

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://town.huntington.ny.us> or <http://HuntingtonNY.gov>

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 6, 2012

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 7:47 P.M. Recessed: 7:50 P.M. Resumed: 8:35 P.M. Closed: 8:37 P.M.

7:00P.M. – TOWN HALL

Opened: 7:10 P.M. Recessed: 7:47 P.M. Resumed: 7:50 P.M. Closed: 8:35 P.M.

(Resolutions #2012-44 to 2012-90)

HEARINGS:

ACTION

1. Consider amending the Uniform Traffic code of the Town of Huntington, Chapter 2, Article II, §2-3, Schedule C. Re: Ruland Road, Melville - Prohibited Turns.
(2012-TC-1-Ch. 2)

DECISION RESERVED

2. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-3, Schedule C. Re: Holdsworth Drive, Huntington - Prohibited Turns.
(2012-TC-2-Ch. 2)

DECISION RESERVED

3. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Sweet Hollow Road, Melville - Parking Restrictions.
(2012-TC-3-Ch. 3)

DECISION RESERVED

HEARINGS (Continued):

4. Consider acquiring East Northport property (Barta).
(Re: 250 Clay Pitts Road, East Northport) (SCTM #0400-175-03-084.001)
(2012-M-1)

5. Consider adopting Local Law Introductory No. 1-2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments).
(Local Law Introductory No. 1-2012)

ACTION

HEARING WITHDRAWN

DECISION RESERVED

BOARD OF TRUSTEES' HEARING:

1. Consider the issuance of a Special Use Permit under Chapter 137 (Marine Conservation).
(Applicant: Barbara Raisch on behalf of Eaton Harbors Corp.)
(Location: South end of Beach Rd., Eaton's Neck, NY 11768)
(SCTM #0400-005.00-05.00-001.000)
(2011-BT-28/2012-BT-1-Ch. 137)
HEARING RESCHEDULED FROM JANUARY 10, 2012

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 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

2012-44.	AUTHORIZE the Supervisor to execute an agreement with the Suffolk County Youth Bureau for the C.A.S.T. (Communities and Schools Together) Program. (Period: 1/1/2012 – 12/31/2012)	SB MM	FP	<u>5</u>
2012-45.	AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the provision of adult day care services, nunc pro tunc. (Period: 1/1/2012 – 12/31/2012)	MM SB	FP	<u>5</u>
2012-46.	AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the Residential Repair Program for the elderly of Huntington. (Period: 1/1/2012 – 12/31/2012)	SB MM	EC	<u>5</u>
2012-47.	AUTHORIZE the Supervisor to execute a contract for the Townwide requirements contract to furnish and install asphalt concrete with Posillico Civil, Inc. (Period: One year)	FP	SB	4-AYES 1-ABST (MC)
2012-48.	AUTHORIZE the Supervisor to execute a contract for the Townwide requirements contract for road rehabilitation with Kings Park Industries, Inc. (Re: Contract No. HWY 2012-02/O-E; Period: One year)	MC	SB	<u>5</u>
2012-49.	AUTHORIZE the Supervisor to execute a contract with Laure C. Nolan, Esq. to provide consulting services to the Town of Huntington and to the Town Supervisor’s Office, nunc pro tunc. (Period: One year)	FP	MC	3-AYES 1-ABST (MM) 1-NO (EC)
2012-50.	AUTHORIZE the Supervisor to execute a requirements contract for the light truck and heavy duty manual transmission and rear differential, rebuild and repair with Drive Train Truck Parts Corp. (Period: One year)	SB	MM	<u>5</u>
2012- 51.	AUTHORIZE the Supervisor to execute requirement contracts for bus services for various recreation programs with Baumann & Sons Buses, Inc., Coastal Charter Service Corp. and Long Island Limousine Service. (Period: One year)	SB	MM	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-52. AUTHORIZE the Supervisor to execute a contract with Toshiba Business Solutions for a lease and maintenance agreement for copy machine equipment for the Highway Department. (Period: 36 months)	MC MM	SB	5
2012-53. AUTHORIZE the Supervisor to execute an extension to the requirements contract for heating ventilation and air conditioning (HVAC) Service, installation and maintenance with Absolute Control HVAC Corp. (Extension Period: One year)	SB	EC	4-AYES 1-NO (MM)
2012-54. AUTHORIZE the Supervisor to execute a one-year extension of a license agreement for residential occupation of the Ezra Carll Homestead by a resident caretaker. (SCTM# 0400-201-01-103) (Re: Dominic Drwal; Period: One year)	SB	MM	5
2012-55. AUTHORIZE the execution of a requirements contract for sewer repairs for the Huntington Sewer District with National Water Main Cleaning Company. (Period: 120 days)	SB	MM	5
2012-56. AUTHORIZE the Supervisor to execute amendments to agreements on behalf of the Department of Human Services for the Year 2012. (Re: Child Care Council of Suffolk, Inc., Family Service League, Inc., Federation of Organizations, Inc., Huntington Breast Cancer Action Coalition, Inc., Literacy Suffolk, Inc. and Pederson-Krag Center, Inc.)	SB MM	EC	4-AYES 1-NO (MC)
2012-57. AUTHORIZE the Supervisor to execute amendments to the agreements for the provision of various youth services on behalf of the Youth Bureau for the Year 2012. (Re: Tri Community and Youth Agency, Inc. (Region I), Youth Directions and Alternatives Community and Youth Agency, Inc. (Region II), Regional Enrichment Agency of Commack and Half Hollow Hills, Community and Youth Agency, Inc. (Region III), Family Service League of Suffolk County, Inc. and Huntington Youth Bureau Youth Development Research Institute, Inc. (drug and non drug related)	SB MM	EC	4-AYES 1-NO (MC)
2012-58. AUTHORIZE the Supervisor to execute an agreement on behalf of the Department of Human Services with Family Service League Homeshare Long Island.	FP	SB	5
2012-59. AUTHORIZE the Supervisor to execute an agreement with Suffolk County Department of Health Services for the provision of Drug Treatment and Prevention Services. (Period: 1/1/2012 – 12/31/2012)	MM SB	EC	5

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-60. AUTHORIZE the Supervisor to execute an agreement with Greenman-Pedersen Inc. (GPI) Engineering and Construction Services for design services regarding traffic calming plans for Round Swamp Road.	FP SB <u>MM</u>	<u>EC</u>	<u>5</u>
2012-61. AUTHORIZE the Supervisor to execute license agreements with Open Space Institute (OSI) on behalf of Long Island Community Agriculture Network (LI-CAN) in connection with the Community Garden at Gateway Park and the Clifford Soergel Outreach Garden at the Robert M. Kubecka Organic Garden.	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-62. AUTHORIZE the Supervisor to execute an Intermunicipal agreement with the US Department of Fish and Wildlife for vegetative maintenance for the preservation of the Town of Huntington Sallie Ruppert Waterbird Park Preserve. (Period: Five years)	FP <u>MC</u>	<u>SB</u>	<u>5</u>
2012-63. REMOVED FROM AGENDA AT THE WORKSHOP.			
2012-64. AUTHORIZE the Supervisor to establish a fee of two hundred dollars for the Huntington Youth Music Program.	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-65. AUTHORIZE an amendment to the Certificate of Incorporation of the Town of Huntington Local Development Corporation.	<u>FP</u>	<u>MC</u>	<u>5</u>
2012-66. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Soldiers and Sailors Memorial Plaza Survey).	SB <u>MM</u>	<u>FP</u>	<u>5</u>
2012-67. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2012-68. AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special districts – various departments.	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-69. AUTHORIZE settlement of a claim (Goldberg vs Town of Huntington).	<u>MC</u>	<u>FP</u>	<u>5</u>
2012-70. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform Codes of the State of New York. (Re: Sharon Golden, 127 East 3rd Street, Huntington Station, SCTM# 0400-147.00-05.00-028.000, Chapters 133, 191; Retroactive Investments, 182 West 9th Street, Huntington Station, SCTM# 0400-141.00-04.00-012.003, Chapters 133, 156, 191; Alba M. Benitez/Jesus Fuentes, 119 East 10th Street, Huntington Station, SCTM# 0400-146.00-03.00-122.000, Chapter 133; Stephen J./Renee Danseglio, 24 Mill Lane, Huntington, SCTM# 0400-071.00-02.00-065.000, Chapter 133)	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-71. DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>MM</u>	<u>SB</u>	<u>5</u>
2012-72. DENY the issuance of a Certificate of Approval in a Historic District Re: 114 Prime Avenue, Huntington – Mill Lane Historic District. (Re: Applicant: Seamus Coyle; SCTM# 0400-071.00-02.00-083.000; to erect a 3 bay service station with unfinished 2nd floor for storage)	FP <u>MM</u> MC <u>SB</u>	<u>EC</u>	<u>5</u>
2012-73. DESIGNATE certain properties as blighted and SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM to consider authorizing various actions be taken in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Thomas Emberton, 6 Tracy Drive, Huntington, SCTM# 0400-25.00-04.00-037.000; 135 West Hills Corporation, 135 West Hills Road, Huntington Station, SCTM# 0400-194.00-01.00-055.001; Lauren Sivan, 25 7th Avenue South, Huntington Station, SCTM# 0400-194.00-01.00-086.000; Russell Van Deinse, 17 Carman Road, Dix Hills, SCTM# 0400-243.00-01.00-029.000; Brian E. Levenson, 1068 Westminister Avenue, Dix Hills, SCTM# 0400-278.00-02.00-153.000; Paul Rohrbach, 10 Huntington Road, Huntington, SCTM# 0400-20.00-01.00-030.000; Dominic Esposito/Nadine Nash; 536 3rd Street, East Northport, SCTM# 0400-119.00-01.00-050.000; Alan Johnson, 53 Southdown Road, Huntington, SCTM# 0400-19.00-02.00-029.000; Young & Sung Ham, 10 Cross Avenue, Greenlawn, SCTM# 0400-110.00-03.00-026.005; Willard/Laura Lanham, 5 Laura, East Northport, SCTM# 0400-185.00-02.00-024.003; Delvis Arevalo/Elsa Bardales Banegas, 114 Columbia Street, Huntington Station, SCTM# 0400-141.00-01.00-027.000; Broadway NY LLC, 28 Columbia Street, Huntington Station, SCTM# 0400-140.00-03.00-076.000; Rajiv Sharma Enterprises, Inc., 655 West Jericho Turnpike, Huntington Station, SCTM# 0400-19.00-02.00-125.200; John Frank Development Corp., 39 8th Avenue, Huntington Station, SCTM# 0400-142.00-01.00-062.00; New York Equity note, LLC C/O Hubco Incorporations, 69 East 11th Street, Huntington Station, SCTM# 0400-146.00-01.00-034.000; Louis Jr./Jeanne Avino, 117 East 11th Street, Huntington, SCTM# 0400-146.00-02.00-074.000; Stephen/Renee Danseglio, 24 Mill Lane, Huntington, SCTM# 0400-71.00-02.00-065.000; Heath Greenidge, 37 Evergreen Avenue, Huntington Station, SCTM# 0400-200.00-03.00-105.000)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-74. ESTABLISH "A.R.M.S." (Americans Reactivated for Military Service).	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-75. EXEMPT New Cingular Wireless PCS, LLC (“AT&T”) pursuant to §198-68.1 (O) of the Huntington Town Code for work at 100 Main Street, Huntington, New York. (SCTM# 0400-72.00-06.00-051.000)	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-76. EXEMPT New Cingular Wireless PCS, LLC (“AT&T”) pursuant to §198-68.1 (O) of the Huntington Town Code for work at Boxer Court, Huntington, New York. (SCTM# 0400-95.00-01.00-050.001)	<u>MC</u>	<u>EC</u>	<u>5</u>
2012-77. EXEMPT New Cingular Wireless PCS, LLC (“AT&T”) pursuant to §198-68.1 (O) of the Huntington Town Code for work at South Parking Garage, Railroad Plaza, Huntington Station, New York. (SCTM#'s 0400-147.00-04.00-030.000; 048.001, 050.000, 033.001) (Re: 3 additional antennas)	<u>MC</u>	<u>EC</u>	<u>5</u>
2012-78. REAPPOINT Conservation Board Members. (Re: Denise Harrington, AICP, Dr. David Tonjes and Richard Meyer)	<u>SB</u>	<u>EC</u>	<u>5</u>
2012-79. REAPPOINT members to the Affordable Housing Advisory Board. (Re: Cheryl Grossman, Maria Teresa Quirk and Judie Gorenstein)	<u>FP</u>	<u>MM</u> <u>SB</u>	<u>5</u>
2012-80. URGE the Suffolk County Legislature to appropriate assessment stabilization reserve funds for use by the Village of Northport to undertake capital improvements to the Village’s waste water collection and treatment system, as mandated by the U.S. Environmental Protection Agency (EPA) and the New York State Department of Environmental Conservation (DEC).	<u>FP</u> <u>SB</u> <u>MM</u>	<u>EC</u>	<u>5</u>
2012-81. ENACTMENT: ADOPT Local Law Introductory Number 34-2011, amending Town Board Resolution No. 1994-260 so as to revoke all of the covenants and restrictions previously recorded as part of the Zone Change Application #93-ZM-268 of West Neck Associates, LLC, and reestablishing covenants and restrictions for property located on the northwest corner of West Neck Road and Nathan Hale Drive, Huntington, SCTM #0400-070-01-021.	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-82. ENACTMENT: ADOPT Local Law Introductory Number 31-2011, considering Zone Change Application #2001-ZM-387, known as the residences at Oheka Castle, to change the Zoning from R-80, R-40, R-20 & R-10 Residence Districts and C-6 General Business District to R-OSC Residence - Open Space Cluster District for the property located on the west side of East Gate Drive, north of Colonial Drive, West Hills, SCTM# 0400-188-01-(001, 002, 005, 021.001, 023.001,024.001, 024.002, 025.001, 057.001 & 109), and 0400-132-04-(007, 008 & 009), and issuing a Negative Declaration for said action to rezone. (Applicant: Cold Spring Hills Development, LLC)	RESOLUTION WITHDRAWN BY SUPERVISOR PETRONE		

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-83. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 35 Spring Street, Cold Spring Harbor-Cold Spring Harbor Historic District. (Re: Applicant: Marceline Van Cott; SCTM# 0400-063.000-02.00-008.000)	<u>MM</u>	<u>EC</u>	<u>5</u>
2012-84. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 117 West Shore Road, Huntington – The Daniel Smith House. (Re: Applicant: John /Catherine Collins; SCTM# 0400-026.00-02.00-059.003)	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-85. ENACTMENT: ADOPT Local Law Introductory No. 36-2011 amending the Code of the Town of Huntington, Chapter 6 (Audit and Control, Department of). (Re: Adding a new Subsection 4 (Local Preference)	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-86. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To consider adopting Local Law Introductory No. 3 – 2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XIV (Signs and Advertising Devices).	<u>MC</u>	<u>FP</u>	<u>5</u>
2012-87. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To consider adopting Local Law Introductory No. 4 – 2012 amending the Code of the Town of Huntington Chapter 156 (Property Maintenance; Nuisances).	<u>SB</u>	<u>EC</u>	<u>5</u>
2012-88. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To consider adopting Local Law Introductory No. 5 – 2012, amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances) Article V, (Other Conditions and Nuisances) Section 156-46 (Excessive Growth of Grass and Weeds Prohibited) by adding: (Regulation of Bamboo).	<u>SB</u> <u>MM</u>	<u>EC</u>	<u>4-AYES</u> <u>1-NO</u> <u>(MC)</u>
2012-89. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To consider acquiring Gateway Park Addition (Merksamer).	<u>FP</u> <u>SB</u>	<u>MM</u>	<u>5</u>
2012-90. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To consider awarding a franchise agreement to conduct a kayaking program for the Town of Huntington Department of Parks and Recreation. (Re: Long Island Kayaking Experience, Inc.)	<u>SB</u> <u>MC</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-BT3. AMEND Resolution No. 2008-BT9 so as to adjust the property description and boundaries of three easements (The Woodbourne Arboretum).	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-BT4. ENACTMENT: APPROVE the issuance of a Special Use Permit under Chapter 137 (Marine Conservation) Applicant: En-Consultants, Inc. Location: 29 Bluff Point Rd., Northport, N.Y. S.C.T.M. #0404-003.00-01.00-009.000. (Re: Kimberly A. Willen (Rev. Trust))	<u>FP</u>	<u>EC</u>	<u>5</u>
2012-BT5. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To authorize the President of the Board of Trustees to execute a deed of conveyance and all necessary documents to transfer ownership of a waterfront parcel to Rainer and Angela Schwarz. (Re: SCTM# 0400-032.00-01.00-001.004) (Subject to Permissive Referendum)	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-BT6. SCHEDULE A PUBLIC HEARING: March 13, 2012 at 7:00 PM To execute a license agreement for the use of Board of Trustee Land as is necessary to maintain and operate a Yacht Club with dock assemblage at the premises known as the Ketewomoke Yacht Club, Halesite, New York. (Re: SCTM# 0400-031-01-002.003)	<u>FP</u> <u>MM</u>	<u>EC</u> <u>SB</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: FEBRUARY 6, 2012**

RESOLUTIONS:

OFF. SEC. VOTE

2012-CD .

