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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

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED MAY 16, 2011

7:00P.M. – TOWN HALL

Opened: 6:34 P.M. Recessed: 8:29 P.M. Resumed: 8:44 P.M. Closed: 11:21 P.M.

(Resolutions #2011-245 to 2011-276)

6:30 P.M. HEARINGS: **ACTION**

1. Consider adopting Local Law Introductory No. 12-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning) Article I (General Provisions) and Article IV (Commercial Districts).
(Local Law Introductory No. 12-2011) **DECISION RESERVED**

2. Consider the application of T-Mobile Northeast, L.L.C. to be exempted from the provisions of Local Law No. 2-2011 and any extension to the 90-day Moratorium in order to locate a wireless communication antenna at 9 Crosby Place, Cold Spring Harbor.
(Local Law Introductory No. 13-2011) **DECISION RESERVED**

7:00 P.M. HEARINGS

1. Consider issuing a Certificate of Approval in an Historic District Re:
7 Titus Lane - Cold Spring Harbor Historic District.
(Applicant: Judith Hogan)
(SCTM #0400-016.00-06.00-025.001)
(2011-ZC-1-Ch. 198) **DECISION RESERVED**

7:00 P.M. HEARINGS (Continued): **ACTION**

2. Consider adopting Local Law Introductory No. 8-2011, considering Zone Change Application #2011-ZM-386 known as Avalon at Huntington Station - R-3M to change the Zone from R-7 Residence District to R-3M Garden Apartment Special District for the property located on the North side of East Fifth Street, West of Park Avenue, Huntington Station, SCTM #0400-104.04-01-(001-109, 112-114 & 116-118). (Local Law Introductory No. 8-2011) **DECISION RESERVED**

AGENDA FOR TOWN BOARD
MEETING DATED: MAY 16, 2011

RESOLUTIONS:	OFF.	SEC.	VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone	-	**FP**
Councilwoman Susan A. Berland	-	**SB**
Councilman Mark A. Cuthbertson	-	**MC**
Councilwoman Glenda A. Jackson	-	**GJ**
Councilman Mark Mayoka	-	**MM**
Roll Call	-	**RC**

2011-245.	**AUTHORIZE** the Supervisor to execute a Municipal Compliance Certification and to submit a Stormwater Management Program 2010-2011 Annual Report and public comments related thereto and all necessary documents to the New York State Department of Environmental Conservation pursuant to State Pollution Discharge Elimination System General Permit NYR20A297 for discharges from small Municipal Separate Storm Sewer Systems. **(Reporting Period: 3/10/2010-3/9/2011)**	**FP**	**GJ**	**5**
2011-246.	**AUTHORIZE** the Supervisor to enter into an Intermunicipal Agreement for the disposal of fill materials from the Northport Veteran's Nature Study Area. **(Re: Town of Brookhaven)** **(Effective 5/1/2011 – 3/10/2012)**	**MC**	**MM**	**5**
2011-247.	**AUTHORIZE** the Supervisor to execute a requirements contract for the lawn and landscape maintenance for the Highway Department with Looks Great Services, Inc.	**SB**	**MC**	**5**
2011-248.	**AUTHORIZE** the Supervisor to execute a contract for designing, furnishing and installing a solar powered electric car charging station at the Long Island Rail Road (LIRR) Huntington Train Station, Huntington, New York with Empower CES, LLC.	**FP** **MC**	**MM** **GJ** **SB**	**5**
2011-249.	**AUTHORIZE** the Supervisor to execute a requirements contract for Allison Transmission Parts and Service with Drive Train Truck Parts Corp. **(Period: One year)**	**SB**	**FP**	**5**
2011-250.	**AUTHORIZE** the Supervisor to execute a requirements contract for landscape maintenance for the General Services Department with Looks Great Services, Inc.	**GJ**	**SB**	**5**
2011-251.	**AUTHORIZE** the Supervisor to execute an extension to the requirements contract to furnish and install overhead doors with Hilo Maintenance Systems, Inc. **(Re: HART Facility)**	**MM**	**SB** **GJ**	**5**
2011-252.	**AUTHORIZE** the Supervisor to execute a license agreement with the Huntington Manor Fire Department for the use of Peter Nelson Park for its annual Fireman's Fair and further authorizing the Supervisor to execute a New York State Liquor Authority Special Event Permit Application. **(Permit valid: 9:00 AM July 10, 2011 until 11:30 PM July 17, 2011)**	**FP** **MM** **GJ**	**SB**	**5**

AGENDA FOR TOWN BOARD
MEETING DATED: MAY 16, 2011

RESOLUTIONS:		OFF.	SEC.	VOTE
2011-253.	**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: Delvis Arevalo/Elsa Bardales Banegas, 114 Columbia Street, Huntington Station, SCTM# 0400-141.00-01.00-027.000, Chapter 191)**	SB	MM	5
2011-254.	**ACCEPT** the dedication of a .36-Acre parcel of parkland, Crabapple Court and three drainage easements for the subdivision known as Lenox Estates. **(SCTM# 0400-150-04-57.00)**	SB	GJ	5
2011-255.	**GRANT** permission to the Cold Spring Harbor Main Street Association to sponsor 2011 Sidewalk Sale Events. **(Dates: 5/28/2011, 5/29/2011, 5/30/2011 (Memorial Day Weekend), 6/19/2011 (Father's Day Sidewalk Sale & Vintage Car Show), 9/3/2011, 9/4/2011, 9/5/2011 (Labor Day Weekend), 9/16/2011, 9/17/2011,9/18/2011 (Art & Jazz Weekend-Raindate 10/1/2011), 10/15/2011 and 10/16/2011 (The Arts of Cold Spring Harbor Event) (Time: Noon until 5:00 PM)**	FP MM GJ	 SB	 5
2011-256.	**GRANT** a Permit for an aquatic event for the 8th Annual Distant Memories Swim for Alzheimer's event to raise funds to benefit the Alzheimer's Association on Thursday, July 28, 2011. **(Re: Bryan Proctor) (Approximate start time 11:35 AM)**	MC	FP MM SB GJ	5
2011-257.	**APPOINT AND REAPPOINT:** Members to the Town of Huntington Planning Board and Zoning Board of Appeals, Huntington Housing Authority. **(Re: Planning Board: Paul Mandelik, Dave Pannetta, David Walsdorf, Kathleen A. Casey, Marilyn G. Healy, Leslie Cernava; Zoning Board of Appeals: Christopher Modelewski, Robert Slingo, Carol Gaughran, Jeffrey Naness, Ed Perez; Huntington Housing Authority Board of Commissiners: Bob Fonti, John Perri, Barry Lites, Barry Turk)**	FP	MC SB	4-AYES 1-NO (MM)
2011-258.	**SUPPORT** Round 10 Suffolk County Downtown Revitalization Grant Applications and authorizing the Supervisor to apply for and receive funding from the County of Suffolk. **(Re: Cold Spring Harbor Main Street Association, East Northport Chamber of Commerce, Greenlawn Civic Association and the Town of Huntington Economic Development Corporation)**	FP	MM GJ SB	5
2011-259.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Huntington School District, School Speed Limits.	GJ	SB	5
2011-260.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Northport East Northport School District, School Speed Limits	GJ	SB	5

AGENDA FOR TOWN BOARD
MEETING DATED: MAY 16, 2011

RESOLUTIONS:		OFF.	SEC.	VOTE
2011-261.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Harborfields School District, School Speed Limits.	GJ	SB	5
2011-262.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Half Hollow Hills School District, School Speed Limits.	SB	MM GJ	5
2011-263.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Boulevard Avenue, Parking Restrictions.	GJ	FP	5
2011-264.	**ENACTMENT: AMEND** the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Woodlee Road-Stop Signs.	GJ	MC	5
2011-265.	**ENACTMENT: APPROVE** the increase and improvement of Facilities of the Consolidated Refuse District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	MM	MC	RC MC-AYE SB-AYE GJ-AYE MM-AYE FP-AYE
2011-266.	**APPROPRIATE** $400,000 for the increase and improvement of facilities of the Consolidated Refuse District, and authorizing the issuance of $400,000 Serial Bonds of said town to finance said appropriation.	MC	MM	RC MC-AYE SB-AYE GJ-AYE MM-AYE FP-AYE
2011-267.	**ENACTMENT: ADOPT** Local Law Introductory Number 10-2011 amending the Code of the Town of Huntington Chapter 198 (Zoning), Article I (General Provisions) and Article XI (Conditional Uses; Supplementary Regulations) (Re: Wireless Telecommunications Facilities).	GJ	SB	4-AYES 1-NO (MC)
2011-268.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider adopting Local Law Introductory No. 14 – 2011 amending the Code of the Town of Huntington, Chapter 198, (Zoning), Article III (Residence Districts) §198-19 (R-5 Residence District) Article XI (Conditional Uses; Special Use Permits) §198-68 (19).	SB	FP	5
2011-269.	**REMOVED FROM AGENDA AT WORKSHOP.**			

