

**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:**

<b>Supervisor</b>	<b>Frank P. Petrone</b>
<b>Councilwoman</b>	<b>Susan A. Berland</b>
<b>Councilman</b>	<b>Eugene Cook</b>
<b>Councilman</b>	<b>Mark A. Cuthbertson</b>
<b>Councilman</b>	<b>Mark Mayoka</b>
<b>Town Clerk</b>	<b>Jo-Ann Raia</b>
<b>Town Attorney</b>	<b>John J. Leo</b>

**AGENDA FOR TOWN BOARD MEETING DATED SEPTEMBER 12, 2012**

**2:00 P.M. – TOWN HALL**

Opened: 2:10 P.M. Closed: 3:07 P.M.

(Resolutions #2012-395 to 2012-428)

**HEARINGS:**

**ACTION**

1. Consider issuing a Certificate of Approval in an Historic District  
Re: 4 Terrace Place, Cold Spring Harbor – Cold Spring Harbor  
Historic District.

**(Applicant: Anthony Rosato) (SCTM# 0400-064.00-01.00-030.000)**  
(2012-ZC-4-Ch. 198)

**DECISION RESERVED**

2. Consider authorizing various actions be taken in accordance with  
Chapter 156, Article VII, §156-60 (Blighted Property).

**(Re: SCTM#'S 0400-206-1-29, 0400-140-02-133.000,**  
**0400-099-05-081.000)**  
(2012-M-32)

**DECISION RESERVED**

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 12, 2012**

**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

- |                  |   |  |                        |          |
|------------------|---|--|------------------------|----------|
| <b>2012-395.</b> | <b>AUTHORIZE</b> the Supervisor to accept a donation from the Junior Welfare League of Huntington to sponsor financially disadvantaged children in Town of Huntington recreation programs. <b>(Re: Donations will be used to place numerous children in camps, playground program and swimming lessons)</b> | <u>SB</u>  | <u>MM</u>              | <u>5</u> |
| <b>2012-396.</b> | <b>AUTHORIZE</b> the Supervisor to execute a requirements contract for the 2012 requirements contract for fencing and gates with the Landtek Group, Inc. <b>(Term: One year)</b>  | <b>REMOVED FROM THE<br/>AGENDA AT MEETING BY<br/><u>COUNCILWOMAN BERLAND</u></b> |                        |          |
| <b>2012-397.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with the Incorporated Village of Northport for the purpose of receiving funds to provide youth services.  | <u>MC</u><br><u>MM</u>   | <u>SB</u>              | <u>5</u> |
| <b>2012-398.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with North Shore – LJJ Health Plan, a managed long term care plan and the Town of Huntington for the provision of adult day care services. <b>(Term: One year)</b>  | <u>SB</u><br><u>MM</u>   | <u>EC</u>              | <u>5</u> |
| <b>2012-399.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with Suffolk County to obtain operating assistance for the Town’s mass transit (HART) bus system. <b>(Term: 1/1/2012-12/31/2014)</b>  | <u>MC</u><br><u>MM</u>   | <u>SB</u><br><u>EC</u> | <u>5</u> |
| <b>2012-400.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with Holzmacher, McLendon & Murrell, P.C. to prepare updates to the Emergency Response Plan (ERP) and the Vulnerability Assessment (VA) for the Dix Hills Water District.   | <u>SB</u>  | <u>MM</u><br><u>FP</u> | <u>5</u> |
| <b>2012-401.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with Broadview Dog Center, Inc. <b>(Term: One year)</b>   | <u>FP</u>  | <u>MM</u>              | <u>5</u> |
| <b>2012-402.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the contract for the landfill, gas monitoring and related engineering services for the Town of Huntington East Northport Landfill with R & C Formation, Ltd. <b>(Re: Extension period of one year commencing 12/8/2012)</b>                      | <u>MM</u>  | <u>FP</u>              | <u>5</u> |
| <b>2012-403.</b> | <b>AUTHORIZE</b> the Supervisor to forward a “Letter of Intent” for the Town of Huntington to participate in the development of a Multi-Jurisdictional Debris Management Plan to Suffolk County Fire Rescue and Emergency Services (FRES).  | <u>FP</u>  | <u>SB</u><br><u>MM</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 12, 2012**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2012-404.</b> AUTHORIZE the Town of Huntington to sponsor a children’s Halloween Parade on Wednesday, October 31, 2012. (Time: 4:00 PM – 5:00 PM)	<b>MC</b> <b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2012-405.</b> AUTHORIZE the issuance of a permit to extend the operation of a “Haunted House” at 26 Pinelawn Road, Melville, New York. (Re: Schmitts Farm-Dates & Times: 10/5, 10/6, 10/7, 10/8, 10/12, 10/13, 10/14, 10/19, 10/20, 10/21, 10/25, 10/26, 10/27, 10/28, 10/30, 10/31, 11/2 and 11/3 from 7:00 PM – 12:00 AM)	<b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2012-406.</b> AUTHORIZE execution of contract of sale and appropriating funding necessary for contract and closing requirements for Town acquisition of Burrs Lane property, Dix Hills. (SCTM# 0400-277.00-04.00-011.000) (Re: 146 Burrs Lane)	<b>FP</b> <b><u>SB</u></b>	<b><u>MC</u></b>	<b>3-AYES</b> <b>1-ABST</b> <b>(MM)</b> <b>1-NO</b> <b>(EC)</b>
<b>2012-407.</b> AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special districts-various departments.	<b>MM</b> <b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2012-408.</b> AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special districts.	<b><u>MM</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2012-409.</b> AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special district – Highway Office.	<b><u>MM</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2012-410.</b> AUTHORIZE the Huntington Harbor Master’s Office to establish and enforce a temporary 5 mph zone during special aquatic events.	<b><u>MC</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2012-411.</b> AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Re: Gregory Rowland/Yvette Stone-Rowland, 18 8 <sup>th</sup> Avenue, Huntington Station, SCTM# 0400-142.00-01.00-092.00, Chapters 133, 156; Suntrust Mortgage, Inc., 52 East 8 <sup>th</sup> Street, Huntington Station, SCTM# 0400-149.00-01.00-016.000, Chapters 133, 156; Laura Glazer, 122 East 23 <sup>rd</sup> Street, Huntington Station, SCTM# 0400-199.00-03.00-121.000, Chapters 133, 156; Jason Mills, 45 Oakley Drive, Huntington Station, SCTM# 0400-194.00-03.00-086.000, Chapters 133, 156; Lorraine/John Johnson, 70 Tippin Drive, Huntington Station, SCTM# 0400-193.00-02.00-003.000, Chapters 133, 156; William/Gaetana Rattazzi, 29 Howe Street, Huntington Station, SCTM# 0400-150.00-03.00-048.000, Chapter 191)	<b><u>SB</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2012-412.</b> ACCEPT the donation of the installation, maintenance and use of video surveillance equipment for a pilot program at Manor Field Park. (Re: IntraLogic Solutions, Inc.)	<b><u>FP</u></b>	<b>SB</b> <b><u>MM</u></b>	<b><u>5</u></b>
<b>2012-413.</b> ALLOW Town employees to donate accrued sick, vacation or personal time from their accounts to the account of Holli Dunayer.	<b>FP</b> <b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 12, 2012**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2012-414. CLARIFY</b> Town acquisition and future passive park use of Carpenter Farm property. (Re: SCTM# 0400-080-02-022.000 – 55 Old Field Lane, Huntington)	<u>MC</u>	<u>FP</u>	<b>4-AYES 1-NO (EC)</b>
<b>2012-415. CO-SPONSOR</b> with the League for Animal Protection for free spay/neuter of Pit Bulls and Pit Bull mixes during National Pit Bull Awareness Month, October, 2012.	<u>FP</u>	<u>MM</u>	<u>5</u>
<b>2012-416. OPPOSE</b> a proposal by the United States Postal Service to sell the historic Post Office building located on Main Street in Northport Village and urging Huntington’s representatives in Congress to take all necessary steps to prevent its closure or relocation from its present location and to prevent the sale of the building. (Re: 244 Main Street)	<u>MC</u>	<u>MM</u>	<u>5</u>
<b>2012-417. ENACTMENT: GRANT</b> a license agreement for the lease of private locker room space at Dix Hills Park Ice Rink with Long Island Rebels. (Term: Three years)	<u>MM</u> <u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>
<b>2012-418. ENACTMENT: APPROVE</b> the execution of a license agreement pursuant to Chapter 137 of the Huntington Town Code (The Marine Conservation Law) for the construction of a timber style bulkhead Applicant: Steve Lamberg Location: 36 West View Rd., Northport, N.Y. 11768 S.C.T.M. #0400-002.00-01.00-051.000.	<u>MC</u> <u>MM</u>	<u>EC</u>	<u>5</u>
<b>2012-419. ENACTMENT: APPROVE</b> the granting of a variance and the issuance of a Special Use Permit pursuant to Chapter 137 (The Marine Conservation Law) Applicant: Steve Lamberg Location: 36 West View Rd., Northport, N.Y. 11768 S.C.T.M. #0400-002.00-01.00-051.000.	<u>MC</u> <u>MM</u>	<u>EC</u>	<u>5</u>
<b>2012-420. AUTHORIZE</b> 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: Ali Faiz, 22 Clark Street, Huntington, SCTM# 0400-190.00-02.00-083.000, Schedules A, B; John/Violet Michta, 14 West 10 <sup>th</sup> Street, Huntington Station, SCTM# 0400-142-03-013.000, Schedules A, B; Tyrell Edwards, 2370 New York Avenue, Huntington , SCTM# 0400-239.00-02.00-023.005, Schedules A, B; Heather Lazarides, 2 Glover Drive, Dix Hills, SCTM# 0400-284.00-03.00-172.00, Schedules A, B; Charles/Francesca Bowen, 30 Pearwood Drive, Huntington Station, SCTM# 0400-138.00-01.00-051.000, Schedules A, B; Dolores Werle, 26 Ambrose Lane, Northport, SCTM# 0400-055.00-02.00-121.000, Schedules A, B; Benjamin Hill Sr., 93 West 11 <sup>th</sup> Street, Huntington Station, SCTM# 0400-137-3-11, Schedules A, B)	<u>SB</u>	<u>EC</u> <u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 12, 2012**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2012-421. SCHEDULE A PUBLIC HEARING: October 16, 2012 at 6:00 PM</b>            To consider authorizing various actions be taken in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Paul/Michele Spera, 105 Franklin Avenue, East Northport, SCTM# 0400-113.00-03.00-003.000, Schedule A; Kevin Enright, 26 Corlett Place, Huntington Station, SCTM# 0400-099-05-081.000, Schedule A; Robert/Leila Kea, 10 Keeler Street, Huntington, SCTM# 0400-114.00-04.00-012.000, Schedule A; Bank of America, 51 East 13<sup>th</sup> Street, Huntington Station, SCTM# 0400-145-03-021.000, Schedule A; NY Huntington Realty, 1765 New York Avenue, Huntington Station, SCTM# 0400-143.00-03.00-024.000, Schedule A; Donald Corrente, 58 ½ Lowndes Avenue, Huntington Station, SCTM# 0400-094-03-033.000, Schedule A)</p>	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<p><b>2012-422. SCHEDULE A PUBLIC HEARING: September 24, 2012 at 7:00 PM</b>            To consider adopting Local Law Introductory Number 16 - 2012 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-20.1 (R-HS Residential Health Services District).</p>	<b><u>SB</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<p><b>2012-423. SCHEDULE A PUBLIC HEARING: October 16, 2012 at 6:00 PM</b>            To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Shaftsbury Lane, Melville – Stop Signs.</p>	<b>MC <u>SB</u> <u>MM</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<p><b>2012-424. SCHEDULE A PUBLIC HEARING: October 16, 2012 at 6:00 PM</b>            To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Hart Place, Dix Hills – Stop Signs.</p>	<b>FP <u>MM</u> <u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<p><b>2012-425. SCHEDULE A PUBLIC HEARING: October 16, 2012 at 6:00 PM</b>            To consider issuing a Certificate of Approval in an Historic District. Re: 209 Main Street, Huntington – Old Town Hall Historic District. (Applicant: Huntington Historical Society) (SCTM# 0400-072.00-02.00-020.000)</p>	<b>FP <u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<p><b>2012-426. SCHEDULE A PUBLIC HEARING: October 16, 2012 at 6:00 PM</b>            To consider issuing a Certificate of Approval in an Historic District. Re: 334 Main Street, Cold Spring Harbor – Cold Spring Harbor Historic District. (Applicant: Cold Spring Harbor Laboratory) (SCTM# 0400.00-066.00-01.00-025.000)</p>	<b><u>MM</u></b>	<b>SB <u>EC</u></b>	<b><u>5</u></b>
<p><b>2012-427. ESTABLISH</b> a Capital Project Account to fund the preparation of a Melville Employment Center Integrated Land Use, Circulation and Infrastructure Plan.</p>	<b><u>MC</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 12, 2012**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**4-AYES**

**1-ABST**

**MOTION TO ADD RESOLUTION #2012-428 TO THE AGENDA.**

**FP**

**EC**

**(MC)**

**2012-428. ENACTMENT: ADOPT** Local Law Introductory Number 9-2012, amending Town Board Resolutions No. 1967-46 and 1998-124 so as to revoke all of the Covenants and Restrictons previously recorded as part of Zone Change Application Number 180 of Warren and Theodore Bittner, and reestablishing covenants and restrictions for property located on the north side of Fort Salonga Road, east of Little Neck Road, Centerport (SCTM# 0400-044-03-021).