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**INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: FEBRUARY 6, 2012**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Soviero Caratozzolo for Zig Zcara Ventures Inc. d/b/a to be determined (15 New Street, Huntington); From: Michael Heinlein for Mams Place Corp d/b/a/ to be determined (24 Clinton Avenue, Huntington); From: Michael Lessing for Lessings Inc. d/b/a to be determined (101 Browns Road, Huntington)
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: Shu Fang Cao for Yokohama Japanese Cuisine Restaurant Inc.; From: Danforth Knapp for Cold Spring Harbor Beach Club, Inc.; From: Oreste Albicocco for Tee T's Landing Corp d/b/a The Harbor Club; From: Eileen Baumann for Ketewomoke Yacht Club; From: Sukhdev Singh for House of India; From: E.P. for Valencia Tavern; From: Makoto Yamada for Kurabarn Inc.; From: Mitchel Haven for Crew Restaurant;
Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Alicia Howard, Legislative Assistant to the Suffolk County Clerk's Office regarding Resolution # 1091-2011 which was adopted at the 12-20-2011 meeting – authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act T & S Holding Co., LLC.
Supervisor
Town Board
cc: Town Attorney
4. Letter received via email and regular mail from Victor Bert, PE of Nelson & Pope Engineers & Surveyors, on behalf of the Infinity Consulting Group (applicant). The letter is regarding property located at 945 Walt Whitman Road, Melville which abuts a major NYSDOT project on Route 110. As part of the project, a new curb was constructed to service the parcel. The NYSDOT instructed the applicant to construct a driveway to service the parcel so they could proceed with plans to close Gwynne Road. The applicant applied to the Town of Huntington to construct the driveway and is now being denied access to his property.
Supervisor
Town Board
Town Attorney
Public Safety
Engineering Services
Planning & Environment
cc: Traffic & Transportation
5. Letter received from Lynn Pincomb, Village Administrator for Huntington Bay, regarding a Zoning Board of Appeals Hearing to be held on January 19, 2012 at 7:30 PM at Village Hall regarding property located at 10 Beach Drive – to construct additions and alterations to existing dwelling, to construct an in-ground swimming pool and legalize various structures existing on the property.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Letter received via fax from Robert W. Ralph, President of the Fair Housing in Huntington Committee, Inc. regarding Action Plan 2012. The letter is regarding the Ruland Road units to be built as part of the Greens. The writer would like to see housing that could accommodate families not just one bedroom units (which have received approval).
Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development Agency

7. Letter received from Charles R. Kerner, Ph.D., the Ruland Road development that is slated to have one-bedroom apartments. The writer indicates that these units should be affordable, two and three bedroom units to be used by families.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development Agency
8. Faxed letter received from Lawrence Kushnick, from Kushnick/Pallaci PLLC, in support of the continuation of the contract with Sunrise Outdoor Advertising and the Town for the bus shelter advertising.
- Supervisor
Town Board
Town Attorney
cc: Transportation & Traffic Safety
9. Notice of Public Hearing received from Northport Board of Zoning Appeals, for a meeting to be held on January 25, 2012 at 7:00 PM, regarding property located at 157 Bayview Avenue – demo a legal 2 family and replace with one family dwelling.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Fax received from Michelle Santantonio, Executive Director for the Long Island Housing Services, Inc. regarding Ruland Road Development. The writer indicates affordable family developments are needed in the area and specifically, this development should include same. Copies of prior correspondence from this agency were also attached.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Development
cc: Community Development Agency
11. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on February 7, 2012 at 2:00 PM at the Victor T. Liss Board Room in Town Hall. The meeting is regarding Chapter 322 – Building Zone Ordinance as it relates to showrooms and microbreweries.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on February 23, 2012 at 7:00 PM at the Eugene Cannataro Senior Citizen Center on Middle Country Road in Smithtown. The meeting is regarding #2011-13 – Santilli Commercial Developers, LLC- special exception for commercial public recreation use.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
13. Two Certified Return Receipt Requested letters received from Infinity Consulting Group, Inc. A) Letter regarding an application for a Change of Zone for property located on Route 110 and Gwynne Road . Included was a letter from the New York State Department of Transportation, signed by Shaik A. Saad, P.E., Civil Engineer, dated November 2, 2011 regarding site plans submitted for this property by Nelson & Pope. Infinity Consulting is requesting that we make the NYSDOT letter of November 2, 2011 and the related and enclosed driveway design plan part of the Town of Huntington File for a change of zone for said property. B) Also received was a letter from Nelson & Pope, addressed to Mr. Peter Wolpensinger, Acting Director of Engineering, regarding the project for this parcel of land.
- Supervisor
Town Board
Town Attorney
Public Safety
Engineering Services
Planning & Environment
cc: Traffic & Transportation
- (Note: this letter was previously submitted – see item #4)

14. Two letters received from C Maureen Tomasulo-Mathews, member of the Executive Board of the Cold Spring Hills Civic Association, regarding:
- a) Streetlights that are out on various streets within this community.
 - b) Abandoned property located at 68 East Gate Drive – the yard is overgrown. They would like the property cleaned up as they are concerned about rodents, disease and vandals.
- Supervisor
Town Board
Town Attorney
Public Safety (b only)
cc: Transportation & Traffic Safety (a only)
15. Email received from Joris Soeding, member of WWBA, expressing his unhappiness with the budget cuts for the Town Funding of the Walt Whitman Birthplace Association.
- Supervisor
Town Board
Town Attorney
John Coraor, Ph.D.
cc: Parks & Recreation
16. Email received from Richard McCarty regarding his 13 year old son and his son's friends playing soccer at a field in Breezy Park. He advises that the children were told by Public Safety to stop playing and leave. They were told they need a permit. Mr. McCarty would like to know where they get the permit and where do they display it.
- Supervisor
Town Board
Town Attorney
Public Safety
cc: Parks & Recreation
17. Letters received from Susan Mullen, Clerk for the Smithtown Board of Zoning Appeals regarding the following applications that are located within 500 feet of Town of Huntington property: A) Gary Forte for property located at 9 Brewster Avenue, Northport – construct an accessory structure – Hearing will be held on March 13, 2012 B) Forest Laboratories Commack Road, Commack – building renovations that require variances – Hearing will be held on February 28, 2012. Maps available in Town Clerk's Office.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Email received from Ivan Erickson regarding his opposition to the proposed commercial development of 114 Prime Avenue.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
19. Letters received from Andrew Freleng, Chief Planner for Suffolk County regarding the following Town of Huntington Resolutions that were submitted to the Planning Department for review: A) 2012-36 (Barta Property) B) 2012-41 (DML Properties LLC) C) 2012-37 (Accessory Apartments) D) 2011-BT1 (Barbara Raisch-Special Use Permit). The Planning Commission considers all these cases to be matters for local determination. This decision should not be construed as either an approval or disapproval.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Notification received from Thomas Burns for an Alteration Application for the Cold Spring Harbor Country Club.
- Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
21. Email submitted by a resident who wishes to remain anonymous, questioning the actions of Suffolk County Police Officers, on duty, in a specific patrol car in Huntington.
- Supervisor
Town Board
Town Attorney
cc: Public Safety

2012-44

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE SUFFOLK COUNTY YOUTH BUREAU FOR THE C.A.S.T. (COMMUNITIES AND SCHOOLS TOGETHER) PROGRAM

Resolution for Town Board Meeting dated: February 6, 2012

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the C.A.S.T. Program (Community and Schools Together) was developed and written by the Supervisor's Anti-Gang Committee and targets at-risk youth for gang involvement in the Huntington and South Huntington School Districts, providing them and their families with intensive case management services to prevent their becoming involved in gang violence; and

WHEREAS, the Suffolk County Youth Bureau wishes to provide funding in the amount of FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS for the period January 1, 2012 through December 31, 2012; 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 SEQR review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Suffolk County Youth Bureau for funding in the amount FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS to be recorded in the Operating Budget Item A3831 for the C.A.S.T. Program for the period January 1, 2012 through December 31, 2012.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE PROVISION OF ADULT DAY CARE SERVICES, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 6, 2012

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

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated an adult day care program for senior citizens; and

WHEREAS, the Town seeks funding from the County of Suffolk to assist in the provision of such services; and

WHEREAS, the 2012 Adopted Suffolk County Operating Budget includes TEN THOUSAND NO/100 (\$10,000) DOLLARS in funding for Social Model Adult Day Care as a respite to family caregivers for the period January 1, 2012 through December 31, 2012; and

WHEREAS, applying for and receiving funds for the adult day care program 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 apply for and receive funds from the County of Suffolk for the provision of adult day care services for the period January 1, 2012 through December 31, 2012, for an amount not to exceed the sum of TEN THOUSAND AND NO/100 (\$10,000.00) DOLLARS, in Operating Budget Item A-4773 and to execute any documents in connection and related therewith upon such other terms and conditions as are acceptable to the Town Attorney.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE RESIDENTIAL REPAIR PROGRAM FOR THE ELDERLY OF HUNTINGTON

Resolution for Town Board Meeting Dated: February 6, 2012

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

WHEREAS, the Residential Repair Program provides residential repair and renovations to upgrade substandard, unsuitable or unsafe housing including handicapped modifications for persons age 60 and older within the Town of Huntington; and

WHEREAS, the 2011 Adopted Suffolk County Operating Budget includes TWENTY-FOUR THOUSAND ONE HUNDRED FIFTY-NINE AND NO/100 (\$24,159.00) DOLLARS for the Residential Repair Program; and

WHEREAS, applying for and receiving funds for this program 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 apply for and receive funding from the County of Suffolk for the Residential Repair Program for the elderly of Huntington for the period of January 1, 2012 through December 31, 2012, for an amount not to exceed the sum of TWENTY-FOUR THOUSAND ONE HUNDRED FIFTY-NINE AND NO/100 (\$24,159.00) DOLLARS to be recorded in 2012 Operating Budget Items A3774 and A4774, and to execute any documents in connection and related therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE TOWNWIDE REQUIREMENTS CONTRACT TO FURNISH AND INSTALL ASPHALT CONCRETE WITH POSILICO CIVIL, INC.

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, sealed bids were received on January 26, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract to furnish and install asphalt concrete, contract no. HWY 2012-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, Posillico Civil, Inc., 1750 New Highway, Farmingdale, New York 11735 is the low bidder; and

WHEREAS, townwide requirements contract to furnish and install asphalt concrete is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (1), (2) and (4), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Posillico Civil, Inc. for the townwide requirements contract to furnish and install asphalt concrete. The contract period shall be effective for a one (1) year term upon the execution of the contract and may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions to be charged to various town budgets required to implement work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE TOWNWIDE REQUIREMENTS CONTRACT FOR ROAD REHABILITATION WITH KINGS PARK INDUSTRIES, INC.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to reconstruct and rehabilitate Town roadways using various methods in accordance with the Town of Huntington requirements and construction specifications; and

WHEREAS, sealed bids were received on January 31, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract for road rehabilitation, contract no. HWY 2012-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, Kings Park Industries, Inc., 201 Moreland Road, Suite 2, Hauppauge, New York 11788 is the low bidder; and

WHEREAS, townwide requirements contract for road rehabilitation is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (1), (2) and (4), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Kings Park Industries, Inc. for the townwide requirements contract for road rehabilitation. The contract period shall be effective for a one (1) year term upon the execution of the contract and may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-49

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH LAURE C. NOLAN, ESQ. TO PROVIDE CONSULTING SERVICES TO THE TOWN OF HUNTINGTON AND TO THE TOWN SUPERVISOR'S OFFICE, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board believes that a professional consulting contract would be beneficial to allow for the smooth transition of management services and to provide additional services to the Town Supervisor's Office; and

WHEREAS, such services shall ensure that the Town shall have continuity, as well as advise and counsel on certain significant issues facing the Town of Huntington; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with Laure C. Nolan, Esq., 10 Laurel Avenue, Northport, New York 11768 to provide consulting services to the Town and to the Office of the Supervisor, including but not limited to the renegotiation of the Service Agreement and Lease Agreement with Covanta, Huntington, the LIPA Tax Certiorari proceeding, and other matters as assigned by the Town Supervisor, for a period of one (1) year commencing on January 1, 2012 and terminating on December 31, 2012, for an amount not to exceed THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00) to be charged to Operating Budget Item A1220-4550 and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2012-50

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE LIGHT TRUCK AND HEAVY DUTY MANUAL TRANSMISSION AND REAR DIFFERENTIAL, REBUILD AND REPAIR WITH DRIVE TRAIN TRUCK PARTS CORP.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

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

WHEREAS, sealed bids were received on January 12, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the light truck and heavy duty manual transmission and rear differential, rebuild and repair, Bid no. TOH 12-01R-004 and the same were opened publicly and read aloud; and

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

WHEREAS, light truck and heavy duty manual transmission and rear differential, rebuild and repair is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for the light truck and heavy duty manual transmission and rear differential, rebuild and repair. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before March 31, 2012 and upon mutual agreement of the vendor and the Town, the contract may be extended for an additional one (1) year period under the same prices, terms and conditions, to be charged to various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-51

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE REQUIREMENT CONTRACTS FOR BUS SERVICES FOR VARIOUS RECREATION PROGRAMS WITH BAUMANN & SONS BUSES, INC., COASTAL CHARTER SERVICE CORP. AND LONG ISLAND LIMOUSINE SERVICE.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington operates a variety of recreational programs which require bus transportation services for their program participants at various locations; and

WHEREAS, sealed bids were received on January 26, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the bus service for recreation programs, Bid no. TOH 12-01-006 and the same were opened publicly and read aloud; and

WHEREAS, Baumann & Sons Buses, Inc., 3555 Veterans Memorial Highway, Ronkonkoma, New York 11779; Coastal Charter Service Corp., 14C Hawkins Avenue, Ronkonkoma, New York 11779; Long Island Limousine Service, 25 Newton Place, Hauppauge, New York 11788 are the low bidders; and

WHEREAS, bus service for recreation programs 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 requirement contracts and any documents in connection and related therewith, with Baumann & Sons Buses, Inc., Coastal Charter Service Corp. and Long Island Limousine Service for bus services for various recreation programs. The contract period shall be effective for one (1) year commencing upon execution of the contract to be charged to A7140-4410, A7141-4410 and A7187-4410 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-52

AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS FOR A LEASE AND MAINTENANCE AGREEMENT FOR COPY MACHINE EQUIPMENT FOR THE HIGHWAY DEPARTMENT.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the current lease for the copy machine equipment with Xerox has expired and new equipment is needed in order to maximize office function efficiency and replace outdated equipment. The new equipment will include upgraded features such as scanning, double sided copying and stapling in addition to increasing printing and copier speeds; and

WHEREAS, the Town of Huntington will utilize the Suffolk County Contract No. PE-062712 which was awarded to Toshiba Business Solutions, 3075 Veterans Memorial Highway, Suite 101, Ronkonkoma, New York 11779 for the lease and maintenance of copy machine equipment; and

WHEREAS, the new payments for the term of the lease will decrease the monthly payment by over \$200.00 per month, from \$770.00 per month to \$558.54 per month; and

WHEREAS, the execution of this contract is at Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1), (20) and (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a lease and maintenance agreement with Toshiba Business Solutions, Suffolk County Contract # PE-062712 for one (1) copy machine, Model E-Studio 655SE, for the Highway Office, three (3) Model E-Studio 305SE for Elwood, Oakwood and E. Northport offices and one (1) Model E-Studio 203SD for the Rofay Drive Shop, to include service and maintenance for a term of 36 months for the total cost of TWENTY THOUSAND ONE HUNDRED SEVEN AND 44/100 (\$ 20,107.44), DOLLARS plus any printing overage over 40,000 prints per month at \$0.0085 quarterly to be charged to Operating Budget Fund DB5110-2316 and upon such terms and conditions as may be acceptable to the Town Attorney.