AGENDA FOR TOWN BOARD
MEETING DATED: MAY 16, 2011

RESOLUTIONS:		OFF.	SEC.	VOTE
2011-270.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Burr Road, No Parking Restriction.	GJ	FP	5
2011-271.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Depot Road, No Stopping Restriction.	GJ	FP	5
2011-272.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider issuing a Certificate of Approval in an Historic District Re: 130 Old Country Road, Melville – Sweet Hollow Historic District. **(Applicant: Mario Diamandis) (SCTM# 0400-256.00-02.00-10.000)**	SB	MM	5
2011-273.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider issuing a Certificate of Approval for an Historic Building, Site or Landmark. Re: 195 Pidgeon Hill Road – Phillip Valentine House. **(Applicant: Andrew Oliveira) (SCTM# 0400-240.00-03.00-15.002)**	GJ	SB MM	5
2011-274.	**SCHEDULE A PUBLIC HEARING: June 6, 2011 at 7:00 PM** To consider issuing a Certificate of Approval in an Historic District Re: 498 Sweet Hollow Road, Melville – Sweet Hollow Historic District. **(Applicant: Roger and Eileen Erdvig) (SCTM# 0400-256.00-1.00-12.000)**	SB MM	FP GJ	5
2011-275.	**ENACTMENT: APPROVE** the increase and improvement of Facilities of the Huntington Sewer District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	FP	MM	RC MC-AYE SB-AYE GJ-AYE MM-AYE FP-AYE
2011-276.	**APPROPRIATE** $550,000 for the increase and improvement of facilities of the Huntington Sewer District, consisting of various improvements, and authorizing the issuance of $550,000 Serial Bonds of said town to finance said appropriation.	FP	MM	RC MC-AYE SB-AYE GJ-AYE MM-AYE FP-AYE

INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: MAY 16, 2011

COMMUNICATION	ACTION
1. Letters received Certified Mail – Applying for Liquor Licenses: NONE RECEIVED	
2. Letters received Certified Mail – Renewal for Liquor Licenses: From: Hsiu-Chu Hsich for Show Win Japanese Restaurant, Inc.; From: Maximino Fuentes for Migueleno Restaurant; From: Bryan Schwanke for Bertucci's Brick Oven Pizzeria; From: Harry Mountanos for Hillcrest Caterers Inc;	Supervisor Town Board Town Attorney Public Safety Fire Inspector Engineering Services Planning & Environment cc: Sewage Treatment Facility
3. Email received from James Oszlak requesting the Town Board support the revised Avalon Bay plan.	Supervisor Town Board Town Attorney Engineering Services cc: Planning & Environment
4. Letter received from Vincent Puleo, Town Clerk for Smithtown regarding an amendment that was adopted on April 28, 2011 by the Town Board that relates to Environmentally Sensitive Lands (Chapter 322 – Zoning Code).	Supervisor Town Board Town Attorney Engineering Services cc: Planning & Environment
5. Emails received from Thomas Bosch, Bruce Blower and Rosa & Fidel Miro requesting that the Town Board vote no on the Avalon Bay project.	Supervisor Town Board Town Attorney Engineering Services cc: Planning & Environment
6. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on May 26, 2011 at 7:00 PM at the Eugene Cannataro Senior Center, to amend Chapter 322 (Zoning Code) as it relates to Board of Zoning Appeals fees.	Supervisor Town Board Town Attorney Engineering Services cc: Planning & Environment
7. Letter received from Dr. Richard Koubek, President of the Huntington Housing Coalition urging the Town Board to support Avalon at Huntington Station.	Supervisor Town Board Town Attorney Engineering Services cc: Planning & Environment
8. Letter received regarding concerns involving property located at 114 Eaton's Neck Road. Included were pictures of this location.	Supervisor Town Board Town Attorney Public Safety Fire Inspector Engineering Services cc: Planning & Environment

9. Emails received from Marcia Specht, Tom D'Ambrosio, Mel Hitt, Abby Pariser, Nancy Berg and Michelle Santantonio, Executive Director of Long Island Housing Services, in support of the proposed Avalon Bay in Huntington Station.

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

10. Notification received from Lyn Pincomb, Village Administrator for Huntington Bay, regarding Zoning Board of Appeals hearings to be held on May 19, 2011 for the following: A- Property located at 90 Crescent Beach Drive – legalize the replacement of a cabana and detached two story two car garage, a concrete pad, open porch, there is an open permit for 110 feet of railroad also included 4 entry pillars, 2 entry walls, enlarged and reconfigured driveway, timber retaining wall, concrete wall and concrete pillar, concrete and rock retaining wall, steps and planters built without a permit. B – Property located at 317 Vineyard Road – to construct additions and alterations and to legalize patio and shed. C – Property located at 27 Terra Mar Drive - construct a second floor bathroom alteration and legalize a brick terrace, a walkway, railroad tie walls and flagstone patio.

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

11. Notice of a Public Hearing for the Zoning Board of Appeals of the Village of Northport to be held on May 25, 2011 at 7:00 PM at Village Hall for the following applications: 1) 123 Stanton Street – update non conforming carriage house with existing dwelling unit 2) 351 Fort Salonga Road – construction of an addition/ alteration to an attached garage 3) 15 Stanton Street – replace retaining wall and legalize work done without a permit 4) 24 Reservoir Avenue – build a garage 5) 81 C Fort Salonga Road – request to amend existing restrictive covenants.

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

12. Letter received from Anthony Guardino, Partner of Farrell Fritz, P.C., the firm representing AvalonBay in connection with their Zone Application #2011-ZM-386. Attached was a letter from Marcia Bystryn, President of New York League of Conservation Voters, in support of the proposed AvalonBay development.

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

13. Notice of a Special Election to be held on June 14, 2011, at the Dix Hills Fire Headquarters located at 115 East Deer Park Road, Dix Hills from 3:00 PM – 9:00 PM for the purpose of voting by paper ballot upon the adoption or rejection of the following Bond Resolution: A resolution authorizing the construction of new headquarters, maintenance and training buildings for Dix Hills Fire District in the Town of Huntington, Suffolk County, New York at a maximum estimated cost of $19,750,000, and authorizing the issuance of $19,750,000 serial bonds of said fire district to pay the cost thereof.

Supervisor
Town Board
Town Attorney
Comptroller
cc: Fire Prevention

14. Email received from Kristin Cosover-Kanzer, Producer of Sesame Workshop and an administrator of the "Parents of Huntington" Facebook page. She asked the Huntington School District, Board of Education candidates the following question, "We need to assume at this point that Avalon Bay will go through. It will need no zoning changes and we have a majority of our Town Board that supports it. This will be somebody's to deal with during a three year BOE term. How will we plan for 80 or so extra children? What if there are 120? 160? How do we cover more tax negative in our district?" Responses from Jim Cahill, Bill Dwyer, Jen Herbert, Adam Spector and Susan Tully were included.

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

2011-245

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A MUNICIPAL COMPLIANCE CERTIFICATION AND TO SUBMIT A STORMWATER MANAGEMENT PROGRAM 2010 – 2011 ANNUAL REPORT AND PUBLIC COMMENTS RELATED THERETO AND ALL NECESSARY DOCUMENTS TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PURSUANT TO STATE POLLUTION DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT NYR20A297 FOR DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN JACKSON

WHEREAS, the Town of Huntington, as an operator of regulated small Municipal Separate Storm Sewer Systems (MS4's) designated under 40 Code of Federal Regulation Part 122, must submit a Stormwater Management Program Annual Report and Municipal Compliance Certification pursuant to New York State Department of Environmental Conservation (NYS DEC) State Pollution Discharge Elimination System permit by June 1st of each year, and

WHEREAS, the Town of Huntington has completed a "2010 – 2011 Stormwater Management Program Annual Report" for the reporting period beginning March 10, 2010 ending March 9, 2011 and a "Municipal Compliance Certification" for submission in accordance with the requirements established in MS4 General Permit NYR20A297; and

WHEREAS, pursuant to MS4 General Permit NYR20A297 an annual public meeting will be on May 27, 2011, comments received regarding the project will be compiled and the Annual Report will be submitted to the NYS DEC; and

WHEREAS, submitting an application is a Type II action pursuant to 6 NYCRR § 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD authorizes the Supervisor of the Town of Huntington to execute a "Municipal Compliance Certification" and to submit the "2010 – 2011 Stormwater Management Program Annual Report" for the reporting period beginning March 10, 2010 ending March 9, 2011, and public comments received related to the project, and all necessary documents to the New York State Department of Environmental Conservation, Division of Water.