**FP**

**EC**

**MM**

**4-AYES**

**1-ABST**

**(MC)**

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING**

**DATED: SEPTEMBER 12, 2012**

**COMMUNICATION**

**ACTION**

1. Letters received Certified Mail – Applying for Liquor Licenses:  
From: Siu Wai Chan for Albert’s Mandarin Gourmet;  
  
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: Dhanit Choladda for Thai USA; From: Hae C. Park for HSP Holding Corp. d/b/a News Stand Deli;  
  
Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
3. Email received from Keith Wilkinson stating that the title of Superintendent of Highways should remain an elected position.  
  
Supervisor  
M. Cuthbertson, Councilman  
S. Berland, Councilwoman  
Town Attorney  
cc: Highway
  
4. Letters received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on September 4, 2012 at 2:00 pm at Town Hall regarding the following: A) Proposed amendments to Chapter 322 Building Zone Ordinance-Article XV Administration & Enforcement B) Proposed Amendment to Chapter 322 Building Zone Ordinance- Site Plan Review, Special Exception Uses.  
  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
  
5. Email received from Douglas Johnson regarding the position of Superintendent of Highway. The writer wants to maintain this position as an elected one.  
  
Supervisor  
Town Attorney  
cc: Highway
  
6. Letter received from Patricia Hawkins, Chairman of the East Northport Fire District Special Election, regarding a special election held on August 14, 2012, for a proposition approving the sale of one surplus fire truck. Included were the Certificate of Canvass (vote: 31 in favor of the adoption and 5 against), a copy of the voter certificate, a copy of the official ballot and a copy of the Oath of Inspectors of Election.  
  
Supervisor  
Town Board  
Town Attorney  
Comptroller  
cc: Fire Prevention
  
7. Letter received from the Law Office of Edward Troy, signed by Mr. Troy, regarding property located at 420 2<sup>nd</sup> Street, East Northport. The letter indicates that his client is a resident of this street and this particular home has various violations.  
  
Supervisor  
Town Board  
Town Attorney  
Public Safety  
Dog Control  
cc: Fire Inspector

8. Letter received from Denise Rossi, Financial Secretary for the Commack Volunteer Ambulance Corps, with a copy of the Revised Budget for 2013. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
9. Two certified letters received from Kerri O'Brien, Deputy Commissioner of the New York State Liquor Authority, regarding a hearing to be held at 11:00 am at 317 Lenox Avenue, New York, NY – fourth floor. The first letter A) indicates the date as 9/11/2012 and the second letter B) indicates an amended date of 9/13/2012. The hearing is being held because CCA Restaurants Inc. d/b/a Two Blondes and a Stove is applying for an on premise application and this location is within a 500 foot radius of at least 3 other licensed and operating on-premises liquor establishments. Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
10. Email received from Louise Caputo, Secretary of the Greenlawn Fire District, regarding a Notice of Special Election. The Special Election will be held on September 18, 2012 between the hours of 6:00 PM and 9:00 PM. The proposition involves the purchase, outfitting and equipping one new 77' "Quint" type fire apparatus. Supervisor  
Town Board  
Town Attorney  
cc: Fire Prevention
11. Certified letter received from Danielle Crabtree regarding driving conditions on Montauk Avenue in East Northport. The writer is also concerned with drywells that were placed on the south side of her property, on the property line. Supervisor  
Town Board  
Town Attorney  
Highway  
Engineering Services  
cc: Traffic & Transportation
12. Letter received from Lawrence Light, Interim Business Administrator for the South Huntington School District, included was a copy of the Official 2012-2013 Budget. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
13. Letter and various paperwork received from Michael Kane, Chairman of the Zoning Board of Appeals for the Town of Babylon, regarding a Public Hearing to be held on 9/20/2012 at 6:00 PM for property located at 2178 Deer Park Avenue, Deer Park. This property is located within 200' of the Town of Huntington border. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
14. Letter received from Kerri O'Brien, Deputy Commissioner for the New York State Liquor Authority, regarding Fabe Foods LLC d/b/a Massa's Coal Brick Oven Pizza. A hearing will be held on 9/20/12 at 317 Lenox Avenue, New York, NY – 4<sup>th</sup> Floor at 11:00 AM. The hearing is being held because there are at least 3 other licensed and operating on-premises liquor establishments located within a 500 ' radius of this operation. Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility



15. Notifications received from Lynn Pincomb, Village Administrator, for Huntington Bay, regarding Board of Trustee Hearings to be held on 9/10/2012 at 7:30 PM at Village Hall. A) 1 Woodland Drive – property is located in the Waterfront Preservation District “D1”- to construct additions and alterations to existing residence. B) 54 Bay Crest – property is located in the Zoning District “C” – to construct a reconfigured driveway, new masonry front walk and retaining wall – also to construct additions and alterations including an accessory caretaker’s apartment above an existing detached garage.

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

16. Letter received from Lee Kilbrith, Vice President of the Huntington Village Business Improvement District Association Inc., included was a copy of the 2013 Preliminary Budget.

Supervisor  
Town Board  
Town Attorney  
cc: Comptroller

17. Letter received via email from Jackie Martin, Commodore of the Greater Huntington Council of Yacht and Boating Clubs, supporting the resolution authorizing the Harbormaster’s office to establish and enforce a 5 mile per hour zone at aquatic events.

Supervisor  
Town Board  
Town Attorney  
cc: Maritime Services

2012-395

RESOLUTION AUTHORIZING THE SUPERVISOR TO ACCEPT A DONATION FROM THE JUNIOR WELFARE LEAGUE OF HUNTINGTON TO SPONSOR FINANCIALLY DISADVANTAGED CHILDREN IN TOWN OF HUNTINGTON RECREATION PROGRAMS

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Junior Welfare League of Huntington, P.O. Box 107 Huntington, New York 11743 has made a donation in the amount of NINE THOUSAND AND FOUR HUNDRED AND SIXTY SEVEN AND 00/100 (\$9,467.00) DOLLARS to the Department of Parks and Recreation to place financially disadvantaged children in Town of Huntington recreation programs ; and

WHEREAS, the donation is to be used to place numerous children in camps, playground program, swimming lessons; and

WHEREAS, the acceptance of the donation is not an action under SEQRA 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 from the Junior Welfare League of Huntington in the amount of \$9,467.00 to be deposited to account A2705 Gift and Donations and thanks them for their generosity.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-397

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE INCORPORATED VILLAGE OF NORTHPORT FOR THE PURPOSE OF RECEIVING FUNDS TO PROVIDE YOUTH SERVICES

Resolution for Town Board Meeting Dated: September 12, 2012

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington Youth Bureau provides services to at-risk youth in the Incorporated Village of Northport through the Town's Youth Directions and Alternatives Youth Agency; and

WHEREAS, these services promote positive youth, family and community development with an emphasis on hard to reach youth through hands-on outreach methods; and

WHEREAS, the Incorporated Village of Northport has expressed its desire for the Huntington Youth Bureau through Youth Directions and Alternatives Youth Agency, to continue to provide these important and beneficial services to youth and families of the Village; and

WHEREAS, the execution of an agreement for the provision of youth services is not an action as defined by 6NYCRR 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection therewith, with the Incorporated Village of Northport, 224 Main Street, Northport, NY, for the provision of youth services for an amount not to exceed the sum of SEVEN HUNDRED FIFTY AND NO/100 (\$750.00) DOLLARS to be recorded in Operating Budget Item A3833 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH NORTH SHORE – LIJ HEALTH PLAN, A MANAGED LONG TERM CARE PLAN AND THE TOWN OF HUNTINGTON FOR THE PROVISION OF ADULT DAY CARE SERVICES

Resolution for Town Board Meeting dated: September 12, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington operates an Adult Day Care Program that provides social model day care services such as educational, craft, recreational and group activities and a nutritious meal for the frail elderly; and

WHEREAS, North Shore – LIJ Health Plan, has become a managed long term care plan (MLTCP) providing managed care services, which allows appropriate individuals to remain in their homes while receiving nursing home level care, such as, health rehabilitation, medical support services and personal care, including respite care, social day care, and transportation; and

WHEREAS, North Shore – LIJ Health Plan desires to provide eligible senior citizens with social day care services through the Huntington Adult Day Care Program; and

WHEREAS, such services may also include related transportation between the patient's home and the location of the Huntington Adult Day Care Program and other services which the Center may offer; and

WHEREAS, North Shore – LIJ Health Plan 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 including round-trip transportation for Huntington Residents; 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 North Shore – LIJ Health Plan (MLTCP) 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 including round-trip transportation for Huntington Residents for a period of one year, and to execute any documents related and/or in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

2012 - 398

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THERE UPON DECLARED DULY ADOPTED

2012-399

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY TO OBTAIN OPERATING ASSISTANCE FOR THE TOWN'S MASS TRANSIT (HART) BUS SYSTEM

Resolution for Town Board Meeting Dated: September 12, 2012

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

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

WHEREAS, the Town of Huntington owns and operates a mass transit bus system; and

WHEREAS, the State and County provide an operating assistance program and a reduced fare program for the Town's bus system by agreement with Suffolk County; and

WHEREAS, it is necessary for the Town to enter into a three year agreement with Suffolk County for said operating assistance; and

WHEREAS, pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(20), this action involves routine agency administration, which is a Type II action, and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection therewith, with Suffolk County for the provision of operating assistance for the Town's mass transit (HART) bus system for the period of January 1, 2012 through December 31, 2014 in the amount of EIGHT HUNDRED FIVE THOUSAND ONE HUNDRED ELEVEN AND NO/100 (\$805,111.00) DOLLARS for 2012 to be deposited into Budget Line A3594, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark L. Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-400

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HOLZMACHER, MCLENDON & MURRELL, P.C. TO PREPARE UPDATES TO THE EMERGENCY RESPONSE PLAN (ERP) AND THE VULNERABILITY ASSESSMENT (VA) FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: September 12, 2012

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

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

WHEREAS, the New York State Department of Health (NYSDOH) and the Suffolk County Department of Health Services (SCDHS) require updates by January 1, 2013 of the Emergency Response Plan (ERP) and Vulnerability Assessment (VA) for the Dix Hills Water District; and

WHEREAS, H2M Group, the District's Engineering Consultant, has submitted a proposal to prepare the required ERP and VA updates and to provide related training for District staff; and

WHEREAS, pursuant to SEQRA, 6NYCRR, Part 617.5 (c)(20), continuing agency administration and management is a Type II action and, therefore, no further review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection therewith, with Holzmacher, McLendon and Murrell, P.C., 575 Broad Hollow Road, Melville, New York 11747, for the preparation of updates to the Emergency Response Plan and Vulnerability Assessment and to provide related training for the Dix Hills Water District; for the amount not to exceed EIGHT THOUSAND AND NO/100 (\$8,000.00) DOLLARS, to be charged to Operating Budget Item No. SW1-8321-4550, upon such terms and conditions acceptable to the Town Attorney.

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH BROADVIEW DOG CENTER, INC.

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone

And seconded by: Councilman Mayoka

WHEREAS, Broadview Dog Center, Inc. and the Department of Public Safety desire to enter into an arrangement whereby Broadview Dog Center, Inc., 25 Broadview Avenue, Kings Park, New York 11754 provides dog behavior training and temperment testing for the dogs in the Town's possession; and

WHEREAS, the Town Board desires to improve the well-being of the dogs at the Huntington Animal Shelter; and

WHEREAS, Broadview Dog Center shall be paid a fee of Thirty (\$30) Dollars an hour and a maximum of Thirty-Thousand (\$30,000) Dollars for dog behavior training and temperment testing for a term of one (1) year; and

WHEREAS, that conducting dog behavior training and temperment testing is not an action pursuant to 6 N.Y.C.R.R. §617.5(c)(18), and therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection therewith, with Broadview Dog Center, Inc., 25 Broadview Avenue, Kings Park, New York, 11754 for dog behavior training and temperment testing at the rate of Thirty (\$30) Dollars an hour and a maximum of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS for a term of one (1) year, and such terms and conditions as may be deemed advisable by the Town Attorney and to be charged to the 2012 Operating Budget A3510-4550 Outside Professional.

