

A regular meeting of the Board of Trustees was held on January 5, 2016 at 8:00 pm.

The meeting opened with a Pledge to the Flag. Present were Mayor Thomas J. Tweedy, Trustees Dominick Longobardi, Kevin M. Fitzgerald and Lynn Pombonyo, Village Administrator Gerard M. Bambrick, Village Clerk Susan E. Walsh, Superintendent of Building Department and Superintendent of Public Works Stephen L. Siwinski, Police Commissioner Stephen McAllister, Fire Chief Brian Naughton and Village Attorney John E. Ryan

Prior to the start of the meeting Mayor Tweedy asked for a moment of silence in memory of our dear friend and colleague, Deputy Mayor and Trustee James E. Rhatigan.

Following the moment of silence, Mayor Tweedy made the following remarks about Jim Rhatigan:

‘Good Evening Ladies and Gentlemen and welcome to Village Hall. Sadly we are without our Deputy Mayor Jim Rhatigan and as Jim might irreverently say... he has the best excuse.

Jim Rhatigan was a noble gentleman in all he did. Caring, generous, a truly funny man,,his friendship and fellowship was genuine and felt by all. Jim would freely share his insight and his knowledge for the good of our community or the organization for whom he served, there was no agenda, no ego, no desire for reciprocity...his support once earned was a rock upon which you could trust and rest easy...uniquely honest and his word, his integrity, unquestioned. Where his public service with this and previous Village Boards, indeed in this larger Village family will miss Jim the most, feel his passing the deepest, are those moments where we encountered a difficult decision or dilemma that is where Jim’s uncanny insight and innate yet humble insight were brilliantly expressed. We often would all quietly accept his determination as obvious and move on. I will miss Jim’s boundless wit, wisdom and witnessing his love of service to his neighbor and calming influence in even among the harshest of critics.

Our loss cannot compare to that felt by his wife Diane, his daughters Kathleen, Beth and Maggie, his grandchildren, his mother, brothers and friends. My thanks to the Floral Park Police Department for its honor guard throughout the wake and the ceremonial detail during his funeral and to the Floral Park Fire Department for its ceremony and large turnout of its members honoring Jim and his family at their service Wednesday night at Dalton’s.

We lost a great friend, a wife lost her husband and his daughters a father.... We mourn his passing but when I have thought of Jim these past days, inevitably a smile comes across my face....Jim would wish for nothing more....may that always be the expression of our memory of Jim.

Requiescat in pace.’

On motion by Trustee Longobardi, seconded by Trustee Fitzgerald, and carried unanimously, the Board approved the minutes of:

December 15, 2015 - Regular Board Meeting

Trustee Fitzgerald offered Resolution No. 2016-01 approving the Schedule of Accounts Payable consisting of the following:

General Fund	\$4,116,066.69
Swimming Pool	\$ 1,350.92
Community Development	\$ 0.00
Capital Fund	<u>\$ 61,358.05</u>
GRAND TOTAL	\$4,178,775.66

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Longobardi	- Aye
Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye

Mayor Tweedy

- Aye

On motion by Trustee Pombonyo, seconded by Trustee Longobardi, and carried unanimously, the Board approved the request of Four Village Studio to use the Courtroom, Judge's Chambers, Mayor's Office, Ladies Lounge and west wing hallway on Wednesday, February 24, 2016 at 6:30 pm for their 4VS Annual Staff Meeting.

Trustee Fitzgerald offered Resolution No. 2016-02 authorizing the Mayor to sign a letter of indemnification to Sewanhaka Central High School District for the Inc. Village of Floral Park to hold a community rally at the Floral Park Memorial High School auditorium on Tuesday, January 12, 2016 to oppose OTB's Video Lottery Terminal Slot Machine Casino at Belmont Park.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Longobardi	- Aye
Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Mayor Tweedy	- Aye

Recreation Center

Trustee Longobardi reported that the Recreation Center is on a reduced winter schedule. The hockey league is still practicing and playing games. Registration for the Youth and Adult Winter Session II programs is from January 5 to 7 from 6:30 pm to 8:30 pm at the Recreation/Pool Building. Registration for Senior programs is on January 6 and 7 from 9:00 am to 1:00 pm.