2012-52

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR HEATING VENTILATION AND AIR CONDITIONING (HVAC) SERVICE, INSTALLATION AND MAINTENANCE WITH ABSOLUTE CONTROL HVAC CORP.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, this requirements contract will enable a certified mechanic to service, maintain and install heating ventilation and air conditioning (HVAC) equipment as required in accordance with the manufacturer's recommended specifications throughout various facilities in the Town of Huntington; and

WHEREAS, Town Board Resolution 2011-93 authorized the execution of a contract with Absolute Control HVAC Corp for HVAC Service, Installation and Maintenance, Bid No. TOH 11-01R-012; and

WHEREAS, said requirements contract provides for three (3) additional one (1) year extensions with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Absolute Control HVAC Corp., 962 Sunrise Highway, West Babylon, New York 11704 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 Absolute Control HVAC Corp. for HVAC service, installation and maintenance. The extension period shall be effective for one (1) year commencing on April 7, 2012 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-54

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A ONE-YEAR EXTENSION OF A LICENSE AGREEMENT FOR RESIDENTIAL OCCUPATION OF THE EZRA CARLL HOMESTEAD BY A RESIDENT CARETAKER

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, upon recommendation of both the EOSPA Committee and the Huntington Historic Preservation Commission, the Town of Huntington acquired the historically significant Ezra Carll Homestead in Huntington Station (SCTM 0400-201-01-103) in 2001 (Resolution #2001-609); and

WHEREAS, consultation with area historical societies and other heritage organizations determined that no such qualified local agency was interested in either managing this property or utilizing it for appropriate interpretive or educational programs; and

WHEREAS, preservation of this circa 1740 structure could best be accomplished by its residential occupation by a caretaker who can provide on-site security for the property as well as perform specified maintenance duties; and

WHEREAS, pursuant to Town Board Resolution 2009-547, adopted on November 5, 2009 the Town of Huntington entered into a license agreement with a caretaker for a period of one (1) year with an option to extend such agreement for an additional one (1) year period upon mutual agreement; and

WHEREAS, the original term of said license agreement expired on December 31, 2010 and with Town Board authorization (Resolution #2011-44) was extended for a period of one year ending on December 31, 2011; and

WHEREAS, the current resident caretaker and the Town of Huntington are desirous of a further extension such license agreement with a monthly license fee of ONE THOUSAND THREE HUNDRED FIFTY DOLLARS AND 00/100 (\$1,350.00) for the period commencing on January 1, 2012 and terminating on December 31, 2012; and

WHEREAS, extension of a license agreement for residential use of this property by a resident caretaker 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,

2012-54

HEREBY AUTHORIZES the Supervisor to execute an extension to the license agreement for the Ezra Carll Homestead with the current resident caretaker, Dominic Drwal, P.O. Box 1282, Smithtown, NY 11787-0895, for a period of one (1) year commencing on January 1, 2012 and terminating on December 31, 2012, and further authorizes the Supervisor to execute extensions to the license agreement on terms acceptable to the Town Attorney for an additional one year term, along with execution of any and all documents in connection therewith, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-55

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT FOR SEWER REPAIRS FOR THE HUNTINGTON SEWER DISTRICT WITH NATIONAL WATER MAIN CLEANING COMPANY.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the intent of this contract is to rehabilitate sanitary sewers and manholes to reduce infiltration and inflow in the Huntington Sewer District wastewater collection system. The work includes spot repair, pressure testing and grouting pipe joints, grouting manholes, application of coatings and installation of spot liners; and

WHEREAS, sealed bids were received on January 5, 2012 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the sewer repairs, contract no. HNSD 11-06 and the same were opened publicly and read aloud; and

WHEREAS, National Water Main Cleaning Company, 875 Summer Avenue, Newark, NJ 07104 is the low bidder; and

WHEREAS, sewer repairs is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (1) and (c) (2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with National Water Main Cleaning Company for the sewer repairs. The contract period shall be effective upon the execution of the contract and will be in effect for 120 days from that date, to be charged to WM 8197 2780 11804, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AMENDMENTS TO AGREEMENTS ON BEHALF OF THE DEPARTMENT OF HUMAN SERVICES FOR THE YEAR 2012

Resolution for the Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Councilwoman Berland
Councilman Mayoka

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington annually enters contractual relationships with essential not-for-profit social and human service providers that offer assistance to Huntington residents funded through the auspices of the Department of Human Services; and

WHEREAS, Resolution 2011-540 authorized the Supervisor to execute agreements on behalf of the Department of Human Services for the year 2012 with essential not-for-profit social and human service providers at significantly reduced funding levels; and

WHEREAS, the Town Board desires to restore some of the previously eliminated funding based on identified savings in the 2012 Budget so as to continue the critical social and human services that assist many residents of the Town of Huntington provided by the referenced not-for-profit organizations; 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 administrative function of amending an agreement for the provision of services are not actions 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

AUTHORIZES the Supervisor, to execute amendments to the agreements, and any other documents in connection therewith, for the provision of services, pursuant to the indicated appropriations, for the year 2012 with the following agencies, and upon such other terms and conditions as may be acceptable to the Town Attorney:

<u>CONTRACTOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>
CHILD CARE COUNCIL OF SUFFOLK, INC. 60 Calvert Avenue, Commack, NY 11725		
Parent Leadership Initiative	A 6770.4014	\$ 4,500
Childcare Enhancement	A 6770.4021	\$31,500
FAMILY SERVICE LEAGUE, INC. 790 Park Avenue, Huntington, NY 11743		
Emergency Housing Relocation	A 6770.4025	\$18,000
Work Plus	A 6770.4016	\$ 4,500
SeniorNet	A 6770.4055	\$ 2,250
FEDERATION OF ORGANIZATIONS, INC. 1 Farmingdale Road, W. Babylon, NY 11704		
Foster Grandparents	A6770.4013	\$5,220
HUNTINGTON BREAST CANCER ACTION COALITION, INC. P.O. BOX 1446, Huntington, NY 11743		
Lend A Helping Hand Students and Scientists Program	A 6770.4056	\$ 1,800
LITERACY SUFFOLK, INC. 627 N. Sunrise Service Road, Bellport, N.Y.11713	A 6312.4001	\$ 4,500
PEDERSON-KRAG CENTER, INC. 55 Horizon Drive, Huntington, N.Y. 11743		
Mental Health Programs Bi-Lingual Social Worker Huntington Station	A4225.4001	\$ 5,400

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2012 Operating Budget to restore funding for social and human services grants:

Increase the following Appropriations:

A6770-4014	SC Childcare Council- Parents Initiative	\$ 4,500
A6770-4021	SC Childcare Council-Childcare Enhancement	\$31,500
A6770-4025	Family Service League-Emergency Housing	\$18,000
A6770-4016	Family Service League-Work Plus	\$ 4,500
A6770-4055	Family Service League-SeniorNet	\$ 2,250
A4225-4013	Foster Grandparents Program	\$ 5,220
A6770-4056	Huntington Breast Cancer-Students and Scientists	\$ 1,800
A6312-4001	Literacy Volunteers of America	\$ 4,500
A4225-4001	Pederson Krag-Mental Health Program	\$ 5,400

Decrease the following Appropriations:

A9060-8070	Health Insurance	\$77,670
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VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Regional Enrichment Agency of Commack and Half Hollow Hills, Community and Youth Agency, Inc. (Region III) 525 Hall Hollow Rd., Dix Hills, NY 11746	\$ 4,385.00
Family Service League of Suffolk County, Inc. 790 Park Ave., Hunt., NY 11743	\$ 8,100.00
Huntington Youth Bureau Youth Development Research Institute, Inc. (Non Drug related) 423 Park Ave., Hunt., NY 11743	\$ 17,780.00
Huntington Youth Bureau Youth Development Research Institute, Inc. (Drug related) 423 Park Ave., Hunt., NY 11743	\$ 13,868.00

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2012 Operating Budgets:

Increase the following Revenues:

A3831	County Aid- CAST	\$40,000
A4820	Federal Aid-Sanctuary Program	\$68,637

Decrease the following Revenues:

A3831	County Aid-Youth Services	\$34,104
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Increase the following Appropriations:

A7320-4001	Contractual Expenses- Town Funding Restoration	\$44,440
A4220-4001	Contractual Expenses- Town Funding Restoration	\$13,868
A7320-4001	Contractual Expenses- CAST	\$40,000
A7320-4001	Contractual Expenses- Sanctuary	\$68,637
A7320-4001	Contractual Expenses	\$25,631

Decrease the following Appropriations:

A4220-4001	Contractual Expenses	\$25,631
A4220-4001	Contractual Expenses-Suffolk County funding	\$ 5,362
A7320-4001	Contractual Expenses- Suffolk County funding	\$28,742
A9060-8070	Health Insurance	\$58,308

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT ON BEHALF OF THE DEPARTMENT OF HUMAN SERVICES WITH FAMILY SERVICE LEAGUE HOMESHARE LONG ISLAND

Resolution for Town Board Meeting dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington annually enters contractual relationships with essential not-for-profit social and human service providers that offer assistance to Huntington residents funded through the auspices of the Department of Human Services; and

WHEREAS, the Town Board wishes to continue to maintain access to social and human service for its residents through programs provided by the not-for-profit organization, Family Service League, Homeshare Long Island; and

WHEREAS, HomeShare Long Island is a program that links older homeowners who have an available bedroom with other adults who need affordable housing; and

WHEREAS, HomeShare Long Island is an exchange of services wherein homeowners offer accommodations in exchange for an agreed level of help with household tasks, companionship or financial support, or some combination of all three; and

WHEREAS, HomeShare Long Island offers companionship, safety, and security, and provides homeowners with needed assistance and/or income while providing home seekers with low-cost housing; and

WHEREAS, HomeShare Long Island enables older individuals to remain independent in their own homes by finding a home seeker willing to offer assistance or a modest rental fee; and

WHEREAS, HomeShare Long Island will provide services to residents living in the Town of Huntington from January 1, 2012 to December 31, 2012; and

WHEREAS, the provisions of services pursuant to 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, and any other documents in connection therewith, for the provision of services pursuant to the indicated appropriation, for the year 2012 with the following agency, and upon such other terms and conditions as may be acceptable to the Town Attorney:

<u>CONTRACTOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>
FAMILY SERVICE LEAGUE, HOMESHARE LONG ISLAND 790 Park Avenue Huntington, NY 11743	A6770-4058	\$6,000

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2012 Operating Budget:

Decrease the following appropriation:

A6770-4039	Elderlink-FSL	\$6,000
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Increase the following appropriation:

A6770-4058	FSLA Homeshare	\$6,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THERE UPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE PROVISION OF DRUG TREATMENT AND PREVENTION SERVICES

Resolution for Town Board Meeting Dated: February 6, 2012

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

and Seconded by: **COUNCILMAN COOK**

WHEREAS, Drug Treatment and Prevention services are provided to Town residents through the Huntington Youth Bureau's Licensed Drug and Alcohol Program; and

WHEREAS, funding is available from the Suffolk County Department of Health for the provision of such services; and

WHEREAS, the execution of this agreement is not an action as defined 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 the County of Suffolk Department of Health Services setting forth the terms and conditions for the provision of Drug Treatment and Prevention Services for the period commencing January 1, 2012 and terminating December 31, 2012 in an amount not to exceed the sum of SIX HUNDRED FIFTY SEVEN THOUSAND EIGHT HUNDRED SEVEN (\$657,807.00) DOLLARS to be charged to Operating Budget Item A3831 for budget period 2012 and upon such terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-60

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH GREENMAN-PEDERSEN, INC. (GPI) ENGINEERING AND CONSTRUCTION SERVICES FOR DESIGN SERVICES REGARDING TRAFFIC CALMING PLANS FOR ROUND SWAMP ROAD

Resolution for Town Board Meeting Dated: February 6, 2012

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

WHEREAS, the Traffic Safety Division conducted a traffic study on Round Swamp Road at the request of residents concerned with frequent accidents and high vehicle speeds; and

WHEREAS, the Traffic Safety Division issued a report that recommended the installation of a traffic signal and other traffic calming improvements; and

WHEREAS, the Director of Transportation and Traffic Safety has determined that the Town utilize a professional traffic engineering consultant to provide design services for this project; and

WHEREAS, pursuant to 6 N.Y.C.R.R. §617.5(c)(18), engineering studies that do not commit an agency to undertake, fund or approve any Type I or unlisted action are Type II actions, and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Greenman-Pedersen, Inc. Engineering and Construction Services located at 325 West Main Street, Babylon, New York 11702 to provide comprehensive services related to the traffic signal and traffic calming improvements on Round Swamp Road as set forth in the Scope of Services, in an amount not to exceed TWENTY-THREE THOUSAND NINE HUNDRED DOLLARS AND NO/100 (\$23,900.00) DOLLARS, to be charged to the Capital Budget Item No. TT3397-2775-RS309, and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

2012 - 60

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.

2012-61

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE LICENSE AGREEMENTS WITH OPEN SPACE INSTITUTE (OSI) ON BEHALF OF LONG ISLAND COMMUNITY AGRICULTURE NETWORK (LI-CAN) IN CONNECTION WITH THE COMMUNITY GARDEN AT GATEWAY PARK AND THE CLIFFORD SOERGEL OUTREACH GARDEN AT THE ROBERT M. KUBECKA ORGANIC GARDEN

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, via Town Board Resolution 2010-85, the Town Board authorized the Supervisor to execute a two-year license agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by Starflower Experiences, Inc., in connection with the development of a pilot community garden at Gateway Park, and a five-year license agreement in connection with the redevelopment of the Clifford Soergel Outreach Garden at the Robert M. Kubecka Organic Garden; and

WHEREAS, the Long Island Community Agriculture Network (LI-CAN) is now sponsored by Open Space Institute (OSI), 1350 Broadway, #201, New York, New York 10018, and as such would like to continue assisting the Town of Huntington in the ongoing development and management of the Gateway Park Community Garden and also the Soergel Outreach Garden at the Kubecka Organic Garden; and

WHEREAS, it will be necessary to execute new license agreements with Open Space Institute (OSI) on behalf of Long Island Community Agriculture Network (LI-CAN) to continue the garden activities at the two locations noted above; and

WHEREAS, the Town Board wishes to exercise a two-year license agreement for Gateway Park, and a five-year license agreement for the Kubecka Garden; and

WHEREAS, in consideration of LI-CAN's contribution of expertise and services enumerated above, the Town will continue to support their community gardening efforts through assistance with research of grant sources, support of those applications and the development of a townwide agricultural protection plan to include community garden goals; and

WHEREAS, the proposed execution of a community garden use agreement may be classified Type II pursuant to 6 NYCRR 617.5(c)(20) and (27) and as it is consistent with and supports the intent of Chapter 95 (Community Garden Program) of Town Code; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE

THE TOWN BOARD, hereby authorizes the Supervisor to execute a two-year license agreement with Open Space Institute (OSI), 1350 Broadway, #201, New York, New York 10018 in connection with Long Island Community Agriculture Network's (LI-CAN) continuing community gardening activities at Gateway Park, and a five-year license agreement with Open Space Institute (OSI), 1350 Broadway, #201, New York, New York 10018 for LICAN's continuing activities at the Clifford Soergel Outreach Garden at the Robert M. Kubecka Organic Garden, and on any such other terms and conditions as is acceptable to the Town Attorney;

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-62

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH THE US DEPARTMENT OF FISH AND WILDLIFE FOR VEGETATIVE MAINTENANCE FOR THE PRESERVATION OF THE TOWN OF HUNTINGTON SALLIE RUPPERT WATERBIRD PARK-PRESERVE

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN CUTHBERTSON** and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Sallie Ruppert Waterbird Park-Preserve, located south of the Town of Huntington's Hobart Beach, had been previously dedicated as a park-preserve fragile area pursuant to section 159-3 of Town Code and has been included in the New York Natural Areas Registry due to its ecological significance; and

WHEREAS, the remaining 20.18 acre parcel of land and underwater property south of Sallie Ruppert Waterbird Park-Preserve was acquired pursuant to Town Board Resolution 2005-486; and

WHEREAS, the habitat for the various types of water birds at Sallie Ruppert Waterbird Park-Preserve must be maintained to continue to attract the Federal and State protected species; and

WHEREAS, the United States Fish and Wildlife Service inspected the site and has proposed the following:

Areas No. 1 & No. 2

Remove all tree (tree-of-heaven and black locust) saplings from approximately 4 acres of land. Saplings will be removed, chopped, compressed, and incorporated into the substrate and graded on-site.

Area No. 3

Remove shrub and herbaceous vegetation from an approximately 0.34 acre (75 feet x 200 feet) area located within the Sallie Ruppert Preserve. The area is located south of the second chain-linked fence but north of where the tern colony was located last year (designated as Area 3 on the enclosed figure). Three 20-foot wide swaths will be cleared along the eastern and western borders of the area (for a total of six) to provide access to both the eastern and western shorelines. All removed vegetation will be chopped,

compressed, and incorporated into the substrate and graded on-site. Vegetation would be removed by using a grading blade to remove 2-3 inches of the surface material.

WHEREAS, it has been determined that vegetative maintenance is a Type II action pursuant to 617.5(c), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an intermunicipal agreement with the US Department of Fish and Wildlife for the vegetative maintenance for the preservation of the Sallie Ruppert Waterbird Park-Preserve for a period of 5 years, and to execute any documents in connection therewith.

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.

2012-64

RESOLUTION AUTHORIZING THE SUPERVISOR TO ESTABLISH A FEE OF TWO HUNDRED DOLLARS FOR THE HUNTINGTON YOUTH MUSIC PROGRAM

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington Department of Parks and Recreation wishes to establish a \$200 fee for a music program, which includes, orchestra, band, and chorus for resident youth in grades 5 through 8; and

WHEREAS, the youth learn a piece of music during the fifteen week program and conclude with a public performance; and

WHEREAS, the music program will be self-sustaining. The revenue generated from fees will be used to cover the cost of instructors and the administration of the program; and

WHEREAS, the execution of an agreement 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 AUTHORIZES the Supervisor to establish a fee of two hundred dollars for youth to participate in a fifteen week music program. Revenue from registration fees would be deposited in Revenue Code A2006.

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.

2012-65

RESOLUTION AUTHORIZING AN AMENDMENT TO THE CERTIFICATE OF INCORPORATION OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

Resolution for the Town Board Meeting dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to encourage within the Town the successful enhancement of economic development and business opportunities, relief from and reduction in unemployment, the promotion of and providing for additional and maximum employment, and the improvement and maintenance of job opportunities; and

WHEREAS, as such, by Resolution 2010-72, the Town Board exercised its powers under the New York Public Authorities Law to authorize and the formation of The Town of Huntington Local Development Corporation, a local development corporation, under §1411 of the New York Not-For-Profit Corporation Law; and

WHEREAS, the Town Board wishes to take further action to encourage the above stated charitable, public or quasi-public goals, purposes and objectives by authorizing an amendment to the Certificate of Incorporation of the Corporation to clarify the territory in which the Corporation's activities are principally to be conducted; and

WHEREAS, authorizing an amendment to the Certificate of Incorporation of a local development corporation is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes an amendment to the Certificate of Incorporation of the Town of Huntington Local Development Corporation, substantially in the form attached hereto as Schedule "A".

