

REGULAR MEETING OF THE BOARD OF TRUSTEES – Monday, July 10, 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 Monday, July 10, 2006.

Present: Mayor George Graf
Deputy Mayor Joseph Rachiele
Trustee Thomas Langon
Trustee Patricia Christiansen
Trustee George H. Starkie
Village Administrator David Smollett
Deputy Clerk/Treasurer - Elizabeth Kaye
Building Superintendent – Ronald Craig
Superintendent of Public Works Fred Zamparelle
Village Attorney Kevin Walsh

Absent:

Mayor Graf opened the meeting at 7:40 pm with the pledge to the flag led by Trustee Starkie, followed by a moment of silence.

Mr. Anthony Sabina, Esq., representing TJR Development, approached the board and requested an adjournment until August 7, 2006 for his client who is seeking relief from the building moratorium. The board approved this request.

It was moved by Trustee Christiansen, seconded by Deputy Mayor Rachiele, to approve the minutes of June 5, 2006, as corrected. Motion carried with all voting Aye.

It was moved by Trustee Starkie, seconded by Trustee Langon, to approve Abstract #971. Motion carried with all voting Aye.

Mayor Graf announced the next general board meeting to be held Monday, August 7, 2006 at 7:30 pm.

Mayor Graf invited Dr. Giminaro to the dais for placement of Dr. Giminaro's photograph on the wall of Village Officials in recognition of his many years of public service to the village.

The board discussed the request by Special Affairs Caterers to change parking in front of the premises to a loading zone. The applicant was unable to attend and the matter was adjourned to August 7, 2006.

It was moved by Trustee Langon, seconded by Trustee Christiansen, to adopt a threshold of \$5,000 for fixed asset valuation. Motion carried with all voting Aye.

It was moved by Trustee Langon, seconded by Trustee Starkie, to approve the following taxi permits:

- Aldo Kitt (held over from 6/5/06 BOT – new abstract w/corrected address provided)
- Rochelle Frank
- Richard Bell
- CW Churchill
- Victor Critelli
- Robert Wendelken

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- Herman Zambrano-Gonzalez
- Gary A Tolp
- Michael Winn
- Robert Pugarelli

The permit request by Gregory Krattinger was not approved.

Motion carried with all voting Aye.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Christiansen, to approve the following block party:

Roxbury St. Block Party - Second Request (held over from 6/05/06 BOT because same as rain date for block party on Thomas Powell). Request revised from intersection of Holly to Thomas Powell – same dates requested.

Motion carried with all voting Aye.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to approve the following block party:

Sullivan Rd. between Taylor Rd. and Manetto Rd. OR
Sullivan Rd. from Taylor Rd. to Pinehurst and Manetto Rd from Sullivan Rd. to Pinehurst on July 22, 2006 from noon until 11:00 pm.

Motion carried with all voting Aye.

It was moved by Trustee Starkie, seconded by Deputy Mayor Rachiele, to approve the following block party:

Prospect Street between Bernard and Cobb on August 26, 2006 from 11: 00 am to 11:00 pm.

Motion carried with all voting Aye.

Building Superintendent Craig discussed the new building applications reviewed since the last meeting. It was moved by Deputy Mayor Rachiele, seconded by Trustee Starkie, to approve the following building permits:

FROEHLICH 56 Columbia St. DB 06-54	Demo existing detached garage
STARBUCKS 95 Fulton St. DB 06-55	Interior renovation to coffee shop
MCCOY 50 Fairview Road. DB 06-56	12' x 8' shed
MARMARO 24 William St. DB 06-57	Maintain 24'x18' rear deck on existing single family dwelling
THIEKE	Rear addition & deck to single family

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5 McCarthy Ct. DB 06-58	dwelling. ZBA approval.
GARDINER 17 Pinehurst Rd. DB 06-59	Construct roof over front porch. ZBA approval.
MEZZELLA 6 Gwynne La. DB 06-60	Maintain finished basement

Motion carried with all voting Aye.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to set the date for a public hearing for a special use permit for 199 Main Street for Monday, August 7, 2006 at 7:30 pm. Motion carried with all voting Aye.

The board deferred the matter of a back-up sweeper operator to work session.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Christiansen, to approve the following tax certioraris:

48/447/291,292 666 & 672 Fulton LLC \$12,000

49/113/38, 203-206, 338 Avanti Furniture, Main St. \$2,700

Motion carried with all voting Aye.

Mayor Graf acknowledged Nassau County Legislator Dave Mejias who was in the audience.

Village Attorney Walsh spoke briefly on the Building Moratorium local law.

Building Superintendent Craig briefly presented each application for relief from the moratorium. The board considered the merits of each application individually and voted as follows:

- John and Pat Dankowitz, 279-281 Conklin Street – request for office/office use.

Trustee Starkie commented that the board will be studying zoning for office/office use under the moratorium and moved to deny the waiver. Deputy Mayor Rachiele seconded the motion. Motion carried with all voting Aye.

- Martino Realty, 120 Secatogue Avenue – request to maintain a converted retail space for a real estate office, which would create additional parking.

Trustee Langon made a motion to deny the waiver. Deputy Mayor Rachiele seconded the motion. Motion carried with all voting Aye.

- Sabellico/Kirk, 1 West Street – request to use a one-family dwelling as a law office, which would involve additional commercial space and parking.

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Trustee Christiansen made a motion to deny the waiver. Trustee Christiansen amended her motion and motioned to adjourn the application. Deputy Mayor Rachiele seconded the motion. Motion carried with all voting Aye.

