

RESOLUTIONS AND LEGAL NOTICES OF HEARING LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:

<http://HuntingtonNY.gov>

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilman	Mark Mayoka
Town Clerk	Jo-Ann Raia
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED JULY 9, 2013

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 4:23 P.M. Closed 4:24 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 2:58 P.M. Closed: 2:59 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:09 P.M. Recessed: 2:58 P.M. Resumed: 2:59 P.M. Closed: 4:23 P.M.

(Resolutions #2013-314 to 2013-363)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 19-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Abby Drive, East Northport – Stop Signs.

(Local Law Introductory No. 19-2013)

Scheduled per Resolution 2013-304 at 6-4-2013 Town Board Meeting

DECISION RESERVED

2. Consider adopting Local Law Introductory No. 20-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Creek Road, Huntington – Stop Signs.

(Local Law Introductory No. 20-2013)

Scheduled per Resolution 2013-305 at 6-4-2013 Town Board Meeting

**ENACTMENT
RESOLUTION #2013-355**

3. Consider issuing a Certificate of Approval for an individually designated Historic Site Re: 12 Prospect Street, Huntington – St. John's Episcopal Church. (SCTM# 0400-069.00-04.00-067.000)

(2013-ZC-9-Ch. 198)

Scheduled per Resolution 2013-309 at 6-4-2013 Town Board Meeting

**ENACTMENT
RESOLUTION #2013-354**

HEARINGS (Continued):

ACTION

4. Consider issuing a Certificate of Approval in an Historic District
Re: 79 Goose Hill Road, Cold Spring Harbor – Cold Spring Harbor
Historic District. (**Applicant: David Ngai**)
(SCTM# 0400-016.00-04.00-009.000)
(2013-ZC-10-Ch. 198)
Scheduled per Resolution 2013-310 at 6-4-2013 Town Board Meeting

DECISION RESERVED

5. Consider issuing a Certificate of Approval in an Historic District
Re: 559 Park Avenue, Huntington – Old Huntington Green Historic
District. (**Applicant: Vandy Morris**) **(SCTM# 0400-097.00-02.00-102.004)**
(2013-ZC-11-Ch. 198)
Scheduled per Resolution 2013-311 at 6-4-2013 Town Board Meeting

DECISION RESERVED

6. Consider authorizing various actions be taken upon certain
properties designated as blighted in accordance with Chapter 156,
Article VII, §156-60 (Blighted Property).
(SCTM #'S 0400-245.00-03.00-052.000, 0400-118.00-01.00-006.000)
(2013-M-61)
Scheduled per Resolution 2013-307 at 6-4-2013 Town Board Meeting

DECISION RESERVED

7. Consider authorizing the Supervisor to execute a license agreement for the
use of a portion of a Town recharge basin identified by SCTM No.: 0400-
143.00-02.00-(011.001 and 011.002) and establishing covenants and
restrictions on property identified by SCTM No. 0400-143.00-02.00-010.000.
(Re: Roger and Carol McNair)
(2013-M-62)
Scheduled per Resolution 2013-308 at 6-4-2013 Town Board Meeting

DECISION RESERVED

8. Consider adopting Local Law Introductory No. 21-2013, amending the
Code of the Town of Huntington, Chapter 141 (Noise).
(Local Law Introductory No. 21-2013)
Scheduled per Resolution 2013-306 at 6-4-2013 Town Board Meeting

**ENACTMENT
RESOLUTION #2013-356**

9. Consider adopting Local Law Introductory No. 15-2013,
considering Zone Change application #2013-ZM-394, Sunny Pond
Farm LLC, to change the zoning from R-7 Residence District and R-10
Residence District to C-1 Office-Residence District for property located
on the east side of Park Avenue (CR 35), south of North Woodhull Road,
Huntington, SCTM #0400-073-03-021.
(Local Law Introductory No. 15-2013)
Scheduled per Resolution 2013-257 at 5-7-2013 Town Board Meeting

DECISION RESERVED

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain comments on the Amendment to the Community Development
Agency Program Year 2013 regarding changes to the Huntington Community
Development Block Grant Program.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - **FP**
 Councilwoman Susan A. Berland - **SB**
 Councilman Eugene Cook - **EC**
 Councilman Mark A. Cuthbertson - **MC**
 Councilman Mark Mayoka - **MM**

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|------------------|---|--------------------------------------|--------------------------------------|-----------------|
| 2013-314. | AUTHORIZE the Supervisor to forward a “Letter of Intent” for the Town of Huntington to make application to the New York State Office of Emergency Management (SOEM) for projects eligible through the Hazard Mitigation Grant Program – 4085 – Hurricane Sandy, nunc pro tunc. | <u>FP</u> | <u>MM</u>
<u>EC</u> | <u>5</u> |
| 2013-315. | AUTHORIZE the Supervisor to execute New York State Liquor Authority Special Event Permit Applications on behalf of various organizations for special events scheduled to be held on Town property.
(Re: East to West Coast Classic Car Club/7-26-2013/Crab Meadow Beach, Knights of Columbus Council 11163/7-28-2013/Centerport Beach, Knights of Columbus/8-11-2013/Crab Meadow Beach, Applied Visions, Inc./8-12-2013/Crab Meadow Beach, Friends of William Spencer/8-16-2013/Crab Meadow Beach, The Laurelton Group DBA The Laurel Group/8-16-2013/Caledonia Park, Hicksville High School Class of 1958/8-18-2013/Crab Meadow Beach, Realty Connect/8-24-013/Centerport Beach, Electronix Systems/8-25-2013/Crab Meadow Beach) | <u>MM</u> | <u>EC</u>
<u>SB</u> | <u>5</u> |
| 2013-316. | AUTHORIZE the Supervisor to execute various agreements for the continuation of a Youth Court Program for the 2013-2014 Academic Year.
(Period: 9/2013 through 8/2014) (Re: Harborfields Central School District, Huntington Union Free School District, South Huntington Union Free School District, Northport-East Northport Union Free School District) | <u>MC</u> | <u>EC</u> | <u>5</u> |
| 2013-317. | AUTHORIZE the Supervisor to submit an amended application for an entitlement grant for Community Development Block Grant Funds under the Housing and Community Development Act of 1974 and authorizing all assurances connected with said application. | <u>MC</u> | <u>MM</u> | <u>5</u> |
| 2013-318. | AUTHORIZE the United States Coast Guard Auxiliary to run a vessel examination/boating education program at Mill Dam Marina.
(Date/Time: 7/27/2013 from 9:00 am – 2:00 pm) | <u>MC</u>
<u>SB</u> | <u>EC</u> | <u>5</u> |
| 2013-319. | AUTHORIZE the Supervisor to execute an agreement with ILS Community Network IPA LLC, (ILS Community Network), a Long Term Home Health Care Program (LTHHCP) and the Town of Huntington for the provision of Adult Day Care Services. (Period: 1 year) | <u>SB</u> | <u>EC</u>
<u>MM</u> | <u>5</u> |
| 2013-320. | AUTHORIZE the Supervisor to execute an extension to the contract for self-insured workers’ compensation administrative and claims management services with PMA Management Corp.
(Extension effective 8/17/2013 for a period of one year) | <u>MM</u> | <u>EC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-321. AUTHORIZE the Supervisor to execute an extension to the requirements contract for Townwide requirements contract for pavement repair with Rosemar Contracting, Inc. (Extension effective 8/30/2013 for a period of one year)	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-322. AUTHORIZE the Supervisor to execute an extension to the requirements contract for Townwide requirements contract to furnish and install crack and joint sealant with Bimasco, Inc. (Extension effective 8/14/2013 for a period of one year)	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-323. AUTHORIZE the Supervisor to execute a requirements contract for the Detroit diesel engine parts and Allison transmission parts and service with Drive Train Truck Parts Corp. (Period: 1 year)	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-324. AUTHORIZE the Supervisor to execute a contract for a multi-space parking pay station system with Devo & Associates, LLC. (Period: 3 years)	<u>FP</u>	<u>MC</u>	<u>FP-AYE MC-AYE SB-AYE EC-AYE MM-NO</u>
2013-325. AUTHORIZE the use of Dix Hills Park Pool by the children of Whitman Village Housing Development upon payment of a flat fee for the summer of 2013.	<u>SB</u>	<u>EC</u>	<u>5</u>
2013-326. AUTHORIZE the Huntington Township Chamber of Commerce to hold the Long Island Fall Festival at Huntington events and authorizing the Supervisor to execute a license agreement in conjunction with same. (Date/Time: 10-11-2013/3:00 PM – 11:00 PM; 10-12-2013/11:00 AM-11:00PM; 10-13-2013/11:00 AM-11:00 PM; 10-14-2013/11:00 AM-5:00PM)	<u>FP</u> <u>EC</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2013-327. AUTHORIZE an amendment to the agreements for meeting places for Senior Citizen Clubs.	<u>MC</u>	<u>SB</u>	<u>5</u>
2013-328. AUTHORIZE the settlement of a lawsuit (Williamson v. Town of Huntington).	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-329. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Angel/Francis Soto&Yasanka Batsikas, 75 Alton Avenue, Greenlawn, SCTM#0400-162.00-03.00-149.000, Chapters 87, 133; Charles Garelle, 59 Harding Street, East Northport, SCTM#0400-058.00-01.00-083.000, Chapters 87, 133, 156; Arnold/Irma Jacinto, 4 Knox Place, Dix Hills, SCTM#0400-252.00-03.00-085.000, Chapters 87, 133, 156 [section 45,46], 191; Donna Albanese, 5 Windgate Court, East Northport, SCTM#0400-115.00-01.00-009.000, Chapter 87; US Bank National Association, 43 East 14 th Street, Huntington Station, SCTM#0400-145.00-03.00-077.000, Chapters 133, 156, 191; Robin Jedlicka, 49 East 14 th Street, Huntington Station, SCTM#0400-			

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

145.00-03.00-080.000, Chapters 133, 156; Lavi Parviz, 10 Auserehl Court, Huntington, SCTM#0400-034.00-02.00-015.000, Chapters 133, 156; Bruce Stephen Segal, 26 Cedar Drive, Huntington, SCTM#0400-093.00-01.00-102.000, Chapters 133, 156; Mitchell/Marie Alexander, 106 Daly Road, East Northport, SCTM#0400-215.00-01.00-044.000, Chapters 133, 156; Evergreen Homes Construction Corp., Gils Farm, East Northport, SCTM#0400-129.00-02.00-002.004, Chapter 133; Christopher/Margaret Carroll, 53 Grover Lane, East Northport, SCTM#0400-176.00-01.00-115.000, Chapters 133, 156; Dorit Holden, 2 Holly Court, Melville, SCTM#0400-253.00-03.00-045.000, Chapters 133, 156, 191; Patrick/Antoine Noel, 50 Lafayette Street, Huntington, SCTM#0400-160.00-03.00-067.000, Chapters 133, 156; Mohammed Sabur, 24 Lorraine Court, Northport, SCTM#0400-055.00-01.00-048.003, Chapters 133, 156, 191; Jonathan Scott, 1 Lemington Court, Northport, SCTM#0400-003.00-02.00-002.000, Chapters 133, 156; Eric Gurba, 3 Monmouth Place, Melville, SCTM#0400-235.00-01.00-015.000, Chapters 133, 156; Edelmira Vasquez, 2559 New York Avenue, Melville, SCTM# 0400-235.00-03.00-089.000, Chapters 133, 156; Providence Rock, Inc., 3 Penn Court, Dix Hills, SCTM#0400-260.00-02.00-010.000, Chapters 133, 156; Iris Cervantes, 2 Pine Hill Court, Northport, SCTM#0400-081.00-08.00-016.000, Chapters 133, 156; Michael Korabik, 1418 Pulaski Road, East Northport, SCTM#0400-128.00-01.00-001.000, Chapters 133, 156; Catherine/Fred/Marion Joseph, 39 Seaman Neck Road, Dix Hills, SCTM#0400-279.00-01.00-114.000, Chapters 133, 156, 191; Joseph/Connie DeLaura, 11 Sheppard Lane, Huntington Station, SCTM#0400-189.00-01.00-050.000, Chapter 133; Patricia Cespedes, 55 Stony Hollow Road, Centerport, SCTM#0400-080.00-07.00-024.000, Chapters 133, 156; Karel Hibbert, 52 Cutting Street, Huntington, SCTM#0400-211.00-03.00-091.000, Chapters 156 [section 13, 46]; Sean/Roseanne Keegan, 57 Brennan Street, Huntington, SCTM#0400-211.00-03.00-109.000, Chapter 156; Gloria/Jeffrey Gelmin, Jr., 3 Olmstead Lane, East Northport, SCTM#0400-184.00-01.00-024.000, Chapter 156 [section 45, 46]; Triangle Holding & Dev. Corp of LI , East 19th Street, Huntington Station, SCTM#0400-199.00-01.00-060.001, Chapter 156; Richard/Gail Nicol, 18 Bayley Place, Huntington Station, SCTM#0400-194.00-04.00-045.000, Chapter 156; William/Pamela Brady, 229A Beverly Road, Huntington Station, SCTM#0400-203.00-01.00-158.005, Chapter 156; Joan Lang, 3 Breza Court, East Northport, SCTM#0400-171.00-02.00-048.007, Chapter 156; Christopher Pasterak, 57 Caldwell Street, Huntington Station, SCTM#0400-149.00-03.00-100.000, Chapter 156; Eric Logan, 575 Elwood Road, East Northport, SCTM#0400-171.00-02.00-002.002, Chapter 156; Robert Toy/Deborah Chin, 4 Greenvale Drive, East Northport, SCTM#0400-175.00-02.00-018.000, Chapter 156; Adam Greenholtz, 12 Highland Court, Huntington, SCTM#0400-069.00-02.00-036.000, Chapter 156; Thomas Cavallo, 85 Horton Drive, Huntington Station, SCTM#0400-239.00-03.00-067.005, Chapters 133, 156; Susan Ciccolella, 6 Jordan Court, Dix Hills, SCTM#0400-263.00-02.00-060.000, Chapter 156; Empire Property Solutions LLC, 5 Kirby Lane, Commack, SCTM#0400-222.00-01.00-108.000, Chapter 156; Paul Tekverk, 23 Liberty Street, Huntington Station, SCTM#0400-202.00-03.00-133.000, Chapter 156; Edward Hill/ICO Smith Hunt Realty, Nassau Road, Huntington, SCTM#0400-094.00-02.00-076.000, Chapters 156, 191; Richard Findlay/Sandra Chambers, 37 Lawn Street, Greenlawn, SCTM#0400-166.00-01.00-038.000, Chapter 156; Sophia Sinkiewicz, 35 Mitchell Avenue, East Northport, SCTM#0400-183.00-03.00-019.000, Chapter 156; Carolyn/Matthew Niceforo, 222 West Pulaski Road, Huntington Station, SCTM#0400-138.00-03.00-046.000, Chapter 156; Melvin/Regina Hurt, 6 Ryder Avenue, Dix Hills, SCTM#0400-278.00-01.00-039.000, Chapter 156; Edward Golember, 2 Stanley Court, Huntington, SCTM#0400-159.00-02.00-060.000, Chapter 156; Jesse Sofer, 55 Threepence Drive, Melville, SCTM#0400-272.00-05.00-071.000, Chapter 156; Robert/Lisa Cook, 4 Tuxedo Drive, Melville, SCTM#0400-