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



2012-402

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR THE LANDFILL, GAS MONITORING AND RELATED ENGINEERING SERVICES FOR THE TOWN OF HUNTINGTON EAST NORTHPORT LANDFILL WITH R & C FORMATION, LTD.

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is required by a Record of Decision (ROD) to provide monitoring reports on Landfill Gas (LFG), as well as on the operation of LFG monitoring and control systems at its East Northport Landfill. This work has been provided by an outside consultant since the installation of an LFG control system in 1974, and the Town of Huntington periodically solicits competitive pricing; and

WHEREAS, Town Board Resolution 2011-503 authorized the execution of a contract with R & C Formation, Ltd. for landfill gas monitoring and related engineering services Town of Huntington East Northport landfill, RFP No. 2011-10-015; and

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

WHEREAS, R & C Formation, Ltd., 171 Deer Park Avenue, Suite 3, Babylon, New York 11702 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 R & C Formation Ltd. for landfill, gas monitoring and related engineering services at the Town of Huntington East Northport landfill. The extension period shall be effective for one (1) year commencing on December 8, 2012 to be charged to the East Northport Landfill-Post Closure Maintenance operating budget line A8166 4550 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

*Ext landfill gas monitoring*  
PURCH/LF/  
9/4/2012, 1:14 PM

RESOLUTION AUTHORIZING THE SUPERVISOR TO FORWARD A "LETTER OF INTENT" FOR THE TOWN OF HUNTINGTON TO PARTICPATE IN THE DEVELOPMENT OF A MULTI-JURISDICTIONAL DEBRIS MANAGEMENT PLAN TO SUFFOLK COUNTY FIRE RESCUE AND EMERGENCY SERVICES (FRES) .

Resolution for Town Board Meeting dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town of Huntington is desirous of participating in the development of a Comprehensive Multi-Jurisdictional Debris Management Plan (Plan) with Suffolk County Fire, Rescue and Emergency Services ; and

WHEREAS, the Town will make appropriate staff available for the development of the Plan as needed; and

WHEREAS, Suffolk County has received a 100% grant funding from Federal and New York State sources, a portion of which will be paid to the Town of Huntington (\$9,700) for our participation in the planning effort based upon a weighted average of population, land area and Irene generated debris in comparison to overall Suffolk County totals; 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 development of the (Plan) to the Suffolk County Commissioner; Fire, Rescue and Emergency Services by the September 14, 2012 deadline.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2012-404

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON TO SPONSOR A CHILDREN'S HALLOWEEN PARADE ON WEDNESDAY, OCTOBER 31, 2012

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Councilman Cuthbertson, **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, in conjunction with the Huntington Village Business Improvement District, which will be sponsoring a "Safe Trick-or-Treat Program" on Halloween, Wednesday, October 31<sup>st</sup>; the Town of Huntington will sponsor a Halloween Parade for children of all ages to march in and show their costumes; and

WHEREAS, participants will assemble at 4:00 p.m. in front of the Huntington Post Office and proceed to parade down Gerard Street, at 4:15 p.m. and conclude at the intersection of Main Street (25A) and Wall Street; and

WHEREAS, the sponsoring of a children's parade is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Town of Huntington to sponsor and conduct a Children's Halloween Parade to be held on Gerard Street and Wall Street in Huntington on Wednesday, October 31, 2012 from 4:00 p.m. until 5:00 p.m.; and

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilma Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO EXTEND THE OPERATION OF A "HAUNTED HOUSE" AT 26 PINELAWN ROAD, MELVILLE, NEW YORK

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to operate a "haunted house" at 26 Pinelawn Road, Melville, New York 11747 bearing Suffolk County Tax Map #0400-255.00-01.00-012.000 on the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 12<sup>th</sup>, and 13<sup>th</sup> of October, 2012, from 7:00 p.m. until 12:00 a.m. and on the 14<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, 25<sup>th</sup> and 26<sup>th</sup> of October, 2012 from 7:00 p.m. until 12:00 a.m.; and

WHEREAS, §91-3 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events) provides that each permit for such an event may be issued for a term not to exceed six (6) days and that no more than two (2) permits may be issued per person or organization for each calendar year; and

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to extend the operation of the "haunted house" for the 27<sup>th</sup>, 28<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup> of October, 2012 and the 2<sup>nd</sup> and 3<sup>rd</sup> of November, 2012, from 7:00 p.m. until 12:00 a.m.; and

WHEREAS, the issuance of a permit to extend the operation a haunted house 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 issuance of a permit to F & W Schmitts Farm for the operation of a haunted house on the 27<sup>th</sup>, 28<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup> of October, 2012 and the 2<sup>nd</sup> and 3<sup>rd</sup> of November, 2012, from 7:00 p.m. until 12:00 a.m., upon the following terms and conditions:

1. F & W Schmitts Farm shall secure an extension of the bond to cover the event including the period of extension; and
2. There shall be full compliance with the Code of the Town of Huntington including but not limited to the requirements of the Department of Public Safety, the Department of Engineering Services, the Huntington Fire Marshal, the Melville Fire Department and the rules and regulations of all County, State and Federal agencies having jurisdiction; and

3. F & W Schmitts Farm shall secure a policy of insurance covering the event which names the Town as certificate holder and as an additional insured, by endorsement, on the policy, with a policy limit in the minimum amount of \$2,000,000.00 per occurrence and a Certificate of Insurance evidencing same shall be provided to the Town Attorney's Office; and
4. F & W Schmitts Farm shall execute a hold harmless agreement in favor of the Town of Huntington, its agents and employees in a form acceptable to the Town Attorney; and
5. All applicable permit and/or application fees and/or deposits shall be fully paid in accordance with the Code of the Town of Huntington; and
6. Any additional costs incurred by the Town of Huntington for labor; services and/or inspections in connection with or resulting from the event shall be fully reimbursed by F & W Schmitts Farm and shall be paid to the Huntington Town Clerk no later than November 9, 2012; and
7. Patrons of the haunted house attraction at F & W Schmitts Farm shall not be permitted to park vehicles on the property identified as Suffolk County Tax Map # 0400-257-03-009.005; 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT OF SALE AND APPROPRIATING FUNDING NECESSARY FOR CONTRACT AND CLOSING REQUIREMENTS FOR TOWN ACQUISITION OF BURR'S LANE PROPERTY, DIX HILLS

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone  
Councilwoman Berland

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the acquisition of a 5-acre property held by the Sadhu Vaswani Center, identified as SCTM 0400-277.00-04.00-011.000 and located at 146 Burrs Lane in Dix Hills, was recommended for purchase by the EOSPA Committee and has been negotiated by the Town EOSPA Counsel and contracts of sale are being finalized for signature by all involved parties; and

WHEREAS, the Town Board conducted a public hearing held on June 5, 2007 pursuant to New York General Municipal Law §247.2 regarding acquisition of the subject property for active recreational park use; and

WHEREAS, specific Town costs and contract requirements must be met, including, but not limited to: surveys and setting of monuments, title insurance, recording of deeds, pro-rated taxes as necessary, and other closing costs and items as may be specified as contract requirements; and

WHEREAS, prior to completing the acquisition of the subject property, the Town Board has determined that its action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing expenditures against the EOSPA Program funds, and therefore has been established as lead agency, and

WHEREAS, the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action to facilitate completion of the necessary SEQRA evaluation prior to the Town Board authorizing any action;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with acquisition of the property for park purposes and hereby issues a Negative Declaration pursuant to SEQRA, and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Supervisor or his representative to execute a contract, on such terms and conditions as may be acceptable to the Town Attorney, to purchase the subject property as identified above for park purposes for the benefit of

Huntington residents for an amount not to exceed the sum of ONE MILLION AND FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,500,000.00), excluding customary closing costs, which are hereby authorized such as title insurance and recording fees; and

BE IT FURTHER

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 in an amount not to exceed the purchase price or ONE MILLION AND FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$1,500,000.00), excluding customary closing expenses, and charged to the appropriate capital budget account as recommended by the EOSPA Committee to cover costs as may be related to the Town's acquisition of the subject property; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the property owner and authorizes the Supervisor or his representative to execute all documents related to securing such land in public ownership, upon which it is to be identified and mapped as parkland in the records of the Department of Planning and Environment.

VOTE:                    AYES: 3                    NOES: 1                    ABSTENTIONS: 1

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>NO</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>ABSTAIN</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2012  
OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL  
DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: **COUNCILMAN MAYOKA, COUNCILMAN CUTHBERTSON**  
and seconded by: **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 2012 Operating Budget as follows:

Reinstate the following position:

A-1410-1100	Clerk Typist (Spanish Speaking)	\$9,077
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Adjust the following Appropriations:

A-1990-1100	Contingency	(\$9,077)
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VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.



RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2012 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board would like to increase the expense for credit cards from higher volume due to increased revenue;

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 funding of these capital projects in lieu of bonding is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1), (c)(25) and (c)(4) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2012 Operating Budget as follows:

Increase the following appropriations:

A7115-4000	Credit Card Fees	\$ 7,000
A7193-4000	Credit Card Fees	\$ 7,000

Decrease the following appropriations:

A7115-4000	Credit Card Fees	\$ 5,000
A7193-4559	Kemper Incentive Fee	\$ 9,000

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2012 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICT - HIGHWAY OFFICE

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by **COUNCILMAN COOK**

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

WHEREAS, funds are needed to hire a contractor to repair the East Northport salt storage building; and

WHEREAS, amending the 2012 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no further review is required; and

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2012 Operating Budget as follows:

Decrease the following appropriation:

DB-5142-0599R - Fund Balance \$30,000

Increase the following appropriation:

DB-5110-2102 - Building Improvements \$30,000

VOTE:                   AYES: 5                   NOES: 0                   ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE HUNTINGTON HARBOR MASTER'S OFFICE  
TO ESTABLISH AND ENFORCE A TEMPORARY 5 MPH ZONE DURING SPECIAL  
AQUATIC EVENTS

Resolution for Town Board Meeting dated: September 12, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Huntington Town Board is supportive of special aquatic events that are attended and enjoyed by a large contingent of boats and boaters; and

WHEREAS, in the interest of safety the Huntington Town Board wishes to authorize the establishment of a temporary 5 mph zone during aquatic events to a radius deemed necessary by the Senior Harbor Master; and

WHEREAS, the establishment of temporary speed limits 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 Senior Harbor Master to establish and enforce a temporary 5 MPH speed zone during special aquatic events to a radius deemed necessary under the circumstances by the Senior Harbor Master in order to maintain and protect the health, welfare and safety of those in attendance.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

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: September 12, 2012

The following resolution was offered by: **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		<b>AYE</b>	
Councilwoman Susan A. Berland		<b>AYE</b>	
Councilman Eugene Cook		<b>AYE</b>	
Councilman Mark A. Cuthbertson		<b>AYE</b>	
Councilman Mark Mayoka		<b>AYE</b>	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule AChapter 133, Section 2A 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>
18 8 <sup>th</sup> Ave. Huntington Sta., NY 11746	0400-142.00-01.00-092.000	Gregory Rowland Yvette Stone-Rowland	08/08/2012	N/A
52 East 8 <sup>th</sup> St. Huntington Sta., NY 11746	0400-149.00-01.00-016.000	Suntrust Mortgage, Inc.	08/06/2012	1001 Semmes Ave. Richmond, VA 23224
122 East 23 <sup>rd</sup> St. Huntington Sta., NY 11746	0400-199.00-03.00-121.000	Laura Glazer	08/24/2012	N/A
45 Oakley Dr. Huntington Sta., NY 11746	0400-194.00-03.00-086.000	Jason Mills	08/24/2012	N/A
70 Tippin Dr. Huntington Sta., NY 11746	0400-193.00-02.00-003.000	Lorraine L. Johnson John Johnson	08/23/2012	N/A

Schedule A

Chapter 156, Section 46A 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>
18 8th Ave. Huntington Sta., NY 11746	0400-142.00-01.00-092.000	Gregory Rowland Yvette Stone-Rowland	08/08/2012	N/A
52 East 8th St. Huntington Sta., NY 11746	0400-149.00-01.00-016.000	Suntrust Mortgage, Inc.	08/06/2012	1001 Semmes Ave. Richmond, VA 23224
122 East 23rd St. Huntington Sta., NY 11746	0400-199.00-03.00-121.000	Laura Glazer	08/24/2012	N/A
45 Oakley Dr. Huntington Sta., NY 11746	0400-194.00-03.00-086.000	Jason Mills	08/24/2012	N/A
70 Tippin Dr. Huntington Sta., NY 11746	0400-193.00-02.00-003.000	Lorraine L. Johnson John Johnson	08/23/2012	N/A