Date: 05/04/2011
Subject: Annual MS4 Report Signoff and Submittal
Department of Maritime Services
HVA/ag

2011- 245

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Date: 03/04/2011
Subject: Annual MS4 Report Sign-Off and Submittal
Department of Maritime Services
Wittig

2011-246

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT FOR THE DISPOSAL OF FILL MATERIALS FROM THE NORTHPORT VETERAN'S NATURE STUDY AREA

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILMAN CUTHBERTSON

and seconded by: COUNCILMAN MAYOKA

WHEREAS, the Veterans Nature Study Area (VNSA) site is an underdeveloped 3-acre parcel within the 34-acre parcel located in Northport, New York and was donated to the Town of Huntington by the Veteran's Administration (VA). The site is largely wooded, with several unpaved roads and a former solid waste disposal area; and

WHEREAS, the Town has entered into a State Assistance Contract for the sum of $1,550,649.00 with New York State Department of Environmental Conservation for the environmental restoration of the Veterans Nature Study Area in Northport; and

WHEREAS, this project is part of the New York State Department of Environmental Conservation (NYSDEC) Brownfield's Remediation Program and includes cleanup activities for fill and contaminated soils at the site. The NYSDEC approved remedial procedure for the VNSA site is excavation and disposal of fill and contaminated soils; and

WHEREAS, Town Board Resolution 2011-51 authorized a contract with D.F. Stone Contracting for the excavation of the fill materials according to the NYSDEC approved remedial procedure to an approved landfill; and

WHEREAS, the Town of Brookhaven possesses the required permits to accept and landfill such materials; and

WHEREAS, the Town of Brookhaven and the Town of Huntington have agreed to enter into an Intermunicipal agreement for the disposal of fill materials from the Northport Veteran's Nature Study Area and this cost is beneficial to both Towns; and

WHEREAS, pursuant to Town Board Resolution 2004-455, the Town of Huntington adopted a Negative Declaration for the remediation of the Veterans Nature Study Area; and

WHEREAS, the current planned remediation of the Veterans Nature Study Area by means of excavation and disposal of fill and contaminated soils was originally examined by the Town as an alternative for remediation and this more environmentally beneficial means of remediation has been the subject of a NYSDEC public hearing, has been

2011- 246

approved by the NYSDEC and NYS Department of Health and is the subject of an amended NYSDEC Record of Decision, and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into an Intermunicipal Agreement with the Town of Brookhaven for the disposal of fill materials from the Northport Veteran's Nature Study Area effective May 1, 2011 through March 10, 2012; and

HEREBY RESOLVES, that the disposal price per ton payable to the Town of Brookhaven shall be TWENTY FIVE DOLLARS ($25.00) for the term of the agreement to be charged to Capital Budget Item Nos. WM8792-2103-GT020 and WM8792-2103-RS807 upon 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 Suzan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-247

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE LAWN AND LANDSCAPE MAINTENANCE FOR THE HIGHWAY DEPARTMENT WITH LOOKS GREAT SERVICES, INC.

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN CUTHBERTSON

WHEREAS the Town of Huntington Highway Department is responsible for the lawn and landscape maintenance of various Town roads, right of ways, pedestrian walkways, medians, shoulders and recharge basins. This service includes mowing all grassed areas, trimming grass along fence lines, trees, shrubs, curb strips, base of buildings, light poles, stanchions and all fixed objects, in addition to sweeping of sidewalks and driveways after service and removal of all debris; and

WHEREAS, sealed bids were received on May 12, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Lawn and landscape maintenance for the Highway Department, Bid No. TOH 11-05R-041 and the same were opened publicly and read aloud; and

WHEREAS, Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743 is the low bidder; and

WHEREAS, the lawn and landscape maintenance for the Highway Department is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(20), 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 Looks Great Services, Inc. for the lawn and landscape maintenance for the Highway Department. The contract period shall be from the date of execution of the contract through December 31, 2011 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods at the same or reduced prices and under the same terms and conditions, to be charged Operating Budget Item No. DB-5140-4420, 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 Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

[illegible]
PURCHLF/
5/13/2011 10:26 AM

2011-248

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR DESIGNING, FURNISHING AND INSTALLING A SOLAR POWERED ELECTRIC CAR CHARGING STATION AT THE LONG ISLAND RAIL ROAD (LIRR) HUNTINGTON TRAIN STATION, HUNTINGTON, NEW YORK WITH EMPOWER CES, LLC.

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

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

WHEREAS, the New York State Energy Research Development Agency (NYSERDA) awarded the Town of Huntington two grants, a Renewable Energy Solar Electric grant and a Clean Solar Electric Fleet grant, in connection with the Town's proposal to upgrade the local clean energy infrastructure by constructing a solar-powered electric vehicle (EV) charging station at its major commuter transportation hub; and

WHEREAS, the two grants were made through funding available from American Recovery and Reinvestment Act (ARRA) and cover seventy-five (75%) of the total project, requiring a Town matching contribution of 25%; and

WHEREAS, the Town's contract with NYSERDA calls for the design and furnishing of a solar-electric charging-station capable of servicing five (5) vehicles at one time to be installed in the South Parking garage on Fairground Avenue at the LIRR terminal in Huntington, where it will enable resident commuters to travel to and from the LIRR terminal without consuming any petroleum or requiring any fossil fuels to generate electricity, resulting in a zero emission transportation alternative, the annual combined energy savings of which is projected at 375 million BTUs; and

WHEREAS, sealed proposals were received on April 22, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for designing, furnishing and installing a solar powered electric car charging station at the LIRR South Parking garage in Huntington, New York; RFP No. 2011-04-003 and the same were opened and read aloud; and

WHEREAS, Empower CES, LLC, 221 Long Beach Road, Island Park, New York 11558 is the successful proposer; 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, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(7 and 21) as it involves preliminary planning necessary to the formulation of a proposal for action and subsequent construction or expansion of a primary or accessory/appurtenant, non-residential facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls;

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Empower CES, LLC for the designing, furnishing and installing a solar powered electric car charging station at the Long Island Rail Road (LIRR) Huntington Train Station, Huntington, New York. The contract period shall be effective upon the execution of the contract with a projected completion date of August 1, 2011 for an amount not to exceed the sum of ONE HUNDRED SIXTY-EIGHT THOUSAND FIVE HUNDRED NINETY AND NO/100 ($168,590.00) DOLLARS, and authorizes the Director of Engineering to execute change orders up to 5% of the proposed amount, to be charged to Capital Budget Items funded by the NYSERDA grant TT1997-2102-GT027, TT5797-2102-GT025, and Capital Budget Items funded by the Town's contribution TT1997-2102-RS135, TT5797-2102-RS135 for a total of ONE HUNDRED THIRTY-EIGHT THOUSAND FIVE HUNDRED NINETY AND NO/100 ($138,590.00) DOLLARS with the balance of THIRTY-EIGHT THOUSAND FOUR HUNDRED THIRTY AND NO/100 ($38,430.00) DOLLARS to be funded from Capital Operating Budget Item TT1997-2102 and/or Capital Budget Item TT1997-2102, upon such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating and Capital Budget for the transfer of funds from the Green Buildings Fee Account as follows:

Increase the following revenue:

H972770	Unclassified Revenue	$38,430.00

Increase the following appropriation:

TT1997-2102	Energy Efficiency Building Improvements	$38,430.00

HEREBY AUTHORIZES the Comptroller to replenish the Green Buildings Fee Account (TA0085-K0023) from the Green Renewable Energy Improvement Fund by such amount that may be authorized by the Town Board based on the recommendation of the Town's EOSPA Committee.

2011-248

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berlind	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SOLARPOWERED CARPORT
PURCHASE
5/13/2011 10:18 AM

2011-249

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

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: SUPERVISOR PETRONE

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 April 21, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Detroit diesel parts and Allison transmission parts and service, Bid No. TOH 11-04R-027 and the same were opened publicly and read aloud; and

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

WHEREAS, the execution of this contract 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 AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for Allison transmission parts and service. The contract period shall be effective for a one (1) year period commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various department operating budgets under object code 4520, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

DetroitDiesel and Allison Trans parts and service
FLORCHAK
5/4/2011 2:33 PM

2011-250

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR LANDSCAPE MAINTENANCE FOR THE GENERAL SERVICES DEPARTMENT WITH LOOKS GREAT SERVICES, INC.

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Town of Huntington Department of General Services is responsible for the lawn and landscape maintenance of eleven (11) cemeteries throughout the Town of Huntington, in addition to residential clean ups and other landscape work that will be performed as required. This service includes mowing all grassed areas, trimming grass along fence lines, trees, shrubs, curb strips, at base of tomb stone and grave markers and all fixed objects including sweeping after service and removal of all debris; and

WHEREAS, sealed bids were received on May 12, 2011 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Landscape Maintenance for the General Services Department, Bid No. TOH 11-05R-043 and the same were opened publicly and read aloud; and

WHEREAS, Looks Great Services, Inc., 7 Lawrence Hill Road, Huntington, New York 11743 is the sole bidder; and

WHEREAS, the landscape maintenance for the General Services Department is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(20), 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 Looks Great Services, Inc. for landscape maintenance for the General Services Department. The contract period shall be effective upon the date of the execution until March 31, 2012 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods at the same or reduced prices and under the same terms and conditions, to be charged Operating Budget Item No. A1621.4420, 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 Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Landscape maintenance for general services
FORMAT
5/13/2011 10:26 AM

2011-251

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT TO FURNISH AND INSTALL OVERHEAD DOORS WITH HILO MAINTENANCE SYSTEMS, INC.