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>253.00-02.00-055.000, Chapters 156, 191; Thomas/Suzanne Dooley, 12 Warren Court, Northport, SCTM#0400-055.00-01.00-092.001, Chapter 156; Rhoda Weiner, 17 Wheatfield Lane, Commack, SCTM#0400-221.00-03.00-013.000, Chapter 156; Dorothy Schock, 81 Ciro Street, Huntington, SCTM#0400-170.00-02.00-029.00, Chapter 156 [section 45, 46].</p>	MM <u>SB</u>	<u>FP</u>	<u>5</u>
<p>2013-330. AUTHORIZE the Comptroller to establish a Trust and Agency Account for the signalization of Park Avenue (CR35) at 5th Avenue and at the Telephonics access driveway, and for additional traffic signal intersection improvements and authorizing the Supervisor to apply for an entry permit and execute a pre-emption agreement with the LIRR and a traffic signal maintenance agreement with the County of Suffolk, all in connection with traffic control improvements to Park Avenue, Huntington Station, New York. (Re: Avalon Bay Communities)</p>	<u>FP</u> <u>SB</u>	<u>MM</u>	<u>5</u>
<p>2013-331. AUTHORIZE the Comptroller to amend the 2013 Operating and Capital Budget for the Town of Huntington and its Special Districts.</p>	<u>MM</u>	<u>FP</u>	<u>5</u>
<p>2013-332. AUTHORIZE the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts – various departments.</p>	<u>MC</u>	SB <u>FP</u>	<u>5</u>
<p>2013-333. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended park improvement (Dix Hills Park). (Re: General Services)</p>	<u>SB</u>	<u>MC</u>	<u>5</u>
<p>2013-334. AUTHORIZE the Town Attorney to retain the services of Harvey B. Besunder, Esq., as special outside counsel in the field of agricultural tax exemption, nunc pro tunc. (Re: Eatons Neck LLC vs. Town of Huntington) (Re: Bracken, Margolin, Besunder, LLP)</p>	<u>FP</u>	<u>MM</u>	<u>5</u>
<p>2013-335. AUTHORIZE the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses of Randy J. Schaefer, Esq. as Temporary Receiver, pursuant to the order of District Court Judge, Honorable C. Stephen Hackeling, in the matter of the Town of Huntington V. Elwood, Index Number HUTO 888-11, Re: Code Violations at 21 Semon Road, Huntington, New York (SCTM NO: 0400-094.00-01.00-024.000).</p>	<u>SB</u>	<u>MC</u>	<u>5</u>
<p>2013-336. AUTHORIZE the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses of Randy J. Schaefer, Esq. as temporary receiver, pursuant to the order of District Court Judge, Honorable C. Stephen Hackeling, in the matter of the Town of Huntington V. 110 Clay Pitts Road, Inc., Index Number HUTO 270-12, Re: Code Violations at 110 Clay Pitts Road, Greenlawn, New York (SCTM No. 0400-168.00-02.00-003.000).</p>	<u>MM</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-337. ACCEPT a donation from the Aznakian Family of a Park Bench, to be installed in Heckscher Park with Memorial Plaque in memory of William R. Aznakian.	<u>MM</u> <u>SB</u>	<u>EC</u> <u>FP</u>	<u>5</u>
2013-338. ACCEPT the dedication of a 20-Foot sewer easement to the Huntington Sewer Agency for the development known as Spring Road Townhouses/Stratford Place.	<u>MC</u>	<u>SB</u>	<u>5</u>
2013-339. ACCEPT a donation from the Bay Constables Benevolent Association of rapid dive equipment for Maritime search and rescue operations.	<u>FP</u> <u>MC</u> <u>EC</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2013-340. APPOINT an Interim Comptroller/Director of Audit and Control and an Interim Deputy Comptroller/Deputy Director of Audit and Control for the Town of Huntington. (Re: Effective 7/12/2013: Peggy Karayianakis-Interim Comptroller/Director of Audit and Control; Peter Leodis-Interim Deputy Comptroller/Deputy Director of Audit and Control)	<u>FP</u>	<u>MC</u>	<u>5</u>
2013-341. DEDICATE Field No. 4 in Mill Dam Park in honor and memory of John M. Gerardi.	<u>MC</u> <u>EC</u>	<u>MM</u> <u>FP</u> <u>SB</u>	<u>5</u>
2013-342. GRANT a permit for the 10 th Annual Distant Memory Swim for Alzheimer's Disease Event to raise funds to benefit the Alzheimer's Disease Resource Center on Monday, August 5, 2013. (Re: Asharoken/Knollwood Beaches)	<u>MC</u>	<u>SB</u>	<u>5</u>
2013-343. GRANT permission to Renaissance Downtowns, LLC for use of Huntington Station Commuter Parking Lots for attendee parking in connection with its First Annual Saturday, July 13, 2013 Huntington Station Street Festival. (Time: 11:00 AM – 6:00 PM)	<u>FP</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2013-344. GRANT permission to the Townwide Fund of Huntington, Inc. for the use of Town facilities for various events and authorizing the Supervisor to execute license agreements and New York State Liquor Authority Special Event Permit Applications in conjunction with such events. (Re: Backyard Fun and BBQ at Elwood Park on 7/21/2013; Volleyball Tournament at Crab Meadow Beach on 8/4/2013; Bocce Ball Tournament at Mill Dam Park on 8/18/2013)	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-345. REAPPOINT a member to the Town of Huntington Citizens Advisory Committee for Persons with Disabilities. (Re: Trudy Exelbert)	<u>SB</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-346. SUPPORT Greenlawn Civic Association Round 11 Suffolk County Downtown Revitalization Grant Application, classifying the proposed project pursuant to the State Environmental Quality Review Act and authorizing the Supervisor to apply for and receive grant funding from the County of Suffolk.	<u>FP</u> <u>EC</u>	<u>MM</u> <u>SB</u>	<u>5</u>
2013-347. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: ELA Management, LLC, 665 West Jericho Turnpike, Huntington Station, SCTM#0400-190.00-02.00-125.002, Chapter 156[Schedule A&B]; Bangchan Lee/Melville Pacific, LLC, 849 Walt Whitman Road, Melville, SCTM#0400-229-01-025, Chapter 156 [Schedule A&B])		<u>SB</u> <u>FP</u>	<u>5</u>
2013-348. ENACTMENT: ADOPT Local Law Introductory No. 13-2013, amending the Code of the Town of Huntington, by adding to Chapter 178 (Taxation), Article XIII (Green Building Leed Improvement Exemption).	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-349. ENACTMENT: ADOPT Local Law Introductory Number 16-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Tulane Place, Greenlawn –Yield Signs.	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-350. ENACTMENT: ADOPT Local Law Introductory Number 17-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: New Street, Huntington –Parking Restrictions.	<u>MM</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2013-351. GRANT a franchise agreement to the Huntington YMCA for the provision of an instructional sailing and kayaking program at Centerport Beach. (Period: 6/20 -9/30 of each calendar year beginning in 2013 and ending in the year 2015)	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2013-352. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 598 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: Young Israel of Huntington) (SCTM# 0400-102.00-01.00-005.003)		<u>SB</u> <u>MM</u>	<u>5</u>
2013-353. ENACTMENT: APPROVE the exemption of the Dix Hills Fire District from site plan review and the Town of Huntington Zoning Code as is necessary to build a fire training building (SCTM #0400-278-02-181.001).	<u>SB</u>	<u>MC</u> <u>FP</u>	<u>5</u>
2013-354. ENACTMENT: APPROVE the issuance of a Certificate of Approval for an individually designated Historic Site Re: 12 Prospect Street, Huntington– St. John’s Episcopal Church. (SCTM#0400-069.00-04.00-067.000)	<u>MM</u> <u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-355. ENACTMENT: ADOPT Local Law Introductory Number 20-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Creek Road, Huntington–Stop Signs.	<u>MC</u>	<u>EC</u>	<u>5</u>
2013-356. ENACTMENT: ADOPT Local Law Introductory Number 21-2013 amending the Code of the Town of Huntington, Chapter 141 (Noise).			MC-AYE FP-AYE SB-AYE EC-AYE MM-NO
	<u>MC</u>	<u>FP</u>	
2013-357. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 22 - 2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions). (Re: Agreement with the Huntington Village Consortium Group with Nelson Nygaard for a parking study of Huntington Village)	<u>FP MC</u>	<u>SB</u>	<u>5</u>
2013-358. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 23 - 2013, amending the Code of the Town of Huntington, Chapter 71 (Administrative Search Warrants), Section 71-3 (Application for Warrant).		<u>SB</u>	<u>MC</u>
			<u>5</u>
2013-359. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To designate certain properties as blighted and to consider authorizing various actions be taken in accordance with Chapter 156, Article VII, §156-60 (Blighted Properties). (Re: Brian Levenson/Kathryn Garten, 1068 Westminster Avenue, Dix Hills, SCTM#0400-278.00-02.00-153.000, Chapter 156; Willard/Laura Lanham, 5 Laura, East Northport, SCTM#0400-185.00-02.00-024.003, Chapter 156; Delvis Arevalo/Elsa Bardales Banegas, 114 Columbia Street, Huntington Station, SCTM#0400-141.00-01.00-027.000, Chapter 156; John Frank Development Corp., 39 8 th Avenue, Huntington Station, SCTM#0400-142.00-01.00-062.000, Chapter 156; Louis Jr./Jeanne Avino, 117 East 11 th Street, Huntington Station, SCTM#0400-146-02-074.000, Chapter 156; Thomas/Lisa LaTrace, 8 Stratford Avenue, Dix Hills, SCTM#0400-281-02-007; Kamila Dottin, 285 Broadway-Greenlawn, Huntington, SCTM#0400-160-01-085.000, Chapter 156; Bank of America, 199 Seaman Neck Road, Dix Hills, SCTM#0400-278.00-02.00-044.000, Chapter 156; Dolores Werle, 26 Ambrose Lane, Northport, SCTM#0400-278-02-153, Chapter 156; Henry/Jean Cleeves, 49 Prospect Road, Centerport, SCTM#0400-45-1-21, Chapter 156; Pine Brook Realty Corp., Old Bridge Road, Northport, SCTM#0400-060.00-01.00-011.005, Chapter 156; Dorothy Schock, 81 Ciro Street, Huntington, SCTM#0400-170.00-02.00-029.000, Chapter 156-All above listed are Schedule A)		<u>SB</u>	<u>MM</u>
			<u>5</u>
2013-360. REMOVED FROM THE AGENDA AT THE WORKSHOP.			

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-361. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider issuing a Certificate of Approval in a Historic District – Old Huntington Green Historic District Re: 39 East Main Street, Huntington – The Thomson House. (Applicant: Christopher Mangi) (SCTM#0400-074.00-03.00-031.006)	MM <u>SB</u>	<u>FP</u>	<u>5</u>
2013-362. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider authorizing the Supervisor to enter into an extension agreement with the New Community Cinema Club Inc. d/b/a/ Cinema Arts Centre, a/k/a New Community Cinema. (Extension from 9/30/2013-9/30/2029)	FP <u>MC</u>	MM <u>SB</u>	<u>5</u>
2013-363. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 24-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, § 2-1, Schedule A. Re: Park Avenue at East 5 th Street/Telephonics Driveway, Huntington Station-Traffic Signal. (Re: Avalon Bay Communities)	FP <u>SB</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: JULY 9, 2013**

RESOLUTIONS:

	OFF.	SEC.	VOTE
<p>2013-BT-3. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider a variance and the issuance of a Special Use Permit under Chapter 137 (Marine Conservation) Applicant: Elizabeth Carillo Location: 265 Little Neck Rd., Centerport, New York S.C.T.M. #0400-049.00-01.00-013.000.</p>	<u>MC</u>	<u>MM</u>	MC-AYE MM-AYE FP-AYE EC-AYE <u>SB-ABST</u>
<p>2013-BT-4. SCHEDULE A PUBLIC HEARING: August 13, 2013 at 7:00 PM To consider the execution of a license agreement as is necessary for the extension of a residential fixed pier and floating dock assembly under Chapter 137, Marine Conservation Applicant: Elizabeth Carillo Location: 265 Little Neck Rd., Centerport, New York S.C.T.M. #0400-049.00-01.00-013.000.</p>	<u>MC</u>	<u>MM</u>	MC-AYE MM-AYE FP-AYE EC-AYE <u>SB-ABST</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: JULY 9, 2013

RESOLUTIONS:

OFF. SEC. VOTE

2013-CD

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: JULY 9, 2013

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: **NONE RECEIVED**

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Clinton Coleman for California Pizza Kitchen;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

3. Public Notice received from Gail Devol, Village Administrator for Huntington Bay, regarding a Board of Trustee Public Hearing being held on June 10, 2013 at 7:30 PM at the Huntington Yacht Club. Application is for premises located at 24 Woodland Drive and is for site plan approval and steep slope review.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

4. Email received from Catherine Franznick about hazardous flooding on Central Street in Huntington. B) Follow up email received from Ms. Franznick advising that no one from the Town has contacted her regarding her first email. She would like to know what is being done to correct the problem.

Supervisor
Town Board
Town Attorney
cc: Highway

5. Letter received from Roger Ramme resigning from the Board of Ethics, effective May 7, 2013, the date he assumed the position of Town of Huntington Assessor.

Supervisor
Town Board
Town Attorney
cc: H. Glickstein, Chairman, Bd of Ethics

6. Public Notice received from the Board of Zoning Appeals of the Village of Northport regarding hearings to be held on June 26, 2013 at 7:00 PM to consider the following applications:
1) 15 Nautilus Avenue – variance to install a permanent generator.
2) Main St & Laurel Avenue – replace existing LIPA poles and install equipment.
3) 14 Burr Avenue – variance for a one story rear addition and front porch
4) 18 Nautilus Avenue – variance to install a generator 5) 81 B Fort Salonga Road- variance for a beer and wine license. 6) 175 Bayview Avenue – appeal a building department memorandum decision.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

7. Letter received from Liz Beach, Secretary for the Cold Spring Harbor Fire District, regarding the recent special election. Included was the official ballot, affidavit of publication, official tabulation results and Certificate of the Fire District Secretary. cc: Town Attorney

8. Notice received from Gail Devol, Village Administrator for Huntington Bay, regarding a Zoning Board of Appeals Public Hearing to be held on 6/20/2013 at 7:30 PM for property located at 192 East Shore Road. Various variances are required to replace an existing bulkhead.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
9. Letter received from Andrew Freleng, Chief Planner for Suffolk County, Department of Economic Development and Planning regarding the Town of Huntington moratorium on wind turbines and related facilities. Attached was a copy of resolution # ZSR-13-14 which was adopted by the commission at the June 5, 2013 meeting regarding this issue.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Letter received from C. Maureen Tomasulo-Mathews, a member of the Executive Board of the Cold Spring Hills Civic Association, regarding various street lights that are out in the community.
- Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
11. Letter, hand delivered, from Nancy McFadzen, Secretary for the Commack Fire District, regarding the audit report for the period ending December 31, 2012. Included was a copy of the report and a letter from the auditors to the Fire Commissioners.
- cc: File
12. Email received from Bruce Ettenberg, President of the Commack Community Association. Enclosed was a copy of his letter addressed to Supervisor Petrone and the Councilpersons regarding "A special condition for Traffic Control on Town Line Road in Commack". Also included was a copy of LIPA customer wind report that was done for 1 Scholar Lane, Commack (Commack High School) and a letter from Mr. Ettenberg that was sent to Ajay Shah, Regional Solid and Hazardous Materials Engineer at SUNY Stony Brook.
- Supervisor
Town Board
Town Attorney
Planning & Environment
Traffic & Transportation
cc: Environmental Waste Mgmt
13. Public Notice received from Gail Devol, Village Administrator for the Village of Huntington Bay, regarding a Zoning Board of Appeals hearing to be held on June 20, 2013 at Village Hall. Property located at 252 Huntington Bay Road – Preservation District C – requires variance.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
14. Letter received from Susan Racine, Secretary/Treasurer for the East Northport Fire District, included was a copy of the audit for 2012.
- cc: File
15. Letter received from Andrew Kitzen, Chairman of the Huntington Fire District, included was a copy of the audit for 2012.
- cc: File
16. Email forwarded from Councilman Cuthbertson's office, from Cathy Anner regarding the noise ordinance. Ms. Anner cannot attend the July 9, 2013 meeting but had suggestions for limitations on noise.
- Supervisor
Town Board
Town Attorney
cc: Public Safety

17. Email forwarded from Councilman Cook's office, from Bowen Cho, regarding illegal fireworks in Huntington and noise pollution. His statement is submitted for the public hearing on noise. Supervisor
Town Board
Town Attorney
cc: Public Safety
18. Letter received from Beth Nystrom, District Clerk for the Northport-East Northport Union Free School District providing us with an updated list of officials for the district for the 2013-2014 school year. Supervisor
Town Board
cc: Town Attorney
19. Letters received from David Mohr, Secretary for the Town of Huntington Chief's Council, requesting the continued funding of the Emergency Operations Center and especially the repair and maintenance of the High Water Vehicles. Supervisor
Town Board
Town Attorney
cc: Fire Marshall
20. Memorandum received from Andy Persich, Interim Comptroller, advising of his resignation from this position effective July 11, 2013. Supervisor
Town Board
Town Attorney
cc: Personnel

RESOLUTION AUTHORIZING THE SUPERVISOR TO FORWARD A "LETTER OF INTENT" FOR THE TOWN OF HUNTINGTON TO MAKE APPLICATION TO THE NEW YORK STATE OFFICE OF EMERGENCY MANAGEMENT (SOEM) FOR PROJECTS ELIGIBLE THROUGH THE HAZARD MITIGATION GRANT PROGRAM - 4085 - HURRICANE SANDY, NUNC PRO TUNC

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN MAYOKA, COUNCILMAN COOK**

WHEREAS, the Town of Huntington is desirous of participating in the New York State Office of Emergency Management Hazard Mitigation Program; and

WHEREAS, this program becomes available by the Federal Emergency Management Agency (FEMA) as the result of a declared Presidential disaster such as Hurricane Sandy; and

WHEREAS, Hazard Mitigation Grant funding will permit the Town to access important funding streams and as a method to lessen damages through disaster mitigation projects; and

WHEREAS, upon acceptance of the Letter of Intent, the total cost of the grant will be paid, 75% federal government and 25% local match. The Town will submit all project documents in conformance with the grant program; and

WHEREAS, the execution of this agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to forward a "Letter of Intent" to participate in the New York State Office of Emergency Management Hazard Mitigation Grant Program through submittal of a letter of Intent due by July 5, 2013 deadline.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013- 315

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATIONS ON BEHALF OF VARIOUS ORGANIZATIONS FOR SPECIAL EVENTS SCHEDULED TO BE HELD ON TOWN PROPERTY

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN COOK, COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington regularly considers applications and issues permits for Special Events to be held on Town property; and

WHEREAS, organizations submitting applications for such Special Events and who would like to serve/sell wine or beer at such events are required to submit a Special Event Permit Application to the New York State Liquor Authority for a Temporary Beer and Wine Permit; and

WHEREAS, as owner of the property to be utilized for said event, it is necessary for the Supervisor to sign the New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant/organization; and

WHEREAS, the subject of this resolution is not an action as defined by 6 N.Y.C.R.R. 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute New York State Liquor Authority Special Event Permit Applications (Temporary Beer and Wine Permits) for the applicants/organizations enumerated in Schedule "A", attached hereto, on the condition that all such other requirements for the events will be satisfied, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"

EAST TO WEST COAST CLASSIC CAR CLUB

c/o Dean Nichol

103 Tinton Place

Huntington, NY 11743

Event Date: July 26, 2013

Event Location: Crab Meadow Beach

KNIGHTS OF COLUMBUS COUNCIL 11163

c/o Angelo Levi

25 Bernard Lane

Commack, NY 11725

Event Date: July 28, 2013

Event Location: Centerport Beach

KNIGHTS OF COLUMBUS

c/o Edward Schnepf

17 Catalpa Drive,

E. Northport, NY 11731

Event Date: August 11, 2013

Event Location: Crab Meadow Beach

APPLIED VISIONS, INC.

c/o Cathy Velardi

6 Bayview Avenue

Northport, NY 11768

Event Date: August 12, 2013

Event Rain Date: August 13, 2013 Event Location: Crab Meadow Beach

FRIENDS OF WILLIAM SPENCER

c/o Linda Guido

9 Duncan Lane

Huntington, NY 11743

Event Date: August 16, 2013

Event Location: Crab Meadow Beach

THE LAURELTON GROUP DBA THE LAUREL GROUP

c/o Thomas Humphreys

85 Laurel Avenue

Northport, NY 11768

Event Date: August 16, 2013

Event Location: Caledonia Park

HICKSVILLE HIGH SCHOOL CLASS OF 1958

c/o George Cotsonas

323 Waterside Road

Northport, NY 11768

Event Date: August 18, 2013

Event Location: Crab Meadow Beach

2013- 315

REALTY CONNECT

c/o Peter Demidovich

11 Rainer Street

Melville, NY 11747

Event Date: August 24, 2013

Event Location: Centerport Beach

ELECTRONIX SYSTEMS

c/o Charles Buscaglia

4 Highview Drive

Huntington, NY 11743

Event Date: August 25, 2013

Event Location: Crab Meadow Beach

2013- 316

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE VARIOUS AGREEMENTS FOR THE CONTINUATION OF A YOUTH COURT PROGRAM FOR THE 2013-2014 ACADEMIC YEAR

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson

And seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington and Harborfields High School, Huntington High School, Walt Whitman High School, and Northport High School desire to continue a Youth Court Program through the Youth Bureau for the academic year commencing September 2013 and continuing through August of 2014; and

WHEREAS, the Town, by its lawfully constituted Town Board, hereby agrees to allocate staffing and necessary resources for the Town's Youth Court Program; and

WHEREAS, the continuation of the Youth Court Program is contingent upon each participating school district entering into an agreement with the Town of Huntington; and

WHEREAS, due to the unique nature of the Youth Court Program, the Town of Huntington waives the requirement of insurance; and

WHEREAS, the execution of an agreement is not an action pursuant to 6 N.Y.C.R.R. §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute agreements with the following school districts:

Harborfields Central School District
2 Oldfield Road
Greenlawn, New York 11740

Huntington Union Free School District
50 Tower Street
Huntington Station, New York 11746

South Huntington Union Free School District
60 Weston Street
Huntington Station, NY 11746

2013- 316

Northport-East Northport Union Free School District
110 Elwood Road
Northport, New York 11768

for the continuation of a Youth Court Program for the academic year commencing September 2013 and continuing through August 2014, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 317

RESOLUTION AUTHORIZING THE SUPERVISOR TO SUBMIT AN AMENDED APPLICATION FOR AN ENTITLEMENT GRANT FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND AUTHORIZING ALL ASSURANCES CONNECTED WITH SAID APPLICATION

Resolution for the Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington, under the Federal Housing and Community Development Act of 1974, is eligible to receive an annual Community Development Block Grant; and

WHEREAS, the Town Board held a public hearing on the 7th day of November 2012, concerning its funding application for fiscal year 2013 (Five Year Consolidated Plan and the one year Action Plan) to provide a forum for the citizens of the Town of Huntington to participate in the planning of its activities; and

WHEREAS, Resolution 2012-529 on the 18th of December, 2012 underestimated the dollar amount the Town of Huntington was to receive from the Department of Housing and Urban Development to fund program activities of the Huntington Community Development Agency (HCDA); and

WHEREAS, HCDA has further amended its 2013 budget to include prior program years' unspent dollars to be applied toward a handicapped accessibility project at the American Legion Hall Post 694; and

WHEREAS, the Town Board hereby amends the 2013 program year budget for the Huntington Community Development Agency to total ONE MILLION FIFTEEN THOUSAND TWO HUNDRED TWENTY-SIX DOLLARS AND 41/100 CENTS (\$1,015,226.41), the breakdown of which is attached hereto as "Schedule A."