Chapter 191, Section 3 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>
29 Howe St. Huntington Sta., NY 11746	0400-150.00-03.00-048.000	William D. Rattazzi Gaetana M. Rattazzi	08/02/2012	N/A

2012-412

RESOLUTION ACCEPTING THE DONATION OF THE INSTALLATION,  
MAINTENANCE AND USE OF VIDEO SURVEILLANCE EQUIPMENT FOR A  
PILOT PROGRAM AT MANOR FIELD PARK

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, The Town of Huntington is desirous of implementing a pilot program to determine the value of improved video surveillance capabilities at Manor Field Park, located on East 5<sup>th</sup> Street, Huntington Station; and

WHEREAS, IntraLogic Solutions, Inc. wishes to donate the installation, maintenance and use of video surveillance equipment for such pilot program, for a period of sixty (60) days, at no cost to the Town; and

WHEREAS, the establishment of a video surveillance pilot program 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 the installation, maintenance and use of video surveillance equipment, from IntraLogic Solutions, Inc., 504 Hicksville Road, Massapequa, New York 11758, for a video surveillance pilot program at Manor Field Park, at no cost to the Town of Huntington, for a period of sixty (60) days commencing upon the execution of a Hold Harmless and Indemnification Agreement, the submission of appropriate insurance, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012 - 413

RESOLUTION ALLOWING TOWN EMPLOYEES TO DONATE ACCRUED SICK,  
VACATION OR PERSONAL TIME FROM THEIR ACCOUNTS TO THE ACCOUNT  
OF HOLLI DUNAYER

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone  
Councilwoman Berland  
and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, any employee may at his or her sole discretion, elect to donate one or more of his/her then accumulated sick, vacation or personal days of his/her Bank to be made available to Holli Dunayer, an employee of the town, who has exhausted her accumulated sick leave due to a bona fide medical reason; and

WHEREAS, such day or days shall be deducted from the donor's accumulated sick, vacation or personal leave and shall reduce the Town's obligation to pay for or give credit for that day or days to the donor employee at any time during or after the donor's employment with the Town; and

WHEREAS, the administration of the Bank can in no way expand the Town's current maximum level of obligation to pay for or to provide sick, vacation or personal time to any employee; and

WHEREAS, any donated time shall only be used during the time Holli Dunayer remains as an employee and shall not inure to her benefit after her employment has ceased, nor to the benefit of her heirs.

WHEREAS, authorizing the donation by Town employees of sick, vacation or personal time is not an action as defined by §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ALLOWS the donation of previously accrued sick, vacation or personal time by town employees to fellow employee Holli Dunayer and directs the Comptroller to transfer funds as necessary.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.



RESOLUTION CLARIFYING TOWN ACQUISITION AND FUTURE PASSIVE  
PARK USE OF CARPENTER FARM PROPERTY

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the acquisition of approximately 12.482 acres of the Carpenter Farm property located at 55 Old Field Lane in Huntington, identified as SCTM 0400-080-02-022.000, was recommended by the EOSPA Committee; and

WHEREAS, the proposed Carpenter Farm acquisition was originally considered as a Town and County acquisition; however, the County would not agree to a closing date that the owner was willing to accept and the sellers would not enter into a contract on the terms and conditions offered by the County, and

WHEREAS, Town Board resolution #2012-118 provided authorization and allocated funding for half of the acquisition cost, but also resolved, "that should the County of Suffolk be unable to uphold their commitment to partner with the Town of Huntington in a timely manner, the Town may acquire fee interest to the property independently and the flexibility to appropriate funding for the full acquisition costs is hereby authorized;" and

WHEREAS, the two appraisals contracted by Suffolk County were reviewed by a certified appraiser on the Town appraisal list and the value of the prior offer was confirmed and a Town contract of sale for the full purchase amount was provided to the sellers and has been signed and is ready for execution by the Supervisor; and

WHEREAS, two prior Town Board resolutions supported acquisition of the Carpenter Farm property for passive park use and a public hearing was held on June 6, 2011 pursuant to General Municipal Law §247 regarding acquisition of the subject property at which members of the public requested that, upon acquisition, Carpenter Farm would be used for educational purposes, including potential partial garden/farm use consistent with the historic agricultural use of the site, and

WHEREAS, the Director of the Department of Planning and Environment and Open Space Coordinator have recommended that maintaining the open meadows by limited mowing, continuing agricultural use on a component of the site and potentially, reconstructing some accessory farm buildings or relocation thereof to the site, as appropriate to replace those removed by the owner, would be consistent with planned use as a passive park and complementary to the future outdoor recreational trails and educational/interpretive use previously identified, and

WHEREAS, the Town Board issued a Negative Declaration pursuant to SEQRA for the acquisition on March 13, 2012 and clarification of purchaser and use is consistent therewith;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Supervisor to execute a contract and related documents, on such terms and conditions acceptable to the Town Attorney, to purchase the Carpenter Farm property as identified above for park purposes for the benefit of Huntington residents for an amount not to exceed the sum of TWO MILLION SIX HUNDRED AND EIGHTY-THREE THOUSAND AND SIX HUNDRED AND THIRTY 00/100 DOLLARS (\$2,683,630) and subject to survey verification, plus closing costs, including but not limited to survey, appraisal, environmental audit, title insurance, tax adjustment, and taxes prior to exemption; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds in an amount not to exceed the purchase price of TWO MILLION SIX HUNDRED AND EIGHTY-THREE THOUSAND AND SIX HUNDRED AND THIRTY 00/100 DOLLARS (\$2,683,630) subject to survey verification, excluding customary closing expenses, to cover costs related to Town acquisition of the subject property 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 proposed acquisition; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the owner/estate of the Carpenter Farm Property and authorizes the Supervisor and/or his designee to execute all documents related to securing such land in public ownership, upon which it is to be identified and mapped as protected open space in the records of the Department of Planning and Environment; and

BE IT FURTHER

RESOLVED, that the Town Board finds that passive parkland use of the future Carpenter Farm Park is not required to incorporate, but may include, limited agricultural use consistent with its historic context.

VOTE:                      AYES: 4                      NOES: 1                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION TO CO-SPONSOR WITH THE LEAGUE FOR ANIMAL PROTECTION FOR FREE SPAY/NEUTER OF PIT BULLS AND PIT BULL MIXES DURING NATIONAL PIT BULL AWARENESS MONTH, OCTOBER, 2012.

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington recognizes that pet ownership is an experience of unconditional love and acceptance; and

WHEREAS, pet ownership is a responsibility of the owner to both to the animal and to the community at large; and

WHEREAS, the Town of Huntington is desirous of encouraging the residents of Huntington to be responsible pet owners by reducing the unwanted pet population; and

WHEREAS, in recognition of October 2012 as National Pit Bull Awareness Month, the Town of Huntington in cooperation with the League for Animal Protection seeks to sponsor a free spay/neuter program for Pit Bulls and Pit Bull mixes during the month of October, 2012; and

WHEREAS, co-sponsoring a free spay/neuter program in cooperation with the League for Animal Protection during National Pit Bull Awareness Month, October 2012 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 co-sponsors, with the League for Animal Protection, a program for the free spay/neuter of Pit Bull and Pit Bull mixes during National Pit Bull Awareness Month, October, 2012.

VOTE:           AYES: 5           NOES: 0           ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION OPPOSING A PROPOSAL BY THE UNITED STATES POSTAL SERVICE TO SELL THE HISTORIC POST OFFICE BUILDING LOCATED ON MAIN STREET IN NORTHPORT VILLAGE AND URGING HUNTINGTON'S REPRESENTATIVES IN CONGRESS TO TAKE ALL NECESSARY STEPS TO PREVENT ITS CLOSURE OR RELOCATION FROM ITS PRESENT LOCATION AND TO PREVENT THE SALE OF THE BUILDING

Resolution for Town Board Meeting Dated: September 12, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Postal Reorganization Act of 1970 designated the United States Postal Service (USPS) as an independent institution of the executive branch of the Federal Government; and

WHEREAS, the Northport Post Office located at 244 Main Street in Northport, New York was designed by the renowned Louis A. Simon and placed on the National Register of Historic Places in 1989; and

WHEREAS, the Northport Post office serves more than 20,000 people living in the contiguous postal service area (11768) who reside in the Hamlets of Eaton's Neck, Asharoken, Northport, Crabmeadow and Fort Salonga; and

WHEREAS, in addition to the vital services the Northport Post Office provides to the people who live and own businesses within this postal service area, the presence of this historic building on Northport's main thoroughfare is one of the enduring symbols of national pride that binds together the people of this Village, this Town and this Country; and

WHEREAS, the Huntington Town Board wishes to join the Northport Village Board in expressing its opposition to this shortsighted plan to shutter and abandon one of Northport's most recognizable and cherished institutions; and

WHEREAS, urging governmental action is a Type II action pursuant to 6 N.Y.C.R.R. §617.2, and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY expresses its opposition to the proposal by the United States Postal Service to sell the historic Post Office building located on Main Street in Northport Village and urging Huntington's representatives in Congress to take all necessary steps to prevent its closure or relocation from its present location and to prevent the sale of the building; and

# 2012-416

HEREBY DIRECTS the Huntington Town Clerk to forward certified copies of this Resolution to the President of the United States Barack Obama, United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, United States Congressman Steve Israel and the Chairman of the Board of Governors of the United States Postal Services, the Honorable Thurgood Marshall, Jr.

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-417

ENACTMENT: GRANT A LICENSE AGREEMENT FOR THE LEASE OF PRIVATE LOCKER ROOM SPACE AT DIX HILLS PARK ICE RINK WITH LONG ISLAND REBELS.

Resolution for Town Board Meeting Dated: September 12, 2012

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

WHEREAS, the Town Department of Parks and Recreation is desirous of leasing space at the Dix Hills Ice Rink facility for use as a private locker room. The Town's is seeking to enter into a contract with a youth hockey organization that plans to utilize the ice rink facility as its "home facility" and conduct the majority of its practices and games at the Dix Hills facility. It is expressly understood that the locker room will be for private and exclusive use of the licensee. The general public will not have access to the space; and

WHEREAS, requests for proposals were received on July 6, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the lease of private locker room space at Dix Hills twin ice rink, RFP No. 2012-07-007 and the same were opened and read aloud; and

WHEREAS, the execution of a license agreement is a Type II action under SEQRA, 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

THE TOWN BOARD, having held a public hearing on the 14th day of August 2012, to consider granting a license agreement to Long Island Rebels and due deliberation having been made,

HEREBY GRANTS a license agreement to Long Island Rebels, P.O. Box 1041, Huntington, New York 11743 for the lease of private locker room space at Dix Hills twin ice rink for a period of three (3) years commencing upon contract execution, with annual revenue to be \$9,600.00; to be deposited into revenue account A2065. Said contract has three (3) additional one (1) year extensions at the Town's sole discretion; 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO CHAPTER 137 OF THE HUNTINGTON TOWN CODE (THE MARINE CONSERVATION LAW) FOR THE CONSTRUCTION OF A TIMBER STYLE BULKHEAD

APPLICANT: STEVE LAMBERG

LOCATION: 36 WEST VIEW RD., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0400-002.00-01.00-051.000

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Steven Lamberg  
36 West View Road  
Northport, N.Y. 11768

To construct a timber style bulkhead measuring approximately 124 linear feet within 18 inches of an existing bulkhead that is currently located on the applicant's property at 36 West View Road, Northport, New York bearing Suffolk County Tax Map No.: S.C.T.M. # 0400-002.00-01.00-051.000; and

WHEREAS upon a review of the application, it is possible that as much as 6 to 12 inches of the northernmost twenty-five linear feet of the new bulkhead may rest on adjoining property to the west owned by the Town of Huntington and known as Hobart Beach; and

WHEREAS, the execution of a license agreement is classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has been established as lead agency for this action; and

WHEREAS, upon review of the Environmental Assessment Form, submitted by the applicant, and by the SEQRA review prepared by the Town Department of Maritime Services, it has been determined that no potentially adverse environmental impacts are posed by the pending action; and

THE TOWN BOARD, having held a public hearing on the 14th day of August, 2012, at 7:00 pm to consider the execution of a license agreement as is necessary to permit the maintenance of an encroachment measuring 6 to 12 inches, and for the use of Hobart Beach as an access point for construction of the new bulkhead, and due deliberation having been had,

