. APPLICANT shall enter into a parking waiver payment agreement, which agreement shall be in a form acceptable to the VILLAGE and compliant with the schedule in paragraph 2, no later than upon issuance of the building permit. The special permit grant hereunder shall have no force and effect until APPLICANT has executed such parking waiver payment agreement; and
4. APPLICANT shall reimburse the VILLAGE for all expert or consultant fees incurred by it connection with the ACTION. 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
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	absent

PUBLIC HEARING PROPOSED SPECIAL USE PERMIT FOR DRIVE THRU WINDOW 450 MAIN STREET (CVS PHARMACY) – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-12-06), to open the public hearing.

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Anthony Guardino from Farrell Fritz presented the application to open a pharmacy with a drive thru window at the old Waldbaum's site.

Andrew Nee of VHB presented drawings showing the drive thru flow of traffic.

Marco Neves of Neves Architecture presented the drawings.

Mayor Ekstrand asked for public comment.

The following topics were discussed:

- Size of building/occupied space
- Parking

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

RESOLVED (#2016-12-07), to close the public hearing.

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

RESOLVED (#2016-12-08) That the Village Board declares itself, pursuant to SEQRA, as Lead Agency in connection with the proposed application; and

FURTHER RESOLVED, that the Village Board classifies this application as an unlisted action which will not result in any significant adverse environmental impact; and

FURTHER RESOLVED, that the Village Board issues a negative declaration and notice of determination of non-significance in connection with this application.

FURTHER RESOLVED, that the Village Board directed the Village attorney to send the proposed application to Nassau County Planning.

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

RESOLVED (#2016-12-09), to send this application to the Village's ARB/Planning Board.

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CONTINUED PUBLIC HEARING PROPOSED SPECIAL USE PERMIT & SITE PLAN APPROVAL 824 AND 832 FULTON STREET (BARTONE & PELLERITO HOLDINGS LLC) – Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-10), to continue the public hearing.

Mayor Ekstrand stated that Nassau County Planning approved local determination in this matter.

Anthony Bartone explained that 4 color schemes were approved by the Planning Board.

Incentives were presented to the Board ó Exhibit A, annexed to these minutes.

Mayor Ekstrand asked for public comment.

The following topics were discussed:

- Affordable housing units

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

RESOLVED (#2016-12-11), to close the public hearing.

Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, the following was unanimously, **RESOLVED (#2016-12-12)**,

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

WHEREAS, Bartone & Pellerito Holding, LLC. (APPLICANT) is the owner of the property located at 824-832 Fulton Street, Farmingdale, New York and known as Section 49; Block 166; Lots 60, and 65(the öPROPERTYö); and

WHEREAS, the PROPERTY is currently located in the Business D Zoning District of VILLAGE; and

WHEREAS, APPLICANT proposes to construct twenty-four (24) Townhouses on the PROPERTY (ACTION) and has submitted a building permit application in connection with the ACTION; and

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WHEREAS, in connection with the ACTION, APPLICANT has submitted the plans of Gary D. Cannella Associates dated June 22, 2015, last revised July 6, 2015; and

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

WHEREAS, The Board of Trustees for the Incorporated Village of Farmingdale (öVILLAGE BOARDö) 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 for review; and

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the zoning code:

§600-100(N) ö Town Houses require a Special use Permit from the Board of Trustees.

§600-100(N) ö Units per acre shall be no greater than eleven (11) (30 acre proposed).

§600-100(N)3 ö Height shall be no greater than 2 ½ stories or 30 feet (3 stories or 36 feet is proposed).

§600-100(N)1 ö Front yard setback shall be no less than 20 feet (12 feet is proposed).

§600-100(N)2 ö The rear yard setback shall be a minimum of 25 feet (10 feet is proposed).

§600-100(N)5 ö The minimum side yard for the plot devoted to town house use shall be 20 feet (6 feet and 10 feet are proposed).

§600-100(P)A ö Incentive bonus required for tandem parking.

§600-100(P)A ö Incentive bonus required to eliminate loading space (one required, zero provided).

An application may be made to the Village Board of Trustees for consideration.