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

"SCHEDULE A"

**CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF**

**THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT
CORPORATION**

Under Section 803 of the Not-for-Profit Corporation Law

I, the undersigned, the President of THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION, hereby certify:

FIRST: The name of the corporation is THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION.

SECOND: The Certificate of Incorporation was filed with the Department of State on April 7, 2010.

THIRD: The law the corporation was formed under is the New York Not-for-Profit Corporation Law.

FOURTH: The corporation is a corporation as defined in Section 102(a)(5) of the Not-for-Profit Corporation Law.

FIFTH: The corporation is a Type C corporation.

SIXTH: The amendment effected by this Certificate of Amendment is as follows:

Paragraph ELEVENTH of the Certificate of Incorporation, relating to the location of the corporation, is hereby amended to read in its entirety as follows:

The office of the Corporation shall be located in the County of Suffolk, State of New York.

"SCHEDULE A"

**CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF**

**THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT
CORPORATION**

Under Section 803 of the Not-for-Profit Corporation Law

I, the undersigned, the President of THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION, hereby certify:

FIRST: The name of the corporation is THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION.

SECOND: The Certificate of Incorporation was filed with the Department of State on April 7, 2010.

THIRD: The law the corporation was formed under is the New York Not-for-Profit Corporation Law.

FOURTH: The corporation is a corporation as defined in Section 102(a)(5) of the Not-for-Profit Corporation Law.

FIFTH: The corporation is a Type C corporation.

SIXTH: The amendment effected by this Certificate of Amendment is as follows:

Paragraph ELEVENTH of the Certificate of Incorporation, relating to the location of the corporation, is hereby amended to read in its entirety as follows:

The office of the Corporation shall be located in the County of Suffolk, State of New York.

2012-65

CERTIFICATE OF AMENDMENT
OF THE
CERTIFICATE OF INCORPORATION
OF
THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT
CORPORATION
Under Section 803 of the Not-for-Profit Corporation Law

Filed by: Forchelli, Curto, Deegan, Schwartz,
Mineo, Cohn & Terrana, LLP

333 Earle Ovington Boulevard

Uniondale, New York 11553

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (SOLDIERS AND SAILORS MEMORIAL PLAZA SURVEY)

Resolution for Town Board Meeting Dated: February 6, 2012

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

WHEREAS, on November 3, 1998 the voters of the Town of Huntington approved the establishment of the \$15 million Environmental Open Space and Park Fund; on November 4, 2003 Huntington voters extended the program by an additional \$30 million; and on November 4, 2008 voters extended the initial \$15 million program by an overwhelming 75% margin, and

WHEREAS, the EOSPA Committee reviewed a neighborhood enhancement nomination from the Town Historian with a conceptual design to improve the memorial plaza in front of the Soldiers and Sailors Memorial Building with landscaping, new wall work and handicapped accessibility rampage enhancements in Huntington, and voted to recommend implementation of the proposal with funding from the EOSPA Program, and

WHEREAS, the project will involve work on Town property and in the state right-of-way for Route 25A, Main Street and on private property owned by the Huntington Historical Society, and necessary authorizations for such work will be required, and

WHEREAS, the proposed project area requires boundary and topographic surveying to identify existing features and refine an engineered design and the Director of Engineering Services has received an estimate amount not to exceed \$3,000 from American Engineering and Land Surveying, P.C., pursuant to townwide requirements contract #ES 2011-01/O-E, and surveying is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(18) as it involves information collection that does not commit the agency to undertake, fund or approve any Type I or Unlisted action;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the neighborhood enhancement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF ENGINEERING SERVICES

Soldiers and Sailors Memorial Plaza, not to exceed \$3,000

Secure boundary and topographic survey necessary for design of a memorial plaza at the Soldiers and Sailors Memorial Building with handicapped accessibility and rampage, wall work, and landscaping enhancements

AND BE IT FURTHER

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-68

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: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

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 positions:

B-8036-1100	Ordinance Enforcement Officer	\$69,733
DB-5110-1100	Laborer	28,077

Create the following position:

A-1621-1100	Maintenance Mechanic II	\$45,566
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Abolish the following position:

A-1621-1100	Custodial Worker I	(\$27,090)
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Decrease the following Appropriations

A1420-4550	Outside Professional	\$30,000
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Increase the following Appropriations

A1420-1150	Permanent PT Salary	\$30,000
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2012-68

Adjust the following Appropriations:

A-1990-1100	Contingency	(\$18,476)
B-1990-1100	Contingency	(69,733)
DB-5110-1100	Contingency	(28,077)

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.

2012-69

RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM
(Goldberg vs Town of Huntington)

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on July 19, 2007 a Notice of Claim was filed against the Town of Huntington on behalf of Judith Goldberg seeking to recover damages sustained in an accident which occurred on May 8, 2007; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of FIFTEEN THOUSAND and NO/100 (\$15,000.00) DOLLARS for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept FIFTEEN THOUSAND and NO/100 (\$15,000.00) DOLLARS in full settlement of their claim; and

WHEREAS, all parties have agreed to this settlement subject to the approval of the Town Board ; and

WHEREAS, the settlement of this personal injury lawsuit is not an "action" as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue checks in settlement of this matter, not to exceed a total of FIFTEEN THOUSAND and NO/100 (\$15,000.00) DOLLARS pending receipt of closing papers therein and subject to an Infant Compromised Order, applied against Operating Budget Item No. A1930-4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement

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

2012-70

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF HUNTINGTON AND/OR THE UNIFORM CODES OF THE STATE OF NEW YORK

Resolution for Town Board Meeting Dated: February 6, 2012

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

And seconded by: **COUNCILMAN COOK**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Chapter 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>
127 East 3 rd St. Huntington Sta., NY 11746	0400-147.00-05.00-028.000	Sharon Golden	01/20/2012	N/A
182 West 9 th St. Huntington Sta., NY 11746	0400-141.00-04.00-012.003	Retroactive Investments, Inc.	01/18/2012	400 Garden City Plz. Garden City, NY 11550
119 East 10 th Street Huntington Sta., NY 11746	0400-146.00-03.00-122.000	Alba M. Benitez Jesus Fuentes	01/10/2012	N/A
24 Mill Ln. Huntington, NY 11743	0400-071.00-02.00-065.000	Stephen J. and Renee Danseglio	12/08/2012	N/A

Schedule A

2012-70

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
182 West 9 th St. Huntington Sta., NY 11746	0400-141.00-04.00-012.003	Retroactive Investments, Inc.	01/18/2012	400 Garden City Plz. Garden City, NY 11550

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>
127 East 3 rd St. Huntington Sta., NY 11746	0400-147.00-05.00-028.000	Sharon Golden	01/20/2012	N/A
182 West 9 th St. Huntington Sta., NY 11746	0400-141.00-04.00-012.003	Retroactive Investments, Inc.	01/18/2012	400 Garden City Plz. Garden City, NY 11550

2012-71

RESOLUTION DECLARING CERTAIN EQUIPMENT AND VEHICLES AS SURPLUS AND/OR OBSOLETE AND AUTHORIZES THE SALE AT AUCTION, TRADE IN OR DISPOSAL OF THE SAME.

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington Department of Audit and Control is responsible for the disposition of Town wide Fixed Asset Surplus and/or Obsolete Inventory; and

WHEREAS, the Department of Audit and Control, Division of Purchasing wishes to dispose of the equipment contained in Schedule "A" through trade in, disposal for scrap, or public auction, which will be held on an as-needed basis at various locations that prove to be most cost effective to the Town of Huntington; and

WHEREAS, the disposal of surplus government property is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DECLARES the specified equipment on Schedule "A" as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scrap, whichever is in the best interest of the Town.

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.

TOWN OF HUNTINGTON
DEPARTMENT OF AUDIT & CONTROL
DIVISION OF PURCHASING
SCHEDULE A

SURPLUS INVENTORY ITEMS

2/6/2012

HWY #	YEAR/MAKE	MODEL	VIN#/SER#	TOH ASSET #
10M	1988/DEUTZ ALLIS	MOWER	1991	004102
30	1997/FORD	F150	1FTEF18L5VND27917	004140
54	1994/FORD	BRONCO	1FMEU151RLB40201	004174
69	1994/FORD	BRONCO	1FMEU15N3RLB40202	004646
347	19/INTERNATIONAL	REFUSE	1HTZLDBROJH553853	004918

2012-72

DENY THE ISSUANCE OF A CERTIFICATE OF APPROVAL IN A HISTORIC DISTRICT

RE: 114 PRIME AVENUE, HUNTINGTON – MILL LANE HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 6, 2012

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

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 10th day of January 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Seamus Coyle, 155 New York Avenue, Huntington, NY 11743 for a Certificate of Approval to erect a 3-bay service station with unfinished second floor for storage on property in the Mill Lane Historic District located at 114 Prime Avenue, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-071.00-02.00-083.000, in accordance with plans dated November 15, 2010; and upon all the information presented on the application at the public hearing and due deliberation having been had, and

HAVING DETERMINED that the proposed building would have an adverse impact on the historic character of the Mill Lane Historic District because the proposed use of the building is not compatible with the historic residential character of the district,

HEREBY DENIES the aforesaid application of Seamus Coyle for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-73

RESOLUTION DESIGNATING CERTAIN PROPERTIES AS BLIGHTED AND 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: February 6, 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 VII of Chapter 156; and

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the 13th day of March, 2012 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to

2012-73

consider authorizing various actions with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

EXHIBITS to SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE
------------------------	-----------------------	----------	---------------------------------	-------------------

Exhibit 1	6 Tracy Dr. Huntington NY 11743	0400-25-4-37	THOMAS EMBERTON 262 Eastern Parkway Apt 8 Farmingdale, NY 11735	9-Aug-11
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-11
Exhibit 3	25 7th Ave. South Hunt. Station NY 11746	0400-194-01-086.000	LAUREN SIVAN 6 Darrow Court Greenlawn, NY 11740	14-Sep-11
Exhibit 4	17 Carman Rd. Dix Hills NY 11746	0400-243.00-01.00-029.000	RUSSELL VAN DEINSE 241-16 Linden Blvd. Elmont, NY 11003	19-Sep-11
Exhibit 5	1068 Westminister Avenue Dix Hills NY 11746	0400-278-02-153	BRIAN E. LEVENSON 1068 Westminister Ave. Dix Hills, NY 11746-6337	20-Sep-11
Exhibit 6	10 Huntington Rd. Huntington NY 11743	0400-20-1-30	PAUL ROHRBACH 10 Huntington Road Huntington, NY 11743	26-Sep-11

**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**

DOMINIC ESPOSITO

Exhibit 7	536 3rd Street, East Northport NY 11731	0400-119.00-01.00-050.000	NADINE NASH 536 3rd Street East Northport, NY 11731	28-Sep-11
Exhibit 8	58 Southdown Rd Huntington NY 11743	0400-19-2-29	ALAN JOHNSON 58 Southdown Road Huntington NY 11743	4-Oct-11
Exhibit 9	10 Cross Avenue Greenlawn 11740	0400-110.00-03.00-026.005	YOUNG & SUNG HAM 10 Cross Avenue Greenlawn, NY 11740-1435	7-Oct-11
Exhibit 10	5 Laura East Northport NY 11731	0400-185.00-02.00-024.003	WILLARD R. LANHAM & LAURA LANHAM 5 Laura East Northport, NY 11731	7-Oct-11
Exhibit 11	114 Columbia St. Hunt. Sta 11746	0400-141-1-27	DELVIS AREVALO & ELSA BARDALES BANEGAS 114 Columbia Street Huntington Sta. 11746	21-Oct-11
Exhibit 12	28 Columbia St. Hunt. Station NY 11746	0400-140.00-03.00-076.000	BROADWAY NY LLC PO BOX 552 East Northport, NY 11731	24-Oct-11

**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**

RAJIV SHARMA

ENTERPRISES, INC.
665 West Jericho Tpke.
Huntington Station, NY
11746

2-Nov-11

0400-19-2-125.2

665 W. Jericho Tpke
Hunt Sta. 11746

Exhibit 13

JOHN FRANK
DEVELOPMENT CORP.
50 Bella Court
Nesconset, NY 11767

14-Nov-11

0400-142.00-01.00-062.00

39 8th Avenue
Hunt. Station NY
11746

Exhibit 14

NEW YORK EQUITY NOTE,
LLC C/O HUBCO
INCORPORATIONS
1715 N. Ocean Ave, Suite B
Medford, NY 11801

18-Nov-11

0400-146-01-034.000

69 East 11th Street,
Hunt. Stat. 11746

Exhibit 15

LOUIS AVINO, JR. JEANNE
AVINO

18-Nov-11

0400-146-02-074.000

117 East 11th Street
Hunt Station NY
11746

Exhibit 16

STEPHEN & RENEE
DANSEGLIO
24 Mill Lane
Huntington, NY 11743

9-Dec-11

0400-71-2-65

24 Mill Lane
Huntington NY 11743

Exhibit 17

HEATH GREENIDGE
37 Evergreen Avenue
Hunt.Sta. NY 11746-3459

21-Dec-11

0400-200.00-03.00-105.000

37 Evergreen Avenue
Hunt. Station NY
11746

Exhibit 18

SCHEDULE A

#1

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	112783	INSPECTOR	ZARZICKI
DATE	8/8/11 10:45am	ADDRESS	6 Tracy DR
		S.C.T.M. #	254-27

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

<input checked="" type="checkbox"/>	CHECK ALL THAT APPLY	CONDITIONS	POINTS
<input checked="" type="checkbox"/>	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
<input type="checkbox"/>	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
<input type="checkbox"/>	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
<input type="checkbox"/>	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
<input type="checkbox"/>	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

<input checked="" type="checkbox"/>	CHECK ALL THAT APPLY	CONDITIONS	POINTS
<input checked="" type="checkbox"/>	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
<input checked="" type="checkbox"/>	1	Boarded windows, doors, entryways or exits.	5
<input type="checkbox"/>	2	Broken or unsecured windows.	10
<input type="checkbox"/>	3	Broken or unsecured doors, entryways or exits.	10
<input checked="" type="checkbox"/>	4	Excessive litter or debris.	10
<input checked="" type="checkbox"/>	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
<input type="checkbox"/>	6	More than one unregistered motor vehicle. (sec §156-39 (b))	10
<input type="checkbox"/>	7(a)	Broken, unsecured or in disrepair: Roof	10
<input type="checkbox"/>	7(b)	Broken, unsecured or in disrepair: Gutters	10
<input checked="" type="checkbox"/>	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
<input type="checkbox"/>	7(d)	Broken, unsecured or in disrepair: Chimney	10
<input type="checkbox"/>	7(e)	Broken, unsecured or in disrepair: Shutters	5
<input type="checkbox"/>	7(f)	Broken; unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
<input type="checkbox"/>	8	Storage of junk vehicles.	15
<input type="checkbox"/>	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
<input type="checkbox"/>	10	Presence of graffiti.	10
<input type="checkbox"/>	11	Broken, unsecured or in disrepair fencing.	10
<input type="checkbox"/>	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
<input type="checkbox"/>	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
<input checked="" type="checkbox"/>	14	Unfinished construction.	20
<input checked="" type="checkbox"/>	15	Damaged, dead or fallen trees or limbs.	10
<input checked="" type="checkbox"/>	16	Evidence of fire damage to the property which has not been repaired or restored.	10
<input checked="" type="checkbox"/>	17	Peeling or deteriorated paint.	5
<input type="checkbox"/>	18	Presence of stagnant water.	10
<input type="checkbox"/>	19	Open or unsecured wells, cesspools or cisterns.	10
<input type="checkbox"/>	20	Presence of vermin, rodent harborage and infestation.	30
<input checked="" type="checkbox"/>	21	Presence of any violation identified within this Chapter.	20
<input type="checkbox"/>	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
<input type="checkbox"/>	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 125

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Blight Property Designation

Signed:

[Signature]

Dated:

8/8/11

#2

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	C112882	ADDRESS	135 W. HILLS Rd. Hunt Stn
INSPECTOR	Zippelin	S.C.T.M. #	0400 194-01-055.001
DATE	8/24/11		

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
	1	Spalled windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
	7(a)	Broken, unsecured or in disrepair: Roof.	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, □ shed, □ porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statuary, □ fish pond, □ other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
✓	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
✓	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10
POINT TOTAL:			

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Signed: Benny Zippelin

Dated: 8/24/11

Case File

#3

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	113109	
INSPECTOR	H. Zapata	ADDRESS 25 7th Ave South
DATE	09-13-11	S.C.T.M. # 0480.194.01.086.000