NOW, THEREFORE, THE TOWN BOARD

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF) submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the action does not pose a significant adverse environmental impact, and hereby issues a negative declaration; and

HEREBY AUTHORIZES the Supervisor to execute a license agreement as is necessary to permit 6 to 12 inches of the northernmost twenty-five linear feet of the new bulkhead to rest on adjoining property to the west owned by the Town of Huntington and known as Hobart Beach, only for as long as same shall stand, under a reservation of rights by the Town in and to custody, possession and control as fee owner of the land with respect to any resulting encroachment; and further subject to such terms and conditions as may be acceptable to the Town Attorney; and

FURTHER AUTHORIZES the Supervisor to execute a license agreement as is necessary to access the construction site through Hobart Beach, the method, manner and point of access across the beach is subject to the approval of the Huntington Harbor Master, and subject further to the conditions contained in the Resolution of equal date granting the issuance of a Special Use Permit for the work, and on such terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED



ENACTMENT: APPROVE THE GRANTING OF A VARIANCE AND THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO CHAPTER 137 (THE MARINE CONSERVATION LAW)

APPLICANT: STEVE LAMBERG

LOCATION: 36 WEST VIEW RD., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0400-002.00-01.00-051.000

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **COUNCILMAN COOK**

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

Steven Lamberg  
36 West View Rd.  
Northport, N.Y. 11768

To construct approximately 124 linear feet of timber style bulkhead within 18 inches of an existing bulkhead, and for permission to access the work site at 36 West View Road, Northport, New York S.C.T.M. # 0400-002.00-01.00-051.000 by means of Town of Huntington owned property known as Hobart Beach; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has been established as lead agency for this action; and

WHEREAS, upon review of the Environmental Assessment Form, submitted by the applicant, and by the SEQRA review prepared by the Town Department of Maritime Services, it has been determined that no potentially adverse environmental impacts are posed by the pending action, providing the conditions set forth by the Departments of Maritime Services and Engineering Services are complied with; and

THE TOWN BOARD, having held a public hearing on the 14th day of August, 2012, at 7:00 p.m. to consider the issuance of a special use permit to Steven Lamberg to construct a timber style bulkhead within 18 inches of an existing bulkhead, and for limited use of Hobach Beach to the extent necessary to access the worksite; and due deliberation being had;

NOW, THEREFORE, THE HUNTINGTON TOWN BOARD

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF) submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit and the provision of access do not pose a significant adverse environmental impact; and hereby issues a negative declaration; and

IT IS FURTHER RESOLVED, that a Special Use Permit under Chapter 137 of the Code of the Town of Huntington to Steven Lamberg to in order to construct a timber style bulkhead within 18 inches of an existing bulkhead, and to access the work site at 36 West View Road, Northport, New York (S.C.T.M. # 0400-002.00-01.00-051.000) by the use of Town of Huntington property (Hobart Beach) is granted subject to the following terms and conditions, and on such terms and conditions as deemed necessary by the Town Attorney:

- 1) Applicant must notify the Dept. of Engineering Services, Dept. of Maritimes Services and the Harbor Master's Office 48 hours prior to the commencement of any construction/demolition activities in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and by separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621 respectively; and
- 2) The specific access point within Hobart Beach and method and manner of access across the beach is subject to the approval of the Huntington Harbor Master; and
- 3) Work activities that involve the use of Hobart Beach cannot commence prior to Labor Day and no construction equipment, vehicles or materials shall be stored overnight at the Town beach facility; and
- 4) No construction equipment, vehicles or material deliveries shall transverse other adjacent properties; and
- 5) The overnight storage of construction equipment, vehicles and materials shall be at locations approved by the Huntington Harbor Master and the Department of Engineering Services; and
- 6) Every effort shall be employed by the applicant and his contractor to minimize the possibility of environmental contamination from construction equipment during periods of inactivity, and oil absorbent traps or drop cloths shall be secured beneath all heavy equipment during overnight hours for the duration of the construction process; and
- 7) A safety fence shall be placed around all heavy equipment during overnight hours; and
- 8) All activities must be conducted in conformance with the approved New York State DEC Tidal Wetlands Permit and associated approved plans prepared by Vachris Engineering P.C.; and
- 9) The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits and approvals; and
- 10) No materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas; and
- 11) Any debris or excess material from construction of this project shall be completely

contained on the applicant's property and shall be removed from the site in a timely manner to an approved upland area for disposal; and

- 12) All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
- 13) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
- 14) All required Town of Huntington inspections shall be scheduled by the applicant at appropriated intervals during the course of demolition/construction; and
- 15) All backfill material shall be "clean" and free of asphalt, concrete, or of any other construction debris; and
- 16) The applicant, owner and their duly authorized agents, servants, contractors, and sub-contractors shall adhere to the construction plans, methodology and/or terms/conditions approved by the Harbor Master and Department of Engineering Services; and
- 17) Prior to the commencement of any construction activities any modification or deviation from the approved plans, methodology and/or terms/conditions made part of this permit must be reviewed and approved by all departments, agencies having jurisdiction over this project; and
- 18) Upon completion of the project the applicant must notify the Department of Engineering Services and the Harbor Master in writing to each at 100 Main St., Huntington, New York; and
- 19) The applicant and his contractors and subcontractors shall execute a hold harmless agreement and provide a policy of insurance naming the Town of Huntington and the Huntington Board of Trustees as additional insureds, all in the form acceptable to the Town Attorney.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2012-420

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: September 12, 2012

The following resolution was offered by: Councilwoman Berland

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

WHEREAS, on July 24, 2012 by Town Board Resolution 2012-359 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight thereon; and

WHEREAS, those properties whose owners have 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 a public hearing held on August 14, 2012 ; and

WHEREAS, pursuant to its authority under § 64 and §130 of New York State Town Law 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 nuisance and blight exists to remedy such nuisance and 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 General Services 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 Attorney for determination as to the amounts to be assessed against the properties listed on Schedule A to this Resolution; and

2012-420

HEREBY DIRECTS 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 and will be considered for possible demolition at a hearing before an Administrative Hearing Officer; and

HEREBY DESIGNATES the properties listed on Schedule "C" as having corrected previously blighted conditions or entered into a Restoration Agreement and as such are currently in compliance.

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-420

**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 51	22 Clark Street Huntington NY 11743	0400-190.00-02.00-083.000	All Faiz 414 West Hills Road Melville, NY 11747	1-Jun-12	\$2,500.00
Exhibit 52	14 West 10th Street Hunt. Station NY 11746	0400-142-03-013.000	John & Violet Michta 150 4th Avenue Hunt. Station NY 11746	31-May-12	\$2,500.00
Exhibit 53	2370 New York Ave. Huntington NY 11743	0400-239.00-02.00-023.005	Tyrell A. Edwards 32 Amsterdams Street Huntington NY 11743	11-Jun-12	\$2,500.00
Exhibit 54	2 Glover Drive Hills, NY 11746	0400-284.00-03.00-172.00	Heather Lazarides 2 Glover Drive Dix Hills, NY 11746	11-Jun-12	\$2,500.00
Exhibit 55	30 Pearwood Drive Hunt. Station NY 11746	0400-138.00-01.00-051.000	Charles & Francesca Bowen 26 Saxon Street Melville, New York 11747	11-Jun-12	\$2,500.00
Exhibit 57	26 Ambrose Lane Northport NY 11768	0400-055.00-02.00-121.000	Dolores Werle 26 Ambrose Lane Northport, NY 11768	29-May-12	\$2,500.00
Exhibit 58	93 W. 11th Street Station NY 11746	0400-137-3-11	Benjamin F. Hill Sr. P. O. BOX 248 Central Islip NY 11722	11-May-12	\$2,500.00

**SCHEDULE A**

2012-420

**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 51	22 Clark Street Huntington NY 11743	0400-190.00-02.00-083.000	All Faiz 414 West Hills Road Melville, NY 11747	1-Jun-12	\$2,500.00
Exhibit 52	14 West 10th Street Hunt. Station NY 11746	0400-142-03-013.000	John & Violet Michta 150 4th Avenue Hunt. Station NY 11746	31-May-12	\$2,500.00
Exhibit 53	2370 New York Ave. Huntington NY 11743	0400-239.00-02.00-023.005	Tyrell A. Edwards 32 Amsterdam Street Huntington NY 11743	11-Jun-12	\$2,500.00
Exhibit 54	2 Glover Drive Hills, NY 11746	0400-284.00-03.00-172.00	Heather Lazarides 2 Glover Drive Dix Hills, NY 11746	11-Jun-12	\$2,500.00
Exhibit 55	30 Pearwood Drive Hunt. Station NY 11746	0400-138.00-01.00-051.000	Charles & Francesca Bowen 26 Saxon Street Melville, New York 11747	11-Jun-12	\$2,500.00
Exhibit 57	26 Ambrose Lane Northport NY 11768	0400-055.00-02.00-121.000	Dolores Werle 26 Ambrose Lane Northport, NY 11768	29-May-12	\$2,500.00
Exhibit 58	93 W. 11th Street Station NY 11746	0400-137-3-11	Benjamin F. Hill Sr. P.O. BOX 248 Central Islip NY 11722	11-May-12	\$2,500.00

**SCHEDULE B**

**PROPERTIES PREVIOUSLY CITED FOR BLIGHT; CURRENTLY IN COMPLIANCE OR PARTY TO RESTORATION AGREEMENT**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE
Exhibit 2	135 West Hills Rd. Hunt. Station NY 11746	0400-194-01-055.001	135 WEST HILLS CORP. 135 West Hills Road Huntington Station, NY 11746	13-Sep-12
Exhibit 9	10 Cross Avenue Greenlawn, NY 11740	0400-110.00-03.00-026.005	YOUNG & SUNG HAM 10 Cross Avenue Greenlawn, NY 11740-1435	7-Oct-11
Exhibit 32	64 Seaman Neck Road Dix Hills, NY 11746	0400-279-02-030.000	Bharat Patel 64 Seaman Neck Road Dix Hills, NY 11746	9-Mar-12
Exhibit 37	1533 New York Avenue Hunt. Station, NY 11746	0400-141-05-140.000	PNSD GROUP, INC. 6 Oval Drive Islandia, NY 11749	30-Mar-12

**SCHEDULE C**



2012-421

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING VARIOUS ACTIONS BE TAKEN IN ACCORDANCE WITH CHAPTER 156, ARTICLE VII, § 156-60 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: September 12, 2012

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 VI 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, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. (c) (33) 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 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

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

HEREBY SCHEDULES a public hearing to be held on the **16th** day of **October**, 2012 at **6:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider designating certain properties as listed on Schedule "A" to this Resolution to be Blighted Properties and to consider authorizing various actions to bring about compliance with Article VI, Chapter 56 of the Code of the Town of Huntington.

