

## REGULAR MEETING – BOARD OF TRUSTEES January 24, 2006

The regular meeting of the Board of Trustees of the Incorporated Village of Farmingdale was held in Village Hall, 361 Main Street, Farmingdale, New York at 7:30 PM on January 24, 2006.

Present: Mayor George Graf  
Trustee Benjamin Giminaro  
Trustee Thomas Langon  
Trustee Theodore Dorfmeister  
Village Administrator - Dave Smollett  
Village Attorney - Gregory W. Carman, Jr., Esq.  
Building Superintendent – Ronald Craig  
Superintendent of Public Works – Fred Zamparelle  
Glenn Norjen

Mayor Graf opened the regular meeting at 7:38 pm with the pledge to the flag led by Trustee Langon followed by a moment of silence.

Mayor Graf introduced new Village Administrator David E. Smollett.

It was moved by Trustee Dorfmeister, seconded by Trustee Langon to approve the Minutes of December 13, 2005 and January 3, 2006. Trustee Giminaro questioned the minutes of December 13, 2006 regarding a vote to spend \$15,000.00 on holiday decorations. He stated that a vote was never taken and the minutes are wrong. Mayor Graf and Deputy Mayor Rachiele stated that they remembered the vote. Deputy Mayor Rachiele then read the legal opinion he had received from NYCOM regarding the legality of a municipality spending funds on decorations. The legal opinion stated that it is okay as long as the decorations do not have a religious theme. Village Attorney Carman stated that a vote had been taken to set aside the money but he would have to see the decorations chosen in order to make a determination whether they violated the establishment clause. The cost of hanging, repairing and storing the decorations was brought up and Superintendent of Public Works Zamparelle stated that it has been past practice for decades to pay an outside firm to hang, repair, remove and store the decorations and that this cost will be paid whether we have new decorations or the same old ones. He stated that many Villages hire the same firm as Farmingdale to do these tasks because it is more cost effective than doing it ourselves.

Deputy Mayor Rachiele moved that for clarification purposes a vote be taken to purchase holiday decorations which were shown in the catalog at a previous meeting at a cost of no more than \$15,000.00. Trustee Langon seconded the motion. Motion carried, all voting 'Aye'. Trustee Giminaro voting "Nay".

The motion to approve the minutes of December 13, 2005 and January 3, 2006 carried. All voting "Aye". Trustee Giminaro voting "Nay".

It was moved by Trustee Langon, seconded by Trustee Dorfmeister to approve the Abstract of Audited Vouchers, # 964 for January 3, 2006. Motion carried, all voting 'Aye'.

Mayor Graf took this opportunity to swear in the new Village Administrator David Smollett.

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It was moved by Trustee Dorfmeister, seconded by Trustee Langon to approve the following building permits:

DB 06-01	37 Sherman Rd	Rear, Porch & 2 <sup>nd</sup> Story additions
DB 06-02	309 Main St	Add 24 seat dining area
DB 06-03	107 Fulton St	Maintain Chinese takeout restaurant
DB 06-06	95 Fulton St	Maintain health club occupancy

Motion carried, all voting "Aye".

It was moved by Trustee Langon, seconded by Trustee Dorfmeister to approve the refund of a building permit in the amount of \$2,750.00 to Rick Pinto of 12 Jefferson Road because the permit was withdrawn and the new dwelling would not be built. Motion carried, all voting "Aye".

It was moved by Trustee Langon, seconded by Trustee Dorfmeister to approve the following tax certiorari as recommended by Tax Counsel Charles Firmbach.

Section: 49, Block: 97-1, Lot 519	\$8,700.00 Refund
North Fork Bank	

Motion carried, all voting "Aye".

It was moved by Trustee Langon, Seconded by Deputy Mayor Rachiele to hold a Board of Trustees meeting on February 21, 2006 at 7:30 pm at Village Hall. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve the annual training seminar for Court Clerk Patty Haas and to approve Building Superintendent Ron Craig and Village Administrator Dave Smollett to attend an upcoming seminar held by General Code. Motion carried, all voting "Aye".

Superintendent of Public Works Fred Zamparelle introduced Rich Baldwin of Friendly Bytes Software and Bradd Everly and Jan Pilawski of Sensus Water who showed a power point presentation about the new Sensus Water system that the Village of Farmingdale had approved for purchase. After the presentation the Board of Trustees and the gentlemen from Sensus Water answered questions from the audience.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to schedule a public hearing on February 21, 2006 to hear the application of 190 Main Street for a special use permit for catering use. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to authorize the Village Administrator to put out to bid for tree removal service for the Village of Farmingdale. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to authorize the Village Administrator to put out to bid for street light repair service for the Village of Farmingdale. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to set a public hearing for February 21, 2006 to consider a law regulating the parking of

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Commercial Vehicles on private property in residential zoning districts. Motion carried, all voting “Aye”.

The resolution to set a public hearing date to consider proceeding with the eminent domain of 130 Secatogue was tabled until an offer could be made to the property owner for the purchase of the property.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to pass a resolution allowing the Village Code Enforcement Office to regulate Handicap and Fire Zone Parking at Silver Manor, 81 Secatogue Avenue in response to a letter from Silver Manor requesting such enforcement. Motion carried, all voting “Aye”.

The discussion of increased fines for illegal apartments was tabled until a work session so that the Board of Trustees could be better briefed on how other municipalities have addressed this situation.