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

?	CHECK ALL THAT APPLY	CONDITIONS	POINTS
<input checked="" type="checkbox"/>	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50 <input checked="" type="checkbox"/>
<input type="checkbox"/>	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
<input type="checkbox"/>	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
<input type="checkbox"/>	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
<input type="checkbox"/>	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50
<input type="checkbox"/>	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
<input checked="" type="checkbox"/>	1	Boarded windows, doors, entryways or exits.	5 <input checked="" type="checkbox"/>
<input type="checkbox"/>	2	Broken or unsecured windows.	10
<input type="checkbox"/>	3	Broken or unsecured doors, entryways or exits.	10
<input type="checkbox"/>	4	Excessive litter or debris.	10
<input type="checkbox"/>	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
<input type="checkbox"/>	6	More than one unregistered motor vehicles. (see §156-39 (b))	10
<input checked="" type="checkbox"/>	7(a)	Broken, unsecured or in disrepair: Roof	10 <input checked="" type="checkbox"/>
<input type="checkbox"/>	7(b)	Broken, unsecured or in disrepair: Gutters	5
<input checked="" type="checkbox"/>	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10 <input checked="" type="checkbox"/>
<input type="checkbox"/>	7(d)	Broken, unsecured or in disrepair: Chimney	10
<input type="checkbox"/>	7(e)	Broken, unsecured or in disrepair: Shutters	5
<input type="checkbox"/>	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: ? deck, ? shed, ? porch, ? pool, ? pool house or cabana, ? garage, ? carport, ? storage unit, ? outside stuary, ? fish pond, ? other:	15
<input checked="" type="checkbox"/>	8	Storage of junk vehicles.	15 <input checked="" type="checkbox"/>
<input type="checkbox"/>	9	Damaged, unrightly, unsecured or unpermitted signage or awnings.	15
<input type="checkbox"/>	10	Presence of graffiti.	10
<input type="checkbox"/>	11	Broken, unsecured or in disrepair fencing.	10
<input type="checkbox"/>	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
<input type="checkbox"/>	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
<input type="checkbox"/>	14	Unfinished construction.	20
<input type="checkbox"/>	15	Damaged, dead or fallen trees or limbs.	10
<input type="checkbox"/>	16	Evidence of fire damage to the property which has not been repaired or restored.	10
<input checked="" type="checkbox"/>	17	Peeling or deteriorated paint.	5 <input checked="" type="checkbox"/>
<input type="checkbox"/>	18	Presence of stagnant water.	10
<input checked="" type="checkbox"/>	19	Open or unsecured wells, cesspools or cisterns.	10 <input checked="" type="checkbox"/>
<input type="checkbox"/>	20	Presence of vermin, rodent harborage and infestation.	30
<input checked="" type="checkbox"/>	21	Presence of any violation identified within this Chapter.	20 <input checked="" type="checkbox"/>
<input type="checkbox"/>	22(a)	Presence within / upon an outdoor area of the improper storage of: ? Refrigerator, ? washing machines, ? sink, ? stove, ? heater, ? boiler, ? tank, ? other household appliances, ? boxes or ? indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
<input type="checkbox"/>	22(b)	Presence within / upon an outdoor area of the improper storage of: ? Lumber, ? construction materials, ? dirt, ? debris, ? trash, ? garbage or uncovered refuse cans, ? accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10
POINT TOTAL:			125

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
See Notice Letter

Signed: *H. Zapata*

Dated: *9-14-11*

#4

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # <u>C113037</u>	
INSPECTOR <u>NAGLE</u>	ADDRESS <u>17 CARMAN RD, DIX HILLS NY 11743</u>
DATE <u>9/19/2011</u>	S.C.T.M. # <u>0400-24300-01.00-029,000</u>

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof.	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
✓	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
✓	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
✓	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 220

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
Property has history of violations

Signature: 

Date: 9/19/11

#5

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # 113172	
INSPECTOR Colwell	ADDRESS 1068 Westminister Ave Dix Hills
DATE 2011-09-12	S.C.T.M. # 0400-278-02-153

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓/CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓/A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community. <i>UNSECURE - 1175 W/ UNTRASHED NOT FIRE PROTECTED</i>	50
✓/B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
	E Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓/CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓/F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
✓/1	Boarded windows, doors, entryways or exits.	5
✓/2	Broken or unsecured windows.	10
✓/3	Broken or unsecured doors, entryways or exits.	10
✓/4	Excessive litter or debris.	10
✓/5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6 More than one unregistered motor vehicle. (see §156-39 (b))	10
	7(a) Broken, unsecured or in disrepair: Roof	10
	7(b) Broken, unsecured or in disrepair: Gutters <i>None exist</i>	5
	7(c) Broken, unsecured or in disrepair: Siding/shingles <i>not existing on garage front</i>	10
	7(d) Broken, unsecured or in disrepair: Chimney <i>UNEXISTING</i>	10
	7(e) Broken, unsecured or in disrepair: Shutters <i>None exist</i>	5
	7(f) Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
	8 Storage of junk vehicles.	15
	9 Damaged, unsightly, unsecured or unpermitted signage or awnings. <i>NA</i>	15
	10 Presence of graffiti.	10
	11 Broken, unsecured or in disrepair fencing. <i>NA</i>	10
	12 Broken, unsecured or in disrepair outdoor lighting fixtures. <i>NA</i>	5
	13 Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
✓/14	Unfinished construction.	20
✓/15	Damaged, dead or fallen tree or limbs. ✓	10
	16 Evidence of fire damage to the property which has not been repaired or restored.	10
	17 Peeling or deteriorated paint.	5
	18 Presence of stagnant water.	10
	19 Open or unsecured wells, cesspools or cisterns.	10
	20 Presence of vermin, rodent harborage and infestation.	30
	21 Presence of any violation identified within this Chapter.	20
	22(a) Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b) Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 175

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Signed: *ROXANNE*

Dated: 9/12/2011

#6

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	111840	INSPECTOR	Z. M. Zick
DATE	9-26-11	ADDRESS	10 Huntington Rd., Hunt
		S.C.T.M. #	0400-26-1-30

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

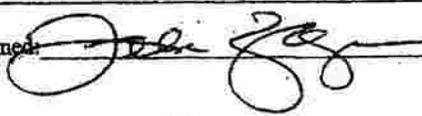
✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
	7(a)	Broken, unsecured or in disrepair: Roof	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, □ shed, □ porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statuary, □ fish pond, □ other:	15
✓	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
✓	10	Presence of graffiti.	10
✓	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
✓	15	Demaged, dead or fallen trees or limbs.	10
✓	16	Evidence of fire damage to the property which has not been repaired or restored.	10
✓	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 130

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
 Junk Boat 100 property must be removed ASAP
 Debris removed as soon as possible

Signed:  Dated: 9/26/11

155

#7

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE # 113244			
INSPECTOR Ngl	ADDRESS 636 5th St East North port		
DATE 9/19/2011	S.C.T.M. # 0900-17.00-01.00-050.000		

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

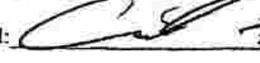
✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
✓	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Slaters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other.	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardedly utilized electrical wires, electrical equipment or extension cords.	15
✓	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
✓	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 205

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Signed:  RECEIVED TOWN ATTORNEY'S OFFICE 9-19-2011 Dated: 9/19/2011

#8

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	111460	INSPECTOR	Zarzicki
INSPECTOR	Zarzicki	ADDRESS	58 Southdown Rd, West
DATE	10-4-11	S.C.T.M. #	0400-19-2-29

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

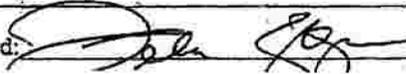
✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
	7(a)	Broken, unsecured or in disrepair: Roof	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, □ shed, □ porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statutory, □ fish pond, □ other:	15
✓	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
✓	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL:	
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Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
 Vehicles must be removed
 All debris cleaned

Signed:  Dated: 10/4/11

#9

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # <u>C11397</u>	
INSPECTOR <u>Wagle</u>	ADDRESS <u>10 Cross Ave. Greenham</u>
DATE <u>10/3/11</u>	S.C.T.M. # <u>0400-110.00-03.00-026.005</u>

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
✓	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof.	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other.	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
✓	11	Broken, unsecured or in disrepair fencing.	10
✓	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
✓	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
✓	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period an excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 150

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

See attached letter

Signed: [Signature] Dated: 10/3/11

#10

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE # 112249			
INSPECTOR NAGLE		ADDRESS 5 LAUREL East Northport NY 11731	
DATE 10/6/11		S.C.T.M. # 400-185.00-02.00-024.003	
The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:			
✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
✓	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space, within a structure/building or within the surrounding neighborhood.	50
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
✓	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof.	10
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
✓	7(d)	Broken, unsecured or in disrepair: Chimney	10
✓	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
✓	10	Presence of graffiti.	10
✓	11	Broken, unsecured or in disrepair fencing.	10
✓	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
✓	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
✓	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
✓	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10
POINT TOTAL:			295

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

See attached letter.

Signed: Curt

Dated: 10/6/2011

#11

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # 111127	
INSPECTOR Jose Carrasquillo	ADDRESS 114 Columbia St.
DATE 10-21-11	S.C.T.M. # 400-141-1-27

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and confirmed existence of the following deleterious conditions:	POINTS
✓	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, □ shed, □ porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statuary, □ fish pond, □ other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardedly utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 105

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
 Property has had similar violations in the past.

Signed: Jos Carrasquillo Dated: 10-21-11

#12

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	C110971	
INSPECTOR	B. Lippelius	ADDRESS 28 Columbia St. Huntington St
DATE	10/24/11	S.C.T.M. # 0400-03-076-000

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
✓	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other.	15
	8	Storage of junk vehicles.	15
✓	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
✓	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
✓	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 190

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Signed: Bary Lippelius

Dated: 10/24/11

#13

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	11895	
INSPECTOR	JOSE CARRASQUILLO	ADDRESS 615 W. Jerich Tpke Huntington
DATE	11-1-11	S.C.T.M. # 190-2-125.2

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
✓	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period an excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

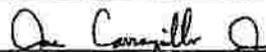
POINT TOTAL: 105

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

Property has had various violations in the past.

Signed:



Dated:

11-1-11

#14

Ms. Johanna Suchow
or
Ms. Patricia Flynn
Town Attorney Office

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # <u>0113891</u>	
INSPECTOR <u>H. JARATA</u>	ADDRESS <u>39 8th Ave. H-S-</u>
DATE <u>11-14-11</u>	S.C.T.M. # <u>142.01.062.000</u>

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

?	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50 ✓
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50 ✓
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
✓	1	Boarded windows, doors, entryways or exits.	5 ✓
	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10 ✓
	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10 ✓
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5 ✓
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
✓	7(d)	Broken, unsecured or in disrepair: Chimney	10 ✓
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: ? deck, ? shed, ? porch, ? pool, ? pool house or cabana, ? garage, ? carport, ? storage unit, ? outside statuary, ? fish pond, ? other.	15 ✓
	8	Storage of junk vehicles.	15
	9	Damaged, unattractive, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
✓	16	Evidence of fire damage to the property which has not been repaired or restored.	10 ✓
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20 ✓
	22(a)	Presence within / upon an outdoor area of the improper storage of: ? Refrigerator, ? washing machine, ? sink, ? stove, ? heater, ? boiler, ? tank, ? other household appliances, ? boxes or ? indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: ? Lumber, ? construction materials, ? dirt, ? debris, ? trash, ? garbage or uncovered refuse cans, ? accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10
POINT TOTAL:			<u>185</u>

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

SEE ATTACHED LETTER

Signed: Hunter Zepher

Dated: 11-14-11

RECEIVED
TOWN ATTORNEY'S OFFICE
15 TOWN HALL
MIDDLETOWN, NY

#15

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #			
INSPECTOR	<i>Hester</i>	ADDRESS	<i>69th EAST 11th ST</i>
DATE	<i>11-18-11</i>	S.C.T.M. #	<i>146.01.034</i>
The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:			
✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50 ✓
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
✓	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50 ✓
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50 ✓
	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	
✓	1	Boarded windows, doors, entryways or exits.	5 ✓
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10 ✓
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5 ✓
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10 ✓
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
✓	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
✓	16	Evidence of fire damage to the property which has not been repaired or restored.	10 ✓
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10
POINT TOTAL:			<i>190</i>

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

SEE Attached Letter.

Signed: *Antti Zappala*

Dated: *11-18-11*

#16

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE # <i>2113340</i>	
INSPECTOR: <i>Hector</i>	ADDRESS <i>117 E 11th ST</i>
DATE <i>11-18-11</i>	S.C.T.M. # <i>146.02.074.000</i>

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
✓	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50 ✓
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	B	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50 ✓

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10 ✓
✓	3	Broken or unsecured doors, entryways or exits.	10 ✓
	4	Excessive litter or debris.	10
	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10 ✓
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, □ shed, □ porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statuary, □ fish pond, □ other:	15 ✓
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair: fencing.	10
	12	Broken, unsecured or in disrepair: outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
✓	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period in excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10 ✓

POINT TOTAL: *155*

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

SEE ATTACHED LETTER

Signed: *Hector Zepeda* Dated: *11-18-11*

#17

CHAPTER 156-62		BLIGHTED PROPERTY DESIGNATION CHECKLIST	
CASE #	113740	INSPECTOR	Zarrucker
DATE	12-8-11	ADDRESS	24 Mill La., Huntington
		S.C.T.M. #	0400-71-2-65

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
✓	1	Boarded windows, doors, entryways or exits.	5
✓	2	Broken or unsecured windows.	10
✓	3	Broken or unsecured doors, entryways or exits.	10
✓	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
✓	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
✓	7(b)	Broken, unsecured or in disrepair: Gutters	5
✓	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: <input type="checkbox"/> deck, <input type="checkbox"/> shed, <input type="checkbox"/> porch, <input type="checkbox"/> pool, <input type="checkbox"/> pool house or cabana, <input type="checkbox"/> garage, <input type="checkbox"/> carport, <input type="checkbox"/> storage unit, <input type="checkbox"/> outside statuary, <input type="checkbox"/> fish pond, <input type="checkbox"/> other:	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti.	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
✓	14	Unfinished construction.	20
	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
✓	19	Open or unsecured wells, cesspools or cisterns.	10
✓	20	Presence of vermin, rodent harborage and infestation.	30
	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Refrigerator, <input type="checkbox"/> washing machine, <input type="checkbox"/> sink, <input type="checkbox"/> stove, <input type="checkbox"/> heater, <input type="checkbox"/> boiler, <input type="checkbox"/> tank, <input type="checkbox"/> other household appliances, <input type="checkbox"/> boxes or <input type="checkbox"/> indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
	22(b)	Presence within / upon an outdoor area of the improper storage of: <input type="checkbox"/> Lumber, <input type="checkbox"/> construction materials, <input type="checkbox"/> dirt, <input type="checkbox"/> debris, <input type="checkbox"/> trash, <input type="checkbox"/> garbage or uncovered refuse cans, <input type="checkbox"/> accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 120

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceeds a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:
 This property has been in this condition for years with multiple summonses issued.

Signed: J. J. Quinn Dated: 12/8/11

#18

CHAPTER 156-62	BLIGHTED PROPERTY DESIGNATION CHECKLIST
CASE# C11353	
INSPECTOR <i>Mugh</i>	ADDRESS <i>37 Evergreen Ave, Huntington Station NY 11734</i>
DATE <i>12/21/2011</i>	S.C.T.M. # <i>0400-202.00-03.00-105.000</i>

The following conditions are factors in evaluating whether or not the above mentioned property is to be designated as a Blighted Property:

✓	CHECK ALL THAT APPLY	CONDITIONS	POINTS
	A	Property is in a condition which poses a serious threat to the safety, health and/or general welfare of the community.	50
✓	B	Owner has been issued Summonses and/or has been prosecuted for violation(s) of Town Code, and such violations have not been corrected.	50
	C	Property has attracted or been an instrument of illegal, noxious or deleterious activity (Chapter 50 Public Nuisances and/or in common law.)	50
	D	A determination has been made by the Fire Marshall that the conditions upon the property constitute a fire hazard.	50
✓	E	Property is creating a substantial interference with the lawful use and/or enjoyment of other space within a structure/building or within the surrounding neighborhood.	50

✓	F	Property is determined to be unmaintained based upon evidence of the persistent and continued existence of the following deleterious conditions:	POINTS
	1	Boarded windows, doors, entryways or exits.	5
	2	Broken or unsecured windows.	10
	3	Broken or unsecured doors, entryways or exits.	10
	4	Excessive litter or debris.	10
✓	5	Overgrown grass at least ten (10) inches or higher or other overgrown vegetation or shrubbery.	10
	6	More than one unregistered motor vehicle. (see §156-39 (b))	10
✓	7(a)	Broken, unsecured or in disrepair: Roof	10
	7(b)	Broken, unsecured or in disrepair: Gutters	5
	7(c)	Broken, unsecured or in disrepair: Siding / shingles	10
	7(d)	Broken, unsecured or in disrepair: Chimney	10
	7(e)	Broken, unsecured or in disrepair: Shutters	5
✓	7(f)	Broken, unsecured or in disrepair: Accessory structure(s) including but not limited to: □ deck, porch, □ pool, □ pool house or cabana, □ garage, □ carport, □ storage unit, □ outside statuary, □ fish pond, □ other.	15
	8	Storage of junk vehicles.	15
	9	Damaged, unsightly, unsecured or unpermitted signage or awnings.	15
	10	Presence of graffiti	10
	11	Broken, unsecured or in disrepair fencing.	10
	12	Broken, unsecured or in disrepair outdoor lighting fixtures.	5
	13	Broken, exposed or hazardously utilized electrical wires, electrical equipment or extension cords.	15
	14	Unfinished construction.	20
✓	15	Damaged, dead or fallen trees or limbs.	10
	16	Evidence of fire damage to the property which has not been repaired or restored.	10
✓	17	Peeling or deteriorated paint.	5
	18	Presence of stagnant water.	10
	19	Open or unsecured wells, cesspools or cisterns.	10
	20	Presence of vermin, rodent harborage and infestation.	30
✓	21	Presence of any violation identified within this Chapter.	20
	22(a)	Presence within / upon an outdoor area of the improper storage of: □ Refrigerator, □ washing machine, □ sink, □ stove, □ heater, □ boiler, □ tank, □ other household appliances, □ boxes or □ indoor furniture for a period on excess of seventy-two (72) consecutive hours.	10
✓	22(b)	Presence within / upon an outdoor area of the improper storage of: □ Lumber, □ construction materials, □ dirt, □ debris, □ trash, □ garbage or uncovered refuse cans, □ accumulated refuse or garbage in covered refuse cans which is not timely or properly disposed of.	10

POINT TOTAL: 180

Blighted Property as defined in §156-63: An improved or vacant property which meets or exceed a point value of one hundred (100) points as set forth within this article.