WHEREAS, the Town Board held a public hearing on July 9th, 2013 to submit an amended application to show the proposed disbursement of its 2013 Program year Community Development Block Grant Funds; and

WHEREAS, the authorization for submission of an application for Community Development Block Grant funding is a type II action pursuant to 6N.Y.C.R.R. section 617.5 (c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

2013- 317

HEREBY AUTHORIZES the Supervisor to submit an amended application as shown in the attached One Year Action Plan (Budget), which is attached hereto as "Schedule A" and made a part hereof, on behalf of the Town of Huntington for an entitlement grant for Community Development Block Grant funds under the Housing and Community Development Act of 1974 and to execute any and all documents in connection therewith and upon such other terms and conditions as are acceptable to the Town Attorney; and

HEREBY DESIGNATES the Director of the Huntington Community Development Agency to be the Agent of the Supervisor with respect to providing additional information as may be required under said application; and

HEREBY DIRECTS the Town Attorney, as counsel for the applicant and attorney-at-law duly admitted to practice in the State of New York, to certify to the facts and representations as contained in Federal Form HUD-7015.15, and to the Assurances under the Community Development Block grant Application referred to above.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

"SCHEDULE A"

Amendment to Community Development Agency Program
 Program Year 2013
 July 9, 2013

The Town of Huntington is proposing the following changes to the Huntington Community Development Block Grant Program:

Projects	Budget	Completion Date
Town wide Rehabilitation (Rental, Homeowner) (Includes Program Income)	\$693,539.00	06/31/14
Family Service League	\$8,500.00	03/31/14
Reach/CYA	\$10,000.00	03/31/14
Huntington Station Revitalization	\$20,000.00	03/31/14
Handicap Accessibility at American Legion Hall Post 694	\$88,303.41	3/31/14
Fair Housing Long Island Housing Services	\$7,500.00	03/31/15
Program Administration (Includes Program Income)	\$187,384.00	03/31/14

2013 - 318

RESOLUTION AUTHORIZING THE UNITED STATES COAST GUARD
AUXILIARY TO RUN A VESSEL EXAMINATION/BOATING EDUCATION
PROGRAM AT MILL DAM MARINA

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson, **COUNCILWOMAN BERLAND**
and seconded by **COUNCILMAN COOK**

WHEREAS, the United States Coast Guard (USCG) Auxiliary, D1SR 014-12-07, has offered to perform a complimentary vessel examination program and to give a boating education program including the dissemination of a boating safety brochure, NY Rules and Regulations, the proper selection of life vests, and additional educational information for the general and boating public; and

WHEREAS, the USCG Auxiliary D1SR 014-12-07 has requested permission to provide this program at the Mill Dam Marina in Huntington Harbor on the 27th day of July 2013, at which time the USCG will have a small canopy tent (15' x' 15') that will house their display; and

WHEREAS, the permission to utilize the Mill Dam Marina is contingent upon the USCG Auxiliary D1SR 014-12-07 providing a hold harmless agreement indemnifying the Town and naming the Town as an additional insured on certificates of insurance, and any other permits as would be required; and

WHEREAS, this one day program with hold harmless agreement constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617(c)(15), (20)(27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES upon the submission of a hold harmless agreement and certificates of insurance naming the Town as an additional insured the USCG Auxiliary D1SR 014-12-07, Huntington, NY to utilized the Mill Dam Marina, Huntington, NY on July 27, 2013, from approximately 9:00 am to 2:00 pm, for a vessel safety and boating educational program, upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013 - 319

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH ILS COMMUNITY NETWORK IPA LLC, (ILS Community Network), A LONG TERM HOME HEALTH CARE PROGRAM (LTHHCP) AND THE TOWN OF HUNTINGTON FOR THE PROVISION OF ADULT DAY CARE SERVICES

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK, COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington operates an Adult Day Care Program that provides social model day care services such as educational programs, crafts, recreation, group activities and a hot lunch for the frail elderly; and

WHEREAS, ILS Community Network is a management services company which contracts with health insurance companies that operate Medicare, Managed Long Term Care and other special needs products to provide administrative services and healthcare services through ILS Community Network's contracted providers; and

WHEREAS, ILS Community Network and the Town of Huntington mutually desire that the Town of Huntington participate in ILS Community Network's provider network and provide covered services to members of the Managed Long Term Care and other applicable program; and

WHEREAS, ILS Community Network desires to provide eligible senior citizens with social day care services through the Huntington Adult Day Care Programs; and

WHEREAS, ILS Community Network, will reimburse the Town of Huntington the sum of FORTY AND NO/100 (\$40.00) DOLLARS a day, per person for a day's attendance; and

WHEREAS, the execution of this agreement is not an action as defined by 6 N.Y.C.R.R. Section 617.2 (b) and therefore, no further SEQRA review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with ILS Community Network IPA LLC, a Long Term Home Health Care Program, for the provision of an Adult Day Care Services Program for an amount not to exceed the sum of FORTY AND NO/100 (\$40.00) DOLLARS a day, per person for a period of one year. Thereafter, the Agreement shall be automatically renewed for a period of one (1) year, and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

2013 - 319

VOTE: AYES: 5 NOES: 0 ABSTENTIONS 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THERE UPON DECLARED DULY ADOPTED

2013- 320

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR SELF-INSURED WORKERS' COMPENSATION ADMINISTRATIVE AND CLAIMS MANAGEMENT SERVICES WITH PMA MANAGEMENT CORP.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN COOK**

WHEREAS, The Town of Huntington issued RFP 2008-18 for services requiring claims administration and claims management, including third party claims administration, for all workers' compensation claims incurred by employees of the Town of Huntington; and

WHEREAS, Town Board Resolution 2009-303 authorized the execution of a contract and Town Board Resolution 2012-241 authorized the first one (1) year extension with PMA Management Corp. for self- insured workers' compensation administration and claims management services, RFP 2008-18; and

WHEREAS, said requirements contract provides for two (2) one (1) year extensions with no increase in the contract price or change in the terms and conditions; and

WHEREAS, PMA Management Corp. 5789 Widewaters Parkway, DeWitt, New York 13214 has requested the final one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with PMA Management Corp. for self-insured workers' compensation administrative and claims management services. The extension period shall be effective for one (1) year commencing on August 17, 2013 to be charged to Operating Budget Item CS 19040-4150, and upon such other terms and such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR TOWNWIDE REQUIREMENTS CONTRACT FOR PAVEMENT REPAIR WITH ROSEMAR CONTRACTING, INC.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to prepare & repair various pavement courses in accordance with Town of Huntington requirements and construction specifications; and

WHEREAS, Town Board Resolution 2012-370 authorized the execution of a contract with Rosemar Contracting, Inc. for Townwide Requirements Contract for pavement repair, Contract No. HWY 2012-08/O-E (Rebid); and

WHEREAS, said requirements contract provides for two (2) additional one (1) year extensions with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Rosemar Contracting, Inc., P.O. Box 16, Patchogue, New York 11772 has requested the first one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Rosemar Contracting, Inc. for townwide requirements contract for pavement repair. The extension period shall be effective for one (1) year commencing on August 30, 2013 to be charged HW 5197-2776-12502, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-322

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR TOWNWIDE REQUIREMENTS CONTRACT TO FURNISH AND INSTALL CRACK AND JOINT SEALANT WITH BIMASCO, INC.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN COOK**

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to restore pavements with joint and crack sealant in accordance with Town of Huntington requirements and construction specifications; and

WHEREAS, Town Board Resolution 2012-328 authorized the execution of a contract with Bimasco, Inc. for Townwide Requirements Contract to furnish and install crack and joint sealant, Contract No. HWY 2012-06/O-E; and

WHEREAS, said requirements contract provides for two (2) additional one (1) year extensions with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Bimasco, Inc., 735 Old Willets Path, Hauppauge, New York 11788 has requested the first one (1) year extension; and

WHEREAS, the authorization to extend a contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Bimasco, Inc. for townwide requirements contract to furnish and install crack and joint sealant. The extension period shall be effective for one (1) year commencing on August 14, 2013 to be charged HW 5197-2776-11052, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-323

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE DETROIT DIESEL ENGINE PARTS AND ALLISON TRANSMISSION PARTS AND SERVICE WITH DRIVE TRAIN TRUCK PARTS CORP.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the maintenance of transmissions and engines on Town vehicles is required in order to facilitate efficiency of services and prolong the life expectancy of the vehicles; and

WHEREAS, sealed bids were received on June 13, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Detroit diesel engine parts and Allison transmission parts and service, Bid No. TOH 13-06R-039 and the same were opened publicly and read aloud; and

WHEREAS, Drive Train Truck Parts Corp., 763 Blue Point Road, Holtsville, New York 11742 is the lowest responsive, responsible bidder; and

WHEREAS, the Detroit diesel engine parts and Allison transmission parts and service is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(25), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for the Detroit diesel engine parts and Allison transmission parts and service. The contract period shall be effective for a one year period commencing upon execution of the contract but not prior to August 16, 2013 and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various department operating budgets under object code 4520, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-324

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR A MULTI-SPACE PARKING PAY STATION SYSTEM WITH DEVO & ASSOCIATES, LLC.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS; The Huntington Parking Consortium, comprising the Town of Huntington, the Huntington EDC, the Huntington BID, The Paramount, and the Huntington Chamber of Commerce, commissioned Nelson Nyggard Consulting Associates, Inc. to assess traffic congestion and parking issues in Huntington Village and to prepare a recommendations summary for Town consideration; and

WHEREAS, one recommendation is for the Town to implement new parking meter technology and utilize smart pay option meters to improve parking and traffic flow by enabling enhanced monitoring and utilization of parking spaces on a regular basis; and

WHEREAS, this new meter technology, known as smart metering, would allow price elasticity based on demand and would give parking patrons the option to pay by credit card, coin and paper currency, in addition to pay-by-phone; and

WHEREAS; the Town of Huntington wishes to engage the successful vendor in delivering and installing parking pay stations in specified locations in Huntington Village, in addition to locations at LIRR stations within the Town of Huntington, in accordance with agreed-upon performance standards; and

WHEREAS, sealed proposals were received on April 26, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for multi-space parking pay station system, RFP No. 2013-04-004 and the same were opened publicly and read aloud; and

WHEREAS, Devo & Associates, LLC, 1252 Haddonfield Berlin Road, Unit 2, Voorhees, New Jersey 08043 is the successful responsible and responsive proposer; and

WHEREAS, the multi-space parking pay station system is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Devo & Associates, LLC for a multi-space parking pay station system. The contract period shall be effective for a three (3) year term commencing upon the execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions. The cost of this project is TWO HUNDRED EIGHTY THOUSAND AND NO/100 (\$280,000.00) DOLLARS, to be charged to PS3097/2782 and upon such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY authorizes the comptroller to amend the capital budget as follows:

Increase the following appropriations:

A0599R	Fund Balance	\$280,000
PS3097/2782 -	Parking Meters	\$280,000

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE USE OF DIX HILLS PARK POOL BY THE CHILDREN OF WHITMAN VILLAGE HOUSING DEVELOPMENT UPON PAYMENT OF A FLAT FEE FOR THE SUMMER OF 2013

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

WHEREAS, Whitman Village Housing Development, 160A Lowndes Avenue, Huntington Station, New York 11746 has expressed a desire to provide an additional recreational outlet for the children in their community during the summer of 2013; and

WHEREAS, they have requested that the children in their housing community be allowed the use of Dix Hills Park Pool upon the presentation of proper identification for a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS per complex; and

WHEREAS, the use of Dix Hills Park Pool for this purpose is a Type II action, pursuant to 6 N.Y.C.R.R. Section 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the use of Dix Hills Park Pool by the children of Whitman Village Housing Development upon payment of a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS per complex for the summer of 2013.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-326

RESOLUTION AUTHORIZING THE HUNTINGTON TOWNSHIP CHAMBER OF COMMERCE TO HOLD THE LONG ISLAND FALL FESTIVAL AT HUNTINGTON EVENTS AND AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT IN CONJUNCTION WITH SAME

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN COOK**

and seconded by: **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA**

WHEREAS, the Huntington Township Chamber of Commerce (the "Chamber") has requested permission to hold The Long Island Fall Festival at Huntington events on Friday, October 11, 2013, between the hours of 3pm and 11:00 pm; Saturday, October 12, 2013 between the hours of 11:00 a.m. and 11:00 p.m.; Sunday, October 13, 2013, between the hours of 11:00 a.m. and 11:00 p.m.; and Monday, October 14, 2013 between the hours of 11:00am and 5 pm; and

WHEREAS, the Chamber has requested permission to open the festival with a carnival, live band entertainment, Corporate Sponsors, Food Court, and a Beer & Wine Tasting on Friday, October 11, 2013, with the use of the Harry Chapin Rainbow Stage for live performances through Sunday, October 13, 2013 for the Festival live band entertainment; and

WHEREAS, in conjunction with the festival events and carnival, the Chamber has requested permission to use certain town facilities; and

WHEREAS, the Chamber has also requested an extension of all tent permits to allow for extra time; and

WHEREAS, such permission is contingent upon the execution of a license agreement which includes provisions requiring the Chamber to hold harmless and indemnify the Town of Huntington; and

WHEREAS, the authorization of the Long Island Fall Festival at Huntington events and execution of a license agreement in conjunction with same is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (15), and therefore no further SEQRA review is required.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Huntington Township Chamber of Commerce to hold The Long Island Fall Festival at Huntington events on Friday, October 11, 2013, between the hours of 3:00 pm and 11:00 pm; Saturday, October 12, 2013 between the hours of 11:00 a.m. and 11:00 p.m.; Sunday, October 13, 2013, between the hours of 11:00 a.m. and 11:00 p.m.; and Monday, October 14, 2013 between the hours of 11:00am and 5:00pm; and be it further

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Chamber to open the festival with a carnival, live band entertainment, Corporate Sponsors, Food Court, and a Beer and Wine Tasting on Friday, October 11, 2013, with the use of the Harry Chapin Rainbow Stage for live performances through Sunday, October 13, 2013 for the Festival live band entertainment; and be it further

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the following actions in order to facilitate the Chamber in relation to these events:

1. Authorizes the use of the Harry Chapin Rainbow Stage in conjunction with the Huntington Arts Council on Friday, October 11, 2013, beginning at 3 pm and ending at 11:00 p.m.; Saturday, October 12, 2013, beginning at 11:00 a.m. and ending at 11:00 p.m.; Sunday, October 13, 2013, beginning at 11:00 a.m. and ending at 11:00 p.m.; and
2. Authorizes the use of the cottage at Heckscher Park as a command center and the exterior grounds thereof as a first aid station, beginning at 2:00 p.m. on Friday, October 11, 2013 through Sunday, October 13, 2013 at 10:00 p.m., inclusive; and
3. Grants permission for restricted parking by special pass for the disabled issued by the Chamber for Saturday, October 12, 2013 and Sunday, October 13, 2013, beginning at 11:00 a.m. and ending at 11:00 p.m., at the following Town parking fields:
 - A. 150 parking spaces in the lot of the John J. Flanagan Center (Village Green Parking Lot).
 - B. Town Hall Lot.
 - C. Lot west of the Elks Club.
4. The roads will be closed to vehicular traffic on Saturday, October 12, 2013, and Sunday, October 13, 2013, beginning at 8:00 a.m. and ending at 7:00 p.m. The Chamber will coordinate with the Department of Engineering Services and the Department of Highways, and abide by all applicable Town, County and State laws and regulations. All necessary permits and approvals shall be acquired and provided to the Huntington Town Clerk prior to October 3, 2013; and
5. Extends all permits for tents by 48 hours to a total of 120 hours, beginning on Thursday, October 10, 2013 at 11:00 am and ending on Tuesday, October 15, 2013 at 11:00 a.m. All tents erected or maintained shall be in compliance with Chapter 111, Article 29 of the Town of Huntington Fire Prevention Code and all permits shall be acquired and provided to the Huntington Town Clerk prior to October 3, 2013; and