It was moved by Trustee Langon, seconded by Trustee Dorfmeister to approve the destruction of old court records as recommended by Court Clerk Patty Haas and approved by the State of New York. Motion carried, all voting “Aye”.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to approve the modification of the Site Plan Approval for Farmingdale Plaza to permit Palmer’s American Grill to use grey stamped concrete on their patio instead of the red which had been previously approved. Motion carried, all voting “Aye”.

At 8:58 pm it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to open a continued public hearing to discuss the revision of the Street and Sidewalk Obstructions Ordinance of the Village of Farmingdale. Motion carried, all voting “Aye”. After a recommendation that the Village not allow old merchandise to be displayed John Selerno mentioned that Ohs and Ozs displays collectable items which are in good taste. Kathy Norjen of Jefferson Road stated that she thinks that no merchandise of any kind should be displayed on the sidewalks because it make the Village look cheap. It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to table further discussion until the February 21, 2006 meeting. Motion carried, all voting “Aye”. At 9:12 pm it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to close the public hearing. Motion carried, all voting “Aye”.

Mayor Graf stated that the scheduled continued public hearing for special use restaurant by the owners of 191 Main Street would be rescheduled to February 21, 2006 because the applicant had failed to mail their notification of public hearing.

At 9:13 pm it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to open a public hearing to discuss the application of 169 Main Street for Special Use Permit for Restaurant Use. Motion carried, all voting “Aye”. Michael Rubenstein and Carlos Perez were present to represent the applicant. It was stated that Mr. Perez previously owned a restaurant in Huntington and currently owns restaurants in Seldon, Rocky Point and Centerport. Building Superintendent Ron Craig stated that things that needed to be addressed were the repaving and stripping of the parking lot, fencing, landscaping and a dumpster enclosure. Robert Calahan of Oakview Avenue inquired whether the side of the building near the railroad tracks would be cleaned up. A request was made from the Board that colored rendering of the building be provided. It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to hold open the public hearing

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until the February 21, 2006 meeting so that the applicant could provide the requested information. Motion carried, all voting "Aye".

The public hearing to discuss a future Road Bond for Phase IV of the Road Project was tabled until a future meeting.

The public hearing to discuss an Aging in Place Program for the Village of Farmingdale was tabled so that arrangements could be made for a representative of the Program to come to address the Board of Trustees on this topic. Jeff Toole of Staples Street stated that he feels that this is a nice program but that it might encourage illegal apartments. Michael O'Brien of Merokee Place stated that they have similar program where his son goes to college and it seems to work.

Mayor Graf introduced Eric Alexander of Vision Long Island who addressed the audience on the upcoming Village of Farmingdale Visioning Project. This project will be held at the Howitt Middle School between February 9 and February 15, 2006. He gave a brief discussion about the visioning process and how he has been meeting with many various organizations throughout Farmingdale. He encourages everyone to attend. Terry Morrison of Roxbury Street stated that she hoped that the invitation to attend will be put out to all Farmingdale residents and not just Village residents. Eric Alexander stated that he has invited all residents of Farmingdale, not only Village residents. James Orabono of Eastern Parkway inquired about where the walking tours would be held. He was told that weather permitting there would be walking tours of Main Street, the area near the Railroad Station and other places that had not been finalized as of yet.

At this time Mayor Graf opened the floor to comments and questions from the audience.

Arthur Godikian of Main Street inquired about the property at the corner of Main Street and Bethpage Road. He stated that he and his brother used to clean it out periodically but he is too old now. He was informed that the property belonged to Nassau County and the Village Administrator Dave Smollett would contact the County about cleaning it up.

Chief Salerno of the Farmingdale Fire Department stated that there was a big problem on the weekends with patrons of the local bars parking in the Village Hall lot and filling it up which kept Firemen from being able to park there during emergency calls. Deputy Mayor Rachiele stated that this was discussed at the last Fire Department Board of Commissioners meeting and they were going to address it with stripping of the parking lot and better signage.

Michael O'Brien, Fire Commissioner addressed the Board on various issues. He stated that the Farmingdale Fire Department had a great response time of 3-5 minutes and that the parking problem delayed response time. He reported that the Fire Department had received two grants totaling \$53,000.00. He had the contract paperwork for KLH to update the Red Alert system and he hoped that the contract would now be honored. He also stated that he had the accident report that had been requested by the Clerk's Office.

At 9:51 pm it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to adjourn to executive session to discuss personnel issues and legal matters. Motion passed, all voting "Aye".

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At 11:44 pm, it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to reconvene the open meeting. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to hire Diane Correrri for the position of Clerk/Typist for an annual salary of \$28,500.00. Motion carried, all voting "Aye".

It was moved by Trustee Langon, seconded by Deputy Mayor Rachiele to approve a raise for Fabrizo Restini to \$16.00 per hour as of his anniversary date of December 10, 2005. Motion carried, all voting "Aye".

It was moved by Trustee Langon, seconded by Deputy Mayor Rachiele to approve a 3% raise for Daniel Phelan as of his anniversary date of December 10, 2005. Motion carried, all voting "Aye".

It was moved by Trustee Dorfmeister, seconded by Trustee Langon to approve a night differential increase for any code enforcement officer who works after 5:00 pm retroactive to June 1, 2004. Motion carried, all voting "Aye".

At 11:46 pm, as there was no further business to address a motion was made by Trustee Langon, seconded by Trustee Dorfmeister to close the meeting. Motion carried, all voting "Aye".

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Mayor