

REGULAR MEETING OF THE BOARD OF TRUSTEES
Monday August 2, 2010
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, August 2, 2010

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

Mayor Starkie opened the meeting at 8:00 PM and asked Mary Ross to lead the meeting in the pledge to the flag.

SEPTEMBER BOARD MEETING – The Board set the next meeting date to be held on Tuesday, September 7, 2010 at 8:00 p.m. with a work session to begin at 7:00 p.m.

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

RESOLVED (#2011-43), that the Abstract of audited vouchers #1020 dated 08/02/10, be approved for payment with the exception of holding #65574 and #65604 pending clarification, remove sales tax and re-issue #65618 and #65627, correct the math error on #65605 and re-issue and on check # 65628 remove the invoice for \$1,440 and re-issue a check with the balance of the invoices.

ETHICS BOARD – Mayor Starkie announced the appointment of the following residents to the Board of Ethics:

Marie Gilmore – for a three-year term ending April 2013
Margaret Ross – for a four-year term ending April 2014
James Orobono – for a five-year term ending April 2015

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

RESOLVED (#2011-44), to approve the minutes of BOT Work Session on July 6th and July 19th and the BOT Public Meeting on July 6th, as amended.

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REQUESTS TO UTILIZE VILLAGE PROPERTY – The Board reviewed a request to allow Tai Chi to be practiced two mornings each week in a Village pocket park. After a discussion, the Board refused the request.

BLOCK PARTY APPLICATIONS – Upon a motion made by Trustee Ekstrand and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2011-45), to approve the following block party applications:

- Sunday September 5th – Kevin Faber – 34 Sullivan Rd. – from 12 pm to 11 pm – block:
 - a- Sullivan Road from Secatogue Ave. to Pinehurst Rd.
 - b- Taylor Road from Sullivan Rd. to Lincoln Rd.
 - c- Manetto Road from Sullivan Rd. to Pinehurst
 - d- Lincoln Road from Melville Rd. to Taylor Rd.
- Saturday August 21st – Joseph Carosella – 20 Quaker Lane – from 11 am to 11 pm – block Quaker Lane from Puritan Lane (south) to Puritan Lane (north).
- Sunday September 5th (rain date Monday 9/6) – Terri Morrison – 25 Roxbury Street – from 12 pm – 11 pm – block Roxbury St. between Thomas Powell Blvd and Hill Rd.

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

LOCATION	TYPE OF CONSTRUCTION/COMMENTS	ARB
Moran 53 Jefferson Rd. DB 10-45	Maintain garage conversion and rear addition.	N/A
Gino's Pizza 333 Main St. DB 10-46	Outdoor seating	N/A
Kittelstad 1 Benedict Ct. DB 10-47	Maintain existing rear deck	N/A
Podsiadlo 9 Jefferson Rd. DB 10-48	Install 16 solar panels on roof	N/A
Mascia 77 Duane St. DB 10-49	Maintain above ground swimming pool	N/A
Cascarino's Pizza 302 Main St. DB 10-50	Temporary out door seating	N/A
Dominican Restaurant 305 Main St. DB 10-51	Temporary out door seating	N/A
Library Café 274 Main St.	Temporary out door seating	N/A

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DB 10-52		
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TAXI PERMITS - Upon a motion by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2011-46), to issue taxi permits to Zoran Raskovic, Gerald T. Campbell, Joel Lafortune, Carmine P. Gioroano and Mark Loschin.

PUBLIC HEARING CABLEVISION FRANCHISE AGREEMENT RENEWAL – Upon a motion by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously resolved to open the public hearing. Administrator Harty read the public notice.

Peter Bee and Jeff Clark represented Cablevision. Pamela Goldstein represented Verizon's interest during the hearing. Ms. Goldstein requested that her letter to the Village with Verizon's concerns regarding the Cablevision agreement be part of the minutes and that it include a correction on the grants, which should total \$45,000, not \$40,000 reflected in the letter. Members of the public were asked for comments.

After discussion and upon a motion made by Trustee Ekstrand and seconded by Trustee Barrett, it was unanimously, resolved to move to executive session to discuss a legal matter with the Village Attorney.

Upon a motion made by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously, resolved to reconvene the public hearing on the Cablevision Franchise Agreement.