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VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2012-4a1

**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 61	105 Franklin Avenue East Northport NY 11731	0400-113.00-03.00-003.000	Paul & Michele Spera 105 Franklin Avenue East Northport, NY 11731	1-Aug-12	\$2,500.00
Exhibit 62	26 Corlett Place Station NY 11746	0400-099-05-081.000	Kevin M. Enright 26 Corlett Place Hunt. Station NY 11746	9-Jul-12	\$2,500.00
Exhibit 63	10 Keeler Street Huntington, NY 11743	0400-114.00-04.00-012.000	Robert & Leila M. Kea 10 Keeler Street Huntington, NY 11743	8-Aug-12	\$2,500.00
Exhibit 64	51 East 13th Street Hunt. Station NY 11746	0400-145-03-021.000	Bank of America 301 E. Vanderbilt Way, Sute 350 San Bernardino, CA 92408	17-Aug-12	\$2,500.00
Exhibit 65	1765 New York Avenue Hunt. Station NY 117413	0400-143.00-03.00-024.000	NY Huntington Realty Corp. P.O. BOX 70458 Brooklyn, NY 11207	23-Aug-12	\$2,500.00
Exhibit 66	58 1/2 Lowndes Avenue Hunt Station, NY 11746	0400-094-03-033.000	Donald Corrente 58 1/2 Lowndes Avenue Huntington Station, NY 11746	6-Aug-12	\$2,500.00

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 16 - 2012 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS), SECTION 198-20.1 (R-HS RESIDENTIAL HEALTH SERVICES DISTRICT)

Resolution for Town Board Meeting dated: September 12, 2012

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on June 11, 2008 in Local Law No. 17-2008, the Town Board adopted code amendments that created the R-HS Residential Health Services District at §198-20.1 of the zoning code to provide for congregate care, assisted-living facilities, nursing homes and life-care communities pursuant to use and area standards, which required a re-zone application to the Town Board; and

WHEREAS, on June 11, 2008 in Local Law No. 17-2008, the Town Board also repealed zoning code §198-68(A)(10) pursuant to which sanitariums, nursing homes and convalescent homes were conditionally permitted pursuant to area standards, which required application to the Zoning Board of Appeals for a special use permit; and

WHEREAS, on June 11, 2008 in Local Law No. 17-2008, the Town Board also enacted zoning code §198-109(I), which provides that "the Zoning Board of Appeals shall have continuing jurisdiction over expansions, alterations or modifications to properties where special use permits have previously been granted by the Board."; and

WHEREAS, it is the intention of the Town Board that those facilities who were lawfully operating as of June 11, 2008, pursuant to a special use permit granted by the Zoning Board of Appeals pursuant to former code §198-68(A)(10), should be allowed to apply to the Zoning Board of Appeals for expansions, alterations and/or modifications; and

WHEREAS, the Zoning Board of Appeals ("ZBA") recently issued a decision in ZBA# 20239 whereby it was determined that there were no standards in the code pursuant to which applications to expand, alter or modify could be judged; and

WHEREAS, the Town Board intends that the use and area standards contained in code §198-20.1 (R-HS Residential Health Services District) shall be applied by the ZBA when applications to expand, alter or modify are made by existing facilities that are lawfully operating pursuant to a special use permit granted by the ZBA; and

WHEREAS, pursuant to §617.5 (c)(20) and (27) of SEQRA, regulations amending the 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

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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 24th day of September, 2012 at 7:00 P.M. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 16 - 2012 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), §198-20.1 (R-HS Residential Health Services District); as follows:

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

LOCAL LAW INTRODUCTORY NO. 16 -2012  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE III (RESIDENCE DISTRICTS)  
SECTION 198-20.1 (R-HS RESIDENTIAL HEALTH SERVICES DISTRICT)

Section 1. Amendment to Chapter 198 (Zoning), Article III (Residence Districts) Section 198-20.1 (R-HS Residential Health Services District) of the Code of the Town of Huntington; as follows:

CHAPTER 198 (ZONING)  
ARTICLE III (RESIDENCE DISTRICTS)

\* \* \*

§198-20.1. R-HS Residential Health Services District.

\* \* \*

G. Existing Uses. Nursing homes, assisted living facilities, and congregate care facilities lawfully existing as of June 11, 2008 pursuant to a valid special use permit granted by the Zoning Board of Appeals under any prior code provision are subject to the continuing jurisdiction of the Zoning Board of Appeals as provided for in §198-109(I) regarding applications to expand, alter or modify such uses and facilities therefor, including accessory uses. The Zoning Board of Appeals shall apply the use and area variance standards contained in §198-20.1 as well as the general standards set forth in §198-66 when deciding such applications.

\* \* \*

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



2012-423

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: SHAFTSBURY LANE, MELVILLE – STOP SIGNS.

Resolution for Town Board Meeting Dated: September 12, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, an amendment to the Uniform Traffic Code of the Town of Huntington regarding stop signs is a Type II action pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the **16th** day of **October**, 2012, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
DELETE:	Shaftsbury Lane (MVL)	STOP	NORTH	Old Country Road

VOTE:                      AYES: **5**                      NOES: **0**                      ABSTENTIONS: **0**

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2012-424

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: HART PLACE, DIX HILLS – STOP SIGNS.

Resolution for Town Board Meeting Dated: September 12, 2012

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

WHEREAS, an amendment to the Uniform Traffic Code of the Town of Huntington regarding stop signs is a Type II action pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the **16th** day of **October**, 2012, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Hart Place (DXL)	STOP	SOUTH	Half Hollow Road

VOTE:                      AYES: **5**                      NOES: **0**                      ABSTENTIONS: **0**

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED



2012-425

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A  
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT  
RE: 209 MAIN STREET, HUNTINGTON—OLD TOWN HALL HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: September 12, 2012

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by the Huntington Historical Society, 209 Main Street, Huntington, NY 11743, for a Certificate of Approval to restore and expand the Trade School building located at 209 Main Street, Huntington, NY 11743, in accordance with plans dated July 31, 2012, 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 Town Hall District and bears Suffolk County Tax Map # 0400-072.00-02.00-020.000, 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)(9) 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 **16th** day of **October**, 2012, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of the Huntington Historical Society.

VOTE:    **AYES: 5**   **NOES: 0**   **ABSTENTIONS: 0**

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-426

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A  
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT  
RE: 334 MAIN STREET, COLD SPRING HARBOR—COLD SPRING HARBOR  
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: September 12, 2012

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

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Cold Spring Harbor Laboratory, 1 Bungtown Road, Cold Spring Harbor, NY 11724, for a Certificate of Approval to upgrade and modify an existing public utility wireless telecommunications facility including the installation of additional wireless telecommunications antennae on the roof of the building located at 334 Main Street, Cold Spring Harbor, NY, in accordance with plans dated January 31, 2012 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 Cold Spring Harbor Historic District and bears Suffolk County Tax Map #0400.00-066.00-01.00-025.000, 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)(9) 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 **16th** day of **October**, 2012, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Cold Spring Harbor Laboratory.

VOTE:    **AYES: 5   NOES: 0   ABSTENTIONS: 0**

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-427

RESOLUTION ESTABLISHING A CAPITAL PROJECT ACCOUNT TO FUND THE PREPARATION OF A MELVILLE EMPLOYMENT CENTER INTEGRATED LAND USE, CIRCULATION AND INFRASTRUCTURE PLAN

Resolution for Town Board Meeting dated: September 12, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington's Comprehensive Plan Update, Horizons 2020 adopted in January 2009 offered a recommendation that the Town of Huntington commit to "Develop an integrated land use/infrastructure plan for Melville" within the range of 2-5 years from the date of plan adoption, and

WHEREAS, in the past three (3) years numerous transportation improvements have been either completed or under construction by the State Department of Transportation and the Town of Huntington to address general traffic congestion issues along the Route 110 Corridor and Walt Whitman Road, along with additional improvements to mitigate the anticipated traffic impact associated with the development of the Canon North American Headquarters, and

WHEREAS, the Town Planning Board has found that the preparation and adoption of a land use and infrastructure plan is necessary at this time in order to maintain and expand Melville's position as an employment hub and to protect residential areas in Melville from potential traffic and related development impacts, and

WHEREAS, the Planning Board has submitted a DRAFT Request for Proposals (RFP) to the Town Board (See Attached) for the selection of a planning consultant to prepare the Melville Plan to provide a basic outline of the proposed plan, and

WHEREAS, the Town Board is in agreement with the Planning Board that in consideration of the timeline established in Horizons 2020 to prepare the Melville Plan and the extensive infrastructure improvements that have been completed or are underway since the adoption of the plan, it would be in the best interests of the Town to begin the recommended planning process to develop the subject land use and infrastructure plan, and

WHEREAS, by resolution dated September 5, 2012 the Planning Board recommended to the Town Board that the Town Board:

- (1) Fund the preparation of a Melville Employment Center Integrated Land Use, Circulation and Infrastructure Plan, and
- (2) Establish a committee of Melville stakeholders including commercial and residential property owners, area developers and real estate brokers, government

officials and community service providers to prepare and submit an RFP to solicit consultant proposals for the plan, and

- (3) Task the committee with the responsibility of overseeing the selected consultants in the development of the plan in conjunction with the Planning Department and the Town Board.

WHEREAS, the Town has established a Trust and Agency Account funded by Canon USA partially dedicated to funding economic development planning in the Melville area and currently maintains sufficient funds to finance the proposed plan, and

WHEREAS, the preparation of studies and plans to examine land use and traffic issues within a designated area is a Type II action in accordance with SEQRA, 6 NYCRR Part 617.5 (c) (18 & 21),

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorize the Supervisor to create a Melville Plan Advisory Committee (MPAC) comprised of stakeholders including commercial and residential property owners, area developers and real estate brokers, government officials and community service providers to oversee both the issuance of an RFP to select a project consultant and the actual preparation of the plan,

AND BE IT FURTHER RESOLVED, that the members of MPAC, the substance of the RFP and the subsequent adoption of the plan will be subject to Town Board approval,

AND BE IT FURTHER RESOLVED, that the Town Board authorizes the Comptroller to establish a Capital Project Account to fund the proposed plan by transferring \$200,000 from TA-0085-K0025 to account PL1997-2103-02904.

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.

**REQUEST FOR PROPOSALS  
TOWN OF HUNTINGTON  
MELVILLE EMPLOYMENT CENTER PLAN  
September , 2012**

**1.1 Introduction**

The Town of Huntington (TOH) is a municipal government located in northwestern Suffolk County on Long Island, New York. TOH desires to solicit proposals from experienced and knowledgeable firms for professional planning services to prepare an integrated land use, circulation and infrastructure plan for the Melville Employment Center (MEC). It is expected that the final product will include an action plan for subsequent land-use planning initiatives, including, but not limited to: recommended comprehensive plan revision, zoning and regulatory changes, new design standards, and other specific actions to accomplish consensus land use goals. The project will be funded directly by the Town of Huntington. The Huntington Town Board is committed to fund a qualified consultant to undertake the project.

The plan should involve the various stakeholders in the future development of the MEC, including local developers and property owners, government officials, and community service providers. The plan should facilitate the identification of trends, opportunities, pressures, and concerns regarding land use issues and offer proactive strategies to implement desired goals.

The Consultant, or their sub-consultant, will be required to lead the stakeholders through a series of public workshops, using techniques such as image preference surveying, web-based opportunity for focus, and design discussions as a critical part of the planning process. The Consultant will assimilate stakeholder input into a practical action plan for zoning and regulatory changes and design standards. The Consultant will be totally responsible for all costs associated with the study, equipment, reproduction, advertising, or sub-consultants. Additionally, all administration, including interim and final reports, will be the responsibility of the Consultant, unless otherwise required by the TOH.

**1.2 Melville Employment Center – Background/Excerpts from Horizons 2020 -  
Town of Huntington Comprehensive Plan**

Located near the Long Island Expressway and Northern Parkway in the southwest corner of the Town of Huntington, the Melville Employment Center is one of the most important commercial concentrations on Long Island and the Town's largest source of employment and tax revenue. Route 110 runs north-south through the heart of the district, providing connections to Huntington Village, Walt Whitman Mall, and Farmingdale. Several large companies are headquartered in this area, including Nikon, Newsday, Underwriters Laboratory and Sbarro. Canon USA is scheduled to complete in Spring 2013 the construction of the first phase of its 900,000 square foot North American headquarters on a site near the junction of the Long Island Expressway and NYS 110. With its concentration of business activity and exceptional roadway access, Melville's moniker of "Long Island's Main Street" is well deserved.

The development pattern of the Melville Employment Center consists of suburban office buildings interspersed with some industrial and warehouse properties. Most office uses are located near Route 110 and Pinelawn Road while industrial uses are located along Spagnoli Road and other smaller roadways. Some residential uses and large, undeveloped tracts are located on the fringes of Melville.

The Melville Employment Center displays many of the characteristics of older suburban office centers, including large, low buildings set behind expansive parking lots. The effect of this development pattern is that most of the available land area has been consumed by buildings and parking lots, leaving little room for landscaping and open space. In addition to negative visual impacts, the impervious parking lot surfaces contribute to storm water management problems.

Because of the land consumptive character of existing development, growth pressures in the Melville Employment Center are likely to create pressures for taller buildings. However, more office space will require more parking spaces and increase traffic congestion. Parking requirements could be met through the provision of structured parking, either above or below grade. The proposed Canon headquarters is an example of a development type consisting of taller buildings and structured parking in order to preserve open space.

Melville contains some of the largest tracts of undeveloped land left in the Town of Huntington. The ownership of one of these properties, Pineridge Park, has been the subject of a decades-long legal dispute. If the issue is resolved in the favor of the Town, the formal dedication of this property as public parkland would provide important open space, enhance the natural resource value of the adjacent West Hills County Park and Bethpage State Park, and provide an extensive trail system.

A sand mine that is listed as a Superfund clean fill site is located south of the Pineridge property. A long-term, phased cleanup is under way north of Spagnoli Road and several hundred acres of land will become available over time. This land could become a regional recreation area and an extension of Pineridge Park. A regional attraction – such as a golf course – located on this site would be a valuable amenity for the Town and for the Melville Employment Center.

Recently, several planned unit residential developments and senior housing projects have been constructed on the fringes of the Melville Employment Center. Many of these developments abut Old Walt Whitman Road and Pinelawn Road. Because these residential areas are isolated from retail and community services, nearly every errand requires residents to drive. This contributes to traffic congestion and becomes a potential safety issue as the age of residents in senior housing developments.