On a personal note, Trustee Longobardi echoed the sentiments of the Mayor with regard to Deputy Mayor Jim Rhatigan. Jim was a wonderful person to know. He was always involved in something in the Village, from being an EMT in our Fire Department to being an active member in the Knights of Columbus, Jim was always interested in making the Village better. He was a man to learn from, to admire, to watch and a great mentor to Trustee Longobardi. He will be missed by all of us and Trustee Longobardi said he hopes Jim's family feels the love and support from everyone in their time of grief.

Trustee Kevin Fitzgerald

Trustee Fitzgerald said that in his decade plus of knowing Jim Rhatigan, they travelled many roads together including two successful campaigns for Trustee and he always ensured that the Village and its residents' concerns were at the forefront of the discussion. His intellect and wit will be forever missed. Trustee Fitzgerald's family, along with the rest of the Village's thoughts and prayers are with Diane and Jim's daughters. Floral Park certainly has lost a valuable member of our community at a critical time in its history.

Belmont Task Force

Trustee Fitzgerald reported that since the last Board meeting, the Task Force has met four times, including Monday, January 4th. We are pleased to announce that next Tuesday, January 12, we will be holding a Community Rally at 7:30 pm at Floral Park Memorial High School. We encourage all residents to attend in order to learn more, as well as show our elected officials that we are against this ill-conceived plan.

In addition, the Mayor and Trustee Fitzgerald, along with the Wednesday Mothers' Club, attended and spoke at the December 21, 2015 Nassau County Legislative meeting to request our elected officials' assistance in stopping the proposed siting of the VLT Casino at Belmont. Trustee Fitzgerald reminded residents that this is still a proposal and we must let our voices be heard.

Trustee Fitzgerald applauded all of the Task Force Members and residents who have taken time to join in the battle by attending Nassau County Legislative meetings, speaking with the press, making phone calls, or simply asking what they can do to assist.

Third Track

As reported in Newsday and other local media today, Governor Cuomo announced that he would like to restart the process to have a third track on the mainline of the LIRR. It was quoted as saying that Governor Cuomo heard from the Rauch Foundation, the Long Island Association, and MTA Board Member Mitch Pally that this was something that should be pushed forward by him as it will benefit Long Island. Once again, we see others trying to make decisions that affect the quality of life and the investments that we have all made in Floral Park. As a person who has studied this project for the better part of a decade, Trustee Fitzgerald said he still does not see the benefit or need that would outweigh the disruption this would cause Floral Park and our neighbors along the corridor.

As we have seen with the construction delays and budget overruns the MTA has had with the East Side Access and 2nd Avenue Subway, we must once again ensure that Floral Park is not in any way negatively affected.

Amtrak Proposed Expansion

On a related note, the U.S. Department of Transportation recently announced and submitted a Draft EIS for Improvements to the Northeast Corridor. There were 3 alternatives proposed:

- Alternative 1 **maintains** the role of rail with sufficient service to keep pace with population and employment growth
- Alternative 2 **grows** the role of rail with service to new markets and to accommodate a greater portion of the population
- Alternative 3 **transforms** the role of rail by becoming a dominant mode choice for travel in the Northeast

Within Alternative 3, there is mention of a high speed rail from Penn Station through Long Island then across Long Island Sound which they are calling the New York to Hartford via Long Island route. Note that this is only a small piece of this alternative. The estimated costs of these alternatives range from \$20 billion for Alternative 1 to over \$290 billion for Alternative 3. The deadline for comments is January 30th with various information sessions being held throughout the Northeast. The closest meeting is at Nassau County Municipal Building, 1550 Franklin Avenue on January 12th at 4:00 pm. For more information, please see www.necfuture.com. Even though my initial thoughts are that Alternative 3 will not be the chosen Alternative, as it appears to be a massive wish list, we need to remain vigilant and comment where necessary.