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILMAN MAYOKA

and seconded by: COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON

WHEREAS, due to the age and condition of the overhead garage doors at the HART Facility the doors need constant repairs and must be replaced; and

WHEREAS, the Town receives an annual allocation from the FTA Section 5307 which funds 80% of the cost of approved capital projects for the Town's mass transit system, the New York State Department of Transportation (NYSDOT) funds 10% and the Town funds the remaining 10% of the cost of such approved projects; and

WHEREAS, funding to furnish and install overhead garage doors at the HART facility was included in the program of projects of FTA Section 5307 Grant # NY-90-X581-00; and

WHEREAS, Town Board Resolution 2010-289 authorized the execution of a contract with Hilo Maintenance Systems, Inc to furnish and install overhead doors, Bid No. TOH 10-05R-045; and

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

WHEREAS, Hilo Maintenance Systems, Inc., 345 Oser Avenue, Hauppauge, New York 11788 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Hilo Maintenance Systems, Inc. to furnish and install overhead doors. The extension period shall be effective for one (1) year commencing on July 23, 2011 to be charged to Capital Budget Items TT5797-2102-GT006, TT5797-2102-FB901, TT5797-2102-01310, 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 Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-252

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE HUNTINGTON MANOR FIRE DEPARTMENT FOR THE USE OF PETER NELSON PARK FOR ITS ANNUAL FIREMAN'S FAIR AND FURTHER AUTHORIZING THE SUPERVISOR TO EXECUTE A NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATION

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone **COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Huntington Manor Fire Department will be hosting its annual Firemen's Fair from July 13, 2011 through July 17, 2011; and

WHEREAS, the Huntington Manor Fire Department has requested permission from the Town of Huntington to utilize the Town of Huntington Peter Nelson Park from 9:00 a.m. on Sunday, July 10, 2011 until 11:30 p.m. on Sunday, July 17, 2011, for said event; and

WHEREAS, such permission to utilize said property is contingent upon the execution of a license agreement, which includes provisions requiring the Huntington Manor Fire Department to hold harmless and indemnify the Town of Huntington; the issuance, by the Town Clerk, of a permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); the issuance, by the Department of Engineering Services, of a permit pursuant to Chapter 111 of the Huntington Town Code (Fire Prevention); the issuance of any and all requisite New York State Liquor Authority Permits; and the issuance of all required approvals and/or permits from any other agency having jurisdiction; and

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

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute a license agreement with the Huntington Manor Fire Department, 1650 New York Avenue, Huntington Station, New York 11746, to utilize Peter Nelson Park for its annual Firemen's Fair from 9:00 a.m. on

Sunday, July 10, 2011 until 11:30 p.m. on Sunday, July 17, 2011. Such authorization is subject to: 1) the execution of a license agreement which includes provisions requiring the Huntington Manor Fire Department to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of the Huntington Manor Fire Department; 2) appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance, by the Huntington Town Clerk, of a permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); 4) the issuance, by the Department of Engineering Services, of a permit pursuant to Chapter 111 of the Huntington Town Code (Fire Prevention); 5) the issuance of any and all requisite New York State Liquor Authority Permits; 6) the issuance of all required approvals and/or permits from any other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney; and

FURTHER AUTHORIZES the Supervisor to execute a New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant, Huntington Manor Fire Department.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-253

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: May 16, 2011

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

And seconded by: **COUNCILMAN MAYOKA**

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 Mark A. Cuthbertson	**AYE**
Councilwoman Glenda A. Jackson	**AYE**
Councilman Mark Mayoka	**AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-

Schedule A

Chapter 191, Section 4K of the Code of the Town of Huntington
Authorizing the Securing of a Structure

PROPERTY ADDRESS	SCTM#	OWNER	NOV	MAILING ADDRESS
114 Columbia St. Huntington Sta., NY 11746	0400-141.00-01.00-027.000	Delvis Arevalo Elsa Bardales Banegas	05/06/2011	N/A

2011-252

2011-254

RESOLUTION ACCEPTING THE DEDICATION OF A .36-ACRE PARCEL OF PARKLAND, CRABAPPLE COURT AND THREE DRAINAGE EASEMENTS FOR THE SUBDIVISION KNOWN AS LENOX ESTATES.

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by COUNCILWOMAN BERLAND

and seconded by COUNCILWOMAN JACKSON

WHEREAS, the application for the development of the subdivision map known as LENOX ESTATES was granted Conditional Final Approval by the Huntington Planning Board on December 10, 2003; and

WHEREAS, conditions of the Planning Board approval included the dedication of a parcel of land for parkland purposes, Crabapple Court and three drainage easements; and

WHEREAS, the Office of the Town Attorney is in possession of all necessary documentation and filing fees; and

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

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ACCEPTS the dedication of a .36-acre parcel of parkland (p/o SCTM #0400-150-04-57.00), Crabapple Court and three drainage easements for the subdivision known as LENOX ESTATES.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-255

RESOLUTION GRANTING PERMISSION TO THE COLD SPRING HARBOR MAIN STREET ASSOCIATION TO SPONSOR 2011 SIDEWALK SALE EVENTS

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone, COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Cold Spring Harbor Main Street Association is organizing its 2011 Sidewalk Sale events in downtown Cold Spring Harbor to help generate needed sales activity in a challenging economic climate as well as to promote enjoyment of the historic shopping and tourism district, and

WHEREAS, the dates of the Sidewalk Sale events are Saturday, May 28, Sunday, May 29 & Monday, May 30 (Memorial Day Weekend); Sunday, June 19 (Father's Day Sidewalk Sale & Vintage Car Show); Saturday, September 3, Sunday, September 4 and Monday, September 5 (Labor Day Weekend); Friday, September 16, Saturday, September 17 and Sunday, September 18 (Art & Jazz Weekend- Raindate Sunday October 1); Saturday, October 15 and Sunday, October 16 (The Arts of Cold Spring Harbor event), each from noon until 5:00 p.m; and,

WHEREAS, for its Father's Day Sidewalk Sale, the Cold Spring Harbor Main Street Association is planning a Vintage Car Show for which it requests use of Municipal Parking Lot # 11 on Main Street in Cold Spring Harbor; and

WHEREAS, for the September Art & Jazz Weekend event the Cold Spring Harbor Main Street Association requests permission to use amplified music; and

WHEREAS, the sidewalk sale events are exclusive to Cold Spring Harbor merchants for the purpose of encouraging patronage of its Main Street retail and restaurant establishments, and there will be no road closures involved; and

WHEREAS, granting permission for a sidewalk sale event 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 GRANTS permission to the Cold Spring Harbor Main Street Association to hold its 2011 Sidewalk Sale events on Saturday, May 28, Sunday, May 29 & Monday, May 30 (Memorial Day Weekend); Sunday, June 19 (Father's Day Sidewalk Sale & Vintage Car Show); Saturday, September 3, Sunday, September 4 and Monday, September 5 (Labor Day Weekend); Friday, September 16, Saturday, September 17 and Sunday, September 18 (Art &

2011-255

Jazz Weekend- Raindate Sunday October 1); Saturday, October 15 and Sunday, October 16 (The Arts of Cold Spring Harbor event), each from noon until 5:00 p.m.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

CSHSidewalkSale2011.doc
Supervisor's Office/joan cergol
May 5, 2011

2011-256

RESOLUTION GRANTING A PERMIT FOR AN AQUATIC EVENT FOR THE 8TH ANNUAL DISTANT MEMORIES SWIM FOR ALZHEIMER'S EVENT TO RAISE FUNDS TO BENEFIT THE ALZHEIMER'S ASSOCIATION ON THURSDAY, JULY 28, 2011

Resolution for Town Board Meeting Dated:

The following resolution was offered by: Councilman Cuthbertson

and seconded by: SUPERVISOR PETRONE, COUNCILMAN MAYOKA, COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON

WHEREAS, Bryan Proctor, a SUNY Cortland PE Graduate and certified lifeguard, with his Distant Memory Swim Team, has requested a permit for an aquatic event for the 8th Annual Distant Memories Swim for Alzheimer's event to raise funds to benefit the Alzheimer's Association of Long Island, 3281 Veterans Memorial Highway, Suite E13, Ronkonkoma, New York 11779, on Thursday, July 28, 2011; and

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS a permit for an aquatic event to Bryan Proctor, 5 Pine Place, Greenlawn, New York, 11740, and his Distant Memory Swim Team for the Distant Memories Swim for Alzheimer's event on Thursday, July 28, 2011 commencing at approximately 11:35 a.m., pursuant to Huntington Town Code § 120-15 subject to: 1) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 2) the presence of a certified lifeguard and boat to accompany Mr. Proctor, and his swim team for the duration of the swim event; 3) U.S. Coast Guard approval of the event; and upon such other terms and conditions as may be acceptable to the Town Attorney; and

2011-256

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-257

RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO THE TOWN OF HUNTINGTON, PLANNING BOARD AND ZONING BOARD OF APPEALS, HUNTINGTON HOUSING AUTHORITY

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: Councilman Cuthbertson, Councilwoman Berland

WHEREAS, the appointment or reappointment of individuals to Town of Huntington boards is not an action as defined by NYCRR §617.2(b) and therefore no further SEQRA review is required.