The road network in the Melville Employment Center is focused on Route 110. Because this links Melville to the Long Island Expressway, Northern State Parkway, and Southern State Parkway, as well as to important destinations to the north and south, Route 110 experiences periodic congestion, especially during the morning and evening commute periods. The New York State Department of Transportation (NYSDOT) is currently constructing significant improvements to Route 110 between the Long Island Expressway and Northern State Parkway to help alleviate this situation. Additional improvements by the NYSDOT have recently begun to the North and South Service Roads to mitigate the traffic impacts of Canon. Further, the Town of Huntington has made

improvements to Walt Whitman Road in the past year to address prior traffic congestion along this corridor.

Several transportation studies have been prepared for the Route 110 corridor and recommend a number of strategies to improve transportation and circulation. These strategies include, but are not limited to, re-opening the Republic Airport Long Island Railroad station; enhancing bus service (including possible development of bus rapid transit); and implementing car sharing services for Route 110 employees who take transit to work but need a car during the day. A Transportation Management Association (TMA) could be created to study, fund, and implement proposed Transportation enhancements for the Route 110 corridor.

The Melville Employment Center is a suburban, automobile-oriented commercial district that is poorly designed for pedestrians. While most streets do have sidewalks, the distance between buildings, wide roads with heavy traffic volumes and a general lack of amenities create an environment where very few people walk. There are few community services in the district, which forces employees to use their automobiles during the course of the workday. This extra driving activity, in turn, generates a third peak-congestion period around the lunch hour. These conditions contribute to high levels of traffic congestion and other quality of life issues.

Future development in the Melville Employment Center should seek to retrofit the existing pattern in order to promote pedestrian accessibility and limit the need for employees to drive during the workday. There are several ways to achieve this goal, including encouraging a mix of land uses, establishing stronger design guidelines for buildings and walking paths, improving transit service, and allowing for existing office cafeterias to market to customers from other buildings. Replacing the “one-size-fits-all” parking standard of one space per 250 square feet with a requirement tied to actual occupancy or use and opportunities for shared parking should be explored to reduce the number of parking spaces required to serve developments.

The Town should also promote the development of small, pedestrian-oriented, mixed-use “town centers” at strategic locations in the Melville Employment Center. Such centers would contain retail and restaurant offerings as well as recreation, business services, and entertainment opportunities. Workforce residential units could also be considered in these locations.

One possible “town center” site is located at the northern end of Route 110 near the interchange with Northern Parkway and would serve as a gateway to the Melville Employment Center. Another possible site is near the intersection of Maxess Road and Ruland Road next to the former Vanderbilt Parkway. The right of- way from the Vanderbilt Parkway could form the “spine” of a pedestrian and bicycle trail network linking the office and industrial uses to the proposed mixed use centers.

Although sewer lines have been extended into the Melville Employment Center, the area is not part of the Southwest Sewer District. Projects in Melville are considered for connection to the sewer district as contract vendees on a case by case basis. The sewer district is currently undergoing an expansion of its plant at Bergin Point, and it is important that new projects in Melville have the opportunity to take advantage of this on a predictable basis. An area-wide sewer strategy is needed to address this issue. In addition, an area-wide storm water management strategy, including “Best Management Practices” that slow, diminish, and improve the quality of storm water runoff, should be

developed as a part of the Sustainable Huntington key initiative proposed by the Comprehensive Plan.

Achieving the desired character of the Melville Employment Center will require changes to the existing zoning. Creation of a new office/ employment zone should be considered with height, bulk, density, and open space requirements that encourage a campus-like environment and make more economical use of land values. Taller office buildings should be considered in areas of high visibility. The Canon headquarters project provides a model for the type of height, open space, parking, and other standards that could be incorporated into this district. Landscaping requirements should be strengthened in the new office as well as in industrial and residential districts. Requirements to address impacts on traffic, infrastructure, and community facilities should be incorporated into new zoning regulations.

With regard to permitted uses, warehouse and distribution should be discouraged while research and development facilities should be encouraged. While it is not appropriate for most of Melville to be zoned Light Industrial zoning (the existing zoning designation), core industrial zones should be identified and reserved for industrial uses. Currently, hotels and extended-stay facilities must locate in site-specific hotel zones. Hotels should be a permitted use in a new office or office/mixed use zones.

Looking ahead, marketing and cooperation among businesses and local governments to address infrastructure needs should play a role in the future of the Melville area. Melville area businesses are likely to welcome an organization that has capacity to make needed infrastructure projects happen. A Special Improvement District, which would have the ability to levy taxes on participating properties for a variety of purposes related to the enhancement of the district (e.g., pedestrian/bicycle and streetscape improvements), should be considered as a vehicle to meet this need. Together, public and private sector partners could cooperate in the creation of a Transportation Management Association, development of a corridor master plan, and implementation of major infrastructure projects.

Numerous complex issues, such as traffic congestion, employment opportunity, fiscal benefits and costs, and visual character, need to be considered and balanced in planning for the future of the Melville Employment Center. While the Comprehensive Plan sets an overall framework for addressing these issues, more detailed planning and analysis of factors such as existing and future traffic levels is needed to define a specific action agenda. Therefore, the Comprehensive Plan proposes preparation of an integrated land use, transportation, and infrastructure plan designed to maintain and enhance Melville as Huntington's major employment hub, while protecting residential areas in Melville from potential traffic and community impacts.

### **1.3 Scope of Services**

Consultant – For the purpose of the Request For Proposals, “Consultant” shall mean Planners, Landscape Architects, Architects, Engineers, Consultants, Consortiums, Joint Ventures, Firms or other persons submitting a response to this Request For Qualifications.

**Goal:** Manage growth and change to maintain Melville’s position as an employment hub, address

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Community impacts, and improve development character.

1. **Area Plan:** Prepare an integrated land use, circulation, and infrastructure plan for the Melville Employment Center to address the following:

**Land Use:**

- Office/employment uses.
- Industrial uses (define area to be retained in industrial use – e.g., along Spagnoli Road).
- Residential uses (incorporated into mixed-use settings/ provide measures to mitigate impact of commercial uses on established residential areas).
- Mixed-use hamlet center(s) to meet local needs for retail and services and reduce traffic (e.g., in the vicinity of the Maxess Road/Ruland Road intersection).
- Open space (Pineridge Park and future sand mine reclamation as a regional open space/recreational resource).

**Circulation:**

- Traffic congestion.
  - A. Level of service/carrying capacity.
  - B. Access management/control of curb cuts along major roadways.
  - C. Improved connectivity for vehicles.
  - D. Traffic impact requirements for new developments.
  - E. Roadway improvement program to address congestion and improve circulation.
- Pedestrian and bicycle connectivity within the employment area and to destinations such as the hamlet center(s).
- Enhanced transit service.

**Community Facilities and Services:**

- Sewage capacity for new developments.
- Area-wide storm water management, including sustainable practices such as vegetated areas and swales to promote infiltration, pervious pavement, etc.
- Property tax revenues from office/ industrial development vs. potential impacts on schools from new residential development.

**Design:**

- Quality design standards for new development to promote a campus-like environment, including building height and form in relationship to parking and open space requirements.
- Gateway and other visual improvements.
- Coordination with Town of Babylon re. Entire Route 110 employment corridor.

2. **Zoning:** Revise existing zoning districts to reflect the desired land use pattern defined in the area plan, including:

- New office/employment zone.

1. Adjust permitted uses (limit industry to biotechnology-related uses such as research laboratories, allow hotel/ extended stay hotels, etc.).
  2. Revise accessory use provisions to promote local-serving retail/food services.
  3. Establish minimum open space requirement.
  4. Review off-street parking standards/ parking structure requirements.
  5. Improve landscaping/design standards.
- Industrial zone
    1. Consider limiting to industrial uses.
    2. Review off-street parking standards.
    3. Improve landscaping/design standards and prohibit their reduction through variances.
  - New hamlet center (mixed-use) zone (possibly modeled after new zoning district recommended for existing hamlet centers).
  - Incentives for “green” buildings and solar power as part of the Sustainable Huntington Initiative.

**3. Mobility:** Implement the circulation recommendations of the area plan.

- Develop a capital improvements program in coordination with NYSDOT and Suffolk County to address traffic congestion and safety “hot spots” (signal coordination, intersection improvements, etc.).
  1. Consult with Suffolk County to determine if the Pinelawn Road traffic signals can be upgraded/coordinated.
- Include key pedestrian/bicycle connections in the capital improvements program and incorporate standards to provide for pedestrian/bicycle connectivity in zoning/development regulations.
- Work with transit providers to improve transit service.
- Initiate a transportation management program with major employers to reduce the number of single-occupancy vehicles.

**4. Physical Improvements:** Consider the following improvements to enhance the character

- Improvements such as landscaping, signage, and public art at key gateways.
- Street tree and parking lot plantings as part of a “Green/Sustainable Huntington” initiative.

**5. Management:** Consider establishment of a Special Improvement District funded through assessments on properties within the Melville Employment Area to help manage and fund implementation actions (e.g., visual improvements, transportation management program).

**1.4 Proposal Items**

- A. Please submit the following items with your **statement of qualifications** by 2012 by 3:00 p.m.:

- Names and resumes of a Principal and key staff members who will work on the projects (maximum of 5 pages for all staff reported)
- Names of any sub-consultants including key personnel, and their proposed scope of services within the larger work program (maximum of 4 pages).
- Description of similar or related projects successfully completed within the last three years with a minimum of three references including names and phone numbers. Please also include at least 2 references from any sub-consultants. Of particular interest would be any projects completed for a metropolitan region with characteristics similar to Huntington (maximum of 3 pages for prime and 1 page each sub-consultant). If any completed or ongoing projects of relevance to this RFP are available on-line, please indicate websites that can be checked as references.
- Signed Non-Collusive Proposal Certification (see Schedule A).

All writing must be in ink. RFPs may be rejected if they show any alteration of terms, conditions or alternate proposals that are not invited, incomplete forms, or irregularities of any kind. More than one RFP from an individual, firm, or partnership, corporation or association under the same or different names will not be considered. No proposer may charge the Town for any costs associated with the preparation of any portion of his/her RFP.

Five (5) copies of the qualifications statement should be delivered on or before 3:00 p.m., Friday, 2012 to the following address:

Town of Huntington c/o Anthony J. Aloisio, Director  
 Department of Planning and Environment  
 100 Main Street  
 Huntington, NY 11743  
 E-Mail: [planning@huntingtonNY.gov](mailto:planning@huntingtonNY.gov)  
 FAX: (631) 351-3257

**The proposer assumes all risk of any delay, for any reason, for the delivery of their proposal if it is mailed utilizing the U.S. Postal service or if by delivery agent or personal delivery.**

For any questions regarding this RFP or the selection process, please contact Anthony Aloisio:  
 Phone: (631) 351-3196.

For more information on the Town of Huntington see the web site: <http://town.huntington.ny.us>

B. Acceptance of Qualifications: This RFP constitutes only an invitation to make a proposal to the Town. The Town reserves, holds, and may in its sole discretion exercise the following rights and options with respect to the RFP and subsequent license:

- To waive any informalities with respect to the submission requirements
- To reject any or all firms' proposals
- To reject a sub-contractor
- To cancel this RFP with or without the substitution of another RFP
- To supplement, amend, or otherwise modify this RFP, prior to the time of public opening
- To issue additional and or subsequent RFPs
- To re-advertise if deemed necessary
- To interview candidates prior to making a selection
- To not negotiate or contract for the services, and
- To approve, disapprove, or cancel all work to be undertaken.

C. Contract Negotiations: The TOH will negotiate the terms of the contract with the firm submitting the top-ranked response or one of the other ranked choices should negotiations with the top-ranked firm fail. Each proposal prepared in response to this RFP, will be prepared at the sole cost and expense of the proposer and with the expressed understanding that there will be no claims whatsoever for reimbursement from the Town for any cost or any expense of its preparation. No reimbursement will be made by the TOH for any costs incurred prior to a formal notice to proceed should a contract award result from this solicitation. The contract for this project is subject to approval by the Huntington Town Board on such terms and conditions as may be acceptable to the Town Attorney.

## 1.5 Selection Procedures

A. Selection: It is the TOH's intent to select directly from information gained from the Qualification review. However, the TOH reserves the right to call references provided by the firm. Additionally, the TOH intends to interview a short list of candidates and will coordinate such scheduling with those potential consultants.

B. Criteria For Selection: The TOH reserves the right to reject any or all proposals in any order or combination, accept or reject portions of proposals, make modifications to the work after submission of proposals and waive any informalities in proposals if they deem it in the TOH's best interest to do so, without any liability on the part of the TOH.