Fire Department

During 2015, the Department responded to over 1,500 calls. Trustee Fitzgerald pointed out two specific calls that exemplify the dedication and sacrifice they make on behalf of our residents, and the Fire Department is just one of the examples that makes Floral Park a Village where neighbors truly care for each other:

- On December 25 at 7:55 am, 23 members showed up for a call that someone was having a seizure. More than likely, most of these individuals were unwrapping gifts with their families.
- On December 31 at 11:55 pm, 12 members responded to a call for a female who fainted. All over these members spent the beginning of the New Year at a location that they were not planning to be at. Trustee Fitzgerald said he knows that Chief Naughton was one of the members who responded. Trustee Fitzgerald thanked Chief Naughton and his Department for the personal sacrifices that they make, not only on a daily basis but during celebratory times where you leave your family on a moment's notice.

Trustee Lynn Pombonyo

Trustee Pombonyo thanked Trustee Fitzgerald for his comments about the proposed Third Track as well as the Development of the Northeast Corridor. Trustee Pombonyo agreed that we need to remain vigilant and active in expressing our concerns about the impact this would have on Floral Park.

Trustee Pombonyo said she recently witnessed our Fire Department in action when they responded to a mutual aid call in Bellerose Terrace for a fire in a small store on Jericho Turnpike. Fire Chief Jerry Keating of the Bellerose Terrace Fire Department gave tremendous credit to Floral Park's Fire Department and Chief Brian Naughton for containing the fire quickly. Trustee Pombonyo commended the Fire Department for all the hard work they do on our behalf.

Trustee Pombonyo said that whether it be a Board of Directors of a corporation or foundation, the Board of Education of a school district, or the Board of Trustees of a municipality, it is any Board's good fortune to have a member who is the voice of experience, informed thought, and wisdom.

Jim Rhatigan, our Deputy Mayor, was just that valued member on this Board of Trustees. At Jim's funeral service, Father Thomas Fusco spoke of Jim's life of service – to his family, his church and our community. Jim had impressive expertise on a wealth of topics – knowledge and wisdom born of a lifetime of experience, strong faith, and deep commitment to service. Jim is one of those unique public servants whose contributions through the years will have exponential and lasting value for all of his constituents, us. Jim's keen mind, sharp wit, maturity of thought, and unforgettable words of wisdom are a strong and meaningful legacy to a grateful Village.

Centennial Gardens

Trustee Pombonyo reported that throughout the 2015 season at Centennial Gardens, the Village of Floral Park has partnered with AHRC Nassau and received the benefit of a season of care and service at the gardens from over 70 AHRC volunteers and 20 staff members. Working with Floral Park Recreation Department Superintendent Kurt Meyfohr and staff members Don Haug and Marie Martone, the AHRC volunteers provided valuable assistance with many of the important gardening duties at the Gardens. Today, January 5th, those AHRC volunteers and staff members were honored at a Village luncheon at the Recreation Center where all were acknowledged with certificates of appreciation for their efforts, hard work and contributions to the beauty of our Village treasure.

Mayor's Report

Mayor Tweedy thanked Trustee Pombonyo for attending the AHRC luncheon. The Mayor commented on the large turnout of workers from AHRC at Centennial Gardens and commended them for the wonderful work they accomplished. Mayor Tweedy said we will again be partnering up with AHRC to do gardening work at our new pool facility and that he is very pleased that this relationship is proving to be very beneficial for all of us.

Mayor Tweedy thanked his colleagues for their kind words about Jim Rhatigan. He will be very missed by us all.

During the midst of our grief on Jim's passing came the announcement of the proposed site of the OTB VLT Casino at Belmont Park and then, today, the announcement of the possible resurrection of the Third Track. The Mayor said we are getting hit on all sides. State Senator Jack Martins, and the Former Mayor of the Village of Mineola when the Third Track was first proposed, has again voiced his strong opposition to this project. Senator Martins was informed by Governor Cuomo's office on Monday evening at 10:00 pm that this announcement was to be made the next day. Mayor Tweedy shared a conversation with Senator Martins in which the Senator stated this project would be 'dead on arrival' and that he expressed to the Governor his grave concerns. Mayor Tweedy assured residents that every Mayor and elected official along the proposed Third Track are in opposition to this project and will be meeting with Congresswoman Kathleen Rice, at her invitation, on January 15. Many of us might feel overwhelmed by the problems we have recently been faced with, and, although there are many hurdles to overcome, with reasoned calm and composure, we will have the strength to overcome all obstacles.