EVALUATION RECOMMENDATION:

2012-74

RESOLUTION ESTABLISHING "A.R.M.S." (AMERICANS REACTIVATED FOR MILITARY SERVICE)

Resolution for the Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Councilwoman Berland

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Our Country is in a state of heightened alert and our citizens are being called upon to serve their country; and

WHEREAS, the Town Board on behalf of its residents wishes to aid in this effort by supporting the reservists employed by the Town of Huntington and their families as they are called to active duty for our nation; and

WHEREAS, the Town is aware that salaries received by Town employees from the armed services are generally less than the salaries they receive from the Town of Huntington; and

WHEREAS, the Town recognizes the sacrifices these employees are making for our Town and our Country, the Town of Huntington does not want these individuals left at an economic disadvantage; and

WHEREAS, providing compensation or salary to Town employees is not an action as defined by SEQRA in 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, the Town adopts the policy of supplementing the salary of all active duty reservists employed by the Town of Huntington so that they continue to receive their current rate of remuneration while they are actively deployed for combat or other active duty during 2012; and

BE IT FURTHER

RESOLVED, the TOWN BOARD does not intend to permanently amend or establish any past practices concerning employees either covered by a collective bargaining agreement or appointed and is herewith authorizing the Supervisor to issue the necessary instructions to the appropriate departments to carry out this policy so that this patriotic benefit can be applied to all qualified employees serving in combat or other active duty, other than to their regular monthly/yearly reserve obligations.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION EXEMPTING NEW CINGULAR WIRELESS PCS, LLC ("AT&T")
PURSUANT TO §198-68.1 (O) OF THE HUNTINGTON TOWN CODE FOR WORK
AT 100 MAIN STREET, HUNTINGTON, NEW YORK

Resolution for Town Board Meeting dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, pursuant to §198-68.1(O) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities, and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1 (O) from New Cingular Wireless PCS, LLC ("AT&T") in connection with its proposal to upgrade/modify its existing public utility wireless telecommunications facilities located on Town-owned property at 100 Main Street, Huntington, on the s/s of Main Street, between Jackson Avenue and Irwin Place, and further described by Suffolk County Tax Map No.: 0400- 72.00-06.00-051.000; and

WHEREAS, the proposed upgrade/modification consists of the removal of six (6) existing panel antennas and the installation of six (6) new panel antennas and appurtenances on the roof of the existing building as well as the installation of additional equipment on AT&T's existing equipment platform; and

WHEREAS, in accordance with §198-68.1 (O), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application subject to certain conditions; and

WHEREAS, the subject proposal has been classified a Type II action pursuant to 6 NYCRR of the State Environmental Review Act § 617.5(c)(1) and no further review is required pursuant to SEQRA.

NOW THEREFORE BE IT

RESOLVED, that the application of New Cingular Wireless PCS, LLC ("AT&T") to upgrade/modify its existing public utility wireless telecommunications facilities as described in this resolution on the roof of 100 Main Street, Huntington, New York bearing SCTM No.: 0400-72.00-06.00-051.000 from the provisions of §198-68.1 is hereby granted as long as no other modifications or upgrades are made and the work is in

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compliance with specifications filed as part of this application or as may otherwise be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with § 198-68.1(R) and pay the requisite fees.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

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RESOLUTION EXEMPTING NEW CINGULAR WIRELESS PCS, LLC ("AT&T")
PURSUANT TO §198-68.1 (O) OF THE HUNTINGTON TOWN CODE FOR WORK
AT BOXER COURT, HUNTINGTON, NEW YORK

Resolution for Town Board Meeting dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, pursuant to §198-68.1(O) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities, and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1 (O) from New Cingular Wireless PCS, LLC ("AT&T") in connection with its proposal to upgrade/modify its existing public utility wireless telecommunications facilities located on Town-owned property on the e/s of Boxer Court, 195 feet n/o Semon Road, Huntington, NY, and further described by Suffolk County Tax Map No.: 0400- 95.00-01.00-050.001; and

WHEREAS, the proposed upgrade/modification consists of the removal of three (3) existing panel antennas and the installation of three (3) new panel antennas and appurtenances on the existing tower as well as the installation of additional equipment inside AT&T's existing room located inside the existing building; and

WHEREAS, in accordance with §198-68.1 (O), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application subject to certain conditions; and

WHEREAS, the subject proposal has been classified a Type II action pursuant to 6 NYCRR of the State Environmental Review Act § 617.5(c)(1) and no further review is required pursuant to SEQRA; and

NOW THEREFORE BE IT

RESOLVED, that the application of New Cingular Wireless PCS, LLC ("AT&T") to upgrade/modify its existing public utility wireless telecommunications facilities as described in this resolution on an existing tower at Boxer Court, Huntington, New York bearing SCTM No.: 0400-95.00-01.00-050.001 from the provisions of §198-68.1 is hereby granted as long as no other modifications or upgrades are made and the work is in

compliance with specifications filed as part of this application or as may otherwise be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with § 198-68.1(R) and pay the requisite fees.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION EXEMPTING NEW CINGULAR WIRELESS PCS, LLC ("AT&T") PURSUANT TO §198-68.1 (O) OF THE HUNTINGTON TOWN CODE FOR WORK AT SOUTH PARKING GARAGE, RAILROAD PLAZA, HUNTINGTON STATION, NEW YORK

Resolution for Town Board Meeting dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, pursuant to §198-68.1(O) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities, and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1 (O) from New Cingular Wireless PCS, LLC ("AT&T") in connection with its proposal to upgrade/modify its existing public utility wireless telecommunications facilities located on Town-owned property, the South Parking Garage of the Huntington Train Station, Railroad Plaza, on the w/s of Lenox Road, n/o East 2nd Street, Huntington Station, NY, and further described by Suffolk County Tax Map No.: 0400- 147.00-04.00-030.000; 048.001, 050.000, 033.001 and

WHEREAS, the proposed upgrade/modification consists of the installation of three (3) new panel antennas and appurtenances previously approved pursuant to the March 2, 2004 Resolution of this Board (2004-132) authorizing the execution of a license agreement for the installation of twelve (12) antennas on the roof of the existing building as well as the installation of additional equipment inside AT&T's existing equipment compound; and

WHEREAS, in accordance with §198-68.1 (O), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application; and

WHEREAS, the subject proposal has been classified a Type II action pursuant to 6 NYCRR of the State Environmental Review Act § 617.5(c)(1) and no further review is required pursuant to SEQRA; and

NOW THEREFORE BE IT

RESOLVED, that the application of New Cingular Wireless PCS, LLC ("AT&T") to upgrade/modify its existing public utility wireless telecommunications facilities as

described in this Resolution on the roof of the South Parking Garage, the Huntington Train Station, Railroad Plaza, Huntington Station, New York bearing SCTM No.: 0400-147.00-04.00-030.000; 048.001, 050.000, 033.001 from the provisions of §198-68.1 is hereby granted as having been previously authorized by Resolution of the Town Board, as long as no other modifications or upgrades are made, that there are only (6) antennas presently existing at the site, and the work is in compliance with specifications filed as part of this application or as may otherwise be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the application to add three (3) additional antennas and associated equipment is granted on the condition that the applicant deposit with the Department of Engineering Services a sum to be determined by the Director of Engineering sufficient to cover the costs of an independent consultant to be retained by the Town to perform its own RF study, or such other study as the Director of Engineering may deem necessary, prior to site plan approval, or if site plan approval is waived, then prior to the issuance of a building permit, as the case may be; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with § 198-68.1(R) and pay the requisite fees.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION REAPPOINTING CONSERVATION BOARD MEMBERS

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Huntington Conservation Board is a Town Board-appointed volunteer advisory organization constituted pursuant to Article 12-F, Section 239-Y of General Municipal Law, which provides it a specific advisory review function; and

WHEREAS, the Conservation Board reviews and provides comments to the Town Board, Board of Trustees, Planning Board, and Zoning Board of Appeals on applications for land use change that have potential to affect Open Space Index-mapped property, and on applications submitted pursuant to the Town Marine Conservation Law, Section 137 of Town Code; and

WHEREAS, in addition to its advisory review functions, the Conservation Board serves as a vital conduit for conveying environmental information on key topic areas (land use and review, marine and freshwater resources, parks, solid waste, and legislation) to Town leaders, and the Conservation Board coordinates the volunteer Park Stewardship Program that aids the monitoring and management of Town parkland; and

WHEREAS, the reappointment of members to the Town of Huntington Conservation Board is not an action as defined by 6 NYCRR 617.2(b) and therefore, no SEQRA review is required.

NOW, THEREFORE, upon the request and recommendation of the Conservation Board,

THE TOWN BOARD

HEREBY REAPPOINTS the following individuals to the Town of Huntington Conservation Board for terms to expire as indicated:

	Term Expires:
Denise Harrington, AICP 11 Edgar Court Huntington, NY 11731	12/31/14
Dr. David Tonjes 48 Oakwood Road Huntington, NY 11743	12/31/14
Richard Meyer 9 Greenleaf Drive Huntington, NY 11743	12/31/14

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION REAPPOINTING MEMBERS TO THE AFFORDABLE HOUSING ADVISORY BOARD

Resolution for the Town Board Meeting dated: February 6, 2012

The following Resolution was offered by: Supervisor Petrone

And seconded by: COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND

WHEREAS, four vacancies exist of the Affordable Housing Advisory Board due to term expirations; and

WHEREAS, the Town Board is desirous of reappointing certain members whose terms have expired to fill the vacancies; and

WHEREAS, the reappointment and appointment of members to an advisory board is not an action as defined by 6 NYCRR§617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY REAPPOINTS the following individuals to the Affordable Housing Advisory Board for terms to expire as indicated:

	<u>Term Expires</u>
Cheryl Grossman (Councilwoman Susan Berland) 7 Debbie Court, Dix Hills, N.Y. 11746	12/31/14
Maria Teresa Quirk (HTHC) 82 Main Street, Huntington, N.Y. 11743	12/31/13
Judie Gorenstein (HTHC) 16 Barrington Place, Melville, N.Y. 11747	12/31/13

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION URGING THE SUFFOLK COUNTY LEGISLATURE TO APPROPRIATE ASSESSMENT STABILIZATION RESERVE FUNDS FOR USE BY THE VILLAGE OF NORTHPORT TO UNDERTAKE CAPITAL IMPROVEMENTS TO THE VILLAGE'S WASTE WATER COLLECTION AND TREATMENT SYSTEM, AS MANDATED BY THE U. S. ENVIRONMENTAL PROTECTION AGENCY (EPA) AND THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC)

Resolution for Huntington Town Board Meeting Dated: February 6, 2012

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

WHEREAS, the Town of Huntington is a founding member of the Northport Harbor Water Quality Protection Committee, for which Supervisor Petrone serves as committee co-chair; and

WHEREAS, it is the goal of the NHWQP Committee plan for, advocate, and support the actions necessary to achieve the common purpose of the Town and its incorporated villages with the responsibility for protecting and preserving the shared coastal waters and resources of the Northport Harbor/Northport Bay complex; and

WHEREAS, the Trustees of the Village of Northport, a charter member of the NHWQP Committee, adopted a Village resolution (2012 -13) at its meeting of January 17, 2012, authorizing filing of application with the County of Suffolk for sewer infrastructure funding from the County Sewer Assessment Reserve Fund in the amount of \$7.5-million for critical improvement to its waste water treatment plant and waste water collection; and

WHEREAS, the NHWQP Committee has identified the repair and upgrade of Northport's waste water collection and treatment infrastructure as vital element in the matrix of actions intended to restore the Northport Harbor/Northport Bay complex to good health, an action which this Town Board believes will improve the quality of our shared coastal waters and in the interests of all residents, Village, Town, County and State; and

WHEREAS, a sense resolution urging the County of Suffolk to act favorably on the Village of Northport's application is a Type II action pursuant to 6 NYCRR§617 and therefore no further SEQRA review is required

NOW, THEREFORE

THE HUNTINGTON TOWN BOARD

HEREBY URGES the Suffolk County Legislature to appropriate Suffolk County Assessment Stabilization Reserve Funds for use by the Village of Northport to undertake capital improvements to the Village's waste water collection and treatment system; and

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HEREBY DIRECTS Huntington Town Clerk Jo-Ann Raia to forward certified copies of this resolution to Suffolk County Executive, the Honorable Steve Bellone, Presiding Officer of the Suffolk County Legislature, the Honorable William J. Lindsay, Deputy Presiding Officer of the Suffolk County Legislature Legislator, the Honorable Wayne R. Horsley, and members of the Suffolk County Legislature, the Honorable Dr. William Spencer, the Honorable Steve Stern, the Honorable Lou D'Amaro.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 34-2011, AMENDING TOWN BOARD RESOLUTION NO. 1994-260 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION #93-ZM-268 OF WEST NECK ASSOCIATES, LLC, AND REESTABLISHING COVENANTS AND RESTRICTIONS FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF WEST NECK ROAD AND NATHAN HALE DRIVE, HUNTINGTON, SCTM# 0400-070-01-021.

Resolution for Town Board Meeting dated: February 6, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the zone change application of West Neck Associates, LLC, #93-ZM-268, was approved by the Town Board on April 5, 1994 subject to the filing of a Declaration of Covenants and Restrictions on the property; and

WHEREAS, the Declaration of Covenants and Restrictions was filed in the Suffolk County Clerk's Office in Liber 11675 Page 825 in accordance with the Town Board Resolution; and

WHEREAS, the property owner would like to develop six (6) residential units on the rear of the property and has petitioned the Town Board to remove one of the covenants that prohibits subdivision of the land and requires that the rear of the property be left as landscaped buffer; and

WHEREAS, said 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 pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the applicant has submitted Part I of an Environmental Assessment Form (EAF) in connection with the application, and the Department of Planning and Environment has reviewed the information provided with the EAF, has duly classified the action Type I in accordance with the provisions of SEQRA, §6 NYCRR 617.4(b)(9), as the property is in the West Neck Road National Historic District, and has coordinated the action which has established the Town Board, 100 Main St., Huntington, NY 11743, as Lead Agency and has prepared an EAF Parts II and III dated August 15, 2011, which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and these documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated September 7, 2011 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a Negative Declaration under SEQRA, and approve the request to modify the covenants and restrictions subject to a condition that at least one of the residential units be designated as affordable in accordance with Huntington Town Code Section 198-13(I);

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that this Type I action will not have a significant effect upon the environment because it will incorporate measures, provided for in present town standards and regulations, to effectively mitigate potential impacts; and further finds that the proposed action to modify the covenants on the subject property is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts; and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information or revisions to the concept plans, the Town Board hereby:

- (1) Issues a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law based on the reasons outlined in the EAF, Parts II and III, which is hereby appended and made part of this resolution and Negative Declaration; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 13th day of December, 2011, to consider adopting Local Law Introductory Number 34-2011, amending Town Board Resolution 1994-260 so as to revoke all of the covenants and restrictions previously recorded against SCTM# 0400-070-01-021 in the aforesaid Declaration of Covenants and Restrictions filed in Liber 11675 Page 825, and in lieu thereof, impose against the property new covenants and restrictions that would continue the restrictions on the historic office building but would allow new residential development on the rear of the property, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 34-2011, amending Town Board Resolution 1994-260 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 RESOLUTION NO. 1994-260 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION #93-ZM-268 OF WEST NECK ASSOCIATES, LLC, AND REESTABLISHING COVENANTS AND RESTRICTIONS

Section 1. Amendment to Town Board Resolution No. 1994-260 deleting all existing Covenants and Restrictions and reestablishing new Covenants and Restrictions on SCTM# 0400-070-01-021, as follows:

- (1) All prior Covenants and Restrictions are hereby revoked.
- (2) The existing building shall not be expanded or altered so as to increase gross floor area, and the exterior of the building shall not be altered except in connection with customary building maintenance or if required to provide or improve handicapped access.
- (3) If this property is ever subdivided or the tax map lot altered in any fashion, the property owner shall file revised Covenants and Restrictions subject to the provisions below to ensure that the covenants are properly attributed to the new tax map lot or lots.
- (4) If the proposed application for six (6) residential apartments is not built within five (5) years, the Covenants and Restrictions revert back to the original Covenants and Restrictions.