WHEREAS, pursuant to §600-100(P) of the VILLAGE Code, the VILLAGE BOARD has the authority to award development incentive bonuses varying the requirements of the D-MU Zoning District as well as the parkland requirements of Chapter 264 of the Code of the VILLAGE; and

WHEREAS, APPLICANT has applied for a special use permit and has applied for development incentive bonuses and a waiver of the requirements of the VILLAGE Code pursuant to §600-100(P);

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WHEREAS, In accordance with the Zoning Code of the VILLAGE, the VILLAGE BOARD, on September 8, 2015 and December 7, 2015, held public hearings 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

WHEREAS, on October 1, 2015, the Nassau County Planning Commission voted to disapprove the ACTION; and

WHEREAS, after further submissions to the NCPC, the NCPC, on December 3, 2015, deferred to the VILLAGE to take any action it deemed appropriate in connection with the application.

NOW, THEREFORE BE IT DECIDED, that VILLAGE BOARD grants a Special Permit, to construct twenty-four (24) Townhouse units, waiver of onsite parking and loading requirements and Development Incentive Bonuses subject to the following conditions:

6. Full compliance with:
 - a. the plans prepared by Gary D. Cannella Associates dated June 22, 2015, last revised July 6, 2015; and
 - b. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board.
7. APPLICANT shall make development incentive bonus payments in the amount of One Hundred Twenty Nine Thousand Sixty Three Dollars (\$129,063) payable as follows:
 - a. in the amount of \$10,000 (Ten Thousand Dollars) upon the issuance of the certificate of occupancy or before January 15, 2017, whichever is earlier (Initial Development Incentive Bonus Payment); and
 - b. in the amount of \$10,000 (Ten Thousand Dollars), on the anniversary date of the Initial Development Incentive Bonus Payment, in years 2 through 12; and
 - c. in the amount of Nine Thousand Sixty Three Dollars (\$9,063) on the anniversary date of the Initial Development Incentive Bonus Payment, in year 13; and

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- d. APPLICANT shall enter into an agreement with the VILLAGE confirming the development incentive payments; and
3. APPLICANT shall set aside four (4) units as workforce or affordable housing in accordance with §600-133.
4. APPLICANT shall also:
- a. Provide and install landscaping satisfactory to the Planning Board;
 - b. Provide and install 115 feet of estate style fencing along roadway satisfactory to the Planning Board;
 - c. Not install any satellite, cell phone antennas or other telecommunication facilities upon the PROPERTY without the prior written approval of the VILLAGE BOARD. APPLICANT relinquishes any rights it has or may have to the installation of, or the remuneration for the installation of, of same upon the PROPERTY. The VILLAGE, in its sole discretion, may by written approval of the VILLAGE BOARD grant the right to install such antennas. In the event that any such are installed upon the PROPERTY site without the prior written approval of the VILLAGE, APPLICANT agrees to pay the VILLAGE, a fine, of two hundred fifty dollars (\$250.00) per day for each day that the installation exist without the proper written approval or a per day dollar amount which is equal to two (2) times the daily rental fee any third party has agreed to pay APPLICANT, whichever is greater.
 - d. Otherwise comply with all Federal, State, or local law and any

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- e. directives directives of the Building Department of the VILLAGE.
- f. Reimburse the VILLAGE for all expert or consultant fees incurred by it connection with the ACTION and there is full compliance with Section 600-100(V) of the Code of the VILLAGE. 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.

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	absent

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

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

RESOLVED (#2016-12-13), to open the public hearing.

Mayor Ekstrand explained that this hearing was opened in June and has been adjourned numerous times. It was sent to Nassau County Planning in July and the Village was given local determination.

Mayor Ekstrand explained that the applicant will purchase 1 parking space for \$5,000 over 3 year period.

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

RESOLVED (#2016-12-14), to close the public hearing.

Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, the following was unanimously, **RESOLVED (#2016-12-15),**

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

WHEREAS, Aldo Paulino ó GTM Sports Bar (APPLICANT) is the tenant of the property located at 306 Main Street, Farmingdale, New York and known as Section 49; Block 9701; Lot 59 (the öPROPERTYö); and

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

WHEREAS, APPLICANT proposes to operate a sports bar with twenty-nine (29) seats (ACTION) and has submitted a building permit application 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, (öSEQRAö); and

WHEREAS, The Board of Trustees for the Incorporated Village of Farmingdale (öVILLAGE BOARDö) 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 for review; and

WHEREAS, the building permit application was denied on the grounds the proposed development did not comply with the requirements of the zoning code of the Incorporated Village of Farmingdale (the öCodeö): (1) special permit required for drinking establishments with more than twelve (12) seats (Code §600-127; §600-128); (2) six (6) parking spaces provided where sixteen (16) required (Code §600-131); and (3) No loading space provided (Code §600-131).

WHEREAS, Article XIX, Section 600-143, 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, and provide relief from, Section 600-131 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 for Village Parking; and

WHEREAS, Article XVIII, Section 600-131(C) authorizes the VILLAGE Board of Trustees to waive off-street loading and unloading requirements where such loading is infeasible given existing parking lots that otherwise serve the subject site; and

WHEREAS, APPLICANT has applied for a special use permit to operate the intended use and for relief from Section 600-131 (A) (Off Street Parking Deficiencies); and Section 600-131(C) (Loading Requirement Deficiencies) in accordance with the Zoning Code of the Inc. Village of Farmingdale; and

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WHEREAS, APPLICANT has agreed to enter into a parking waiver agreement, demonstrating compliance with Section 600-143; and

WHEREAS, In accordance with the Zoning Code of the Inc. Village of Farmingdale, the Board of Trustees, on December 7, 2015, 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

WHEREAS, on August 20, 2015, the Nassau County Planning Commission deferred to the Village to take any action it deemed appropriate in connection with the ACTION.

NOW, THEREFORE BE IT DECIDED, that VILLAGE BOARD grants a Special Permit to operate a sports bar with twenty-nine (29) seats, waiver of onsite parking and loading requirements and Development Incentive Bonuses subject to the following conditions:

8. Full compliance with:
 - a. the plans (General Notes, Basement Floor Plan, Reflected Ceiling Plan with Partial Section Details; and Site Plan Front Elevation plans) prepared by Thomas Vulpis, Jr., R.A dated January 24, 2015.
 - b. all Federal, State, or local law and any directives of the Building Department of the Inc. Village of Farmingdale; and
 - c. Recommendations and conditions of the Farmingdale Planning and Architectural Review Board.
9. APPLICANT shall make payment in the amount of Five Thousand Dollars (\$5,000) to the Capital Reserve Fund of the Inc. Village of Farmingdale for Village Parking. Payments shall be made as follows: Two Thousand Five Hundred Dollars (\$2,500) shall be paid at the time the certificate of occupancy is issued (öInitial Parking Waiver Paymentö); One Thousand Two Hundred Fifty Dollars (\$1,250) shall be paid on or before the first anniversary date of the Initial Parking Waiver Payment; and a final payment of One Thousand Two Hundred Fifty Dollars (\$1,250) shall be made on or before the second anniversary date of the Initial Parking Waiver Payment; and
10. APPLICANT shall enter into a parking waiver payment agreement, which agreement shall be in a form acceptable to the VILLAGE and compliant with

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the schedule in paragraph 2, no later than upon issuance of the building permit. The special permit grant hereunder shall have no force and effect until APPLICANT has executed such parking waiver payment agreement; and

11. APPLICANT shall reimburse the VILLAGE for all expert or consultant fees incurred by it connection with the ACTION. 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
12. 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	absent

CONTINUED PUBLIC HEARING PROPOSED LOCAL LAW – 2015 REVISION TO D-MU SIGN CODE – Mayor Ekstrand stated that this public hearing was closed and final revisions have been made.

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

RESOLVED (#2016-12-16), to adopt Local Law 14 ó 2015 Revision to D-MU Sign Code.

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

RESOLVED (#2016-12-17), to approve the following tax certs:

- 7-Eleven, Inc., Sec 49, Bl 298, Lot 93, 85 Merritt Road, for tax years 2007/08 through and including 2011/12 for a refund of \$9,500 with no reduction in the 2015/16 or 2016/17 final assessed value.