Mayor Tweedy wished everyone a happy, healthy and prosperous New Year.

The Mayor stated the Village Board Meeting will continue in his office with Department Heads after a brief recess and the public is invited to attend.

On motion by Trustee Longobardi, seconded by Trustee Fitzgerald, and carried unanimously, Mayor Tweedy recessed the meeting at 8:55 pm.

On motion by Trustee Longobardi, seconded by Trustee Fitzgerald, and carried unanimously, Mayor Tweedy recessed the meeting at 9:00 pm.

Trustee Pombonyo offered Resolution No. 2016-03 granting the application of 58 South Tyson LLC, for a Special Use Permit under Article III, Section 99.11 B(3), which states that alterations to an office space in a B-3 district that is of any nonresidential use may only be authorized by the Board of Trustees as a special use after a public hearing, as set forth in Resolution and Decision hereto following.

The Resolution was seconded by Trustee Longobardi and adopted on roll call as follows:

Trustee Longobardi	- Aye
Trustee Fitzgerald	- Aye
Trustee Pombonyo	- Aye
Mayor Tweedy	- Aye

INCORPORATED VILLAGE OF FLORAL PARK
BOARD OF TRUSTEES

X

In Re Application of

58 SOUTH TYSON LLC,

**DECISION
AND RESOLUTION**

For a Special Use Permit to Allow the
Modification of an Office Building.

This application is made under Article IX, Section 99.60 of the Code for a Special Use Permit to modify an office building in a B-3 District. The Applicant's principal, Richard Scharf, has submitted an affidavit as the owner of the subject premises, verifying the statements set forth in the application. The Applicant also submitted plans for the proposed modification prepared and sealed by Mario R. Vergara, Architect, as well as a survey, sealed by Island Wide Land Surveyors, Licensed Land and City Surveyors. Applicant also delivered to the Board the mailing receipts and return cards of the notice sent to all owners of real property within a two hundred (200') foot radius of the subject premises.

Under the Zoning Code, alterations to an office space in a B-3 District may only be authorized by the Board of Trustees as a Special Use after a public hearing. This application for a Special Permit is made under Article IX, Section 99-12.B(8) of the Zoning Code. The property which is the subject of the application is a one/two-story building located 250 feet south of Tyson Avenue and is known as "58 South Tyson Avenue, Floral Park, New York" and identified as Section 32, Block 55 on the Land and Tax Map of Nassau County.

Trustee Pombonyo offered the following resolution and moved its adoption:

WHEREAS, a public hearing was held on this application for January 5, 2016;

WHEREAS, by letter, dated December 31, 2015, the Nassau County Planning Commission deferred the matter to the Board of Trustees to take action as it deemed appropriate, as the Commission had no objections or modifications to the application;

WHEREAS, a public hearing was held on this application on January 5, 2016, at which time the Applicant made a sworn presentation to the Board of Trustees;

WHEREAS, Members of the Board of Trustees have viewed and investigated the subject premises, its surroundings and other pertinent matters and circumstances in connection therewith; and

WHEREAS, the application and all testimony and exhibits presented at the hearing have been carefully considered and due deliberation given thereto.

NOW, THEREFORE, the Board of Trustees makes the following findings:

1. The subject property is in a B-3 District. The dimensions of this pre-existing commercial lot are irregular and generally measure 200' in depth and 120' in width. The building previously housed the offices of Giffords Oil Company and thereafter the Water Authority of Western Nassau County, but has been vacant for many months.

2. The Board has unanimously found that the application is a Type II action pursuant to SEQRA and has adopted a negative declaration.

3. The Nassau County Planning Commission recommended that the Village take whatever action it deems appropriate.

4. The Applicant proposes to continue and increase office space at the Premises, to be used by Albro Management ("ALBRO") which presently is located in Woodmere. The Applicant's representative testified that ALBRO is a family member property agency which will have about twenty (20) employees working at the proposed offices.