6. Authorizes the Department of Engineering Services and the Department of General Services to run shuttle buses, at a cost of \$1.00 round trip per person to defray the cost of the service. Said shuttle schedule shall accommodate the needs of the participants and/or attendees for the duration of these events; and shall run Saturday, October 12, 2013 and Sunday, October 13, 2013 from 11:00 a.m. to 10:00 p.m.;
7. Waives the fees currently being charged by the Bureau of Fire Prevention for tents and propane gas; and
8. Grants permission for the use of the Heckscher Park Pond for remote control speedboat races on Saturday and Sunday October 12 and 13, 2013 from 11:00 a.m. to 6:00 p.m. The dock on Madison Street will be used for launching purposes; and
9. The Huntington Township Chamber of Commerce and any and all vendors and/or organizations participating in the Food Court shall obtain any and all permits required by the Suffolk County Department of Health and any and all other agencies having jurisdiction and shall present same to the Town Clerk prior to October 3, 2013. The Huntington Township Chamber of Commerce and any and all vendors and/or organizations participating in the Food Court shall defend, indemnify and hold the Town, its agents, servants and/or employees harmless from and against all claims, including defense costs, reasonable attorney fees, liability arising out of or in connection with the aforesaid Food Courts, and/or the failure to obtain said proper permits.
10. The Chamber shall obtain, or cause the appropriate organizations to obtain any and all necessary permits and licenses required to provide a beer and/or wine tasting area in Heckscher Park and shall present same to the Town Clerk prior to October 3, 2013. Such area shall be self-contained and subject to strict rules and regulations. The Chamber, and any and all vendors and/or organizations participating in the beer/wine tasting area shall defend, indemnify and hold the Town, its agents, servants and/or employees harmless from and against all claims, including defense costs, reasonable attorney fees, liability arising out of or in connection with the aforesaid beer/wine tasting area, and/or the failure to obtain said proper permits.
11. The Chamber shall be restricted from using certain areas of Heckscher Park, as directed by the Town of Huntington for the purpose of maintaining the beauty and nature of the park. Prior to submitting the site plan as required by Huntington Town Code, said site plan shall be approved by the Director of the Town of Huntington Department of General Services or his designee.
12. The Huntington Township Chamber of Commerce shall be responsible for restoring Heckscher Park to its pre-festival condition, especially the area where the carnival takes place. They shall be required to accompany the Director of the Town of Huntington Department of General Services or his designee on an inspection of the park prior to and following the festival. Following the post festival inspection, the

Director of General Services will notify the Chamber of restoration work required to be undertaken by the Chamber. Said restoration work shall be completed within a reasonable timeframe agreed upon between the Chamber and the Town. Any and all costs associated with such restoration work shall be the sole responsibility of the Chamber.

13. The Town Board again reiterates that the use of Heckscher Park will continue to be subject to various restrictions and limitations to be determined by the Town of Huntington.

and be it further

RESOLVED, all costs incurred by the Town of Huntington for labor, services and materials in connection with or resulting from the festival events, excluding restoration work as outlined in item 13 above, shall be fully reimbursed by the Chamber, however, said amount shall not exceed the sum of \$12,500.00 and shall be paid to the Town of Huntington on or before November 1, 2013. All such labor, services and materials provided by the Town shall, to the best of the ability of the parties, be agreed upon in advance, by the Chamber and the Town; and be it further

RESOLVED, that the Town of Huntington shall be named as a festival sponsor; and be it further

RESOLVED, that the Chamber shall provide insurance coverage for property damage, personal injury, breach of agreement/contract and lost profit naming the Town of Huntington, its officers and employees as additional insured by endorsement and the insurance coverage must be provided prior to the commencement of the work or the use of the premises by providing the Town with a copy of the insurance policy including the endorsement naming the Town as additional insured. The insurance must be unrestricted and primary coverage. The Chamber shall be required to sign a license agreement, including the procurement of insurance, hold harmless and indemnity provisions to defend the Town regarding any personal injury, property damage, breach of contract, violation of civil rights and discrimination in a form and on terms acceptable to the Town Attorney.

The failure to procure insurance in accordance with the requirements of the above and the terms and conditions of an insurance procurement agreement acceptable to Town Attorney will constitute a breach of any agreement with the Town for use and operation at the premises and the entities may be held liable for such breach and will be held responsible for costs, expenses and attorney fees.

The policies of insurance shall be in a minimum of \$1,000,000 per occurrence for bodily injury and \$2,000,000 in aggregate and bodily injury including death and \$1,000,000 for property damage. The Town shall be named by endorsement as a beneficiary on any excess policies that any of the entities may have. The insurance which names the Town by endorsement shall be provided to the Huntington Town Clerk and the Town

Attorney's Office by October 3, 2013. Any and all insurance agreements shall be entered that are acceptable in terms and conditions by the Town Attorney's Office; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a license agreement in conjunction with the festival events and carnival, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENTS FOR MEETING PLACES FOR SENIOR CITIZEN CLUBS

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington recognizes the importance of social interaction for the senior citizen community; and

WHEREAS, regular meetings through the various Town senior clubs provides an avenue to foster friendships and encourage social interaction for our seniors; and

WHEREAS, the Town of Huntington annually enters into contractual relationships with various entities for the purpose of providing a meeting place for the various senior citizen clubs throughout the Town of Huntington; and

WHEREAS, the Town of Huntington desires to provide two additional meetings per senior club for 2013; and

WHEREAS, the amendment of an agreement(s) for the provision of a meeting place is not an action as defined by NYCRR Section 617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute amendments to the senior meeting place agreements, and/or any other documents in connection therewith, to enable two additional senior club meetings per club, upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SETTLEMENT OF A LAWSUIT
(Williamson v. Town of Huntington)

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by **COUNCILMAN CUTHBERTSON**

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, Mr. and Mrs. Williamson made a claim against the Town of Huntington for water/flood damage sustained on July 18, 2007; and

WHEREAS, the liability portion of the case was previously decided and the damages part is what is being settled at this time; and

WHEREAS, a demand was made in the approximate amount of \$263,000.00 plus interest at 9% from July 18, 2007; and

WHEREAS, an offer of settlement was made in the approximate amount of \$175,000.00 which sum includes any interest due and owing; and

WHEREAS, this settlement is subject to the approval of the Town Board; and

WHEREAS, the settlement of this lawsuit is not an action as defined by 6 N.Y.C.R.R. 617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue a check in settlement of this matter, not to exceed a total of ONE HUNDRED SEVENTY-FIVE (\$175,000.00) DOLLARS, pending receipt of settlement papers, therein, and upon such other terms and conditions as may be acceptable to the Town Attorney, to be applied against Operating Budget Item No. A 1930-4160 and authorized the Town Attorney to execute or cause there to be executed all documents required to effectuate this settlement.

FURTHER BE IT RESOLVED, the Comptroller is authorized to transfer ONE HUNDRED SEVENTY-FIVE (\$175,000.00) DOLLARS from the Judgments and Claims Reserve (A-0876) and amend the 2013 Operating Budget as follows:

Increase the following revenue:

A0511-0511R	Appropriated Reserve	\$175,000
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Increase the following appropriation:

A1930-4160	Judgments and Claims	\$175,000
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VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, violations of the Code of the Town of Huntington and/or the Uniform Codes of the State of New York exist at the locations set forth in Schedule "A", attached hereto and made part of this Resolution, which constitute an attractive nuisance, negatively affect the aesthetic appearance of our neighborhoods, and jeopardize the health and safety of residents in close proximity to these properties; and

WHEREAS, the owner(s) of properties listed in Schedule "A" have failed and/or refused to bring their properties into compliance after a Notice of Violation has been issued by the Department of Public Safety; and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (33) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and notice that such violation must be rectified to the satisfaction of the Town within ten (10) days of mailing of the Notice, and upon the failure to remedy the same on a timely basis, the Town shall take all steps necessary to rectify the hazard or nuisance at the property owner's expense; and

HEREBY AUTHORIZES, the Director of the Department of General Services and other Town departments having jurisdiction, to take all actions necessary to correct the violations on these properties upon the failure of the owners to do so, and charge all costs incurred by the Town against the owners of the properties in the same manner and at the same time as real property taxes in accordance with the applicable provisions of the Code of the Town of Huntington or other applicable law.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Chapter 87, Section 81 of the Code of the Town of Huntington
Authorizing the Securing of a Pool Fence

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
75 Alton Ave. Greenlawn, NY 11740	0400-162.00-03.00-149.000	Angel & Francis Soto & Yasanka Batsikas	02/08/2013	N/A
59 Harding St. E. Northport, NY 11731	0400-058.00-01.00-083.000	Charles Garelle	06/16/2013	N/A
4 Knox Pl. Dix Hills, NY 11746	0400-252.00-03.00-085.000	Arnold & Irma Jacinto	06/17/2013	N/A
5 Windgate Ct. E. Northport, NY 11731	0400-115.00-01.00-009.000	Donna J. Albanese	06/04/2013	N/A

Chapter 133, Section 2 of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
43 E. 14 th St. Huntington Sta., NY 11746	0400-145.00-03.00-077.000	US Bank National Association	06/18/2013	3476 Stateview Blvd. Fort Mill, SC 29715
49 E. 14 th St Huntington Sta., NY 11746	0400-145.00-03.00-080.000	Robin Jedlicka	06/17/2013	48 Maple Ave. Bay Shore, NY 11706
75 Alton Ave. Greenlawn, NY 11740	0400-162.00-03.00-149.000	Angel & Francis Soto & Yasanka Batsikas	02/08/2013	N/A

Chapter 133, Section 2 of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
10 Auserehl Ct. Huntington, NY 11743	0400-034.00-02.00-015.000	Lavi Parviz	05/29/2013	21 Overbrook Ln. Glen Head, NY 11545
26 Cedar Dr. Huntington, NY 11743	0400-093.00-01.00-102.000	Bruce Stephen Segal	05/29/2013	N/A
106 Daly Rd. E. Northport, NY 11731	0400-215.00-01.00-044.000	Mitchell and Marie Alexander	06/04/2013	N/A
Gils Farm E. Northport, NY 11731	0400-129.00-02.00-002.004	Evergreen Homes Construction Corp.	06/13/2013	475 Old Country Rd. Huntington Sta., NY 11746
53 Grover Ln E. Northport, NY 11731	0400-176.00-01.00-115.000	Christopher & Margaret Carroll	06/13/2013	N/A
59 Harding St. E. Northport, NY 11731	0400-058.00-01.00-083.000	Charles Garelle	06/16/2013	N/A
2 Holly Ct. Melville, NY 11747	0400-253.00-03.00-045.000	Dorit Holden	06/17/2013	N/A
85 Horton Dr. Huntington Sta., NY 11746	0400-239.00-03.00-067.005	Thomas Cavallo	06/17/2013	N/A
4 Knox Pl. Dix Hills, NY 11746	0400-252.00-03.00-085.000	Arnold & Irma Jacinto	06/17/2013	N/A
50 Lafayette St. Huntington, NY 11743	0400-160.00-03.00-067.000	Patrick & Antoine Noel	06/17/2013	N/A

Chapter 133, Section 2 of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
24 Lorraine Ct. Northport, NY 11768	0400-055.00-01.00-048.003	Mohammed Sabur	06/07/2013	N/A
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott	05/28/2013	N/A
3 Monmouth Pl. Melville, NY 11747	0400-235.00-01.00-015.000	Eric Gurba	06/17/2013	N/A
2559 New York Ave. Melville, NY 11747	0400-235.00-03.00-089.000	Edelmira Vasquez	06/14/2013	N/A
3 Penn Ct. Dix Hills, NY 11746	0400-260.00-02.00-010.000	Providence Rock, Inc.	06/17/2013	N/A
2 Pine Hill Ct. Northport, NY 11768	0400-081.00-08.00-016.000	Iris Cervantes	05/31/2013	N/A
1418 Pulaski Rd. E. Northport, NY 11731	0400-128.00-01.00-001.000	Michael Korabik	06/04/2013	N/A
39 Seaman Neck Rd. Dix Hills, NY 11746	0400-279.00-01.00-114.000	Catherine Joseph & Fred Joseph & Marion Joseph	05/17/2013	N/A
11 Sheppard Ln. Huntington Sta., NY 11746	0400-189.00-01.00-050.000	Joseph & Connie De Laura	05/29/2013	17 Boston Pl. Huntington Sta., NY 11746
55 Stony Hollow Rd. Centerport, NY 11721	0400-080.00-07.00-024.000	Patricia Cespedes	06/12/2013	N/A

Schedule A

Chapter 156, Section 13 of the Code of the Town of Huntington
Authorizing the Securing of an Open Excavation

PROPERTY ADDRESS

SCTM#

OWNER

NOV

MAILING ADDRESS

N/A

06/12/2013

Karel Hibbert

0400-211.00-03.00-091.000

52 Cutting St.
Huntington, NY 11743

Chapter 156, Section 43 of the Code of the Town of Huntington
Authorizing the Removal of Junk Vehicles

PROPERTY ADDRESS

SCTM#

OWNER

NOV

MAILING ADDRESS

N/A

06/12/2013

Patricia Cespedes

0400-080.00-07.00-024.000

55 Stony Hollow Rd.
Centerport, NY 11721

N/A

06/16/2013

Charles Garelle

0400-058.00-01.00-083.000

59 Harding St.
E. Northport, NY 11731

Chapter 156, Section 45 of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

PROPERTY ADDRESS

SCTM#

OWNER

NOV

MAILING ADDRESS

N/A

06/12/2013

Sean & Roseanne
Keegan

0400-211.00-03.00-109.000

57 Brennan St.
Huntington, NY 11743

N/A

06/17/2013

Arnold & Irma Jacinto

0400-252.00-03.00-085.000

4 Knox Pl.
Dix Hills, NY 11746

N/A

06/13/2013

Gloria & Jeffrey
Gelmin, Jr.

0400-184.00-01.00-024.000

3 Olmstead Ln.
E. Northport, NY 11731

(Schedule A Pg. 4)

Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
43 E. 14th St Huntington Sta., NY 11746	0400-145.00-03.00-077.000	US Bank National Association	06/18/2013	3476 Stateview Blvd. Fort Mill, SC 29715
49 E. 14 th St. Huntington Sta., NY 11746	0400-145.00-03.00-080.000	Robin Jedlicka	06/17/2013	48 Maple Ave. Bay Shore, NY 11706
E. 19 th St. Huntington Sta., NY 11746	0400-199.00-01.00-060.001	Triangle Holding & Dev. Corp of LI	06/12/2013	20 Barlett Pl. Huntington, NY 11743
10 Auserehl Ct. Huntington, NY 11743	0400-034.00-02.00-015.000	Lavi Parviz	05/29/2013	21 Overbrook Ln. Glen Head, NY 11545
18 Bayley Pl. Huntington Sta., NY 11746	0400-194.00-04.00-045.000	Richard and Gail Nicol	06/14/2013	N/A
229A Beverly Rd. Huntington Sta., NY 11746	0400-203.00-01.00-158.005	William and Pamela Brady	05/22/2013	N/A
3 Breza Ct. E. Northport, NY 11731	0400-171.00-02.00-048.007	Joan Lang	06/06/2013	3 Blacksmith Ln. E. Northport, NY 11731
57 Caldwell St. Huntington Sta., NY 11746	0400-149.00-03.00-100.000	Christopher Pasterak	06/10/2013	N/A
26 Cedar Dr. Huntington, NY 11743	0400-093.00-01.00-102.000	Bruce Stephen Segal	05/29/2013	N/A

Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
52 Cutting St. Huntington, NY 11743	0400-211.00-03.00-091.000	Karel Hibbert	06/12/2013	N/A
106 Daly Rd. E. Northport, NY 11731	0400-215.00-01.00-044.000	Mitchell and Marie Alexander	06/04/2013	N/A
575 Elwood Rd. E. Northport, NY 11731	0400-171.00-02.00-002.002	Eric Logan	06/06/2013	12 Wake Robin Rd. Westport, CT 06880
4 Greenvale Dr. E. Northport, NY 11731	0400-175.00-02.00-018.000	Robert Toy Deborah Chin	06/03/2013	N/A
53 Grover Ln E. Northport, NY 11731	0400-176.00-01.00-115.000	Christopher & Margaret Carroll	06/13/2013	N/A
12 Highland Ct. Huntington, NY 11746	0400-069.00-02.00-036.000	Adam Greenholtz	05/16/2013	N/A
2 Holly Ct. Melville, NY 11747	0400-253.00-03.00-045.000	Dorit Holden	06/17/2013	N/A
85 Horton Dr. Huntington Sta., NY 11746	0400-239.00-03.00-067.005	Thomas Cavallo	06/17/2013	N/A
6 Jordan Ct. Dix Hills, NY 11746	0400-263.00-02.00-060.000	Susan Ciccollella	06/14/2013	N/A
5 Kirby Ln. Commack, NY 11725	0400-222.00-01.00-108.000	Empire Property Solutions LLC	05/13/2013	N/A

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Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
4 Knox Pl. Dix Hills, NY 11746	0400-252.00-03.00-085.000	Arnold & Irma Jacinto	06/17/2013	N/A
50 Lafayette St. Huntington, NY 11743	0400-160.00-03.00-067.000	Patrick & Antoine Noel	06/17/2013	N/A
37 Lawn St. Greenlawn, NY 11740	0400-166.00-01.00-038.000	Richard Findlay Sandra Chambers	05/31/20013	N/A
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott	05/28/2013	N/A
24 Lorraine Ct. Northport, NY 11768	0400-055.00-01.00-048.003	Mohammed Sabur	06/07/2013	N/A
23 Liberty St. Huntington Sta., NY 11746	0400-202.00-03.00-133.000	Paul Tekverk	06/06/2013	N/A
35 Mitchell Ave. E. Northport, NY 11731	0400-183.00-03.00-019.000	Sophia Sinkiewicz	06/12/2013	N/A
3 Monmouth Pl. Melville, NY 11747	0400-235.00-01.00-015.000	Eric Gurba	06/17/2013	N/A
Nassau Rd. Huntington, NY 11743	0400-094.00-02.00-076.000	Edward Hill ICO Smith Hunt Realty	06/14/2013	PO Box 2311 Huntington, NY 11743