- Rory Burken, 623 Fulton Street – request for an owner-occupied apartment on the first floor and a locksmith shop on the main level.

Trustee Langon motioned to grant the waiver and permit the applicant to proceed with the building department. Deputy Mayor Rachiele seconded the motion. Motion carried with all voting Aye.

- Thomas Dittmeier, 146 Melville Road - request for a two-lot subdivision.

Mr. Anthony Addeo, counsel for the applicant, requested an adjournment of his client's waiver request.

- Vorillas Properties LLC, Starbucks at Farmingdale Plaza – request for a drive-thru window.

Trustee Christiansen made a motion to grant the waiver. Deputy Mayor Rachiele seconded the motion. Motion carried with all voting Aye.

- TJR Development, Prince Street subdivision – adjourned to August 7, 2006 at the request of applicant's attorney.
- Wantagh Baptist Church, Hempstead Turnpike – request to increase facility and parking.

The board requested the applicant to file a building permit application and plans to allow the board to study the request more thoroughly. The board adjourned the request to August 7, 2006, pending filing of a building application.

- JC Management, 776-780 Fulton Street – request for a multiple dwelling.

Attorney Willis Carman spoke on behalf of the applicant. Building Superintendent Craig indicated that an updated traffic study was requested at the public hearing held May 8, 2006.

Trustee Starkie made a motion to deny the waiver. The motion was seconded by Deputy Mayor Rachiele. Motion carried with all voting Aye.

It was moved by Trustee Langon, seconded by Trustee Christiansen, to approve budget transfers for the fiscal year ended May 31, 2006 as presented. Motion carried with all voting Aye.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to open the public hearing at 8:45 pm on the Phase II Stormwater Annual Report. Motion carried with all voting Aye.

Mr. Don Sioss, Village Engineer, made a brief presentation on the annual stormwater report. There were no comments from the public.

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It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to close the public hearing at 8:50 pm. Motion carried with all voting Aye.

Eric Alexander with Vision L.I. updated the board and audience on the status of the visioning process for Farmingdale.

Ed Thompson, Tudor Road, encouraged further consideration of public transportation in the visioning process and also expressed concern over lack of affordable housing.

Joe Diurno, Fairview Road, commented that the Vision Report was due in May. Trustee Starkie indicated that as a new Trustee, he supports the board spending extra time to ensure the report is correct. Mayor Graf agreed that it is important not to rush with two new trustees.

Rich Gosline, Linwood Avenue, commented that the Smart Growth Report was issued three years ago.

Jim Orbano, Eastern Parkway, asked the board whether work shops are open to the public. Mayor Graf indicated that workshops are open to the public, but Executive sessions with the attorney are not. Trustee Christiansen recommended that work sessions on the visioning process be scheduled with the public.

Christina Diaz, Baldwin Street, inquired about minutes from the July 6, 2006 workshop. Administrator Smollett indicated that minutes from workshops are in general terms.

Ms. Dias expressed concern with the proposed development at 776-780 Fulton Street.

Village Attorney Walsh discussed the proposed local law on illegal occupancies and indicated that the Nassau County Planning Commission had waived jurisdiction and referred the proposed law back to the Village for local determination.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to open the public hearing at 10:03 pm, on the proposed law. Motion carried with all voting Aye.

Rich Burcell, Secatogue Avenue, inquired if the law includes a provision on the number of people permitted to reside in a dwelling. Village Attorney Walsh indicated that the law does not contain such provision.

Jeff Toole, Staples Street, expressed support of the law.

Trustee Christiansen recommended a change in provision A) 6 to add "two or more mailboxes." Village Attorney Walsh recommended deleting the word "as" in provision A) 6 and A) 7.

Trustee Starkie recommended that the next newsletter inform residents about the law.

Terry Morrison, Roxbury Street, inquired about a situation when a dwelling has illegal occupants, but does not have any of the violations as outlined in the law. Village Attorney Walsh indicated that a resident can still file a complaint with the Building Department.

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Mike O'Brien, Merokee Place, expressed concern that the law may hurt senior citizens who rely on extra income. Mayor Graf commented that the board is researching a program that would permit this.

Terry Morrison, Roxbury Street, asked whether the law permits a senior to live with a non-family member. Village Attorney Walsh indicated that the law prohibits two kitchens.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to close the public hearing at 10:20 pm.

It was moved by Deputy Mayor Rachiele, seconded by Trustee Langon, to adopt Local Law 3 of 2006, with the changes to A)6 and A)7, as stated. Motion carried with all voting Aye.

Mayor Graf opened the Good & Welfare portion of the meeting.

Nick Izzo, Prospect Street, asked the board about the parking situation at St. Luke's Church. The board instructed Building Superintendent Craig to follow-up with the court as to the status.

The Mayor referred to a letter received from a non-village resident complaining about the drinking at Allen Park. The Mayor indicated that he would contact Inspector Cronin of the Eighth Precinct regarding this concern.

Tim Kilday, Staples Street, complained about the condition of the construction site next to his property. Building Superintendent Craig indicated that he would inspect the site.

A non-resident, who attends St. Kilian's Church, complained about the litter and loitering in front of the church.

A resident of South Farmingdale asked whether the visioning process will address a site for day laborers. Mayor Graf indicated that the village does not envision such a site.

With no further business before the board, it was moved by Deputy Mayor Rachiele, seconded by Trustee Starkie, to close the regular meeting at 10:45 pm and adjourn to work session and executive session. Motion carried with all voting Aye.

Mayor Graf