These modifications are subject to the filing of the 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: 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- 83

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 35 SPRING STREET, COLD SPRING HARBOR – COLD SPRING HARBOR
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 10th day of January 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Marceline Van Cott, 35 Spring Street, Cold Spring Harbor, NY 11724, for a Certificate of Approval to legalize a two-tiered retaining wall (15 linear feet) in the rear yard of a single family dwelling located in the Cold Spring Harbor Historic District at 35 Spring Street, Cold Spring Harbor, NY 11724, bearing Suffolk County Tax Map #0400-063.000-02.00-008.000; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Marceline Van Cott for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-84

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT

RE: 117 WEST SHORE ROAD, HUNTINGTON – THE DANIEL SMITH HOUSE

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 10th day of January 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of John and Catherine Collins, 117 West Shore Road, Huntington, NY 11743, for a Certificate of Approval to remove part of the garage and erect first and second story additions (first floor for exercise room and extend mudroom; second floor for master bathroom and closet) on the individually designated historic property at 117 West Shore Road, Huntington, bearing Suffolk County Tax Map #0400-026.00-02.00-059.003, in accordance with plans submitted to the Building Department; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of John and Catherine Collins for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 36-2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 6 (AUDIT AND CONTROL, DEPARTMENT OF)

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD having held a public hearing on the 10th day of January 2012, at 7:00 p.m. to consider adopting Local Law Introductory No. 36-2011, amending the Code of the Town of Huntington, Chapter 6 (Audit and Control, Department of); and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 36-2011 amending the Code of the Town of Huntington, Chapter 6 (Audit and Control, Department of); as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON as follows:

LOCAL LAW NO. 5-2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 6 (AUDIT AND CONTROL, DEPARTMENT OF)

Section 1: Chapter 6 (Audit and Control, Department of) of the Town of Huntington is hereby amended to read as follows:

CHAPTER 6

AUDIT AND CONTROL, DEPARTMENT OF

* * *

§ 6-4. Powers and duties.

A. Division of Comptroller. This Division shall perform the following functions:

* * *

B. Division of Purchasing. This Division shall perform the following functions:

- (1) * * *
- (2) * * *
- (3) * * *

(4) Local Preference: The Director of the Purchasing Division of the Department of Audit and Control, or a Committee, if one shall have been appointed by the Town Board, that evaluates, reviews and recommends to the Town Board the proposal which it believes should be accepted from among the proposals received pursuant to the Town's request for proposals under General Municipal Law §104-b, shall include but not be limited to the following criteria: financial capability, training and experience in the field, references and prior work, quality of staffing and ability to complete the project or provide the service, responsibility of proposer and cost. In considering cost, any person or other entity which has maintained a place of business, staffing and an operational office at an address located within the Town of Huntington for at least one year prior to the date of making a proposal, may, in the discretion of the evaluator, be considered to have proposed the lowest price, if that price is not more than 5% over the price quoted by a business not maintaining an office within the Town of Huntington.

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 shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3: Effective Date

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

*** INDICATES NO CHANGE
ADDITIONS ARE INDICATED BY UNDERLINED
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSENCES: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012- 86

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 3 -2012, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE XIV (SIGNS AND ADVERTISING DEVICES)

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board has long strived to achieve a balance between legislative initiatives which promote economic growth and stability, and those which safeguard, enhance and protect natural resources and the character of suburban communities; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, therefore no SEQRA review is required at this time.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the 13th day of March, 2012 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 3 -2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XIV (Signs and Advertising Devices); as follows:

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

LOCAL LAW INTRODUCTORY NO. 3 -2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND
ARTICLE XIV (SIGNS AND ADVERTISING DEVICES)

Section 1. Chapter 198 (Zoning), Article I (General Provisions) and Article XIV (Signs and Advertising Devices) is hereby amended as follows:

CHAPTER 198 (ZONING)

ARTICLE I
GENERAL PROVISIONS

* * *

SIGN, BANNER -- [A sign with or without characters, letters, illustrations, copy or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such

material for backing.] Any cloth, bunting, plastic, paper or other material and captive/tethered balloon or inflatable sign used for advertising purposes attached to or pinned on or from any structure, staff, pole, line, framing, or vehicle.

* * *
ARTICLE XIV
SIGNS AND ADVERTISING DEVICES
* * *

§198-93.1. Temporary signs. In all commercial and industrial districts, and in commercially-utilized or industrially-utilized properties, the following shall apply. Temporary signs shall not be placed or located so as to interfere with vehicular or pedestrian travel or cause a public hazard or nuisance.

A. Permit application.

* * *
(3) Under a temporary sign permit, a maximum of five (5) signs may be displayed with a maximum total square footage not to exceed [ninety (90)] sixty-four (64) square feet, and no single temporary sign shall exceed thirty-two (32) square feet.
* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 4 - 2012 AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES)

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN COOK**

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, Chapter 156 contains a provision which requires amendment to designate the Town Receiver of Taxes as the Town officer to be authorized to act upon the Town Board's direction in accordance with the Code of the Town of Huntington; and

WHEREAS, the scheduling of a public hearing to consider amending the code is a Type II action pursuant to 6 N.Y.C.R.R. (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **13th** day of March, 2012 at **7:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 4 - 2012 amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances), as follows:

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

LOCAL LAW INTRODUCTORY NO. 4 -2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances), as follows:

CHAPTER 156
PROPERTY MAINTENANCE; NUISANCES

* * *

ARTICLE VII
BLIGHTED PROPERTY

* * *

§ 156-67. Action by Town Board for Failure to Comply or Abate Violations.

* * *

C. Assessment of costs and expenses, liens. All costs and expenses incurred by the Town in connection with the abatement of a violation of this chapter shall be provided to the Town Board by the Department of Planning and Environment and/or Engineering. The total costs and expenses shall then be determined by the Town Board and shall be reported to the [Assessor of the Town] Receiver of Taxes as the amount to be assessed against the property, and the expense so assessed shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012- 88

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 5, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES) ARTICLE V, (OTHER CONDITIONS AND NUISANCES) SECTION 156-46 (EXCESSIVE GROWTH OF GRASS AND WEEDS PROHIBITED) BY ADDING: (REGULATION OF BAMBOO)

Resolution for Town Board Meeting Dated: February 6, 2012

The following resolution was offered by: Councilwoman Berland, **COUNCILMAN MAYOKA**

and seconded by **COUNCILMAN COOK**

WHEREAS, the Town of Huntington has determined that it is in the public interest to regulate the propagation of bamboo, which if planted in close proximity to a property line, can migrate from the owners' property to adjacent property; and

WHEREAS, when bamboo, many species of which are highly invasive, migrates over the property line to adjoining property it can cause thousands of dollars of damage to the landscape design being maintained on adjacent properties; and

WHEREAS, the requirement for a ten foot buffer between a bamboo installation and the bamboo owners' property line, will place responsibility for preventing the bamboo's migration upon the property owner who installs the bamboo; and

WHEREAS, it is in the public interest of the community to prevent highly invasive plants from migrating over property lines so as to prevent such plants from becoming a nuisance to adjoining property owners; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 13th day of March, 2012, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances) and Article V, (Other Conditions and Nuisances); as follows:

LOCAL LAW INTRODUCTORY NO. 5 -2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES)

ARTICLE V, (OTHER CONDITIONS AND NUISANCES)
SECTION 156-46 (EXCESSIVE GROWTH OF GRASS AND WEEDS PROHIBITED) BY ADDING (REGULATION OF BAMBOO) AND SECTION 156-50 ADDING ADDITIONAL (PENALITIES FOR OFFENSES)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances), Article V (Other Conditions and Nuisances) Section 156-46 (Excessive Growth of Grass and Weeds Prohibited) by adding (Regulation of Bamboo) as a new subsection and by adding to (Penalties for offenses) as a new subsection pertaining to bamboo, as follows:

CHAPTER 156
PROPERTY MAINTENANCE; NUISANCES

ARTICLE V
OTHER CONDITIONS AND NUISANCES

SECTION 156-46
EXCESSIVE GROWTH OF GRASS AND WEEDS PROHIBITED;
REGULATION OF BAMBOO

AND

SECTION 156-50
PENALTIES FOR OFFENSES

* * *

§156-46

(A) It shall be unlawful for any person or business entity who owns or occupies a parcel of land in any zoning district, whether or not such land is improved by a building or structure, including vacant land, to cause, suffer and/or permit grass or weeds taller than ten (10) inches. The provisions of this section shall not apply to cultivated flowers and gardens, trees and shrubs.

(B) Bamboo shall be cultivated in such manner that no bamboo shall be permitted to migrate onto an adjacent owner's property. It shall be unlawful for an owner, tenant or occupier of property anywhere within the Town of Huntington to cause, suffer, permit or allow bamboo to be planted or maintained in such manner that it migrates onto any adjoining property. An owner, tenant or occupier of property, after being given notice of the occurrence of a migration or trespass upon adjacent property by bamboo planted upon and originating from their property, shall be required to take appropriate measures to prevent such bamboo from migrating onto adjacent property in the future by installing a barrier sufficiently deep and impenetrable as to prevent future migration or by providing for its entire and

complete removal. In addition to the penalties provided, herein, any owner, tenant or occupier of property who fails to maintain bamboo in such manner as to prevent a trespass upon adjoining property shall also be subject to the penalties provided for in Section 156-49 and Section 156-50 of this Article.

- (1) All bamboo, which migrates onto adjacent properties, shall be deemed a public nuisance and no property owner shall have any vested or non-conforming right to continue maintenance of bamboo, whether or not it preexisted the adoption of this regulation. Any property owner who fails to prevent mitigation of bamboo onto adjoining property shall be guilty of a trespass and the fact that the offending bamboo preexisted the adoption of this regulation shall not constitute a defense.
- (2) In determining whether or not a barrier installed to prevent the migration of bamboo is sufficiently deep to prevent future migration onto an adjacent owner's property, a barrier less than 4 feet in depth shall be presumed to be insufficient to prevent such migration.

* * *

§156-50. Penalties for offenses.

A. * * *

* * *

E. A person or business entity that is convicted of a second offense for the unlawful maintenance of bamboo in violation of §156-46(B) of this Article, shall be subject to a fine or penalty of not less than three hundred (\$300.) dollars and not more than three thousand (\$3,000.) dollars. A person or business entity that is convicted of a third or subsequent offense for the unlawful maintenance of bamboo in violation of §156-46(B) of this Article, shall be subject to a fine or penalty of not less than (\$500.) dollars and not more than five thousand (\$5,000.) dollars. Each day, or part thereof, such violation continues or is permitted to exist shall constitute a separate offense punishable in like manner.

Section 2. Severability.

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

Section 3. Effective Date.

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

ADDITIONS ARE INDICATED BY UNDERLING.
* * * INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE: AYES: **4** NOES: **1** ABSENTIONS: **0**

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-89

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
GATEWAY PARK ADDITION (MERKSAMER)

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, on November 3, 1998 the voters of the Town of Huntington approved the establishment of the \$15 million Environmental Open Space and Park Fund; on November 4, 2003 Huntington voters extended the program by an additional \$30 million; and on November 4, 2008 voters extended the initial \$15 million program by an overwhelming 75% margin, and

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee

- received and evaluated a nomination from the Huntington Economic Development Corporation for a 1.06-acre lot, SCTM 0400-094-03-051.000, located at 12 Academy Place in Huntington Station;
- recognizes the importance of the property, which is listed for sale, to add recreational space to an area that is underserved for parkland; and
- recommended that the Town Board pursue acquisition of this adjoining parcel as an addition to Gateway Park; and

WHEREAS, the Town Board wishes to proceed with acquisition for this specific real property as recommended by the EOSPA Committee; and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, 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 schedules a public hearing pursuant to General Municipal Law §247.2 for the 13th day of March, 2012 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Merksamer Property as an addition to Gateway Park; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOWA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds from Budget Item PL7197-2109-L1005 as necessary for the appraisal.

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.

2012-90

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AWARDING A FRANCHISE AGREEMENT TO CONDUCT A KAYAKING PROGRAM FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION.

Resolution for Town Board Meeting Dated: February 6, 2012

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

WHEREAS, the Town of Huntington is desirous of offering a series of kayaking programs to youths and adults in the community at various locations throughout the Town; and

WHEREAS, requests for proposals were received on January 20, 2012, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for conducting a kayaking program, RFP No. 2011-12-017 and the same were opened and read aloud; and

WHEREAS, Long Island Kayaking Experience, Inc., P.O. Box 5633, Hauppauge, New York 11788 is the sole proposer; and

WHEREAS, scheduling a public hearing to consider a franchise agreement 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 SCHEDULES a public hearing for the **13th** day of March, **2012**, at **7:00pm** at Huntington Town Hall, 100 Main Street, Huntington, New York to consider awarding a franchise agreement for conducting a kayaking program to Long Island Kayaking Experience, Inc. The program fees for Youth Lessons will be \$200.00 per session; Three Hour Lessons for youth will be \$75.00 per session and adults \$100.00 per session; Private lessons will be \$75.00 per hour; Group Tours will be \$75.00 per tour; and Private Tours will be \$40.00 per hour. The Town will receive 20% of the total revenue generated and recorded into Operating Budget Item A2006. The contract period shall be effective for a two (2) year term commencing upon the execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012 –BT3

RESOLUTION AMENDING RESOLUTION NO.: 2008-BT9 SO AS TO ADJUST THE PROPERTY DESCRIPTION AND BOUNDARIES OF THREE EASEMENTS (THE WOODBOURNE ARBORETUM)

Resolution for Town Board Meeting Dated: February 6, 2012

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

and seconded by: **TRUSTEE MAYOKA**

WHEREAS, by Resolution No.: 2008-BT9 on October 7, 2008 the Board of Trustees authorized the sale of a portion of a parcel identified on the Suffolk County Tax Map by Number 0400-270.00-02.00-005.001 owned by the Trustees, and granted three (3) easements in favor of The Woodbourne Arboretum, Inc., subject to certain conditions more fully set forth in the Resolution; and

WHEREAS, the transfer of property and easements were made in connection with the construction and maintenance of a wall by The Woodbourne Arboretum as the adjoining property owner; and

WHEREAS, descriptions of the portion of land to be sold and easements together with a map were made a part of the Board's Resolution and attached as Schedule "A" and "B", and Easements "A", "B", and "C"; and

WHEREAS, on August 19, 2009 the Planning Board granted the joint application of the Huntington Board of Trustees and The Woodbourne Arboretum for a lot line change subject to certain conditions, including the submission of proper maps and deeds; and

WHEREAS, the Board of Trustee wishes to amend its prior Resolution to more accurately describe the parcel to be sold and easements to be granted; and

WHEREAS, the correction of the descriptions of a portion of land and easements is a de minimus technical adjustment that is considered a Type II Action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(17, 20, 27 & 28), requiring no further environmental review; and

NOW, THEREFORE, THE BOARD OF TRUSTEES

HEREBY AMENDS Resolution No. 2008-BT9 to the extent it incorporates Schedules "A" and "B" and Easements "A", "B", and "C" and in lieu thereof,

ADOPTS, the amended descriptions set forth in Schedule "A" (portion of Lot 005.001 to be sold); Schedule "B" the approved map made by Nelson and Pope last revised on 12/12/11; and three (3) Easements more fully described and annexed as Easements "1", "2" and "3 to be used for the purposes set forth in Resolution No. 2008-BT9; and

2012 –BT3

FURTHER RESOLVES, that the Town of Huntington Board of Trustees reaffirms the sale of a portion of the property and easements identified above, all subject to the conditions established in Resolution No. 2008-BT9, and subject further to the receipt of \$15,000 for the continued use and occupancy of such portion of Trustee property for the completion of the wall prior to the date of conveyance; and

HEREBY AUTHORIZES, the President of the Town of Huntington Board of Trustees or the Deputy Supervisor of the Town of Huntington in his place and stead, to execute all necessary documents in connection therewith, on such terms and conditions as deemed necessary by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DUTY ADOPTED.