WHEREAS, pursuant to the New York State Public Housing Law the Town Board is the appointing authority for the Board of Commissioners of the Huntington Housing Authority; and

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS/REAPPOINTS the following individuals to the Town of Huntington Planning Board for a term to expire as indicated:

Paul Mandelik 35 Gull Hill Drive Northport, NY 11768	12/31/16
Dave Pennetta Oxford & Simpson Realty, Inc. Two Jericho Plaza, Suite 301 Jericho, NY 11753	12/31/13
David Walsdorf 2 Laurel Court Huntington, NY 11743	12/31/14
Kathleen A. Casey 76 Bayview Drive Huntington, NY 11743	12/31/12
Marilyn G. Healy 7 Polly Drive Huntington, NY 11743	12/31/17
Leslie Cernava 11 Bolan Drive Huntington Station, NY 11746	12/31/15

2011-257

HEREBY APPOINTS/REAPPOINTS the following individual to the Town of Huntington Zoning Board of Appeals for a term to expire as indicated:

Christopher Modelewski 18 Markan Drive Northport, NY 11768	12/31/13
Robert Slingo 12 Graystone Drive East Northport, NY 11743	12/31/16
Carol Gaughran 113 Eatons Neck Road Northport, NY 11768	12/31/15
Jeffrey Naness 42 Cedar Ridge Lane Dix Hills, NY 11746	12/31/17
Ed Perez 40 North Lane Huntington, NY 11743	12/31/14

HEREBY APPOINTS the following individuals to the Huntington Housing Authority Board of Commissioners for a 5 year term to expire as indicated:

Robert Forti 40 Spring Hill Road Cold Spring Harbor, NY 11724	6/22/16
John Perri 240 Norwood Avenue Northport, NY 11768	6/22/12
Barry Lites 233 Southdown Road Huntington, NY 11743	6/22/13
Barry Turk 20 Sherwood Drive Huntington, NY 11743	6/22/15

2011-257

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-258

RESOLUTION SUPPORTING ROUND 10 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT APPLICATIONS AND AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE GRANT FUNDING FROM THE COUNTY OF SUFFOLK

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: Supervisor Petrone

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

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

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

WHEREAS, the Cold Spring Harbor Main Street Association, East Northport Chamber of Commerce, Greenlawn Civic Association and Town of Huntington Economic Development Corporation intend to apply for grant funding under Round 10 to continue their work in renovating downtown streetscapes with new sidewalks, decorative streetlighting and other streetscape embellishments; and

WHEREAS, as part of the application process in conformity with Suffolk County Resolution 808-1998, the County of Suffolk requires a resolution of the Town Board showing local support for any proposed projects; and

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

WHEREAS, in order to access County financing for all or part of funded projects on Town property, the County of Suffolk must obtain from the Town a leasehold, easement or other real property interest in the site of funded improvements; and

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

WHEREAS, the Town Board's support of Suffolk County Downtown Revitalization Grant Applications; execution of required grant documents and acceptance of grant funds

in connection therewith is not an action as defined by 6 NYCRR §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY SUPPORTS the following organizations whose projects will be presented for funding under Round 10 of the Suffolk County Downtown Revitalization Program: Cold Spring Harbor Main Street Association, East Northport Chamber of Commerce, Greenlawn Civic Association and the Town of Huntington Economic Development Corporation; and

HEREBY AUTHORIZES the Supervisor to execute any documents and accept grant funds in connection and related therewith for any approved projects funded under the Suffolk County Round 10 Grant, including but not limited to the required lease easement/lease documents and an intermunicipal agreement, as well as any documents in connection and related therewith to grants provided under Suffolk County Grant Rounds 6, 7, 8 and 9, upon such terms and conditions as may be acceptable to the Town Attorney; and, if a funded project is on state property, the Town shall obtain a permit to improve or occupy the site, as well as take all necessary action to obtain the required easement, lease, permit or other real property interest in the site of the project from the State of New York; and

HEREBY AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets for Suffolk County Round 6,7,8 9 and 10, as necessary, upon execution of all required documentation, not to exceed the amount awarded and the Town's share of funding required.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-259

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.
RE: HUNTINGTON SCHOOL DISTRICT, SCHOOL SPEED LIMITS

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: COUNCILWOMAN BERLAND

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article V, Speed Restrictions; §2-10, School Speed Limits; Schedule I.

	NAME OF STREET	SPEED LIMIT (miles per hour)	LOCATION
ADD:	McKay Road (HUN)	20	From 155 feet east of Oakwood Road to 175 feet west of Horizon Drive
ADD:	Holdsworth Drive (HUN)	20	From 575 feet west of Horizon Drive to 150 feet east of Oakwood Road
ADD:	Greenlawn Road (HUN)	20	From 60 feet west of Loma Place to 390 feet west of Polly Drive
ADD:	Lowndes Avenue (HUS)	20	From 70 feet north of Tower Street to 220 feet north of Columbia Street
ADD:	Flower Hill Road (HUN)	15	From 500 feet north of Flower Hill Court to Atlanta Drive

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ADD:	Oakwood Road (HUN)	15	From 10 feet south of Edcris Lane to 150 feet south of North Street
ADD:	Browns Road (HUN)	15	From 85 feet north of Drohan Street to 295 feet north of Southdown Road
ADD:	Southdown Road (HUN)	15	From 155 feet north of John Dave's Lane to 220 feet north of Browns Road
ADD:	Whitson Road (HUS)	15	From 300 feet east of Ellen Place to 60 feet east of Kivy Street East
ADD:	Woodbury Road (HUN)	20	From 25 feet north of West Carver Street to Route 25A

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-760

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.
RE: NORTHPORT EAST NORTHPORT SCHOOL DISTRICT, SCHOOL SPEED LIMITS

Resolution for Town Board Meeting Dated: May 16, 2011

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

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article V, Speed Restrictions; §2-10, School Speed Limits; Schedule I.

	NAME OF STREET	SPEED LIMIT (miles per hour)	LOCATION
ADD:	Bellerose Avenue (NPT)	20	From 180 feet west of Gilder Court to 1270 feet west of Gilder Court
ADD:	Dickinson Avenue (ENP)	15	From 180 feet east of Dawn Drive to 70 feet east of Imperial Court
ADD:	Fifth Avenue (ENP)	20	From 130 feet west of Gildare Drive to 90 feet east of Autumn Drive
ADD:	Norwood Road (NPT)	20	From 790 feet west of Starlit Drive to 140 feet east of Starlit Drive
ADD:	Pulaski Road (ENP)	15	From 370 feet east of Elwood Road to 840 feet east of Elwood Road

2011-260

ADD:	Fifth Avenue (ENP)	20	From 240 feet west of Howard Court to Atlantic Street
ADD:	Fifth Avenue (ENP)	20	From 70 feet west of Cheshire Place to 175 feet west of Atlantic Street
ADD:	Cheshire Place (ENP)	20	From 245 feet south of Webster Place to Fifth Avenue
ADD:	Middleville Road (NPT)	20	From 45 feet west of Rowley Drive to 1070 feet west of Rinaldo Road
ADD:	Laurel Hill Road (NPT)	20	From Elwood Road to Pine Hill Court
ADD:	Vernon Valley Road (ENP)	20	From 310 feet north of Bellerose Avenue to 60 feet north of Crest Drive

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 261

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.
RE: HARBORFIELDS SCHOOL DISTRICT, SCHOOL SPEED LIMITS

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: COUNCILWOMAN BERLAND

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article V, Speed Restrictions; §2-10, School Speed Limits; Schedule I.

	NAME OF STREET	SPEED LIMIT (miles per hour)	LOCATION
ADD:	Taylor Ave (GLN)	20	From 125 feet north of Pulaski Road to 235 feet south of Boulevard Avenue
ADD:	Oldfield Road (HUN)	15	From 530 feet west of Tilden Lane to 580 feet east of Greenlawn Road
ADD:	Greenlawn Road (HUN)	20	From 455 feet north of Dunlop Road to 170 feet south of Old Field Road
ADD:	Pulaski Road (GLN)	15	From 40 feet west of Naples Lane to 800 feet west of Greenbrush Court
ADD:	Washington Drive (CPT)	20	From Crooked Cottage Court to 825 feet west of Pueblo Avenue

2011- 261

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-262

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.
RE: HALF HOLLOW HILLS SCHOOL DISTRICT, SCHOOL SPEED LIMITS

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN MAYOKA, COUNCILWOMAN JACKSON

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article V, Speed Restrictions; §2-10, School Speed Limits; Schedule I.