Mayor Starkie asked Mr. Bee to remove section 5.2.4 of the agreement, which would allow Cablevision to reduce its grant money if a more advantageous agreement is reached with another provider. Mr. Bee agreed. Village Attorney Walsh stated that the agreement with amendments removing section 5.2.4 and changing the grants to total \$45,000 could be voted on. Upon a motion made by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously agreed to pass the following resolution:

Resolution authorizes the Mayor to execute the franchise agreement between the Incorporated Village of Farmingdale, and Cablevision Systems Long Island Corporation

WHEREAS, the Village of Farmingdale (hereinafter "Village) has requisite authority to grant franchises permitting and regulating the use of its streets, rights of way, and public grounds; and

WHEREAS, Cablevision Systems Long Island Corporation (hereinafter "Franchisee"), having previously secured permission of the Village to use such streets, rights of way, and public grounds under a franchise

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agreement that has petitioned the Village for a renewal of such franchise, and

WHEREAS, the Village has approved, after consideration in a full public proceeding affording due process, the character financial condition, and technical ability of franchisee; and

WHEREAS, the during said public hearing and proceeding, various proposals of the parties for constructing, maintaining, improving and operating the communications System described in a previously submitted proposed franchise renewal agreement were considered and found adequate and feasible; it is therefore,

RESOLVED (#2011-47), that the Honorable George Starkie, Mayor of said Village be and hereby is authorized to execute the previously submitted proposed franchise agreement, with amendments mentioned above, on behalf of said Village.

CONTINUATION OF PUBLIC HEARING ON PROPOSED SKATEBOARDING LOCAL LAW

– Mayor Starkie highlighted the changes made to the proposed local law including the removal of possible jail time for offenders, and the removal of the restriction of skateboarding in the business district. Mayor Starkie stated that he and the rest of the Board are looking to protect the investment made in the limited green space the Village owns.

After public discussion, upon a motion by Trustee Parisi and seconded by Trustee Barrett, it was unanimously resolved to close the public hearing.

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

RESOLVED (#2011-48), to adopt Local Law #4 of 2010 prohibiting skateboarding in the public parks and Village Green, removing the restrictions on the proposed law on skateboarding in parking fields and LIRR parking lots.

PUBLIC HEARING GARBAGE LAW – Upon a motion by Trustee Parisi and seconded by Trustee Ekstrand, it was unanimously resolved to open the public hearing. Administrator Harty read the public notice.

After public discussion and upon a motion by Trustee Ekstrand and seconded by Trustee Barrett, it was unanimously resolved to close the public hearing.

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

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RESOLVED (#2011-49), to adopt Local Law #5 of 2010 amending Village Code section 52-2 adding section 52-2 section D which states “Notwithstanding anything to the contrary herein, in certain commercial or business districts, the Board of Trustees may designate areas for placement for waste, trash and other refuse. In such cases, the Board of Trustees may prohibit commercial occupants or owners from placing trash in street containers or in containers left at the curb line”.

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

RESOLVED (#2011-50), to allow attendance at the NYCOM Fall Training School (Lake Placid NY), from September 21 to September 23, to Brian Harty and Barbara Kelly. Estimated cost of room’s \$270.58/night (at venue) includes meals; conference attendance is \$240 for the week. Two people attending for 4 nights \$2,644.64 (mileage not included) and it be

FURTHER RESOLVED (#2011-51), to allow attendance at NYS Building Officials Conference, from September 15 to September 17, to JoAnn Edling – Total cost of room, including meals, and conference attendance \$668.66 (mileage not included).

SMALL CLAIMS REPRESENTATIVE – Upon a motion made by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-52), to authorize Administrator Harty to sign the agreement with Michael Haberman Associates, Inc. for their services in representing the Village in 2010 Small Claims Proceedings. The fee for their service will be \$95/parcel and includes a market analysis, all negotiations and reporting requirements to the Village. Cases not successfully negotiated and disposed of will be litigated before hearing officers.

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

RESOLVED (#2011-53), to pay the following tax certioraris:

- Sec 49, Blk 102, Lots 37 & 146 – 380 Main Street \$23,000 payable \$11,500 in August 2010 and \$11,500 in August 2011. This payment covers tax year’s 2004/05 thru 2010/11.
- Payment to Property Tax Consultants for tax certiorari’s settled for the following properties and amounts for the 2005/2006 tax year including awarded filing fee reimbursement (\$30/household).