Chapter 156, Section 46 of the Code of the Town of Huntington
 Authorizing the Removal of Overgrown Weeds and Grass (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
2559 New York Ave. Melville, NY 11747	0400-235.00-03.00-089.000	Edelmira Vasquez	06/14/2013	N/A
3 Olmstead Ln. E. Northport, NY 11731	0400-184.00-01.00-024.000	Gloria & Jeffrey Gelmin, Jr.	06/13/2013	N/A
3 Penn Ct. Dix Hills, NY 11746	0400-260.00-02.00-010.000	Providence Rock, Inc.	06/17/2013	N/A
2 Pine Hill Ct. Northport, NY 11768	0400-081.00-08.00-016.000	Iris Cervantes	05/31/2013	N/A
1418 Pulaski Rd. E. Northport, NY 11731	0400-128.00-01.00-001.000	Michael Korabik	06/04/2013	N/A
222 W. Pulaski Rd. Huntington Sta., NY 11746	0400-138.00-03.00-046.000	Carolyn & Matthew Niceforo	06/16/2013	N/A
6 Ryder Ave. Dix Hills, NY 11746	0400-278.00-01.00-039.000	Melvin & Regina Hurt	05/31/2013	N/A
39 Seaman Neck Rd. Dix Hills, NY 11746	0400-279.00-01.00-114.000	Catherine Joseph & Fred Joseph & Marion Joseph	05/17/2013	N/A
2 Stanley Ct. Huntington, NY 11743	0400-159.00-02.00-060.000	Edward Golembe	06/06/2013	N/A
55 Threepence Dr. Melville, NY 11747	0400-272.00-05.00-071.000	Jesse Sofer	06/14/2013	N/A

Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
4 Tuxedo Dr. Melville, NY 11747	0400-253.00-02.00-055.000	Robert & Lisa Cook	06/16/2013	N/A
12 Warren Ct. Northport, NY 11768	0400-055.00-01.00-092.001	Thomas & Suzanne Dooley	05/31/2013	N/A
17 Wheatfield Ln. Commack, NY 11725	0400-221.00-03.00-013.000	Rhoda Weiner	06/03/2013	N/A

Chapter 191, Section 3A of the Code of the Town of Huntington
Authorizing the Securing of an Unsafe Structure

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
43 E. 14th St Huntington Sta., NY 11746	0400-145.00-03.00-077.000	US Bank National Association	06/18/2013	3476 Stateview Blvd. Fort Mill, SC 29715
2 Holly Ct. Melville, NY 11747	0400-253.00-03.00-045.000	Dorit Holden	06/17/2013	N/A
4 Knox Pl. Dix Hills, NY 11746	0400-252.00-03.00-085.000	Arnold & Irma Jacinto	06/17/2013	N/A
24 Lorraine Ct. Northport, NY 11768	0400-055.00-01.00-048.003	Mohammed Sabur	06/07/2013	N/A
Nassau Rd. Huntington, NY 11743	0400-094.00-02.00-076.000	Edward Hill ICO Smith Hunt Realty	06/14/2013	PO Box 2311 Huntington, NY 11743

Chapter 191, Section 3A of the Code of the Town of Huntington
Authorizing the Securing of an Unsafe Structure (Continued)

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
39 Seaman Neck Rd. Dix Hills, NY 11746	0400-279.00-01.00-114.000	Catherine Joseph & Fred Joseph & Marion Joseph	05/17/2013	N/A
4 Tuxedo Dr. Melville, NY 11747	0400-253.00-02.00-055.000	Robert & Lisa Cook	06/16/2013	N/A

Schedule A

Chapter 156, Section 45 of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
81 Ciro Street Huntington, New York 11743	0400-170.00-02.00-029.00	DOROTHY SCHOCK	06/12/2012	N/A

Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM #</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
81 Ciro Street Huntington, New York 11743	0400-170.00-02.00-029.00	DOROTHY SCHOCK	06/12/2012	N/A

RESOLUTION AUTHORIZING THE COMPTROLLER TO ESTABLISH A TRUST AND AGENCY ACCOUNT FOR THE SIGNALIZATION OF PARK AVENUE (CR35) AT 5TH AVENUE AND AT THE TELEPHONICS ACCESS DRIVEWAY, AND FOR ADDITIONAL TRAFFIC SIGNAL INTERSECTION IMPROVEMENTS AND AUTHORIZING THE SUPERVISOR TO APPLY FOR AN ENTRY PERMIT AND EXECUTE A PRE-EMPTION AGREEMENT WITH THE LIRR AND A TRAFFIC SIGNAL MAINTENANCE AGREEMENT WITH THE COUNTY OF SUFFOLK, ALL IN CONNECTION WITH TRAFFIC CONTROL IMPROVEMENTS TO PARK AVENUE, HUNTINGTON STATION, NEW YORK

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Town Board resolution #2011-310 and Planning Board conditional site plan approval, dated February 6, 2013 established the requirement for Avalon Bay to fund various traffic improvements including the construction and installation of new traffic control devices at Park Avenue and 5th Avenue and the Telephonics access driveway, and to upgrade the controllers at the Park Avenue/Broadway intersection and at Park Avenue/Dunlop Road, and

WHEREAS, VHB, who as a consultant to Avalon Bay, will prepare plans and bidding specifications for the requisite traffic control construction and installation work that will be bid through the Town Purchasing Department, all at no expense to the Town, and

WHEREAS, in addition, the Town as owner of the newly installed signals at Park Avenue and 5th Avenue and the Telephonics Access driveway is required to apply for an entry permit and to enter into a pre-emption agreement with the LIRR and will incur certain costs as a result thereof, also to be funded by Avalon Bay, and

WHEREAS, in addition, the Town is required to maintain the traffic signal and enter into an maintenance agreement with the County of Suffolk, and

WHEREAS, the projects to be undertaken are Type II actions pursuant to 6 NYCRR 617.5(c)(16)(20) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for an entry permit and to execute a pre-emption agreement with the MTA-LIRR and execute any documents in connection

therewith upon such terms and conditions as may be acceptable to the Town Attorney;
and

HEREBY AUTHORIZES the Supervisor to execute a Traffic Signal Agreement with the County of Suffolk for the maintenance of a traffic signal at the intersection of Park Avenue (CR35), E. 5th Avenue and the Telephonics driveway in the Hamlet of Huntington Station and execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney; and

BE IT FUTHER RESOLVED, that the Town Board authorizes the Comptroller to accept funds from Avalon Bay to cover the cost of the proposed signalization and to establish a Capital Project account to fund the proposed signalization by depositing the estimated amount of funds from Avalon Bay to the newly established Capital Project account in the amount of \$300,000.00 into account number TT3397-2775, and upon completion of the project to refund any excess amount over and above the actual cost involved.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Increase the following appropriations:

A1420-4551	Outside Professional-Legal	\$	200,000
H97-GS7197-2102	Building Improvements	\$	70,000
A7020-4510	Equipment Supplies	\$	40,000
A3120-4510	Equipment Supplies	\$	10,000

Decrease the following appropriations:

A7182-4220	Electric	\$	10,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND, SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Board Resolution 2008-569 each position listed below has been evaluated and deemed to be necessary for the continuation of essential Town services and for the safety and welfare of the community; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, the elimination of full-time positions, including applicable funding, vacated by retirements and attrition to a general contingency account is not an action as defined 6 N.Y.C.R.R. 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2013 Operating Budget as follows:

Reinstate the following position:

DB-5110-1100	Heavy Equipment Operator II	\$33,251
DB-5110-1100	Heavy Equipment Operator II	33,251

Adjust the following Appropriations:

A-8845-1150	Permanent Part Time	\$15,000
A-1990-1100	Contingency	(15,000)
DB-1990-1100	Contingency	(66,502)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **AYE**

Councilwoman Susan A. Berland **AYE**

Councilman Eugene Cook **AYE**

Councilman Mark A. Cuthbertson **AYE**

Councilman Mark Mayoka **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED PARK IMPROVEMENT (DIX HILLS PARK)

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the EOSPA Committee reviewed and voted to support a nomination from the Director of General Services at its meeting of June 11, 2013 for funding from the EOSPA Park Improvement Program to purchase and install new chaise lounge chairs to enhance public use of the Dix Hills Park pool area, and

WHEREAS, the Town Board recognizes the Dix Hills pool is a regional park resource that provides recreational programs to serve the needs of many Town residents that can benefit from the purchase of new lounge chairs, and

WHEREAS, the proposed action is classified Type II pursuant to 6 NYCRR 617.5(c) (25) as it involves purchase of furnishings;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund, and charged to the appropriate capital budget account for the park improvement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF GENERAL SERVICES

Furnish new equipment for Dix Hills Park pool area, not to exceed \$11,100
Purchase and install 126 new chaise lounge chairs.

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN THE SERVICES OF HARVEY B. BESUNDER, ESQ., AS SPECIAL OUTSIDE COUNSEL IN THE FIELD OF AGRICULTURAL TAX EXEMPTION, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, in connection with its representation in the matter of Eatons Neck LLC vs. Town of Huntington the Town's interests will be best served by the retention of an attorney with a special expertise in the field of agricultural tax exemption; and

WHEREAS, requests for proposals have been sought by the Town Attorney and a number of responses have been received; and

WHEREAS, Harvey B. Besunder, Esq., 1050 Old Nichols Road, Islandia, New York 11749, a partner with the firm of Bracken, Margolin, Besunder, LLP, is a past President of the Suffolk County Bar Association; he has been a member and Chairman of the Condemnation Tax Certiorari Committee, a member of the Judiciary Committee, a member and Chairman of the Bench and Bar Committee of the Suffolk County Bar Association; as well as, an active member of the New York State Bar Association, and a member of its Condemnation, Certiorari and Real Estate Taxation Section; and

WHEREAS, Harvey Besunder has vast experience in the valuation of special purposes properties and has agreed to handle the Town's litigation at an hourly rate which is more competitive than other offers received by the Town; and

WHEREAS, the Town of Huntington Town Attorney and Tax Assessor have indicated that the use of such expert services is necessary in defense of this matter; and

WHEREAS, the appointment of an expert is not an action as defined by SEQRA in 6 N.Y.C.R.R. 617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to retain the expert services of:

HARVEY BRUCE BESUNDER
1050 Old Nichols Road
Islandia, NY 11749

as outside legal counsel to assist the Town Attorney in the defense of the matter Eatons Neck LLC vs. Town of Huntington at an hourly rate of TWO HUNDRED AND NO/100

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CENTS (\$200.00) to be charged to Operating Budget Line A-1420-4551 (Outside Professionals-Legal) and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES:5 NOES:0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO ENTER INTO A COMPENSATION AGREEMENT FOR THE PAYMENT OF COMPENSATION AND EXPENSES OF RANDY J. SCHAEFER, ESQ. AS TEMPORARY RECEIVER, PURSUANT TO THE ORDER OF DISTRICT COURT JUDGE, HONORABLE C. STEPHEN HACKELING, IN THE MATTER OF THE TOWN OF HUNTINGTON V. ELWOOD, INDEX NUMBER HUTO 888-11, RE: CODE VIOLATIONS AT 21 SEMON ROAD, HUNTINGTON, NEW YORK (SCTM NO: 0400-094.00-01.00-024.000)

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington commenced prosecution against Michael Elwood in Suffolk County, Third District Court culminating in a trial before Honorable C. Stephen Hackeling, and a decision and Amended Conditional Discharge of the Court, signed May 31, 2013, appointing a Temporary Receiver over 21 Semon Road, Huntington, New York (subject premises); and

WHEREAS, the Court authorized the Temporary Receiver to take action(s) necessary to bring the premises into compliance with the Huntington Town Zoning and Building Codes; and

WHEREAS, Randy J. Schaefer, Esq., 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753 was appointed temporary receiver by Honorable C. Stephen Hackeling; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(20) and (29), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

Resolved, that the Town Board hereby authorizes the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses to Randy J. Schaefer, Esq., 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753, as temporary receiver of the property known as 21 Semon Road, Huntington, New York 11743 (SCTM No: 400-094.00-01.00-024.000) and to seek recovery of said charges and expenses of the temporary receiver associated with compliance with the Amended Conditional Discharge signed May 31, 2013 by placing said charges on the Real Property Tax Bill of the subject premises as directed in the Amended Conditional Discharge of Judge C. Stephen Hackeling, signed May 31, 2013.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO ENTER INTO A COMPENSATION AGREEMENT FOR THE PAYMENT OF COMPENSATION AND EXPENSES OF RANDY J. SCHAEFER, ESQ. AS TEMPORARY RECEIVER, PURSUANT TO THE ORDER OF DISTRICT COURT JUDGE, HONORABLE C. STEPHEN HACKELING, IN THE MATTER OF THE TOWN OF HUNTINGTON V. 110 CLAY PITTS ROAD, INC., INDEX NUMBER HUTO 270-12, RE: CODE VIOLATIONS AT 110 CLAY PITTS ROAD, GREENLAWN, NEW YORK (SCTM NO: 0400-168.00-02.00-003.000)

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington commenced prosecution against 110 Clay Pitts Road, Inc. in Suffolk County, Third District Court culminating in a trial before Honorable C. Stephen Hackeling, and a decision and Conditional Discharge of the Court, ordered June 19, 2013, appointing a Temporary Receiver over 110 Clay Pitts Road, Greenlawn, New York (subject premises); and

WHEREAS, the Court authorized the Temporary Receiver to take action(s) necessary to bring the premises into compliance with the Huntington Town Zoning and Building Codes; and

WHEREAS, Randy J. Schaefer, Esq., 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753 was appointed temporary receiver by Honorable C. Stephen Hackeling; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (29), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

Resolved, that the Town Board hereby authorizes the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses to Randy J. Schaefer, Esq., 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753, as temporary receiver of the property known as 110 Clay Pitts Road, Greenlawn, New York 11740 (SCTM No: 400-168.00-02.00-003.000) and to seek recovery of said charges and expenses of the temporary receiver associated with compliance with the Conditional Discharge ordered June 19, 2013 by placing said charges on the Real Property Tax Bill of the subject premises as directed in the Conditional Discharge of Judge C. Stephen Hackeling, signed June 19, 2013.

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VOTE:

AYES: 5

NOES: 0

ABSTENTIONS: 0

Supervisor Frank P. Petrone

AYE

Councilwoman Susan A. Berland

AYE

Councilman Eugene Cook

AYE

Councilman Mark A. Cuthbertson

AYE

Councilman Mark Mayoka

AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING A DONATION FROM THE AZNAKIAN FAMILY OF A PARK BENCH, TO BE INSTALLED IN HECKSCHER PARK WITH MEMORIAL PLAQUE IN MEMORY OF WILLIAM R. AZNAKIAN

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK, SUPERVISOR PETRONE**

WHEREAS, The Aznakian Family has offered to donate one (1) park bench to the Town of Huntington to be installed in Heckscher Park, Huntington, N.Y. with memorial plaque in their memory; and

WHEREAS, William R. Aznakian was resident of Dix Hills and a frequent visitor to the park and museum; and

WHEREAS, accepting a donation is not an action as defined by 6 N.Y. C.R.R. 617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY ACCEPTS a donation of one park bench and memorial plaque from The Aznakian Family to be installed at Heckscher Park and thanks them for their generosity.

VOTE: AYES:5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING THE DEDICATION OF A 20-FOOT SEWER EASEMENT TO THE HUNTINGTON SEWER AGENCY FOR THE DEVELOPMENT KNOWN AS SPRING ROAD TOWNHOUSES/STRATFORD PLACE

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the development known as SPRING ROAD TOWNHOUSES/STRATFORD PLACE was granted Conditional Final Approval by the Planning Board of the Town of Huntington on April 9, 2008; and

WHEREAS, as a condition of said approval, a 20-foot Sewer Easement is to be granted to the Huntington Sewer Agency; and

WHEREAS, the Office of the Town Attorney is now in possession of all necessary documents including a Sewer Easement duly executed by the owner of record and the necessary filing fees for filing with the Clerk of Suffolk County; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED THAT THE TOWN BOARD HEREBY ACCEPTS a 20-foot Sewer Easement to the Huntington Sewer Agency for the development known as SPRING ROAD TOWNHOUSES/STRATFORD PLACE.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION ACCEPTING A DONATION FROM THE BAY CONSTABLES BENEVOLENT ASSOCIATION OF RAPID DIVE EQUIPMENT FOR MARITIME SEARCH AND RESCUE OPERATIONS

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson
COUNCILMAN COOK

and seconded by **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA**

WHEREAS, the Bay Constables Benevolent Association, 127 South St., Oyster Bay, NY 11771 has made available to the Town of Huntington the following equipment at no cost to the Town: full facemasks, 30 min air tanks, buoyancy compensators; and

WHEREAS, this equipment provides a lightweight scuba dive capacity for two rapid diver entry systems which stores in a pouch, may be used in less than a minute and is less cumbersome than conventional scuba dive equipment; and

WHEREAS, this rapid dive equipment will speed the search for and rescue of victims of water mishaps; and

WHEREAS, the equipment being donated has a value of approximately \$6,000.00; and

WHEREAS, the proposed action may be classified Type II pursuant to SEQRA 6 NYCRR 617.2(b) and therefore no further SEQRA review is required;

NOW, THEREFORE

BE IT RESOLVED

The TOWN BOARD HEREBY ACCEPTS the donation of two scuba type rapid dive equipment entry systems from the Bay Constables Benevolent Association and thanks them for their generous donation.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING AN INTERIM COMPTROLLER/DIRECTOR OF
AUDIT AND CONTROL AND AN INTERIM DEPUTY COMPTROLLER/DEPUTY
DIRECTOR OF AUDIT AND CONTROL FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the appointment of personnel is not an action as defined by 6 N.Y.C.R.R. 617.2 (b), and therefore, no further SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS:

Peggy Karayianakis
26 Platt Place
Huntington, NY 11753

As Interim Comptroller/Director of Audit and Control for the Town of Huntington, in place and stead of the existing Interim Comptroller/Director, at an annual stipend not to exceed the sum of TWENTY THOUSAND AND 00/100 DOLLARS (\$20,000) effective July 12, 2013; and

HEREBY APPOINTS:

Peter Leodis
18 Marquette Drive
Smithtown, NY 11787

As Interim Deputy Comptroller/Deputy Director of Audit and Control for the Town of Huntington, at an annual stipend not to exceed the sum of FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000) effective July 12, 2013.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION DEDICATING FIELD No. 4 IN MILL DAM PARK IN HONOR AND MEMORY OF JOHN M. GERARDI

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by Councilman Mark Cuthbertson
COUNCILMAN COOK

and seconded by **COUNCILMAN MAYOKOA, SUPERVISOR PETRONE, COUNCILWOMAN BERLAND**

WHEREAS, for decades, Huntington Station resident John M. "Muggs" Gerardi was a fixture on softball fields throughout Huntington, dedicating untold hours to organizing and scheduling thousands of games for his players; and

WHEREAS, an outstanding player, coach, manager and league organizer, John M. Gerardi was a champion of protecting and advancing the rights and interests of his players and a strong advocate for fair play and sportsmanship; and

WHEREAS, the Town of Huntington would like to dedicate Field No. 4 in Mill Dam Park in memory and recognition of John M. Gerardi for his lifelong contribution to the game of softball by naming this field "John 'Muggs' Gerardi Field"; and

WHEREAS, the dedication of a field is not an action defined by 6 N.Y.C.R.R 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY RESOLVES to dedicate Field No. 4 in Mill Dam Park in memory and honor of John M. Gerardi.