	NAME OF STREET	SPEED LIMIT (miles per hour)	LOCATION
ADD:	Burns Lane (DXL)	20	From 100 feet south of South Service Road to 325 feet north of Lansdowne Lane
ADD:	DeForest Road (DXL)	15	From 250 feet north of Buttonwood Drive to 100 feet south of Parkwood Lane
ADD:	Otsego Avenue (DXL)	20	From 135 feet west of Old Brook Road to terminus
ADD:	Seaman Neck Road (DXL)	20	From Scott Street to Nantucket Lane
ADD:	Caledonia Road (DXL)	20	From 110 feet north of Wolf Hill Road to 310 feet south of Arbor Lane

2011- 262

ADD:	Sweet Hollow Road (MVL)	20	From 480 feet west of Walt Whitman Road to 230 feet south of Old Country Road
ADD:	Cutils Straight Path (DXL)	20	From 730 feet south of Candlewood Path to 280 feet north of Candlewood Path
ADD:	Old East Neck Road (MVL)	20	From 930 feet south of Legends Circle to 1910 feet south of Legends Circle
ADD:	Wolf Hill Road (DXL)	20	From 350 feet east of Ona Avenue to 130 feet west of Melrose Road
ADD:	Carman Road (DXL)	20	From 285 feet north of Langhans Court to 525 feet south of Langhans Court

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Establish Half Hollow Hills School Speed Limit
Transportation & Traffic Safety.wpd
5/4/2011 11:34 AM

2011-263

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: BOULEVARD AVENUE, PARKING RESTRICTIONS

Resolution for Town Board Meeting Dated: May 16, 2011

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 3, Parking Regulations; Article II, Parking, Standing, and Stopping Restrictions; §3-3, Designation of Areas and Restrictions; Schedule J.

	NAME OF STREET/SIDE LOCATION	REGULATION	HOURS/DAYS
DELETE:	Boulevard Avenue/North From 930 ft. east of Broadway-Greenlawn Rd. to 515 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited parking 1 hour	8:00 a.m. to 6:00 p.m., except Sun. and holidays
	Boulevard Avenue/North From 290 ft. east of Broadway-Greenlawn Rd. to 50 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited parking 1 hour	8:00 a.m. to 6:00 p.m., except Sun. and holidays
	Boulevard Avenue/South From 515 ft. east of Broadway-Greenlawn Rd. to 760 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited parking 1 hour	8:00 a.m. to 6:00 p.m., except Sun. and holidays
ADD:	Boulevard Avenue/North From 930 ft. east of Broadway-Greenlawn Rd. to 515 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited Parking 2 hours	8:00 a.m. to 6:00 p.m., except Sun. and holidays
	Boulevard Avenue/North From 290 ft. east of Broadway-Greenlawn Rd. to 50 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited parking 2 hours	8:00 a.m. to 6:00 p.m., except Sun. and holidays

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Boulevard Avenue/South From 515 ft. east of Broadway-Greenlawn Rd. to 760 ft. east of Broadway-Greenlawn Rd. (GLN)	Limited parking 2 hours	8:00 a.m. to 6:00 p.m., except Sun. and holidays

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-264

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV; §2-7, SCHEDULE G.
RE: WOODLEE ROAD – STOP SIGNS

Resolution for Town Board Meeting Dated: May 16, 2011

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections; §2-7, Stop and Yield Intersections Designated; Schedule G, as follows:

	SIGN ON	SIGN	DIRECTION OF TRAVEL	AT INTERSECTION OF:
ADD:	Woodlee Road (CSH)	STOP	EAST	Woodbury Road

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Enactment Woodlee Road Stop Signs
Transportation & Traffic Safety.doc
5/4/2011 11:38 AM

2011-265

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 16th day of May, 2011.

PRESENT:

Hon. Frank P. Petrone, Supervisor
Susan A. Berland, Councilwoman
Mark A. Cuthbertson, Councilman
Glenda A. Jackson, Councilwoman
Mark Mayoka, Councilman

In the Matter

of the

Increase and Improvement of Facilities of the Consolidated Refuse District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law

---

Offered by: COUNCILMAN MAYOKA

Seconded by: COUNCILMAN CUTHBERTSON

RESOLUTION AND
ORDER AFTER PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Consolidated Refuse District (herein called the "District"), in the Town, has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and improvement of facilities to consist of the acquisition of vehicles, at the estimated maximum cost of $400,000; and

WHEREAS, the Town Board adopted an Order describing such proposed increase and improvement of facilities of the District, specifying the estimated maximum cost thereof, and stating that the Town Board would hold a public hearing to hear all persons interested in said increase and improvement of facilities on May 3, 2011 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of May, 2011 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(25), and no further environmental review is required;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of $400,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved by the acquisition of vehicles, at the aggregate estimated maximum cost of $400,000; and it is hereby

2011-265

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of $400,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 16, 2011

TOWN BOARD OF THE TOWN OF HUNTINGTON

2011-265

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting AYE
Councilwoman Susan A. Berland	voting AYE
Councilman Mark A. Cuthbertson	voting AYE
Councilwoman Glenda A. Jackson	voting AYE
Councilman Mark Mayoka	voting AYE

The Resolution and Order were declared adopted.

2011-266

BOND RESOLUTION OF THE TOWN OF HUNTINGTON, NEW YORK, ADOPTED MAY 16, 2011, APPROPRIATING $400,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE CONSOLIDATED REFUSE DISTRICT, AND AUTHORIZING THE ISSUANCE OF $400,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Offered by: COUNCILMAN CUTHBERTSON

Seconded By: COUNCILMAN MAYOKA

Recital

WHEREAS, after a public hearing duly called and held, for the increase and improvement of facilities of the Consolidated Refuse District (herein called the "District"), in the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of $400,000 for the increase and improvement of facilities of the District, such increase and improvement of facilities to consist of the acquisition of vehicles. The estimated maximum cost thereof, including

preliminary costs and costs incidental thereto and the financing thereof, is $400,000. The plan of financing includes the issuance of $400,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of $400,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA).

constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R. Regulations Part 617.5(c)(25), and no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish this bond resolution, in summary, in "THE OBSERVER," and "THE LONG ISLANDER," two newspapers each having a general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

2011-266

The adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting AYE
Councilwoman Susan A. Berland	voting AYE
Councilman Mark A. Cuthbertson	voting AYE
Councilwoman Glenda A. Jackson	voting AYE
Councilman Mark Mayoka	voting AYE

The Resolution was declared adopted.

2011- 267

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 10-2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS) (RE: WIRELESS TELECOMMUNICATIONS FACILITIES)

Resolution for Town Board Meeting dated: May 16, 2011

The following resolution was offered by: Councilwoman Jackson

and seconded by: Councilwoman Berland

WHEREAS, this legislation to revise the review process and application submittal requirements for wireless telecommunications facilities is a Type II action in accordance with SEQRA, §617.5(c)(20 & 27), requiring no further review; and

THE TOWN BOARD having held a public hearing on the 3rd day of May, 2011 at 2:00 p.m. to consider adopting Local Law Introductory No. 10-2011 to consider amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XI (Conditional Uses; Supplementary Regulations) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 10-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XI (Conditional Uses; Supplementary Regulations); as follows:

LOCAL LAW NO. 19 - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

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

Section 1. Amendment to the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article XI (Conditional Uses; Supplementary Regulations), as follows:

CHAPTER 198
ZONING

ARTICLE I
(GENERAL PROVISIONS)

* * *

§198-2 Definitions and word usage.

* * *

SELF-SERVICE STORAGE FACILITY (or MINI STORAGE) -- A structure containing separate storage spaces of varying sizes leased or rented as individual units, limited to dead storage, except that one (1) apartment, for use as manager's quarters and leasing office, shall be permitted as a customary accessory use. The storage of radioactive materials, explosives or other flammable or hazardous materials is prohibited. All other business activity, other than the rental of storage units, is prohibited, as is the servicing or repair of vehicles, boats, trailers, lawnmowers or any similar equipment. All such facilities shall have rental contracts including clauses prohibiting such activities. Such facilities may only be allowed as a conditionally permitted use and only in the I-3, I-4, I-5, and C-6 zoning districts pursuant to §§ 198-66 and 198-68(A) [(27)].

* * *

ARTICLE XI
(CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

§ 198-66. Conditional uses; special use permits.

* * *

E. [Violation(s) of any of the conditions listed in this section, in § 198-68] Any violation of the conditions established in this chapter for the issuance of a special use permit and/or imposed by the Zoning Board of Appeals [in connection with a grant] shall, after thirty (30) days' notice by said Board or [an] a town enforcement officer [from the Town] to correct such violation, result in revocation of both the Zoning Board of Appeals grant and the certificate of occupancy and/or [for the specific use] certificate of permitted use, and any associated accessory uses, upon notice and after a public hearing before the Zoning Board of Appeals, if there has been a failure or neglect to bring the property into compliance to the satisfaction of the town. The use and its accessory uses shall not be reestablished until all violation(s) are corrected to the satisfaction of the town. Reestablishment of a grant will require an application to the Zoning Board of Appeals and, at the discretion of [said] the Board, a public hearing.

* * *

§198-68. Uses Permitted by the Board of Appeals.

A. The Zoning Board of Appeals may authorize the following uses after making all of the required findings and after public hearing as provided in Article XVI. Plans for parking and loading facilities for proposed uses shall be referred to the Planning Department for technical evaluation and advisory report, and no decision shall be made until the report has been received or thirty (30) days has elapsed. Landscaping and

fencing and, screening may be required in connection with any use permitted under this section.

* * *

Existing subsection (6) repealed in its entirety and replaced with new subsection (6).

