

REGULAR MEETING – BOARD OF TRUSTEES December 13, 2005

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 December 13, 2005.

Present: Mayor George Graf
Deputy Mayor Joseph F. Rachiele
Trustee Benjamin Giminaro
Trustee Thomas Langon
Trustee Theodore Dorfmeister
Barbara Griffith – Senior Clerk/Typist
Village Attorney - Gregory W. Carman, Jr., Esq.
Building Superintendent – Ronald Craig
Superintendent of Public Works – Fred Zamparelle
Glenn Norjen

Absent: Deputy Village Clerk –Treasurer Barbara Canonico

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

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve the Minutes of November 15, 2005. Motion carried, all voting 'Aye'.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve the Abstract of Audited Vouchers, # 962 for December 13. Motion carried, all voting 'Aye'. Trustee Giminaro deferred.

It was moved by Trustee Dorfmeister, seconded by Deputy Mayor Rachiele to approve the following building permits:

DB 05-137	297 Van Cott Ave	Replace Fuel Oil Tank
DB 05-138	41 Merritts Road	Second story and rear additions
DB 05-139	8 Laurelton St	Maintain single family dwelling
DB 05-140	265 Eastern Pkwy	Maintain finished basement
DB 05-141	100 Cherry St	Maintain two deck additions

Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve the following taxi licenses:

Steven G Traietta
Paul Mercado
Louis Aliperti

Motion carried, all voting "Aye".

It was moved by Trustee Giminaro, seconded by Deputy Mayor Rachiele to authorize the Village Attorney to negotiate an agreement with the Springdale Condominium Homeowners Association for an estate type fence to be installed on Village property and paid for and maintained by Springdale. Motion carried, all voting "Aye".

REGULAR MEETING – BOARD OF TRUSTEES December 13, 2005

After a brief discussion during which Trustee Giminaro stated that he felt that spending municipal funds on holiday street decorations was a violation of the separation of church and state it was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve \$15,000.00 for the purchase of Holiday Street Decorations for Main Street with the stipulation that the Village receive a legal opinion on this matter. Motion carried, all voting "Aye". Trustee Giminaro opposed.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to allow the Village to use eBay to auction off surplus Village equipment. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to set future Board of Trustees meetings for January 3rd and 24th 2006 at 7:30 pm. Motion carried, all voting "Aye".

It was moved by Trustee Giminaro, seconded by Deputy Mayor Rachiele to approve the following water refunds due to billing errors.

33 Pinehurst Road - \$3,610.48
422 Conklin Street - \$3,637.53

Motion carried, all voting "Aye".

Superintendent of Public Works Fred Zamparelle informed the Board that he had received a proposal from H2M for engineering services for the proposed Prospect Street water main replacement. Commissioner O'Brien of the Farmingdale Fire Department requested that the Fire Department be included on planning for hydrant location and water main sizes. It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to accept the proposal from H2M. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to schedule a public hearing on January 24, 2006 to discuss a Phase IV Road Bond. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to schedule a public hearing on January 24, 2006 to discuss an Aging in Place Program. Gina from Nassau County Legislator Dave Mejias' Office addressed the Board about this program. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to schedule a public hearing on January 24, 2006 to hear the application of Viva Juans of 169 Main Street for special use permit to open a restaurant in a Business D District. Motion carried, all voting "Aye".

It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to authorize the Village Clerk to put out to bid for the repair or replacement of the ductwork in the Firehouse/Village Hall. Motion carried, all voting "Aye".

At this time agenda items 18-21 were moved up due to the arrival of a stenographer who would be taking the minutes.

Mayor Graf opened a public hearing to discuss the application of 309 Main Street (Food Mart) for a special use permit (restaurant) to allow for the installation of seating for 24 people in their deli. As there were no comments from the audience the public hearing

REGULAR MEETING – BOARD OF TRUSTEES December 13, 2005

was closed. It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to approve the special use permit for a restaurant use at 309 Main Street. Motion carried, all voting “Aye”.

Mayor Graf opened a public hearing to discuss the application of 425 Main Street for a special use permit (laundromat) to allow the applicant to maintain a laundromat operation. Building Superintendent Ronald Craig addressed the Board and made the following recommendations that he felt should be adopted after he performed an inspection of the location in question.

- 1) Lighting: Install a 100 watt low sodium vapor light fixture on a steel light stanchion to be located at the eastern property line with shielding to direct all light away from the abutting residential properties. (Towards parking lot and rear of building.)
- 2) Fencing: Install new 6'- 0" wood stockade fencing in front of existing stockade fence at easterly property line.
- 3) Planting: Install eight (8) 6'-0" high arborvitae into existing planting strip (buffer) at easterly property line.
- 4) Property Maintenance: Reposition and secure existing concrete parking bumpers with #5 rebar anchorage. Supply written agreement for weekly property maintenance of existing parking lot. Stripe existing parking lot for designated parking stalls to include one handicap stall striped in blue with handicap sign. Remove parking signs from trees and install on new stockade fencing.
- 5) Miscellaneous: Supply emergency contact phone number for on premise employee during hours of operation. (From 7 am – 10 pm 7 days per week)

Discussion was opened up to the audience with stenographer taking actual minutes. Members of the audience commented on the various proposals and stated that they were in agreement that these measures should be implemented so as to make the laundromat a better neighbor. As there were no further comments the public hearing was closed. It was moved by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to reserve a decision pending a letter of agreement between the Village and the owners of the laundromat at 425 Main Street detailing the requirements listed above. Motion carried, all voting “Aye”.