The TOH team will use the following criteria in evaluating the submittal. The list is not shown in any priority order:

- Past performance
- Ability and experience of key professional personnel and sub-consultants
- Adequacy and availability of staff
- Commitment to complete the work on a timely basis
- Evidence of creativity in public participation and successful community consensus-building
- Development of practical implementation strategies
- Understanding and insight related to the potential project and to the TOH's current Comprehensive Plan, zoning ordinance, regulations, Town Board-adopted smart growth principles (see Schedule B), and demographics for the area
- Related experience on similar planning and urban design or transportation plans with large suburban communities or small cities
- Proposed participation by exceptional sub-consultants
- GIS mapping and data management capability
- Intangible factors (i.e.: interview, references, presentation of the RFP material, responsiveness to RFP)

C. Equal Opportunity: The TOH will select a consultant without regard to age, disability, religion, creed, or belief, political affiliation, race, gender, or ethnicity.

**SCHEDULE A**

**NON-COLLUSIVE PROPOSAL CERTIFICATION**

The undersigned, in submitting this proposal to the Town of Huntington, declares that he/she is or they are the only person or persons interested in the same proposal; that it is made without any connection with any person making another proposal for the same agreement; that the proposal is in all respects fair and without collusion, fraud, or mental reservation and that no official of the Town or any person in employ of the Town is directly or indirectly interested in said proposal or in the supplies or work to which it relates, or in any portion of the profits thereof. The undersigned also hereby declares and agrees that he/she or they have carefully examined and reviewed the specifications

The undersigned proposer affirms as true, under the penalties of perjury as follows:

(1) This proposal has been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting completion, as to any matter with any other proposer or with any competitor;

(2) Unless otherwise required by law, the information which has been quoted in this proposal have not been knowingly disclosed by the proposer and will not knowingly be disclosed by the proposer prior to opening, directly or indirectly, to any other proposer or to any competitor;

(3) No attempt has been made or will be made by the proposer to induce any other person, partnership or corporation to not submit a proposal for the purpose of restricting competition; and

(4) Neither the undersigned nor, if the proposer is a partnership, joint venture or corporation, any partner, principal, officer, director, employee or stockholder holding in excess of five (5%) percent interest in the corporation, is an officer or employee of the Town of Huntington, or paid with Town funds, or required to disclose an interest pursuant to the Town of Huntington Code of Ethics.

PRINT NAME \_\_\_\_\_

(SIGNED) \_\_\_\_\_

CORPORATE TITLE  
(IF APPLICABLE) \_\_\_\_\_

## SCHEDULE B

### PRINCIPLES OF SMART GROWTH AND LIVABILITY

The Huntington Town Board has adopted the following Principles of Smart Growth and Livability as key quality of life goals to consider in making land use decisions. These challenges should be considered in the context of key educational issues to be incorporated into a planned Community Visioning Project to precede an update to the Town Comprehensive Plan, Zoning Code and regulations.

1. The Town of Huntington encourages comprehensive land use planning that is ongoing, community-based and consistent with the needs and objectives of the local community, adjacent communities, and the region as a whole.
  2. The Town of Huntington encourages development that contains a mix of uses essential to the daily life of its residents, which includes housing, shops, work places, schools, parks, and civic facilities ideally situated within easy walking distances of each other or otherwise within short travel distances.
  3. The Town of Huntington encourages land uses that link economic development decisions with environment and quality of life, and protect the property values of its residents.
  4. The Town of Huntington encourages efficient development that is pedestrian-friendly, is attractive, reduces automobile dependency, provides transportation alternatives, and is focused around existing or newly designed transportation centers.
  5. The Town of Huntington encourages development that enhances existing communities, and which particularly targets downtown and neighborhood centers for expanded or new development. Development should be directed toward areas of existing infrastructure or where infrastructure can be upgraded or introduced to foster redevelopment, rather than toward areas of open spaces, and, when consistent with the community goals, include the recycling of existing structures.
  6. The Town of Huntington encourages a sufficiency of housing to meet the needs of the residents of the Town, and which includes a natural diversity of housing types and facilities to enable citizens from a wide range of age groups, ethnic backgrounds, and economic levels to live within the neighborhood boundaries and interact.
  7. The Town of Huntington encourages planning, decision-making, and development practices that emphasize extensive and broad-based community participation, dialogue, the use of visual models, consensus-building and envisioning.
  8. The practices of Smart Growth & Livability in Huntington should result in:
    - Protection of open space and the environment
    - strengthening of the local economy
    - An improved sense of community
    - A decrease or stabilizing of traffic congestion
-

- A reduction in auto dependency
- Preservation of historic structures
- Enhancement of the community character and aesthetics
- Efficient use of public money
- Safe and secure communities
- An improvement in the overall quality of life.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 9-2012, AMENDING TOWN BOARD RESOLUTIONS NO. 1967-46 AND 1998-124 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF ZONE CHANGE APPLICATION NUMBER 180 OF WARREN AND THEODORE BITTNER, AND REESTABLISHING COVENANTS AND RESTRICTIONS FOR PROPERTY LOCATED ON THE NORTH SIDE OF FORT SALONGA ROAD, EAST OF LITTLE NECK ROAD, CENTERPORT (SCTM# 0400-044-03-021).

Resolution for Town Board Meeting dated: September 12, 2012

The following resolution was offered by: Supervisor Petrone  
Councilman Cook

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, zone change application number 180 of Warren and Theodore Bittner requesting a change of zone on a portion of the property designated as 0400-044-03-021 on the Suffolk County Tax Map from Residence D (now R-7 Residence) to General Business District (now C-6 General Business) was approved by the Town Board on February 28, 1967 by virtue of Resolution No. 1967-46 subject to the filing of certain Covenants and Restrictions, (a) restricting the commercial use of the property solely to parking for a nearby catering hall located on property identified on the Suffolk County Tax Map by Number 0400-044-01-010.001, now known as the Thatched Cottage; (b) requiring a 50-foot wide landscaped buffer along the northern property line of the subject property; and (c) on the further condition that if the Thatched Cottage ceases to operate as a catering hall, the use of the rezoned portion of Lot 021 shall revert to only those uses permitted in the R-7 zoning district in which the property was formerly located; and

WHEREAS, said Declaration of Covenants and Restrictions was filed on August 7, 1967, in Liber 6197 Page 544; and

WHEREAS, the buffer requirement in said Declaration was later modified by Town Board Resolution No. 1998-124 on February 10, 1998 from fifty feet to thirty-six feet in the northwest corner of the property (retaining the 50-foot buffer in the remainder of the property) in order to permit access to the subject property (parking lot) from the property located on 12 Little Neck Road, Centerport, New York identified by Suffolk County Tax Map Number 0400-044-03-018 in accordance with a special use permit for a business depth extension granted by the Zoning Board of Appeals under Application Number 15276 on August 1, 1996, and to permit the location of a dumpster as shown on a site plan prepared by Nelson and Pope, LLP dated 6/18/96, which is annexed hereto and made a part of this resolution as Schedule "A"; and

WHEREAS, the modified Declaration of Covenants and Restrictions was filed on May 20, 1998 in Liber 11894 Page 565; and



WHEREAS, the property owner is now requesting that the covenants be modified to allow parking at the subject property for a restaurant located at 441 East Main Street, in Centerport, New York bearing Suffolk County Tax Map Number 0400-044-01-008, currently known as Jellyfish, that is adjacent to the catering hall, and which requires additional parking spaces in accordance with the conditions of approval of the Zoning Board of Appeals filed October 12, 2011 (ZBA Application No. 20057); and

WHEREAS, the Zoning Board of Appeals considered the impact of this additional parking demand in their SEQRA review, and they issued a Negative Declaration for the project on July 14, 2011; and

WHEREAS, revising a restriction on the tenancy of a site, without any proposed construction or physical activity, is not an action in accordance with SEQRA, 6 NYCRR Part 617.2(b), and in consideration of this fact and the prior review of the Zoning Board of Appeals no additional SEQRA review is required; and

WHEREAS, thus application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127; and

WHEREAS, by resolution dated May 9, 2012 the Planning Board recommended to the Town Board that the Town Board approve the request to modify the covenants and restrictions;

WHEREAS, the Town Board, having held a public hearing on the 22nd day of May, 2012, to consider adopting Local Law Introductory Number 9-2012, amending Town Board Resolutions No. 1967-46 and No. 1998-124 so as to revoke all of the Covenants and Restrictions previously recorded as part of the zone change application #180 of Warren and Theodore Bittner, as well as the Amended Covenants, and reestablishing Covenants and Restrictions for property bearing SCTM# 0400-044-03-021, and due deliberation having been had,

NOW THEREFORE, THE TOWN BOARD

HEREBY APPROVES, the application to modify the Covenants and Restrictions and adopts Local Law Introductory No. 9-2012, amending Town Board Resolutions No. 1967-46 and No. 1998-124 as follows, on the terms and conditions as set forth herein.

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

LOCAL LAW NO. \_\_\_\_\_-2012  
AMENDING TOWN BOARD RESOLUTIONS NO. 1967-46 AND NO. 1998-124

SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS  
PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION  
NUMBER 180 OF WARREN AND THEODORE BITTNER, AS WELL AS THE  
AMENDED COVENANTS, AND REESTABLISHING COVENANTS AND  
RESTRICTIONS

Section 1. Amendment to Town Board Resolutions No. 1967-46 and No. 1998-124 revoking all existing Covenants and Restrictions and reestablishing new Covenants and Restrictions on the property bearing SCTM# 0400-044-03-021, as follows:

- (1) The prior Covenants and Restrictions filed on August 7, 1967 in Liber 6197 Page 544 and filed on May 20, 1998 in Liber 11894 Page 565 are hereby revoked in their entirety; and
- (2) The use of the rezoned portion of SCTM# 0400-044-03-021 shall be limited to parking accessory to the catering and restaurant businesses located on SCTM# 0400-044-01-010.001, currently known as The Thatched Cottage, and SCTM# 0400-044-01-008, currently known as Jellyfish, and if one of these catering/restaurant uses ceases to operate, the rezoned portion of the subject property can only be used as parking accessory to the remaining catering/restaurant business, and in the event the remaining business ceases to operate the permitted uses of the rezoned portion of the subject property shall automatically revert back to the uses permitted in the R-7 zoning district in which it was previously located; and
- (3) A buffer strip shall be mapped and designated to run along the full width of the rear (north) property line of the subject property. This buffer strip shall be a minimum width of 50 feet, except where it has been reduced to thirty-six feet for the driveway and dumpster as depicted on the site plan by Nelson & Pope, dated June 18, 1996 (Schedule "A"), and shall be limited in use for fencing, landscaping, and screening. In the buffer strip there shall be installed fencing and landscaping, and such landscaping and fencing shall be maintained in a proper condition, and the 50-foot buffer strip shall not be used for any other purpose; and
- (4) The proposed parking area shall be graded in a form acceptable to the Director of the Department of Engineering Services so that stormwater is disposed of on the site and is not directed to any adjoining property, street or roadway. A grading and drainage plan prepared by a licensed engineer or land surveyor shall be submitted and must be approved prior to the completion of any work under this paragraph; and
- (5) The entire site shall be uniformly fenced with a fencing material to be approved by the Planning Department and such fencing once installed shall be forever maintained in a proper condition. The fencing along the

Fort Salonga Road frontage of the property shall be screened with evergreen landscaping and such landscaping shall be permanently maintained in a proper condition; and

- (6) These covenants and restrictions shall run with the land and shall be binding upon the property owners, their heirs, successors and/or assigns; and
- (7) These covenants and restrictions shall enure to the benefit of, and be enforceable by, the Town of Huntington; and
- (8) No portion of the Covenants and Restrictions may be modified, altered, amended, annulled or repealed except by action of the Huntington Town Board; and
- (9) If this property is ever further subdivided or the tax map lot altered in any fashion, the property owner shall file revised Covenants and Restrictions subject to the provisions contained herein to ensure that the covenants are properly attributed to the new tax map lot or lots.

These modifications are subject to the filing of revised Covenants and Restrictions as set forth herein. All such Covenants and Restrictions shall be submitted to the Town Attorney by the applicant for approval as to form and substance prior to filing, and upon such approval, to be filed in the Office of the Suffolk County Clerk at the owner or applicant's sole cost and expense. Proof of such filing shall be provided by the applicant to the Town Attorney, Director of Planning, and Huntington Town Clerk.

All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

## 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 Offices of the Secretary of State of New York.

\* \* \* INDICATES NO CHANGE TO PRESENT TEXT.  
ADDITIONS ARE INDICATED BY UNDERLINE.  
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>ABSTAIN</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