5. The Applicant proposes to add a second floor for office space on the northeast portion of the building and to otherwise enhance the exterior appearance of the building with new entrances and windows.

6. As set forth in the submitted plans, at least 65 on-site parking spaces are available for the proposed office use. The Applicant confirmed there will be no on-street parking by employees.

7. The Applicant further testified that the proposed offices will not generate any excess refuse. All refuse will be contained in a proper manner and picked-up by a private carting company.

8. The Applicant further confirmed that a full-service kitchen will be installed at the site, subject to all required state and local approvals. This kitchen will only be used by employees, but, at times, may involve outside catering services. Applicant also confirmed there will be no retail sale of food at the premises.

9. According to the Applicant, any lighting in the parking lot will not deflect upon any neighboring properties.

10. No one spoke in opposition to the Application. A representative from the neighboring cooperative apartment, Flowerview Gardens, requested that all contractors working on the project comply with all applicable codes, particularly with respect to hours of work, so as not to interfere with any neighboring residents.

11. Subject to the conditions set forth below, this Special Use Permit is granted.

12. The proposed use will not create a hazard; nor is it conflicting or incongruous to the surroundings, neighborhood or Village.

13. The proposed use will not hinder or discourage the appropriate use and development of adjacent uses or impair their values.

14. The Board has considered the remaining standards set forth in Section 99-60. and finds that this application conforms with those standards.

15. This Decision and Resolution, as well as each and every condition set forth herein, may only be modified by the Board of Trustees following a public hearing.

NOW, THEREFORE, BE IT RESOLVED, that by reason of the foregoing, the Application of 58 SOUTH TYSON LLC for a Special Use Permit to allow the modification of an office building is granted, subject to the following conditions:

- I. the building, as existing, subject to the expiration of any existing tenancies, and as improved shall only be used as office space;
- II. employees shall not utilize any on-street parking;
- III. all refuse shall be maintained in a manner acceptable to the Building Department;
- IV. any food products brought to or otherwise generated at the premises shall be used by the employees thereof. There shall be no retail sale of food products from or at this site;
- V. any outdoor lighting at the premises shall conform to all applicable laws and codes and shall not interfere with adjoining residential property owners; and
- VI. all contractors employed by the Applicant for renovations of the premises shall comply with all applicable codes and not otherwise interfere with any adjoining residential property owner.

In the event of a violation of any of these conditions, this Special Use Permit shall be revoked.

The foregoing Resolution was seconded by Trustee Longobardi and adopted on a roll call

as follows:

Thomas J. Tweedy, Trustee	-	Aye
Dominick A. Longobardi	-	Aye
Kevin M. Fitzgerald	-	Aye
Lynn Pombonyo	-	Aye

Dated: January 8, 2016
Floral Park, New York

Board of Trustees
Incorporated Village of Floral Park

Final Decision and Resolution of
Public Hearing officially filed in the
Clerk's office of the Incorporated
Village of Floral Park on January 12,
2016

Susan E. Walsh
Village Clerk

Trustee Longobardi offered Resolution No. 2016-04 authorizing Police Officer Dean Mayo to attend the firearms rifle shooting course in York, Pennsylvania from March 14-18, 2016 at a cost of \$645 plus travel and lodging fees.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Longobardi	-	Aye
Trustee Fitzgerald	-	Aye
Trustee Pombonyo	-	Aye
Mayor Tweedy	-	Aye

Trustee Longobardi offered Resolution No. 2016-05 authorizing the increase in pay of Richard Clifford, Park Attendant, Part Time, from \$13.00 hr. to 15.00 hr., effective immediately.

The Resolution was seconded by Trustee Pombonyo and adopted on roll call as follows:

Trustee Longobardi	-	Aye
Trustee Fitzgerald	-	Aye
Trustee Pombonyo	-	Aye
Mayor Tweedy	-	Aye

There being no further business, Mayor Tweedy closed the meeting at 11:00 pm.

Susan E. Walsh
Village Clerk