Mayor Graf opened a public hearing to discuss the application of Thomas Sabellico and Robert Kirk for rezoning of 1 West Street from Residence B to Office/Residence. Robert Kirk, one of the owners of 1 West Street, addressed the Board on the application. Discussion followed (stenographer took exact minutes) with traffic and parking being the major concern of the audience. Trustee Giminaro questioned whether it was proper for two Village employees to petition the Board for a zoning change. After discussion it was moved by Trustee Langon, seconded by Trustee Dorfmeister to hold the public hearing open to the January 3, 2006 meeting for further discussion and input from the public. Motion carried, all voting “Aye”.

Mayor Graf informed the audience that the scheduled public hearing for 12 Jefferson Road rezoning was cancelled due to an incomplete application.

Mayor Graf opened a continued public hearing on changing the Street and Sidewalk Obstruction Ordinance of the Village of Farmingdale. Trustee Giminaro inquired how this change would affect the stores on Main Street and their ability to place merchandise out on the sidewalk. He asked that recommendations for this be made by the Code Enforcement Department. It was moved by Deputy Mayor Rachiele, seconded

REGULAR MEETING – BOARD OF TRUSTEES December 13, 2005

by Trustee Langon to hold the public hearing open until the January 3, 2006 meeting in order to get more information and input from the public. Motion carried, all voting "Aye".

Mayor Graf opened a continued public hearing on adding a Floor to Area Ratio (FAR) to the Zoning Code of the Village of Farmingdale. After a brief discussion it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to approve the following floor to area ratio law.

**ARTICLE II
Words and Phrases**

§ 105-7. Construal of terms; definitions.

B. (ADD) FLOOR AREA RATIO (F.A.R.) – The ratio of the combined gross floor area of all buildings, in square feet, to the total lot area of the lot or parcel on which they are situated, in square feet. This calculation shall be computed by adding together the gross floor area of each floor in each building in which the floor-to-ceiling height averages seven feet six inches or more, plus that portion of the floor area of any attic or loft lying immediately under the building's roof and in which the floor-to-ceiling height exceeds four feet of more, provided that at least 70 square feet of the floor area of such attic or loft has headroom of at least seven feet, and provided further that such attic or loft is accessible from the next floor below by way of a permanent built-in interior staircase.

(ADD) GROSS FLOOR AREA – The aggregate sum of the gross floor areas of each of the several floors of a building, including interior balconies and mezzanines and any roofed and fully-enclosed garage, entrance anteroom, porch or other similar space physically attached to, and directly accessible from, any interior part or portion of such building but, in the case of one- or two-family residential dwellings only, excluding the floor area of basements and cellars. For the purpose of calculating and determining the gross floor area of any particular floor, the horizontal dimensions shall be taken and measured at the level of the horizontal plane lying between, and intersected by, the outside finished surfaces of all exterior vertical walls enclosing the overall space of that floor.

**ARTICLE XXII
General Provisions**

§ 105-162.2 Floor Area Ratio (F.A.R.) (ADD)

In the residential zones of the Village, the floor area ratio (F.A.R.) requirements applicable to a particular building plot or parcel shall be as set forth and prescribed under the following schedule; provided, however, that in no case shall the F.A.R. be interpreted and applied so as to require a dwelling to be constructed with less gross floor area than the maximum gross floor area permitted on any smaller lot under such schedule:

Lot Area (square feet)	Maximum Gross Floor Area Area Permitted F.A.R	Maximum Square Feet
Up to 4,000	47%	1,880
4,001 to 6,000	45%	2,700
6,001 to 10,000	40%	3,200
10,001 and above	35%	3,500

Motion carried, all voting "Aye".

REGULAR MEETING – BOARD OF TRUSTEES December 13, 2005

Mayor Graf introduced Don Sioss and Dennis Keller from H2M who are the Village Engineers. They discussed the water and light situations at the Lenox Court subdivision. After answering questions from the audience the Board asked the representatives from H2M if they could make recommendations on how to find out if the problem with ground water has been adversely impacted by the development of the Lenox Court Subdivision. These recommendations will be available at a future meeting.

Mayor Graf opened the meeting to comments and questions from the audience.

At 10:30 pm, it was moved by Trustee Langon, seconded by Trustee Dorfmeister to adjourn to executive session to discuss personnel issues and legal matters. Motion passed, all voting "Aye".

At 11:48 pm, it was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to reconvene the open meeting. Motion carried, all voting "Aye".

Mayor Graf announced the appointment of David Smollett as the new Village Clerk/Treasurer starting January 17, 2006 to fill the term of office that expires in April 2008 at a salary of \$119,000 plus benefits as stated in a contract to be prepared by the Village Attorney. It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon to approve the appointment. Motion passed, all voting "Aye".

At 10:50 pm, as there was no further business to address a motion was made by Deputy Mayor Rachiele, seconded by Trustee Dorfmeister to close the meeting. Motion carried, all voting "Aye".

Mayor