VOTE: AYES5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION GRANTING A PERMIT FOR THE 10TH ANNUAL DISTANT MEMORY SWIM FOR ALZHEIMER'S DISEASE EVENT TO RAISE FUNDS TO BENEFIT THE ALZHEIMER'S DISEASE RESOURCE CENTER ON MONDAY, AUGUST 5, 2013.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, Bryan Proctor, a SUNY Cortland PE Graduate and certified lifeguard, with his Distant Memory Swim Team, has requested a permit for an aquatic event for the 10th Annual Distant Memory Swim for Alzheimer's Disease event to raise funds to benefit the Alzheimer's Disease Resource Center, 45 Park Avenue, Bay Shore, New York 11706, on Monday, August 5, 2013, and

WHEREAS, the distance of the swim will be approximately 3.5 nautical miles across Northport Bay and opening ceremonies will begin at approximately 10:00am at Asharoken Beach and conclude at Knollwood Beach; and

WHEREAS, a boat with a certified lifeguard shall accompany Mr. Proctor, and his swim team for the duration of the swim event, and an Application for Approval of a Marine Event has been submitted to the U.S. Coast Guard for this event; and

WHEREAS, the Town Board has previously approved similar swimming events and wishes to promote and encourage the Distant Memory Swim for Alzheimer's Disease long distance swim event, and

WHEREAS, the granting of a permit for an aquatic event is a Type II action pursuant to 6 N.Y.C.R.R. §6.17.5(c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY GRANTS a permit for an aquatic event to Bryan Proctor, 5 Pine Place, Greenlawn, New York, 11740, and his Distant Memory Swim Team for the Distant Memory Swim for Alzheimer's Disease event on Monday, August 5, 2013 commencing at approximately 11:35a.m., pursuant to Huntington Town Code § 120-15 subject to 1) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 2) the presence of a certified lifeguard and boat to accompany Mr. Proctor, and his swim team for the duration of the swim event; 3) U.S. Coast Guard approval of the event; and upon such other terms and conditions as may be acceptable to the Town Attorney; and

*Date: July 2, 2013
Subject: Alzheimer's Disease Swim
Department of Maritime Services
HVA/tg*

HEREBY AUTHORIZES the Harbormaster's Office to take such steps as necessary to facilitate said event.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-343

RESOLUTION GRANTING PERMISSION TO RENAISSANCE DOWNTOWNS, LLC
FOR USE OF HUNTINGTON STATION COMMUTER PARKING LOTS FOR
ATTENDEE PARKING IN CONNECTION WITH ITS FIRST ANNUAL SATURDAY,
JULY 13, 2013 HUNTINGTON STATION STREET FESTIVAL

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN MAYOKA, COUNCILMAN COOK**

WHEREAS, Renaissance Downtowns, LLC, 1266 New York Avenue, Huntington Station, NY, 11746 is organizing its first annual Huntington Station Street Festival on Saturday, July 13, 2013 from 11:00 a.m. until 6:00 p.m.; and

WHEREAS; the purpose of the event is to raise further community awareness of Renaissance as Master Developer for Huntington Station and to encourage additional resident participation at its SourcetheStation.com website designed to engage public participation in Huntington Station's revitalization; and

WHEREAS, the event will feature local food, music, children's games and rides, artisan crafts, art & jewelry and community information for which Renaissance has secured the appropriate permits and permissions from the Huntington Town Clerk and the Suffolk County Department of Health Services, Inc.; and

WHEREAS, the street festival will require a road closure of Depot Road from New York Avenue to East 5th Street for which Renaissance has received permission from the Town of Huntington Superintendent of Highways;

WHEREAS, granting permission for use of a municipal parking lot is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(15), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to Renaissance Downtowns, LLC, 1266 New York Avenue, Huntington Station, NY 11746 for use of Huntington Station commuter parking lots for attendee parking in connection with its first Annual Street Festival on Saturday, July 13, 2013 from 11:00 a.m. until 6:00 p.m. with such permission being subject to: 1) the execution of a Hold Harmless and Indemnification Agreement which includes provisions requiring Renaissance Downtowns, LLC to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of Renaissance Downtowns; 2) the submission of appropriate insurance documents in a

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form satisfactory to the Town Attorney; and 3) the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION GRANTING PERMISSION TO THE TOWNWIDE FUND OF HUNTINGTON, INC. FOR THE USE OF TOWN FACILITIES FOR VARIOUS EVENTS AND AUTHORIZING THE SUPERVISOR TO EXECUTE LICENSE AGREEMENTS AND NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATIONS IN CONJUNCTION WITH SUCH EVENTS.

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN COOK**

WHEREAS, for more than 50 years, the Townwide Fund of Huntington, Inc. has raised in excess of \$10 million that has directly benefitted numerous not-for-profit organizations and health and human service agencies committed to assisting residents of the Town of Huntington; and

WHEREAS: to support its mission and expand its efforts to help those in need, the Townwide Fund of Huntington, Inc. has requested permission to hold three separate fundraising events during July and August of this year as follows: Backyard Fun and BBQ event at Elwood Park on July 21, 2013; Volleyball Tournament event at Crab Meadow Beach on August 4, 2013, and Bocce Ball Tournament event at Mill Dam Park on August 18, 2013; and

WHEREAS, such permission to utilize said Town property is contingent upon the execution of a License Agreement for each event, which includes provisions requiring the Townwide Fund of Huntington, Inc. to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the issuance of any and all requisite New York State Liquor Authority Permits; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, as Licensor and owner of the property to be utilized for said event, it is necessary for the Supervisor to sign any New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant, Townwide Fund of Huntington, Inc.; and

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose and the execution of a New York State Liquor Authority Special Event Permit application constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD.

HEREBY grants permission to the Townwide Fund of Huntington, Inc. to hold three separate fundraising events during July and August of this year as follows: Backyard Fun and BBQ event at Elwood Park on July 21, 2013; Volleyball Tournament event at Crab Meadow Beach on August 4, 2013 and Bocce Ball Tournament event at Mill Dam Park on August 18, 2013 and authorizes the Supervisor to execute License Agreements and New York State Liquor Authority Special Event Permit Applications in conjunction with such events, nunc pro tunc, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-345

RESOLUTION TO REAPPOINT A MEMBER TO THE TOWN OF HUNTINGTON
CITIZENS ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the appointment of individuals to an advisory board is not an action as defined by 6 NYCRR of 617.2(b) and therefore no SEQRA review is required; and

WHEREAS, the Town Board, upon the recommendation of the Citizens Advisory Committee for Persons with Disabilities,

HEREBY REAPPOINTS the following individual to the Town of Huntington Citizens Advisory Committee for Persons with Disabilities for a term to expire as indicated:

Term Expires:

Trudy Exelbert
5 Arista Court
Dix Hills, NY 11746

08/31/2016

VOTE: AYES:5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-346

RESOLUTION SUPPORTING GREENLAWN CIVIC ASSOCIATION ROUND 11 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT APPLICATION, CLASSIFYING THE PROPOSED PROJECT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE GRANT FUNDING FROM THE COUNTY OF SUFFOLK

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by Supervisor Petrone, **COUNCILMAN COOK**

and seconded by **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

WHEREAS, the Town Board is desirous of improving the economy and quality of life in the Town of Huntington; and

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, the Greenlawn Civic Association is applying for grant funding under Round 11 to continue its streetscaping work along Broadway; and

WHEREAS, as part of the application process and in conformity with Suffolk County Resolution 808-1998, the County of Suffolk requires a resolution of the Town Board showing local support for proposed projects and a SEQRA analysis and classification of any proposed project/s from the sponsoring municipality; and

WHEREAS, upon the County's approval of a project, the Town would be required to enter into an inter-municipal agreement with the County pursuant to which the Town of Huntington would be required to undertake and complete the project and the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, the Town Board's support of Suffolk County Downtown Revitalization Grant Applications, execution of required grant documents and acceptance of grant funds in connection therewith is not an action as defined by 6 NYCRR §617.2 (b), and therefore no further SEQRA review is required; and

RESOLUTION AUTHORIZING APPROPRIATE ACTION(S) IN ACCORDANCE WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, § 156-67, ACTION BY TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on February 6, 2012 and May 8, 2012 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties have been evaluated and considered for further action(s) to be taken at public hearings held on March 13, 2012 and May 22, 2012; and

WHEREAS, pursuant to its authority under §64 and §130 of New York State Town Law, New York State Executive Law §382 and the Code of the Town of Huntington the Town Board wishes to authorize certain actions to remedy blight conditions; and

WHEREAS, the authorization of the action(s) to remedy blight conditions upon properties within the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(29) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" to this Resolution to be nuisances and that hereafter the Town shall be authorized to enter upon said properties where such blight exists to remedy such blight and to charge the cost or expense of such remediation against the property tax bill as a lien ; and

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" to this Resolution; and

HEREBY DIRECTS the Director of Planning and Environment and/or Engineering to maintain records of all costs and expenses in connection with the abatement of the blight conditions and to provide same reports to the Town Board for determination as to the amounts to be assessed against the properties listed on Schedule "A" to this Resolution; and

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HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution; and

FURTHER DIRECTS the Town Attorney to notify the property owners of properties listed on Schedule "B" to this Resolution that structure(s) upon their properties are being evaluated for further action to mitigate blight up to and including consideration for possible demolition at a hearing before an Administrative Hearing Officer.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing
Actions by Town Board for Failure to Comply or Abate Violations**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 13	665 W. Jericho Tpke, Huntington Station, NY 11746	0400-190.00-02.00-125.002	ELA Management, LLC 5 Mimosa Drive Huntington Station, NY 11746	3-Jul-13	\$5,000.00
Exhibit 26	849 Walt Whitman Rd. Melville, NY 11747	0400-229-01-025	Bangchan Lee Melville Pacific, LLC 48 Great Neck Road Great Neck, NY 11021	3-Jul-13	\$5,000.00

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**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington
Authorizing Actions by Town Board for Failure to Comply or Abate Violations**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 13	665 W. Jericho Tpke, Huntington Station, NY 11746	0400-190.00-02.00-125.002	ELA Management, LLC 5 Mimosa Drive Huntington Station, NY 11746	3-Jul-13	\$5,000.00
Exhibit 26	849 Walt Whitman Rd. Melville, NY 11747	0400-229-01-025	Bangchan Lee Melville Pacific, LLC 48 Great Neck Road Great Neck, NY 11021	3-Jul-13	\$5,000.00

2013-348

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO.13-2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, BY ADDING TO CHAPTER 178 (TAXATION), ARTICLE XIII (GREEN BUILDING LEED IMPROVEMENT EXEMPTION)

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: SUPERVISOR PETRONE

THE TOWN BOARD having held a public hearing on the 7th day of May, 2013 at 2:00 p.m. to consider adopting Local law Introductory No. 13-2013 amending the Code of the Town of Huntington, by adding to Chapter 178 (Taxation), Article XIII (Green Building LEED Improvement Exemption) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 13-2013 amending the Code of the Town of Huntington by adding to Chapter 178 (Taxation), Article XIII (Green Building LEED Improvement Exemption); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 14 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 178 (TAXATION), BY ADDING ARTICLE XIII
(GREEN BUILDING LEED IMPROVEMENT EXEMPTION)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 178, (Taxation) by adding Article XIII (Green Building LEED Improvement Exemption) as follows:

ARTICLE XIII, Green Building LEED Improvement Exemption.

§ 178-50. Legislative Intent.

The Town Board hereby finds and determines that §470 of the Real Property Tax Law (Chapter 188 of the 2012 Laws of the State of New York) authorizes municipalities to provide a real property tax exemption for improvements to real property meeting certification standards for green building.

The Town Board further finds and determines that the Town of Huntington has historically pursued policies to promote energy efficiency and reduce greenhouse gas emissions.

The Town Board also determines that the Town of Huntington should give homeowners and businesses an incentive to comply with LEED standards when making improvements to their real property.

Therefore, the purpose of this law is to provide a real property tax exemption for improvements to real property which meet LEED certifications standards, as authorized under § 470 of the Real Property Tax Law.

§ 178-51. Statutory Authority.

This Article implements §470 of the New York Real Property Law by granting a real property exemption for improvements to real property located in the Town of Huntington, which meet LEED certification standards for green buildings.

§178-52. Grant of exemptions.

A. Real property, which is certified under a LEED certification standard for the categories of certified silver, gold or platinum, as meeting green building standards, as determined by a LEED accredited professional, when found acceptable to the Assessor, shall be exempt as provided below for the respective percentages provided that a copy of the LEED certification for a qualified category is filed with the Town Assessor's Office and is approved by the Assessor as meeting the requirements of §470 of the New York Real Property Tax law and this article. Such exemption shall be to the extent of any increase in assessed value resulting from the construction or reconstruction of a property meeting LEED certification, and shall not be available until the completion of the project and the issuance of a Certificate of Occupancy, or other applicable documentation deemed acceptable by the Town Assessor.

Year	LEED Exemption		
	Certified/Silver	Gold	Platinum
1	100%	100%	100%
2	100%	100%	100%
3	100%	100%	100%
4	80%	100%	100%
5	60%	80%	100%
6	40%	60%	100%
7	20%	40%	80%
8	0%	20%	60%
9	0%	0%	40%
10	0%	0%	20%

B. No such exemption shall be granted unless:

1. Such construction of improvements was commenced on or after the first day of January, 2013, and

2. The value of such construction exceeds the sum of ten thousand (\$10,000.00) dollars; and

3. Such construction is documented by a building permit and certificate of occupancy for the improvement(s), or other appropriate documentation as required by the Assessor.

C. For the purpose of this article the term "Construction of Improvements" shall not include ordinary maintenance and repairs.

§178-53. Approval of Assessment.

If the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this article, he or she shall approve the application and such real property shall thereafter be exempt from taxations as provided in this section and §178-52, above, commencing with the assessment roll prepared after the next occurring taxable status date. The assessed value of any exemption granted pursuant to this section shall be entered by the Assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

§178-54. Applicability.

This law shall apply to improvements of real property occurring on or after January 1, 2013.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconditional, or invalid parts therein.

Section 3. Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 16-2013
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: TULANE PLACE, GREENLAWN – YIELD SIGNS

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD having held a public hearing on the 4th day of June, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 16-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 16-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 15 - 2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
DELETE:	Tulane Place	YIELD	OF TRAVEL	<u>INTERSECTION OF:</u>
	(GLN)		NORTH	Pulaski Road

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 17-2013
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: NEW STREET, HUNTINGTON – PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**
and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 11th day of June, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 17-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 17-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 16 - 2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	New Street/West From 150 ft. north of High St. to High St. (HUN)	No Standing	-----
	New Street/East From High St. north for 60 ft. (HUN)	No Standing	-----

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION GRANTING A FRANCHISE AGREEMENT TO THE HUNTINGTON
YMCA FOR THE PROVISION OF AN INSTRUCTIONAL SAILING AND
KAYAKING PROGRAM AT CENTERPORT BEACH

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILWOMAN BERLAND, COUNCILMAN COOK**

WHEREAS, the Town of Huntington is desirous of continuing to provide an instructional sailing and kayaking program for youth and adults in the community using the Centerport Beach boathouse and the northwest section of the beach; and

WHEREAS: the Town of Huntington Department of Parks and Recreation is in receipt of an unsolicited proposal from the Huntington YMCA, 60 Main Street, Huntington, New York 11743, for the provision of an instructional sailing and kayaking program, including all equipment, supervision and instruction; and

WHEREAS, entering into this license agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(15) and therefore no further SEQRA review is required.