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○ 49/298/45 – 45 Stratford Grn	\$82.29
○ 49/298/19 – 19 Stratford Grn	\$81.96
○ 49/282/4 – 12 Hampshire Dr	\$87.65
○ 49/292/11 – 42 Quaker Ln	\$133.91
○ 49/98/354 – 84 Prospect St	\$104.25
○ 49/85/22 – 42 Oakview Ave	\$115.14
○ 49/100/25 – 39 Doud St	\$74.92
○ 49/33/49 – 20 Lenox Rd	\$161.90
○ 49/204/9 – 92 Jefferson Rd	\$127.38
○ 49/219/25 – 9 Quaker Ln	\$523.25
○ 49/204/237 – 950 Fulton St	\$57.65
○ Total	\$1,550.30

OUTDOOR SEATING – Upon a resolution by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2011-54), to allow two outdoor tables to Library Café, Dominican Restaurant and Gino’s and one outdoor table to Cascarino’s.

PARKING PERMITS – Upon a resolution by Trustee Ekstrand and seconded by Deputy Mayor Christiansen, it was unanimously,

RESOLVED (#2011-55), to prorate the cost railroad parking permits for the balance of the year.

ALFANO REFUND – Upon a resolution by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2011-56), to refund the building and plumbing permit fees paid by Jeff Alfano of 89 Hallock Street in June, 2006. Building Department did not approve the permit.

PHASE I ENVIRONMENTALS - Upon a resolution made by Trustee Ekstrand and seconded by Trustee Barrett it was unanimously,

RESOLVED (#2011-57), to award contract to the H2M low bidder for a cost of \$16,500 to be paid with BOA grant funds.

AWARD CONCRETE, PAVER & CURB CONTRACT – Upon a resolution made by Deputy Mayor Christiansen and seconded by Trustee Parisi it was unanimously,

RESOLVED (#2011-58), to award requirements contract to Stasi Brothers the low bidder based on unit pricing. Work will be paid using CDBG funds.

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ICE CREAM DONATION – Upon a motion by Deputy Mayor Christiansen and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-59), to accept the donation of ice cream for the Village Pops Concerts from Checker Cab and for the movie nights from the Breakfast and Luncheon Rotary Clubs. Approximate value of donation is \$4,000.

SACCARDI & SCHIFF - Upon a motion made by Trustee Parisi and seconded by Trustee Barrett, it was unanimously,

RESOLVED (#2011-60), to approve Saccardi and Schiff as contractor relating to certain matters with the BOA Grant.

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

RESOLVED (#2011-61), to authorize Administrator Harty to purchase a generator including transfer switch not to exceed \$35,000. Purchase can be made off the State contract list or if better pricing (for the same or equivalent unit) from a local vendor.

FURTHER RESOLVED, to authorize Administrator Harty to initiate the creation of a RFP for the installation of the unit.

OLD BUSINESS – The following items was discussed:

- Deputy Clerk-Treasurer Kelly gave an update on the equipment listing reporting that removal of unused equipment and reductions in collision coverage for older vehicles produced a \$4,000 savings.
- Deputy Mayor Christiansen reported that speeding on Jefferson Road and Thomas Powell has been reduced due to an increased presence of Nassau County Police.

GOOD & WELFARE

- Mr. Mazarefe, 12 Merritts Road, thanked the Board for the improvement in the conditions at the Hubbard property
- Ms. Hare, 9 Arthur Street, requested to have enforcement at a stop sign placed at Thomas Powell and Arthur Street. She also requested to have the truck traffic using these roads as a short cut eliminated.
- Mr. Carosella, 21 Sherman Road, mentioned that the stop sign on the corner of Arthur and Thomas Powell is in the wrong location.
- Mr. Ezzo, 131 Prospect Street, asked to have DPW cut two limbs from a Village tree.
- Ms. Giustino, 254 Main Street, discussed problems with a drainpipe on 266 Main Street.

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ALARM SYSTEM – Homeland Security mandates that the Village have alarms on our wells. The current security bids need some clarification but will be awarded at the August 16th work session.

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

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

At 12:20 a.m. upon a motion duly made and seconded, it was unanimously,

RESOLVED, to reconvene the meeting.

L.I. CHECKERED CAB – The Board discussed the request from LI Checkered Cab to allow them a passenger van dedicated to a fixed route between the train station and SUNY Farmingdale. Upon a motion made by Trustee Ekstrand and seconded by Trustee Parisi, it was unanimously,

RESOLVED (#2011-62), to allow both cab companies, licensed by the Village, the ability to have one van with the following conditions:

- Limited to one 14-passenger van running exclusively from the train station to Farmingdale SUNY.
- Service provided morning and afternoons
- Fees for the service not to exceed \$4.00 in each direction.

The Board of Trustees reserved the right to revoke this license at their discretion.

There being no further business the meeting was adjourned at 12:21 a.m.

Respectfully submitted,

Brian P. Harty
Administrator, Village Clerk-Treasurer