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- GZQ Realty, Co., Sec 49, Bl 165, Lots 84,85 108 110, 995 Fulton Street, for tax years 2009/10 through and including 2015/16 for a refund of \$4,000, reducing 2015/16 final assessed value to \$310,000. If assessment remains at the reduced value for tax years 2016/17 ó 2019/20, no Article 7 proceedings will be filed.
- Santos P. Hernandez, Sec 49, Bl 127, Lot 8, 230 Eastern Parkway, for tax years 2011/12 through and including 2015/16 for a refund of \$3,500, reducing the 2015/16 final assessed value to \$400,000. If assessment remains at the reduced value for tax years 2016/17 ó 2019/20, no Article 7 proceedings will be filed.
- Fardale Owners, Inc., Sec 49. Bl 168, Lots 316, 318, 320-323, 6-26 Ivy Street, for tax years 2010/11 through and including 2015/16 for a refund of \$27,000 to be payable as follows: \$13,500 to be payable within 120 days of the date of the signed Order & Judgment and \$13,500 to be payable one year after the signed Order & Judgment. There will be a reduction in the 2015/16 final assessed value to \$5,900,000. If assessment remains at the reduced value for tax years 2016/17 ó 2019/20, no Article 7 proceedings will be filed.

VHB ENGINEERING – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-18), to approve VHB Engineering to provide a review of parking requirements and transportation and planning consulting in connection with Bartone's Phase 1 and Phase 2 developments for a cost of \$2,500.00 to be billed to Bartone. .

SENSUS METER READING SOFTWARE – This resolution was tabled.

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

RESOLVED (#2016-12-19), to approve the replacement of the Sensus antennae for improved functionality and better response at a cost of \$6,500.00.

COMPUTER SUPPORT SERVICES – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-20), to authorize Mayor Ekstrand to execute a contract with Total Computer, effective 12/1/2015, for computer services at a cost of \$800.00 per month for the Village including Water and DPW.

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CHASE BANK CHECKING ACCOUNT – Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2016-12-21), to authorize the addition of one bank checking account with Chase Bank for the \$1.850 BAN to be issued in December.

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

RESOLVED (#2016-12-22), to approve Merrick Utilities as the low bidder for the creation of a new high pressure zone including the installation of all necessary piping and related materials and ordering and installing a new booster pumping system in the amount of \$529,230. Certain items are being rebid and the Board is authorizing a project cost of \$650,000.

PARKING LOT 4 - Upon a motion made by Trustee Parisi and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-23), to authorize soliciting bids for the reconstruction of Parking Lot #4.

PARKING LOT 2 – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-24), to award the contract to Roadwork Ahead as the low bidder for the reconstruction of Parking Lot 2 in the amount of \$893,791 to be completed in the spring of 2016.

LED STREET LIGHTING – Upon a motion made by Trustee Barrett and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2016-12-25), to authorize the solicitation of bids for LED Street Lighting.

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

RESOLVED (#2016-12-26), to authorize the solicitation of bids for the following:

- Landscape services
- Tree Trimming

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- Tree Vendor
- Electrical
- Plumbing/HVAC

BEAUTIFICATION – Deputy Mayor Christiansen reported that the Village decorations for the holiday season have been completed. Volunteers met on five separate occasions over the past three weeks to check the lights on the wreaths, decorate the fountain in Village Green, hang garland around the Gazebo and on the estate fencing at Village Green, hang all the wreaths on the light posts on Main Street, decorate the Main Street/Melville Road triangle and decorate Gerngras Park. The Beautification Committee was joined by volunteers from the community, Girl Scouts, Boy Scouts, Junior Firemen, members of the Farmingdale Women's Club, US Marine Corps recruits under the direction of Sgt. Tom Heinsohn, Village Trustees.

She also thanked members of our DPW Staff for all their help in stringing the lights on the tri-centennial tree and erecting the three trees in the Gazebo.

Deputy Mayor Christiansen stressed that this work could not be done without the many volunteers who commit to these efforts.

OLD BUSINESS - None

CORRESPONDENCE – None

PUBLIC COMMENT – A discussion began on the following topics:

- Merritt Road property
- Old Friendly's location
- Compliments on Main Street trees
- Lack of gutters and curbs on certain streets

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 9:40 p.m.

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Respectfully submitted,

Brian P. Harty, Village Clerk-Treasurer