NOW THEREFORE, BE IT

RESOLVED that the Town Board hereby grants a franchise agreement to the Huntington YMCA, 60 Main Street, Huntington, New York, 11743 for the provision of an instructional sailing and kayaking program at Centerport Beach for the period June 20 through September 30 of each calendar year beginning in the year 2013 and ending in the year 2015, fee to be charged in 2013 is \$4,600, in 2014 \$4,850, in 2015 \$5,100, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		AYE	
Councilman Eugene Cook		AYE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Mark Mayoka		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 598 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 4th day of June, 2013, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Young Israel of Huntington, 598 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to legalize the conversion of a garage into a family room and bathroom at the one family dwelling at 598 Park Avenue, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-102.00-01.00-005.003, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Young Israel of Huntington for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE EXEMPTION OF THE DIX HILLS FIRE DISTRICT FROM SITE PLAN REVIEW AND THE TOWN OF HUNTINGTON ZONING CODE AS IS NECESSARY TO BUILD A FIRE TRAINING BUILDING (SCTM #0400-278-02-181.001)

Resolution for Town Board Meeting dated: July 9, 2013

The following Resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN CUTHBERTSON, SUPERVISOR PETRONE**

WHEREAS, the Dix Hills Fire District submitted a site plan pre-application (#S-12-103-X) to the Department of Planning and Environment to build a 2,170 sq. ft. two-story fire training building, 2,500 sq. ft. concrete patio, and associated improvements for firefighter training purposes behind its fire station on the east side of Deer Park Avenue, south of MacNiece Place, Dix Hills, SCTM# 0400-278-02-181.001; and

WHEREAS, the Department of Planning and Environment identified the fact that the proposed construction would require an application to the Zoning Board of Appeals for continuing review of a property subject to an approved special use permit (ZBA Appl. #18985 & 19795, which approved the existing tower and antennas for cellular telephone service) under Town Code §198-109(I), for a height variance to allow a two-story, 27-foot tall accessory building where a one-story, 20-foot tall accessory building is the maximum allowed under §198-59(C)(1)(a), for an area variance to allow a 2,170 sq. ft. accessory building where a 1,200 sq. ft. accessory building is the maximum allowed under §198-59(C)(2)(a), for an interpretation that the parking and loading is sufficient for the property because the fire station use is not specifically mentioned in §198-47 or §198-54, and for site plan review by the Planning Board under §198-116(A)(1)(b); and

WHEREAS, the Town Board having considered the factors as set forth In the Matter of the County of Monroe and in Nanuet Fire Engine Co. No. 1 v. Amster; and

WHEREAS, the District has prepared and submitted a Short Environmental Assessment Form (EAF) Part I to the Town Board for the proposed action, and the Department of Planning and Environment has prepared an EAF Parts II & III on behalf of the Town Board; and

WHEREAS, the Town Board, 100 Main Street, Huntington, NY 11743 is the Lead Agency as it is the only agency authorized to amend the Huntington Town Code; and

WHEREAS, the Town Board, as Lead Agency, has determined that the construction of the new training facility as proposed, the exemption of site plan review by the Planning Board and the issuance of a waiver from the aforesaid sections of the Huntington Town Code are Unlisted actions because they do not meet any of the Type I or Type II criteria pursuant to SEQRA §617.4 & §617.5;

NOW THEREFORE THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 4th day of June, 2013, to consider the request of the Dix Hills Fire District to obtain an exemption from site plan review by the Planning Board and further exempting the District from compliance with certain provisions of the Huntington Town Code pertaining to further Zoning Board of Appeals review, accessory building height, and accessory building area, and finding that the proposed parking is sufficient and no loading zones are required for the construction of a training building, concrete patio, and associated improvements on the property on the east side of Deer Park Avenue, south of MacNiece Place, Dix Hills, bearing SCTM# 0400-278-02-181.001;

HEREBY FINDS on review of the Environmental Assessment Form Parts I, III & III that there will be no significant adverse impacts associated with the proposed project at the premises located on the east side of Deer Park Avenue, south of MacNiece Place, Dix Hills, bearing SCTM# 0400-278-02-181.001, and issues a Negative Declaration pursuant to SEQRA; and

HEREBY APPROVES the exemption of the Dix Hills Fire District from site plan review by the Department of Planning and Environment as is required under §198-116(A)(1)(b) of the Town Code, and the Town of Huntington Zoning Code for continuing review of a property subject to an approved special use permit (ZBA Appl. #18985 & 19795, which approved the existing tower and antennas for cellular telephone service) under Town Code §198-109(I), for a height variance to allow a two-story, 27-foot tall accessory building where a one-story, 20-foot tall accessory building is the maximum allowed under §198-59(C)(1)(a), for an area variance to allow a 2,170 sq. ft. accessory building where a 1,200 sq. ft. accessory building is the maximum allowed under §198-59(C)(2)(a), and for an interpretation that the parking and loading is sufficient for the property because the fire station use is not specifically mentioned in §198-47 or §198-54, as is necessary to expand District facilities as is proposed above on SCTM# 0400-278-02-181.001, upon the following terms and conditions:

1. The District shall have the proposed site grading and drainage plans reviewed by the Department of Engineering Services in order to protect neighboring properties from the impacts of surface water runoff, and no building permit shall be issued or released by the Department until such plans are reviewed and are acceptable to the Director; and
2. The District shall submit a complete building permit application to the Department of Engineering Services (Division of Building and Housing) together with the payment of the applicable fee, schedule and attend a pre-construction conference and submit all documents and plans in the form required and approved by the Department; and

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ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
FOR AN INDIVIDUALLY DESIGNATED HISTORIC SITE
RE: 12 PROSPECT STREET, HUNTINGTON—ST. JOHN'S EPISCOPAL CHURCH

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**
and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 9th day of July, 2013, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of St. John's Episcopal Church of Huntington, 12 Prospect Street, Huntington, NY 11743, for a Certificate of Approval to install solar panels on the roof of the Great Hall building and solar panels on the roof of the education building at the premises located at 12 Prospect Street, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-069.00-04.00-067.000, being an individually designated historic site; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of St. John's Episcopal Church for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 20-2013
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: CREEK ROAD, HUNTINGTON – STOP SIGNS

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 9th day of July, 2013 at 2:00 p.m. to consider adopting Local Law Introductory No. 20-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 20-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 17 - 2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
DELETE:	Creek Road	STOP	<u>OF TRAVEL</u>	<u>INTERSECTION OF:</u>
	(HUN)		EAST	Park Avenue

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 21-2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 141
(NOISE)

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 9th day of July, 2013 at 2:00 p.m. to consider adopting Local Law Introductory No. 21-2013, amending the Code of the Town of Huntington, Chapter 141 (Noise), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 21-2013 amending the Code of the Town of Huntington, Chapter 141 (Noise); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 18 - 2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 141 (NOISE)

Section 1. Chapter 141 (Noise) of the Huntington Town Code is hereby amended as follows:

CHAPTER 141 (NOISE)

ARTICLE I
GENERAL PROVISIONS

§141-1. [Findings.] Legislative intent.

The Town Board of the Town of Huntington in the exercise of its enforcement powers, hereby declares its intent to minimize to the fullest extent possible unreasonably loud and disturbing noises that are prolonged, unusual, or unnatural in their time, place, and operation. Unreasonable noise is detrimental to the life, health, safety and welfare of

Town residents; interferes with the quiet use and enjoyment of land; and disturbs the peace, comfort, and good order of neighboring areas and the community-at-large [It is found and declared that the making and creation of a noise disturbance within the limits of the Town of Huntington is a condition which has existed for some time, and the extent and volume of such noises is increasing. The making, creation or maintenance of such noise disturbances which are prolonged, unusual or unnatural in their time, place and use affect and are a detriment to the peace, welfare, comfort, safety, convenience, good order and prosperity of the residents of the Town of Huntington, and the necessity in the public interest for the provisions and prohibitions hereinafter contained and enacted is declared as a matter of legislative determination and public policy, and it is further declared that the provisions and prohibitions hereinafter contained and enacted are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, peace, good order, safety, welfare and prosperity of the Town of Huntington and its inhabitants.]

§141-2. [Prohibition: NOISE DISTURBANCE PROHIBITED.] Noise disturbance prohibited. No person or business entity shall make, continue, allow, permit, [or] cause or maintain [to be made or cause to be continued to be made] any noise disturbance by any means within the Town of Huntington.

§141-3. [§141-2.1.] Definitions. For the purposes of this chapter, the following terms shall have the meanings indicated:

NOISE DISTURBANCE

- A. Any noise, which endangers or injures the safety or health of humans or animals or annoys or disturbs a reasonable person of normal sensitivities or endangers or injures personal or real property.
- B. The noise from any prohibited act that disturbs two (2) or more residents who are in general agreement as to the times and durations of the noise and who reside in separate residences, including apartments and condominiums, located across a property line (boundary) from the property on which the source of noise is generated, shall be [proof] prima facie evidence of the existence of a noise disturbance.

SOUND DEVICE OR APPARATUS -- Any electronic, acoustic, digital or electrical device, apparatus or equipment, whether fixed or mobile, used for the production, transmission, amplification, intensification or reproduction of the human voice, music or other sounds.

ARTICLE II
NOISE DISTURBANCE

§141-4. [§141-3.] Noise disturbances enumerated. The following acts, among others, are declared to be noise disturbances in violation of this chapter, but said enumeration shall not be deemed to be exclusive, namely:

A. Radios, [phonographs and television sets] stereos, musical instruments, MP3 players, television sets and other similar devices. [The using, operating or permitting to be played, used or operated of any television or radio receiving set, musical instrument, phonograph or] It shall be unlawful to operate, use, or play, or to cause, allow or permit another to operate or use any radio, stereo, television set, musical instrument, MP3 player or other [machine or] device for producing, [or] reproducing, or transmitting [of] sound in such manner as to disturb the peace, quiet and comfort of the [neighboring inhabitants] surrounding community; the use and enjoyment of surrounding properties; or, at any time, of louder volume than is necessary or is unreasonably loud for the convenient hearing [of the person or persons who are] of those in the room, vehicle, chamber or area in which such [machine or] device is operated [and who are voluntary listeners thereto]. The operation of any such set, instrument, [phonograph, machine] apparatus or device between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, vehicle or area [in which it is located] where such device is located shall be prima facie evidence of a violation of this section.

* * *

L. Drums and other instruments. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise [to] at any performance, show or [sale] event.

* * *

O. Loudspeakers. The operation of any loudspeakers or speaker systems or any device for the production, amplification, intensification or reproduction of sound, in a manner that creates [public] annoyance, alarm, [or] inconvenience or noise disturbance.

§141- 5. Presumptive evidence. Unless otherwise stated in this chapter, the use of any sound device, machinery, equipment, or engine so as to cause the sound produced thereby to be audible outside the building or beyond the property lines of where it originates between the hours of 11:00 p.m. and 7:00 a.m. the following day shall be prima facie evidence of a violation of this chapter.

§141- 6. through §141- 8. (Reserved)

ARTICLE III
AMPLIFIERS, LOUDSPEAKERS
AND PUBLIC ADDRESS SYSTEMS

[§141-4.] [Regulation of amplifiers, loudspeakers and public-address systems.]

[A.] [Findings. It is found and declared that the use or operation of any device or apparatus for the amplification of sounds from any radio, phonograph or other sound-producing device, or any device or apparatus for the reproduction or amplification of the human voice or other sounds, on any public street or outside of any building, place or premises or near any building or on any place adjacent to a public street, park or place or in or upon any vehicle being operated or standing on a public street, park or place where the sounds therefrom may be heard upon any public street, park or place from any stand, platform or other structure, is detrimental to the health, welfare and safety of the inhabitants of the town, and, further, that such use or operation disturbs the public peace and comfort and the peaceful enjoyment by the people of the Town of their rights to use the public streets, parks and places for streets, parks and other public purposes and disturbs the peace, quiet and comfort of neighboring inhabitants.]

[B.] [As used in this section, the following terms shall have the meanings indicated:
SOUND DEVICE OR APPARATUS -- Any radio device or apparatus or any device or apparatus for the amplification of any sound from any radio, phonograph or other sound-making or sound-producing device, or any device or apparatus for the reproduction of or amplification of the human voice or other sounds.]

[C.] [Use of sound devices for advertising. It shall be unlawful for any person to use or operate any sound device or apparatus in, on, near or adjacent to any public building, park or place for commercial, business and political advertising purposes. It shall be further prohibited and unlawful for any person to use or operate any sound device or apparatus upon any vehicle, whether being operated, moving or standing on a public street, park or place, where the sounds therefrom may be heard upon any public street, park or place within the Town of Huntington.]

§141-9 [D.] Permit required for use of sound devices other than for advertising purposes. It shall be unlawful for any [person] property owner or person in possession or in-charge of the property, their designated agents, and any disc jockey, band, entertainer or person performing, appearing or providing services at the event to use or operate, or to cause or allow the use or operation of any sound device or apparatus in, on, near or adjacent to any [public] street, park or place unless [he shall have first obtained] a sound permit for such use or operation has been [, to be] issued by the Town Clerk in the

manner hereinafter prescribed[, and unless he shall comply with the provisions of this section and the terms and conditions described in such permit].

§141-10. Exemptions. No sound permit shall be required in the following circumstances:

(A) Any sound device used in a public parade, in the Thimble Theatre and the Harry Chapin Rainbow Theater, or at any event solely sponsored by the Town of Huntington.

(B) Any sound device or apparatus used by religious institutions on or within its own premises in conjunction with religious services as long as such devices are not unreasonably loud or disturbing or of such character, intensity or duration as to be detrimental to the peaceful and tranquil enjoyment of surrounding properties and the community-at-large.

(C) Sound devices used solely for the purpose of warning, protecting or alerting the public or some segment thereof of the existence of an emergency or danger, including but not limited to the sirens of emergency response vehicles.

(D) Sound devices, whether fixed or mobile, to be used to direct holiday music outside of buildings and into the streets of the Town of Huntington as approved by the Town Board from the Thanksgiving Holiday up to and including December 31 each year between the hours of 9:00 am and 9:00 pm.

(E) Sound devices used by Federal, State and local governmental agencies in furtherance of their governmental duties.

(F) Sound devices used during organized sporting events by leagues, clubs, and private or public schools.

(G) Residential property owners or lessees who use a sound device for personal purposes at their residences and not in connection with a special event at the site, as long as such devices are not unreasonably loud or disturbing or of such character, intensity or duration as to be detrimental to the peaceful and tranquil enjoyment of surrounding properties and the community-at-large.

§141-11. [E.] Application for permit.

(A) The property owner, a lessee of property or their designated agent [Each applicant for a permit] shall file a written application with the Town Clerk together with a non-refundable application fee of twenty-five (\$25) dollars no less than three (3) business

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days before the event. Upon good cause shown, the Town Clerk or the Director of Public Safety, or their designees, may accept an application beyond the period specified.

(B) If the agent is the applicant, then the application shall be consented to and acknowledged in writing by the owner or lessee of the property, and same shall be bound by the statements in the application; the terms, conditions and restrictions of the permit; and the provisions of this chapter in the same manner as the agent.

(C) Such application shall contain the name, address and contact numbers of the property owner and the person in possession or in-charge of the property, their designated agents, and the name, address and contact numbers of the disc jockey, band, entertainer or person appearing or providing services at the event, if applicable; shall describe the event; the specific location where the sound device or apparatus is proposed to be used; the date and hours of day during which it will be used or operated; [the volume of sound which is proposed to be used, measured by decibels or by any other efficient method of measuring sound] the nature and type of sound apparatus to be used; and such other pertinent information as the Town Clerk may deem necessary to carry out the provisions of this [section] chapter.

§141-12. Action on applications.

(A) The Town Clerk may approve an application for a permit in whole or in part subject to such conditions and restrictions deemed necessary by the Town Clerk upon the recommendation of the Director of Public Safety or otherwise, and subject further to compliance with all applicable laws, rules and/or regulations.

(B) If an application is denied by the Town Clerk, the reason for such denial shall be provided in writing and mailed to the applicant by regular mail to the address shown on the application.

§141-13. [F.] Issuance of permit. Each permit issued shall describe the event, the specific location where such sound device may be used or operated, the date and exact period of time [for which] such apparatus or device may be operated [in such] at the location, [the maximum volume of sound which may be employed in such use or operation,] and such [other] terms, [and] conditions, and restrictions as may be deemed necessary by the Town Clerk, [for the purpose of securing the health, safety, comfort, convenience and peaceful enjoyment by the people of their right to use the public streets, parks or places for] in order to safeguard and protect the use and enjoyment of neighboring properties, streets, parks [or] and other public [purposes] places; [, protecting] and the health, welfare and

safety of [the inhabitants of the Town and securing the peace, quiet and comfort of the neighboring inhabitants] the community-at-large.

§141-14. [G.] [Special restrictions. The Town Clerk shall not issue any permit for the use of the sound device or apparatus:] Denial of permit.

(A) No permit shall be issued under the following circumstances:

(1) In any location within five hundred (500) feet of a school, courthouse or church, during the hours of school, court or worship, respectively, or within five hundred (500) feet of any hospital or similar institutions.

(2) In any location where the Town Clerk, upon investigation, shall determine that the condition of vehicular or pedestrian traffic, or both, is such that the use of such a device or apparatus will constitute a threat to the safety of pedestrian or vehicular operators.

(3) In any location where the Town Clerk, upon investigation by the Director of Public Safety or otherwise, [shall] determines that [conditions of] because of overcrowding, or [of] the existence of road or street repairs or other physical conditions [are such that] the use of a sound device or apparatus will [deprive the public of the right to the] be hazardous to human health or safety, or detrimental to the safe, comfortable, convenient and peaceful enjoyment of any public street, park or place [for street, park or other public purpose, or will constitute a threat to the safety of pedestrians or other vehicle operators] .

* * *

(5) For events occurring between [Between] the hours of [10:00 p.m. and 9:a.m.] 11:00 p.m. and 9:00 a.m.

(B) The Town Clerk may deny a permit under the following circumstances:

(1) In the discretion of the Town Clerk prior violations by the same applicant or homeowner of (1) the terms or conditions of a prior sound permit, (2) the lawful order of the Director of Public Safety or his designee, or (3) the provisions of this Chapter or any rule or regulation promulgated pursuant to this Chapter, may be cause for denial of future permits.

(2) The Town Clerk may, in his or her judgment, deny an application for a permit if for any reason the issuance of a permit would be detrimental to the

health, welfare and/or safety of the public or neighboring properties, or would create a hazard.

[H.] [Fees. Each applicant for a permit issued under the provisions of this section shall pay a fee of TWENTY FIVE AND NO/100 (\$25.00) DOLLARS for the use of such sound device or apparatus for each event; provided, however, that permits for the use of said sound devices or apparatus shall be issued to any bureau, commission, board or department of the United States Government, the State of New York or the Town of Huntington without fee.]

[I.] [Exceptions. The provisions of this section shall not apply to the use or operation of any sound device or apparatus by any church or synagogue on or within its own premises in connection with the religious rights or ceremonies of such church or synagogue.]

§141-15. Acceptance of permit. The acceptance of a permit shall constitute an agreement by the property owner and permit holder that they will comply in all respects with the terms and conditions of the permit, obey the lawful order of the Director of Public Safety, and all applicable laws and rules. A property owner and/or permit holder who fails to post a permit as required by this section shall be in violation of this article.

§141-16. Display of permit. The permit shall be properly posted in a conspicuous place at the premises for which it was issued. The permit shall be posted at all times during the event and shall not be removed until the event is concluded. A property owner and/or permit holder who fails to post a permit as required by this section shall be in violation of this article.

§141-17. Non-transferability of permit. It shall be unlawful to allow or cause a permit to be posted at a premises other than the premises for which the permit was issued. The property owner and/or permit holder and the owner of the property on whose property the permit is unlawfully posted shall be strictly liable for a violation of this article.

§141-18. Alteration of permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a permit issued by the Town of Huntington. The property owner and/or permit holder shall be strictly liable for a violation of this section.