201a-3Te

SCHEDULE A

S.C.T.M. DISTRICT 0400; SECTION 270; BLOCK 02; P/O LOT 5.001

BEGINNING at the intersection formed by the easterly side of Pinelawn Road (CR 3) and the easterly side of Old East Neck Road

RUNNING THENCE along the easterly side of Old East Neck Road, N 44° 36' 10" E, 11 98 feet,

THENCE the following eight (8) courses

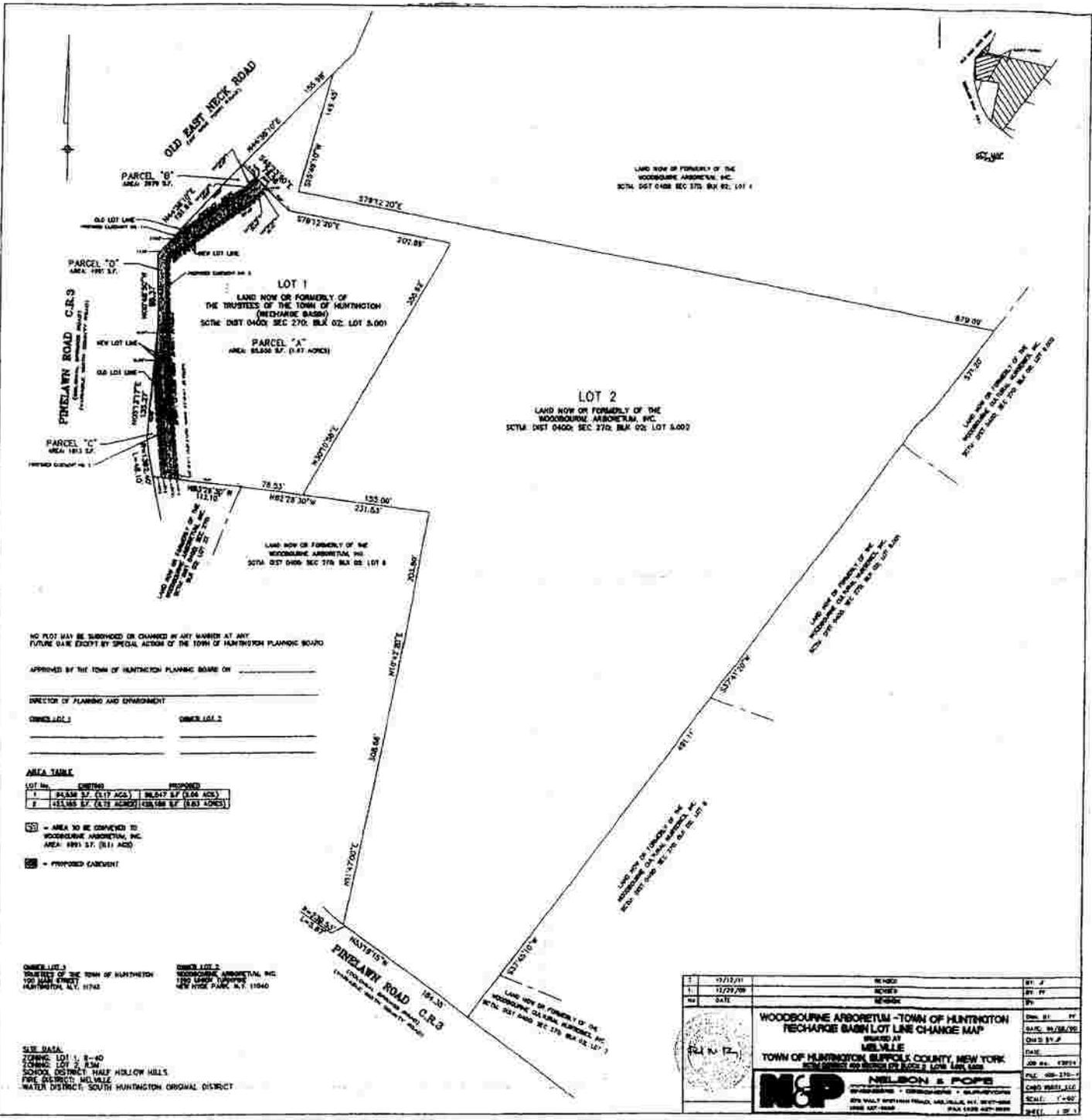
1. N 56°47'41" E, 126.30 feet;
2. N 44°39'38" E, 16.20 feet
3. S 45°23'50" E, 12.00 feet;
4. S 44°39'38" W, 22.24 feet;
5. S 56°47'41" W, 129.80 feet;
6. Southerly along the arc of a curve bearing to the left, having a radius of 2,769.53 feet a length of 268.04 feet and chord: S 02°56'50" E, 267.93 feet;
7. N 83°29'30" W, 12.28 feet;
8. Northerly along the arc of a curve bearing to the right, having a radius of 2,781.53 feet, a length of 168.57 feet and chord: N 03°55'45" W, 168.55 feet; to the easterly side of Pinelawn Road.

THENCE along said road line the following two (2) courses:

1. N 05°13'17" E, 15.84 feet;
2. N 00°48'50" W, 88.37 feet, to a POINT or PLACE OF BEGINNING.

Containing within said bounds: 4,991 sq. ft. / 0.11 acre

SCHEDULE B



NO LOT MAY BE SUBDIVIDED OR CHANGED IN ANY MANNER AT ANY FUTURE DATE EXCEPT BY SPECIAL ACTION OF THE TOWN OF HUNTINGTON PLANNING BOARD

APPROVED BY THE TOWN OF HUNTINGTON PLANNING BOARD ON _____

DIRECTOR OF PLANNING AND ENVIRONMENT _____

OWNER LOT 1 _____ OWNER LOT 2 _____

AREA TABLE

LOT NO.	EXISTING	PROPOSED
1	84,536 SQ. FT. (1.93 AC.)	85,858 SQ. FT. (1.97 AC.)
2	1,181,113 SQ. FT. (27.1 AC.)	1,181,113 SQ. FT. (27.1 AC.)

- - AREA TO BE CONVEYED TO WOODBOURNE ARBORETUM, INC. AREA 893 SQ. FT. (0.1 AC.)
- - PROPOSED LOTMENT

OWNER LOT 1: TOWN OF HUNTINGTON, 100 MAIN STREET, HUNTINGTON, N.Y. 11743
 OWNER LOT 2: WOODBOURNE ARBORETUM, INC., 1200 LAMAR, TOWSON, NEW HYDE PARK, N.Y. 11040

SITE DATA:
 ZONING: LOT 1, B-40
 ZONING: LOT 2, R3M
 SCHOOL DISTRICT: HALF HOLLOW HILLS
 FIRE DISTRICT: MELVILLE
 WATER DISTRICT: SOUTH HUNTINGTON ORIGINAL DISTRICT

1	12/12/11	REVISION	BY: J
2	11/29/10	REVISED	BY: JF
NO	DATE	REVISION	BY:

WOODBOURNE ARBORETUM - TOWN OF HUNTINGTON RECHARGE BASIN LOT LINE CHANGE MAP
 PREPARED BY: MELVILLE
 TOWN OF HUNTINGTON, SUFFOLK COUNTY, NEW YORK
 SUBMITTED TO SUPERVISOR OF ESTATE LAND SALES

N&P NELSON & POPE
 SURVEYORS • ENGINEERS • APPRAISERS
 875 WALL STREET, MELVILLE, N.Y. 11767-0800
 TEL: 631-427-0800 FAX: 631-427-0800

DATE: 12/28/11
 JOB NO.: 11014
 FILE: 000-110-1
 SHEET: 1 OF 1

Easement No. 1

SCTM: DISTRICT 0400; SECTION 270; BLOCK 02; P/O LOTS 5.1

BEGINNING at a point on the easterly side of Old East Neck Road. Said point located N 44° 36' 10" E, 11.98 feet, from the intersection formed by the easterly side of Old East Neck Road and the easterly side of Pinelawn Road (CR 3).

RUNNING THENCE along Old East Neck Road, N 44° 36' 10" E, 23.68 feet.

THENCE the following five (5) courses:

- 1) N 56° 47' 41" E, 102.63 feet,
- 2) N 44° 39' 38" E, 15.67 feet,
- 3) S 45° 23' 50" E, 5.00 feet,
- 4) S 44° 39' 38" W, 16.20 feet,
- 5) S 56° 47' 41" W, 126.30 feet, to the POINT or PLACE of BEGINNING.

Easement No. 2

SCTM: DISTRICT 0400; SECTION 270; BLOCK 02; P/O LOTS 5.1

BEGINNING at a point. Said point located the following two (2) courses from the intersection formed by the easterly side of Pinelawn Road (CR 3) and the easterly side of Old East Neck Road:

- 1) N 44° 36' 10" E, 151.64 feet;
- 2) S 45° 23' 50" E, 38.69 feet; to the POINT of BEGINNING

RUNNING THENCE the following eight (8) courses:

- 1) S 45° 23' 50" E, 5.00 feet;
- 2) S 44° 39' 38" W, 22.78 feet;
- 3) S 56° 47' 41" W, 127.62 feet;
- 4) Southerly along the arc of a circular curve bearing to the left, having a radius of 2,764.53 feet, a length of 265.92 feet, and a chord S 02° 59' 12" E, 265.82 feet;
- 5) N 83° 29' 30" W, 5.12 feet;
- 6) Northerly along the arc of a curve bearing to the right, having a radius of 2,769.53 feet, a length of 268.04 feet and chord N 02° 56' 50" W, 267.93 feet;
- 7) N 56° 47' 41" E, 129.80 feet;
- 8) N 44° 39' 38" E, 22.24 feet; to the POINT or PLACE of BEGINNING.

Easement No. 3

SCTM: DISTRICT 0400; SECTION 270; BLOCK 02; P/O LOTS 5.1

BEGINNING at a point on the easterly side of Pinelawn Road (CR 3). Said point located the following two (2) courses from the intersection formed by the easterly side of Old East Neck Road and the easterly side of Pinelawn Road (CR 3):

- 1) S 00° 48' 50" E, 88.37 feet;
- 2) S 05° 13' 17" W, 15.84 feet; to the POINT of BEGINNING

RUNNING THENCE the following four (4) courses:

- 1) Southerly along the arc of a curve bearing to the left, having a radius of 2,781.53 feet, a length of 168.57 feet, and a chord: S 03° 55' 48" E, 168.55 feet;
- 2) N 83° 29' 30" W, 5.12 feet;
- 3) Northerly along the arc of a circular curve bearing to the right, having a radius of 2,786.53 feet, a length of 131.22 feet, and a chord: S 04° 17' 42" E, 131.21 feet;
- 4) N 05° 13' 17" E, 36.88 feet, to the POINT or PLACE of BEGINNING.

2012-BT4

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT UNDER
CHAPTER 137 (MARINE CONSERVATION)
APPLICANT: EN-CONSULTANTS INC.
LOCATION: 29 BLUFF POINT RD., NORTHPORT, N.Y.
S.C.T.M. #: 0404-003.00-01.00-009.000

Resolution for Board of Trustees Meeting Dated: February 6, 2012

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

and seconded by: **TRUSTEE COOK**

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

En-Consultants Inc.
On behalf of
Kimberly A Willen (Rev. Trust)
29 Bluff Point Rd.
Northport, N.Y. 11768-1515

to construct an approx. 148 ft. of inter-locking steel bulkhead within 18 inches of existing
dilapidated timber bulkhead. Back-fill the new bulkhead with clean fill. Project site to be
accessed via applicant's own property and a construction barge as needed at 29 Bluff
Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State
Environmental Quality Review Act (SEQRA) and the Board of Trustees 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 requested by the Department of
Maritime Services are adhered to.

NOW, THEREFORE

THE BOARD OF TRUSTEES, having held a public hearing on the 10th day of January,
2012, to consider the issuance of a special use permit to Kimberly A Willen (Rev. Trust)
to construct an approx. 148 ft. of inter-locking steel bulkhead within 18 inches of existing
dilapidated timber bulkhead. Back-fill the new bulkhead with clean fill. Project site to be
accessed via applicant's own property and a construction barge as needed at 29 Bluff
Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000; and due
deliberation being had;

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

2012-BT4

Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington, to Kimberly A Willen (Rev. Trust) to construct an approx. 148 ft. of inter-locking steel bulkhead within 18 inches of existing dilapidated timber bulkhead. Back-fill the new bulkhead with clean fill. Project site to be accessed via applicant's own property and a construction barge as needed at 29 Bluff Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000 subject to the following conditions:

- 1) Applicant must notify the Dept. of Engineering Services, Dept. Of Maritimes Services and the Harbor Masters office 48 hours prior to the commencement of any construction/demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621
- 2) All construction equipment, vehicles and material deliveries shall access the project site by means of the applicant's own property or via a sea barge. No construction equipment, vehicles or material deliveries shall transverse adjacent properties nor access the beach/shoreline via Town of Huntington Park lands.
- 3) All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas.
- 4) All activities must be conducted in conformance with the New York State issued DEC Tidal Wetlands Permit and associated approved plans.
- 5) The applicant is responsible for obtaining and adhering to all necessary Federal, State and locale permits.
- 6) No Materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas
- 7) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of this project
- 8) All work on the seaward side of the seawall must be completed during periods of low tides to reduce any potential for turbidity to impact the waterway.
- 9) 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.

- 10) Upon the completion of the permitted construction activity, all construction debris and/or excess building materials shall be removed from the job site and properly disposed of at a state approved disposal area in a timely manner.
- 11) The applicant is responsible for scheduling all required Town of Huntington inspections at appropriated intervals during the course of demolition/construction. (See permit for required inspections and contact phone number)
- 12) All fill shall be "clean" sand free of asphalt, concrete or any other construction debris.
- 13) The applicant, owner and their duly authorized representatives (such as contractors, sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington, Dept. of Engineering Services, Dept. Of Maritimes Services and the Town Attorneys Office.
- 14) Any modification or deviation from the approved plans, methodology and/or terms/conditions as included in the issued permit must be approved by the Town of Huntington prior to the commencement of activities.
- 15) Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritimes Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO AUTHORIZE THE PRESIDENT OF THE BOARD OF TRUSTEES TO EXECUTE A DEED OF CONVEYANCE AND ALL NECESSARY DOCUMENTS TO TRANSFER OWNERSHIP OF A WATERFRONT PARCEL TO RAINER AND ANGELA SCHWARZ.

Resolution for Board of Trustees Meeting Dated: February 6, 2012

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

and seconded by: **TRUSTEE MAYOKA**

WHEREAS, Rainer and Angela Schwarz are the owners of an upland parcel at 87 East Shore Road, Halesite, New York and designated on the Suffolk County Tax Map as No. 0400-032.00-01.00-001.002.

WHEREAS, Town of Huntington Board of Trustees are the owners of a formerly underwater parcel, now filled in, on Huntington Harbor and abutting the upland parcel and designated on the Suffolk County Tax Map as No. 0400-032.00-01.00-001.004; and

WHEREAS, both the Town of Huntington Board of Trustees and Rainer and Angela Schwarz claimed ownership of the parcel SCTM. 0400-032.00-01.00-001.004. The Board of Trustees claimed ownership through a series of three colonial patents, the Nicols, Donagan and Fletcher patents. Rainer and Angela Schwarz sought to claim ownership through a claim of adverse possession; and

WHEREAS, the Town of Huntington Board of Trustees were declared to be the rightful and true owner of the parcel SCTM. 0400-032.00-01.00-001.004, in a decision rendered by Justice Thomas F. Whelan, February 19, 2010, and which decision was upheld by the New York State Appellate Division, Second Department in a decision rendered on June 21, 2011; and

WHEREAS, the Board of Trustees having been declared the rightful and true owner of underwater lands, is desirous of conveying parcel SCTM 0400-032.00-01.00-001.004, to Rainer and Angela Schwarz, as the parcel contains a portion of an occupied dwelling, is inaccessible to the public, is not parkland, is not designated for any municipal or public purpose and is de minimis in size (.1 acre); and

WHEREAS, for the foregoing reasons, the Board of Trustees is desirous of conveying parcel SCTM. 0400-032.00-01.00-001.004, for ONE HUNDRED TWENTY FIVE THOUSAND (\$125,000.00) DOLLARS; and

WHEREAS, the scheduling of a public hearing on this proposed conveyance of land is not an action as set forth in 6 N.Y.C.R.R. § 617.2(b), and therefore no further SEQRA review of the scheduling of a public hearing is required.

NOW, THEREFORE BE IT RESOLVED

RESOLVED, that the Board of Trustees hereby schedules a public hearing for the 13th day of March, 2012, at 7:00 P.M. at Town Hall, 100 Main Street, Huntington, New York, to consider authorizing the President of the Board of Trustees to execute a deed of conveyance and all necessary documents to transfer ownership of formerly underwater lands to Rainer and Angela Schwarz; and

AND BE IT FURTHER

RESOLVED, as this authorization is subject to permissive referendum as set forth by the applicable provisions of the New York State Law, the Town Clerk is hereby directed to publish the appropriate enactment of this resolution in accordance with §90 of the New York State Town Law, together with an abstract of the terms hereof.

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.

2012BT-6

RESOLUTION SCHEDULING A PUBLIC HEARING TO EXECUTE A LICENSE AGREEMENT FOR THE USE OF BOARD OF TRUSTEE LAND AS IS NECESSARY TO MAINTAIN AND OPERATE A YACHT CLUB WITH DOCK ASSEMBLAGE AT THE PREMISES KNOWN AS THE KETEWOMOKE YACHT CLUB, HALESITE, NEW YORK

Resolution for the Board of Trustee Meeting Dated: February 6, 2012

The following resolution was offered by: President Petrone, Trustee Mayoka

And seconded by: Trustee Cook, Trustee Berland

WHEREAS, the license agreement between the Town of Huntington Board of Trustees and the Ketewomoke Yacht Club for the use of Board of Trustee land (SCTM #0400-031-01-002.003) expired on December 31, 2011; and

WHEREAS, the Ketewomoke Yacht Club is desirous of entering into a new license agreement with the Town of Huntington Board of Trustees to operate and maintain the Ketewomoke Yacht Club with dock assemblage on Board of Trustees land; and

WHEREAS, the execution of this license agreement is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW THEREFORE

THE BOARD OF TRUSTEES

HEREBY schedules a public hearing for the 13th day of **March**, 2012, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider executing a license agreement for the use of Town land (SCTM ##0400-031-01-002.003) as is necessary to operate and maintain a yacht club with dock assemblage at the premises known as the Ketewomoke Yacht Club.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.