(6) [(7)] * * *

(7) [(8)] * * *

(8) [(9)] * * *

[(10)] [(Reserved.)]

(9) [(11)] * * *

(10) [(12)] * * *

(11) [(13)] * * *

(12) [(14)] * * *

(13) [(15)] * * *

(14) [(16)] * * *

(15) [(17)] * * *

(16) [(18)] * * *

(17) [(19)] * * *

(18) [(20)] * * *

(19) [(21)] * * *

(20) [(22)] * * *

(21) [(23)] * * *

(22) [(24)] * * *

(23) [(25)] * * *

(24) [(26)] * * *

(25) [(27)] * * *

(26) [(28)] * * *

§198-68.1. Wireless Telecommunications Facilities. The Zoning Board of Appeals may authorize the following use, after making the required findings and holding a public hearing.

(A) **Legislative intent.** These regulations are not intended to prohibit or have the effect of prohibiting the provision of adequate communications systems. The Huntington Town Board has determined that it is in the best interests of town residents to establish standards for the location of telecommunication facilities and the provision of communication services consistent with applicable federal and state laws, statutes, rules and regulations in order to:

(1) Protect the health, safety and welfare of the residents of the Town.

(2) Protect natural features, aesthetics and the residential character of neighborhoods and areas surrounding school facilities within the Town, and protect the efficient and orderly development of land uses from potential adverse impacts.

(3) Promote and encourage the location of these devices in nonresidential areas of the Town.

(4) Minimize the total number of such devices constructed throughout the Town within functional limits.

(5) Promote and encourage joint use of such new and existing structures and discourage the erection of such structures for single users.

(6) Promote and encourage the location of such devices, to the extent possible, in areas where adverse impacts on the surrounding neighborhoods are minimized.

(7) Promote and encourage the configuration of such devices in a manner that minimizes adverse visual and aesthetic impacts through careful design, siting, landscape screening, and innovative camouflaging techniques.

(8) Promote the ability of service providers to supply such services as effectively and efficiently as possible.

(9) Prohibit potential damage to adjacent and/or nearby properties from collapse or failure of such devices through adequate engineering and siting requirements.

(10) Verify that proposed wireless telecommunication facilities and other facilities subject to this legislation comply with federally established limits for RF emissions and that the proposed facility is truly necessary to remedy a significant gap in service at a specified location.

(11) Require applicants to conduct field studies and produce such other proof as is reasonably necessary to establish the need for the proposed facility at the specified location.

(B) **Definitions and word usage.** The following terms shall have the meanings indicated herein. Terms which are not defined or found to be ambiguous shall be defined as provided in the Telecommunications Act of 1996, and any successor law, together with the rulings and regulations pursuant thereto.

ACCESSORY FACILITY -Includes any building or other structure which is accessory to the principal use, being subordinate in size, area, extent and purpose to the principal use, and located on the same lot as the principal use.

ANTENNA and/or BEACON - Includes any device that incorporates a system of electrical conductors involved in transmitting or receiving radio frequency waves, including radio navigation, radio and television frequencies (excluding radar), wireless and microwave communications, generally ranging from ten (10) hertz to three hundred thousand (300,000) megahertz, and/or used in communications that radiate or capture electromagnetic waves, digital or analog signals, or other communications signals.

COLLOCATION – The placement of two or more antennas in the same or proximate location or on the same support structure by two (2) or more service providers.

FAA - The Federal Aviation Administration of the United States.

FCC - The Federal Communications Commission of the United States.

HEIGHT - The distance measured from the finished mean grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

PREEXISTING TOWERS AND ANTENNAE - Includes any and all towers or antennae possessing a valid, current and proper building permit and/or special use permit issued prior to June 1, 2011.

TOWER - Includes any structure which is designed, constructed or installed primarily for the purpose of supporting one or more antennae for telephone, television, radio and other communication purposes, including self-supporting lattice towers, guyed towers or monopole towers, radio and television

transmission and reception towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and similar structures. A Tower hall include the structure and any support systems appurtenant thereto.

TOWN OF HUNTINGTON OR TOWN – Town of Huntington, Huntington Board of Trustees, and any subdivision thereof including special improvement districts and agencies, and including the Dix Hills Water District.

WIRELESS TELECOMMUNICATIONS FACILITIES OR TELECOMMUNICATIONS FACILITY includes ANTENNA, BEACONS, TOWERS and any structure, equipment, installation, facility or appurtenance designed, installed or intended to be used to support antennas or other transmitting or receiving device for cellular, radio, television, SMR, paging, 911, Personal Communication Services (PCS), commercial satellite services, microwave and any commercial wireless telecommunication service not licensed by the FCC, including without limit towers of all types, structures, buildings, church steeples, or anything that is used to support antennas or its functional equivalent; including all accessory facilities, installations and equipment such as cabling, equipment shelters and other appurtenances.

(C) Applicability. Unless otherwise provided, this legislation shall not apply to the following:

(1) Applications for Wireless Telecommunications Facilities located or to be located on property owned, leased, used or otherwise controlled by the Town of Huntington or the Huntington Board of Trustees shall be determined by the Town Board, who shall exercise the same authority as the Zoning Board of Appeals in all respects and shall determine whether or not the applicant meets the requirements of this chapter after holding a public hearing. An original and six copies of the application to the Town Board shall be filed in the Office of the Huntington Town Clerk and shall consist of all documents, information, proof and plans required for applications before the Zoning Board, together with a non-refundable application fee of $2,500.00. The applicant shall mail notices of the public hearing, postmarked no less than thirty (30) days before the hearing, to the owners as well as the occupants of all adjoining properties within five hundred (500) feet of the nearest boundary line of the property which is the subject of the application, as shown on the current tax roll, with the exception of applications for placement in the R-15, R-10, R-7 and R-5 Zoning Districts, where notification to adjoining property owners and occupants shall be to those within two hundred (200) feet of the nearest boundary line of the subject parcel, as shown on the current tax roll. In addition, the applicant shall provide a certificate of mailing for each recipient, which legibly indicates the name and address of the person, including the occupant, to which the notice was mailed, and is duly certified by the post office. An affidavit of mailing together with the duly certified certificates of mailing, shall be filed by the applicant in the Office of the Town Clerk no less than five (5) business days before the hearing. Said affidavit shall include the

name of the person that actually mailed the notices and the names and addresses of the property owners and of the occupants that were notified. Failure to mail the notices and/or provide the affidavit and/or the certificates of mailing to the Town Clerk shall result in postponement of the public hearing. If the application is granted, a lease or license for the use of the land shall be executed on such terms and conditions as deemed advisable to the Town Board or Board of Trustees, as the case may be, after a public hearing. The public hearing for the lease or license of the property and for the issuance of a special use permit shall occur concurrently.

(2) All antennas which are accessory to permitted residential uses and are mounted on the residential dwelling without a tower.

(3) Such uses that are licensed to operate by the Federal Communications Commission, pursuant to 47 CFR 97, or successor law, such as amateur radio operations, subject to the provisions of Article IX of this chapter.

(4) Uses which are pre-empted or exempt from local regulation by federal or state law.

(5) Any routine maintenance and repair in like form and height of lawfully existing Wireless Telecommunications Facilities which does not substantially change, extend, or expand the facilities. Applicants requesting an exemption on this basis shall conform to the requirements of section (O) herein.

(D) Pre-Application Conference: All applicants are required to attend a pre-application conference to be scheduled by the Director of Planning and Environment, to review the proposal and receive comments from the applicable town departments prior to filing an application for a special use permit before the Town Board or Zoning Board of Appeals, as the case may be, or filing an application for a building permit for those applications that do not require a special use permit. Applicants shall provide such documents and plans as the Directors may reasonably require in advance of the conference for the purpose of providing comments and recommendations. The pre-application conference shall be held within ten (10) business days of the Town's receipt of a written request for such conference from the applicant and all documents and plans requested by the Director in preparation thereto.

(E) Application Requirements. Applications for special use permits shall include the following:

(1) Inventory. An inventory of all existing like uses, or sites approved for like uses, that are either within the jurisdiction of the Town or within one (1) mile of all borders thereof, including specific information about the location, height and design of each tower, compiled from public records by the best efforts of the applicant; the distance from the proposed new use as shown on the map or plan submitted with the application; and the name of the owner/operator of each such

use, as best as same can be ascertained. The applicant must demonstrate why an existing Wireless Telecommunication Facility in such inventory is not suitable or available to satisfy the stated need.

(2) A certification by a qualified professional establishing that the use meets or exceed the standards and regulations of the FAA and/or FCC, and of any other state or federal agency having jurisdiction.

(3) A site plan drawn to scale meeting all the requirements contained in the Town Code and the Town Subdivision and Site Improvement Regulations.

(4) Delineation of all distances between the proposed use and all adjoining residentially-zoned or residentially-utilized properties, and the distance between the nearest boundary line of any private or public school property and the boundary line of the property on which the proposed use is to be located, if the distance is 500 feet or less.

(5) A notarized statement of the applicant's compliance with all applicable federal, state, and local laws.

(6) A notarized statement by the applicant as to whether the construction or placement of a new tower or other structure to locate antennas thereon will accommodate collocation of additional antennae for future users.