§141-19. Assignment of permit. It shall be unlawful to assign or transfer a permit issued pursuant to this Chapter without the expressed consent of the Town Clerk. Any permit transferred without such approval shall be null and void.

§141-20. Revocation of permit. The Town Clerk may revoke a permit, in the reasonable exercise of his/her discretion and pursuant to the recommendation of the Director of Public Safety or otherwise, under the following circumstances. In the event a permit is revoked, the fees for such permit shall be forfeited and shall not be refunded.

(A) Where there has been a false statement, misrepresentation or incorrect information on the application or in other information provided by the applicant.

(B) Where it is found that the permit was issued in error and should not have been issued in accordance with the applicable law.

(C) Where the Town Clerk finds that the property owner, person in possession or in charge of the property, their agent and/or permit holder is not in compliance with the terms and conditions of the permit, or with the lawful order of the Director of Public Safety or his designee, or with the provisions of this chapter or other applicable law or rule.

§141-21. through §141-22. (Reserved)

ARTICLE IV
ADMINISTRATIVE REMEDIES AND ENFORCEMENT

§141-23. [§141-5] Penalties for offenses.

Any person, firm or corporation who violates any section of this chapter shall be deemed guilty of a violation and, upon conviction thereof, shall be punished by a fine or penalty not less than [fifty dollars (\$50.)] one hundred dollars (\$100) nor more than two hundred fifty dollars (\$250.) for a first violation, by a fine not less than two hundred fifty dollars (\$250.) but no more than one thousand dollars (\$1,000.) for a second violation of an offense which results in a conviction and occurs within thirty (30) days of the first violation resulting in conviction thereon, and by a fine of not less than one thousand dollars (\$1,000.) nor more than five thousand dollars (\$5,000.) for a third or succeeding violation occurring within two (2) years of the date of the first violation which resulted in a conviction.

Section 2. Severability.

If any clause, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not effect, impair, or invalidate the remainder

2013-357

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 22 -2013, AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 1 (GENERAL PROVISIONS)

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson
and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, on November 15, 2012, the Town Board enacted Local Law 18 of 2012, which increased metered parking penalties from \$25 to \$50 dollars; and

WHEREAS, pursuant to Town Board Resolution 2012-335, the Town Board authorized an agreement with the Huntington Village Consortium Group with Nelson Nygaard for a parking study of Huntington Village; and

WHEREAS, Nelson Nygaard submitted a draft Recommendations Summary to the Town and Huntington Village Consortium Group which included recommendations on amending the penalties for violation of the metered parking provisions of the Uniform Traffic Code of the Town of Huntington; and

WHEREAS, the Town Board held a public hearing on June 4, 2013 and heard constructive comments from the local community on the subject of an incremental fine and penalty schedule for metered parking violations detailed as set forth in the draft Recommendation Summary Parking Study;

WHEREAS, the Town Board is desirous of amending the Uniform Traffic Code to address restructuring of the penalties for metered parking; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on 13th day of August, 2013 at 7:00 p.m. Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 22 -2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 1(General Provisions), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 22 -2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 1 (GENERAL PROVISIONS)

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 1 (GENERAL PROVISIONS)

* * *

ARTICLE III
(ENFORCEMENT; PENALTIES)

* * *

§1-7. Penalties.

Any person or business entity who commits any acts in violation of any provision of the Uniform Traffic Code shall be deemed to have committed an offense against this Code and shall be liable for such violation and the penalty therefor and shall, upon conviction thereof, be subject to a fine or penalty or imprisonment as follows:

(A) [Fifty dollars (\$50)] Zero dollars (\$0) for the first offense; twenty-five dollars (\$25) for the second offense; fifty dollars (\$50) for each and every offense thereafter: §3-6(A) and (D); 3-7.

(B) Fifty dollars (\$50): §4-3(F)(2).

[(B)] (C) One hundred dollars (\$100) for the first offense; One Hundred fifty dollars (\$150) for the second offense; One hundred seventy-five dollars (\$175) for each and every offense thereafter: §3-2; §3-3(A), (D) and (E); §3-6(C)(5); §4-1(A)(1) and (C); §4-3(B), (C), (E)[;], (F)(1) and (F)(7); §4-12; §4-13; §4-14; §4-15.

[(C)] (D) Two hundred dollars (\$200): §2-2; §2-3; §3-3(C); §4-1(A)(5); §4-2(C); §4-3(F)(6) .

[(D)] (E) Two hundred dollars (\$200) and the violator shall be required to remove the vision obstruction: §6-7.

[(E)] (F) Two hundred dollars (\$200) (fire zones, hydrants and fire stations): §3-3(B); § 4-1(A)(2); §4-1(B); [§4-3(F)(5).7] §4-3(F)(5).

[(F)] (G) Two hundred dollars (\$200) in addition to the mandatory surcharge imposed by the State of New York (handicapped parking, transfer areas, access aisles): §3-13(A) and (B); §4-1(A)(3) and (A)(4); §4-2 (A) and (B); §4-3(F)(3) and (F)(4).

[(G)] (H) Two hundred [and] fifty dollars (\$250): §5-1(A) and (B).

[(H)] (I) Not less than two hundred dollars (\$200) and not more than seven hundred [and] fifty dollars (\$750): §5-2.

[(I)] (J) Five hundred dollars (\$500) for each infraction and automatic revocation of the handicapped parking permit: §6-8

2013- 358

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 23 -2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 71 (ADMINISTRATIVE SEARCH WARRANTS), SECTION 71-3 (APPLICATION FOR WARRANT)

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILWOMAN BERALND**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board desires to amend the Town Code regarding Administrative Search Warrants and permit application by the Town Attorney without making prior notice by certified mail; and

WHEREAS, the Town Attorney of the Town of Huntington is authorized to make application for an administrative search warrant to determine or prove the existence of violations of any ordinance or code section of the Code of the Town of Huntington; and

WHEREAS, the Code of the Town of Huntington currently permits application by the Town Attorney of the Town of Huntington to a court of competent jurisdiction for inspection of a premises only after a subject owner refuses or fails to permit inspection after notice by certified mail; and

WHEREAS, such application for a search warrant is premised upon reasonable cause to believe that a violation of the Code of the Town of Huntington has occurred; and

WHEREAS, the certified mail requirement is an undue procedure that hampers the Town of Huntington's ability to effectively enforce the Town Code; and

WHEREAS, pursuant to Sections 617.5 (c) (20) and (27) of SEQRA, regulation amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action" and therefore this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 13th of August, 2013 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 23 - 2013, amending the code of the Town of Huntington Chapter 71 (Administrative Search Warrants), Section 71-3 (Application for warrant), as follows:

LOCAL LAW INTRODUCTORY NO. 23 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

CHAPTER 71 (ADMINISTRATIVE SEARCH WARRANTS) SECTION 71-3
APPLICATION FOR WARRANT,

Section 1. Chapter 71 (Administrative Search Warrants) is hereby amended to read as follows:

CHAPTER 71
ADMINISTRATIVE SEARCH WARRANTS

* * *

Section 71-3. Application for Warrant.

The Town Attorney of the Town of Huntington, or his designee, is authorized to make application to any court of competent jurisdiction for the issuance of an administrative search warrant in order to conduct an inspection of any premises where the owner refuses or fails [, after due notice by certified mail,] to allow an inspection of its premises and where there is reasonable cause to believe that a violation of the Code of the Town of Huntington has occurred.

* * *

Section 2 Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3 Effective Date.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE.
*** INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: AYES:5 NOES:0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION TO SCHEDULE A PUBLIC HEARING TO DESIGNATE CERTAIN PROPERTIES AS BLIGHTED AND TO CONSIDER AUTHORIZING VARIOUS ACTIONS BE TAKEN IN ACCORDANCE WITH CHAPTER 156, ARTICLE VII, §156-60 (BLIGHTED PROPERTIES)

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board by Resolution 2011-358 enacted Local Law No.21-2011 amending the Code of the Town of Huntington to establish code provisions affecting Property Maintenance and Nuisances for structures and properties within the Town; and

WHEREAS, there are conditions existing upon the locations set forth in Schedule "A" attached hereto and made a part of this Resolution which constitute a Blighted Property as defined in Article VII of Chapter 156; and

WHEREAS, the owner(s) of the properties listed in Schedule "A" have failed to respond to the Notice(s) of Violation(s) issued by the Department of Public Safety and have not taken sufficient steps to correct the blighted conditions listed in the Notice of Violation(s); and

WHEREAS, designating certain properties to be blighted and scheduling a public hearing to consider actions to be taken to correct code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (27) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" as Blighted Properties as defined by Chapter 156, Article VII; and

HEREBY DIRECTS the Director of Planning and Environment to place such blighted properties on the Blighted Property Inventory list; and

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and a notice stating that failure to enter into a Restoration Agreement or failure to correct such blighted conditions within ten (10) days of mailing of the Notice shall result in the Town taking all steps necessary to correct the blighted conditions existing upon their property at the property owner's expense; and

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HEREBY SCHEDULES a public hearing to be held on the 13th day of August, 2013 at 7:00pm at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing
Actions by Town Board for Failure to Comply or Abate Violations**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATES
Exhibit 5	1068 Westminster Avenue Dix Hills, NY 11746	0400-278.00-02.00-153.000	Brian E. Levenson Kathryn Garten 1068 Westminster Avenue Dix Hills, NY 11746	9/20/2011 2/2/2012
Exhibit 10	5 Laura East Northport, NY 11731	0400-185.00-02.00-024.003	Willard R. Lanham Laura Lanham 5 Laura East Northport, NY 11731	10/7/2011 2/10/2012
Exhibit 11	114 Columbia Street Huntington Sta., NY 11746	0400-141.00-01.00-027.000	Delvis Arevalo Elsa Bardales Banegas 114 Columbia Street Huntington Sta, NY 11746	10/21/2011 4/30/2012
Exhibit 14	39 8th Avenue Huntington Sta., NY 11746	0400-142.00-01.00-062.000	John Frank Development Corp. 39 8th Avenue Huntington Sta., NY 11746	11/14/2011 2/10/2012
Exhibit 16	117 East 11th Street Huntington Sta., NY 11746	0400-146-02-074.000	Louis Avino, Jr. Jeanne Avino 117 East 11th Street Huntington Sta., NY 11746	11/22/2011 2/10/2012 7/5/2013
Exhibit 20	8 Stratford Avenue Dix Hills, NY 11746	0400-281-02.007	Thomas LaTrace Lisa LaTrace 8 Stratford Avenue Dix Hills, NY 11746	1/26/2012 4/12/2012

SCHEDULE A

**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing
Actions by Town Board for Failure to Comply or Abate Violations**

Exhibit 28	285 Broadway-Greenlawn Huntington, NY 11743	0400-160-01-085.000	Kamila Dottin 285 Broadway-Greenlawn Huntington, NY 11743	3/19/2012 4/23/2012 7/3/2013			
Exhibit 45	199 Seaman Neck Road Dix Hills, NY 11746	0400-278.00-02.00-044.000	Bank of America 400 National Way, Simi Valley, CA 93065	5/4/2012 7/9/2012			
Exhibit 57	26 Ambrose Lane Northport, NY 11768	0400-278-02-153	Dolores Werle 26 Ambrose Lane Northport, NY 11768	5/29/2012 8/6/2012			
Exhibit 70	49 Prospect Road Centerport, NY 11721	0400-45-1-21	Henry Cleeves Jean Cleeves 614 Coddington Road Ithaca, NY 14850	9/11/2012 7/5/2013			
Exhibit 91	Old Bridge Road Northport, NY 11768	0400-060.00-01.00-011.005	Pine Brook Realty Corp. 152 Ashroken Ave. Northport, NY 11768	3/21/2013			
Exhibit 94	81 Ciro Street Huntington, NY 11743	0400-170.00-02.00-029.000	Dorothy Schock 81 Ciro Street Huntington, NY 11743	6/12/2013			

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN A HISTORIC DISTRICT—OLD HUNTINGTON
GREEN HISTORIC DISTRICT

RE: 39 EAST MAIN STREET, HUNTINGTON—THE THOMSON HOUSE

Resolution for Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Christopher Mangi, 39 East Main Street, Huntington, NY 11743, for a Certificate of Approval to install a 20' x 40' in-ground swimming pool, at 39 East Main Street, Huntington, NY 11743, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map #0400-074.00-03.00-031.006, and

WHEREAS, the issuance of a Certificate of Approval in an historic district is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(10) and, therefore no further SEQRA review is required.

NOW, THEREFORE, PURSUANT to Section 198-41 of the Code of the Town of Huntington,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **13th** day of **August**, 2013, at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Christopher Mangi.

VOTE: AYES:5 NOES:0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING THE SUPERVISOR TO ENTER INTO AN EXTENSION AGREEMENT WITH THE NEW COMMUNITY CINEMA CLUB, INC. d/b/a CINEMA ARTS CENTRE, a/k/a NEW COMMUNITY CINEMA.

Resolution of Town Board Meeting Dated: July 9, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson
and seconded by: **COUNCILMAN MAYOKA, COUNCILWOMAN BERALND**

WHEREAS, the Cinema Arts Centre has been an integral part of the cultural scene in the Town of Huntington showing independent and international films both for entertainment and educational purposes; and

WHEREAS, the Cinema Arts Centre draws cineastes into our community who stimulate our local economy of restaurants and shops in and around Huntington village; and

WHEREAS, the lease agreement provided for a term of twenty (20) years commencing on May 1991 and ending on April 30, 2011; and

WHEREAS, the lease agreement thereafter was extended until April 30, 2019; and

WHEREAS, the Cinema Arts Center, the lessee, has requested an extension of the lease term; and

WHEREAS, the Town is desirous of extending the lease term ten (10) additional years from the expiration of the current lease in 2019 until 2029, with an option for ten (10) additional years until 2039, with an increase in the annual rental fee of 5% on each consecutive year of the lease term as revised and on such other terms as may be acceptable to the Office of the Huntington Town Attorney; and

WHEREAS, the scheduling of a public hearing for this purpose is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the ~~13th~~ day of ~~August, 2013~~ at 7:00pm at Town Hall, 100 Main Street, Huntington, New York to consider authorizing the Supervisor to execute an agreement with the New Community Cinema Club, Inc. d/b/a Cinema Arts Centre a/k/a New Community Cinema, Inc. extending the lease agreement for the operation of the property known as the Cinema Arts Centre from September 30, 2013 to September 30, 2029, with an option for ten (10) additional years until September 30, 2039, with an increase in the annual rental of 5% on each consecutive year of the lease

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term, as revised, and on such other terms as may be acceptable to the Office of the
Huntington Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-363

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 24 -2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

RE: PARK AVENUE AT EAST FIFTH STREET/TELEPHONICS DRIVEWAY, HUNTINGTON STATION – TRAFFIC SIGNAL

Resolution for Town Board Meeting dated: July 9, 2013

The following resolution was offered by: **SUPERVISOR PETRONE, COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to comply with the applicable traffic regulations published by the Federal Highway Administration which is necessary to handle an increased capacity in traffic and provide the orderly movement of said traffic; and

WHEREAS, pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (27) of SEQRA, regulations amending the Uniform Traffic Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **13th** day of August, 2013 **at 7^{pm} at** Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **24** -2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE I, §2-1, SCHEDULE A.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW INTRODUCTORY NO. 24 -2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

2013-363

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE I, §2-1, SCHEDULE A.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

<u>LOCATION</u>	<u>DESCRIPTION OF SIGNAL</u>
ADD: Park Avenue at East Fifth Street and the Telephonics Driveway (HUS)	Full-Traffic Actuated

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES:5 NOES:0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A VARIANCE
AND THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CHAPTER 137
(MARINE CONSERVATION)

APPLICANT: ELIZABETH CARILLO

LOCATION: 265 LITTLE NECK RD, CENTERPORT, NEW YORK

S.C.T.M. # 0400-049.00-01.00-013.000

Resolution for Board of Trustees Meeting Dated: July 9, 2013

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **TRUSTEE MAYOKA**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Elizabeth Carillo
265 Little Neck Rd
Centerport, N.Y. 11721

to extend a residential fixed pier and floating dock assembly to exceed the one hundred (100) ft. maximum length limitation by sixty-five (65) ft. Overall length of dock assembly is to measure 165 ft. from MHWL. Project site to be accessed via construction barge at 265 Little Neck Rd., Centerport, N.Y. 11721, S.C.T.M. # 0400-049.00-01.00-013.000; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time for the scheduling of said public hearing.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 13th day of August, 2013, at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to § 137-26.A [1] for Elizabeth Carillo to extend a residential fixed pier and floating dock assembly to exceed the one hundred (100) ft. maximum length limitation by sixty-five (65) ft. Overall length of dock assembly is to measure 165 ft. from MHWL at 265 Little Neck Rd., Centerport, N.Y. 11721, S.C.T.M. # 0400-049.00-01.00-013.000

2013-BT3

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

President Frank P. Petrone	AYE
Trustee Susan A. Berland	ABSTAIN
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT AS IS NECESSARY FOR THE EXTENSION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY UNDER CHAPTER 137, MARINE CONSERVATION

APPLICANT: ELIZABETH CARILLO

LOCATION: 265 LITTLE NECK RD, CENTERPORT, NEW YORK

S.C.T.M. # 0400-049.00-01.00-013.000

Resolution for Board of Trustees Meeting Dated: July 9, 2013

The following resolution was offered by: **TRUSTEE CUTHBERTSON**

and seconded by: **TRUSTEE MAYOKA**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application has been submitted by:

Elizabeth Carillo
265 Little Neck Rd
Centerport, N.Y. 11721

to extend a residential fixed pier and floating dock assembly to exceed the one hundred (100) ft. maximum length limitation by sixty-five (65) ft. Overall length of dock assembly is to measure 165 ft. from MHWL. Project site to be accessed via construction barge at 265 Little Neck Rd., Centerport, N.Y. 11721, S.C.T.M. # 0400-049.00-01.00-013.000; and

WHEREAS, a license agreement for the construction of a one hundred and sixty-five ft long residential fixed pier and floating dock assembly for use on underwater Board of Trustee land is necessary; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 13th day of August, 2013, at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement as is necessary for the use of underwater lands as is necessary for the construction of a one hundred and sixty-five ft long residential fixed pier and floating dock assembly to permit the docking of water-craft at 265 Little Neck Rd., Centerport, N.Y. 11721, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

President Frank P. Petrone	AYE
Trustee Susan A. Berland	ABSTAIN
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.