(7) A notarized statement of the suitability or unsuitability of existing towers or other structures that are available in place of the proposed structure, and the uses contemplated for the proposed structure or antenna.

(8) A notarized statement describing the efforts made to collocate on an existing Wireless Telecommunications Facility or to locate on, upon or within an existing structure.

(9) A notarized statement containing the following information: (a) frequency, modulation and class of service of radio or other transmitting equipment; (b) actual intended transmission power stated as the maximum effective radiated power (ERP) in watts; (c) certification that an attached copy of the FCC license for the intended use of the Wireless Telecommunication Facilities is a true and complete copy; and (d) the number, type and model of the proposed antenna(s) with a copy of the specification sheet.

(10) A notarized statement that the proposed Wireless Telecommunication Facility will be in full compliance with the current FCC RF Emissions guidelines, together with a complete study as verification of such compliance.

(11) A notarized statement that the proposed tower or other structure that will support the proposed antenna or beacon is in compliance with FAA Regulation

Part 77 and whether it requires lighting. If a FAA determination is required then all documentation filed in connection with the application must be provided.

(12) A photograph simulation to demonstrate the appearance of the proposed facility from multiple angles and heights.

(13) Evidence that a pre-application conference has been held with the relevant town departments in the form of a memorandum with comments from town departments or otherwise.

(14) Multiple user plans. Applications to collocate on a specific site which has been granted a special use permit under this chapter shall be required to satisfy all of the requirements of this chapter, except an inventory of all existing like uses shall not be required nor is the applicant to establish that alternate locations or alternate technologies are not available or suitable.

(15) Applicants must produce evidence by qualified professional(s) in the form of studies, including field studies where appropriate, that the proposed telecommunications facilities meet or exceed the standards in the industry and that the existence of a gap in service would be remedied at the proposed location by the proposed facility. Such evidence is also required to support requests to locate in a residential zoning district, or within 500 feet of property containing a public or private school, or to erect a new tower or structure in lieu of installing the facilities within or upon an existing tower or structure.

(16) All documents, information and proof required to be provided for a special use permit.

(F) Aesthetic requirements. All such uses shall comply with the following requirements, unless otherwise required by the FAA, FCC or other applicable authority:

(1) Color. All wireless telecommunication facilities shall be of a neutral color or such other color(s) as the Board may require to reduce the visual impact to surrounding areas. If an antenna or beacon is installed on a structure other than a tower, it and its supporting electrical and mechanical components must be of a color that is identical to or closely compatible with the color of the supporting structure so as to render it as visually unobtrusive as practicable.

(2) Design. All wireless telecommunication facilities shall, to the extent practicable, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.

(3) Lighting. Towers shall not be artificially lighted. If so required, lighting shall be designed to minimize to the maximum extent practicable the resultant disturbance to the surrounding views and properties.

(4) Signs. No signs or advertising of any kind shall be permitted on an antenna or tower.

(G) Location of uses. These uses shall be located in accordance with the following priority:

(1) Such uses shall only be permitted within or upon existing structures located in commercial and industrial zoning districts or on Town, County, State or Federal property, unless the applicant can demonstrate by clear and convincing evidence that a telecommunications or other system cannot properly function without the location of such a use on or within a tower or other structure the applicant proposes to erect in the commercial or industrial zoning district.

(2) Such uses shall be permitted to be located in a specific residential area only if the applicant can demonstrate by clear and convincing evidence that its telecommunications or other system cannot properly function within or upon an existing tower or other structure or within or upon a proposed new tower or structure in a commercial or industrial zoning district. Before erecting an entirely new facility in a residential zone, applicant must demonstrate by clear and convincing evidence that it cannot collocate on an existing facility in such zone.

(3) Such uses are not permitted to be located on a site where the property line of the site is within 500 feet of the nearest property line of a lot containing a public or private school, unless the applicant can establish by clear and convincing evidence that its telecommunications or other system cannot properly function within or upon an alternate location in any other zoning district of the Town.

(4) Compliance with the minimum lot setback requirements of the zoning district in which the facility is proposed to be located shall be required.

(5) Principal and accessory use. Such uses may be considered either principal or accessory uses, in that the prior existence of a different use on the same lot shall not preclude the installation of an antenna or tower on such lot.

(H) Authority of the Zoning Board.

(1) The Board may require the applicant to erect a structure at the applicant's expense to house the proposed antenna and related equipment, as it deems necessary or desirable.

(2) The Board may, at the applicant's expense, require a field demonstration with a crane, balloon or other acceptable means to simulate the proposed Wireless Telecommunications Facility. Note: this is related to aesthetic considerations.

(3) The Board may retain qualified professionals at the applicant's expense to verify that the proposed wireless telecommunication facilities and other facilities subject to this code comply with federally established limits for RF emissions, that the proposed facility is truly necessary to remedy a significant gap in service at a specified location; and to advise the Board regarding any aspect of an application in accordance with §198-109(J).

(4) The Zoning Board may refer an application to the Planning Board for its recommendations on any issue it deems necessary and proper. Such referral shall specify the reasons for the referral.

(I) Review of application.

(1) The Zoning Board of Appeals shall give due consideration to the Town's Comprehensive Plan, existing land uses and development, environmentally sensitive areas, and other appropriate factors in approving the issuance of a special use permit for the siting of Wireless Telecommunications Facilities.

(2) The Zoning Board shall consider the following factors in determining whether to issue a special use permit, in addition to the standards set forth in this chapter for the issuance of a special use permit.

(a) Height, size and appearance of the proposed structure or device.

(b) Proximity of the proposed use to residential structures and residential district boundaries.

(c) Nature of existing and/or proposed uses on adjacent and nearby properties.

(d) The topography of the site and surrounding areas.

(e) Surrounding tree coverage and foliage.

(f) Design and aesthetic appearance of the structure or device, with particular reference to design elements that have the effect of reducing or eliminating visual obtrusiveness.

(g) The proposed ingress and egress.

(h) Availability of suitable existing uses or structures, or alternative technologies not requiring the use of new structures or devices.

(i) Any other relevant factor, including those found by the Board to be relevant considerations under statutory and decisional law, and regulatory agency rulings.

(J) Required proof.

(1) No application for a special use permit shall be granted unless the applicant demonstrates to the reasonable satisfaction of the Zoning Board of Appeals that no existing use, building or structure not requiring new construction can accommodate the applicant's proposed use.

(2) An applicant shall submit information requested by the Zoning Board of Appeals relating thereto. Such evidence may consist of any or all of the following:

(a) That no suitable existing uses or structures are located within the geographic area which meet the applicant's engineering requirements.

(b) That the fees, costs or contractual provisions required by the owner of an existing like use or structure in order to share it, or adapt it for sharing, are unreasonable. Costs exceeding new use development are presumed to be unreasonable.

(c) When consistent with applicable federal and state law, that alternative technologies not requiring the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system are unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

(3) The applicant must establish that a significant gap in service exists that requires the location of wireless communication facilities at the proposed location. In determining whether a significant gap in service exists at a specific location, the Board must find that the telecommunications failure is substantial and can only be remedied by the location of the proposed antennas or tower.

(4) The Board may reduce the height of the proposed structure or make other modifications to the proposed wireless communication facilities for the purpose of making aesthetic improvements, even if it means that the gap in service is not fully remedied; substantial remediation of the gap in service shall be sufficient.

(5) In determining what constitutes substantial remediation of a gap in service, and to what extent an applicant needs to locate a facility at a specific location or height, and what level of service is to be made available to users, the Board shall be guided by standards set or as interpreted by federal or state law, decisional law and regulatory agencies.

(K) Conditions. The granting of a special use permit shall require provision of the following conditions:

(1) Setbacks. The following setback requirements shall apply to all such uses for which a special use permit is required:

(a) Towers shall be set back from any adjoining lot line a distance equal to at least one hundred fifty (150%) percent of the height of the tower in order to provide a safe fall zone; this requirement may be varied only if the Board finds that the granting of a variance will not create an unsafe condition.

(b) All accessory structures shall satisfy the minimum district setback requirements for the district in which they are located.

(2) Distance between towers. The required distance between such uses shall be five thousand (5,000) feet, measured by drawing or following a straight line between the base of any existing like use and the base of the proposed use, delineated on a map or site plan. Said distance requirement may be reduced by the Zoning Board of Appeals only after a finding that a specific application merits a reduction and closer siting due to reception and/or transmission limitations caused by topographical interference or other relevant factors.

(3) Security fencing. Such uses shall be surrounded by security fencing not less than eight (8) feet in height and shall be equipped with appropriate anti-climbing devices.

(4) Landscaping.

(a) All such uses shall be landscaped with a buffer or vegetation sufficient to screen the view of such uses from residential property, consisting of at least one (1) row of mixed evergreen shrubs and trees capable of forming a hedge at least eight (8) feet in height.

(b) Existing mature tree growth and natural land forms and topography at the site shall be preserved to the maximum extent possible.

(L) Conduct of hearing. All evidentiary requirements shall be by sworn testimony or written affidavit; in both cases, the person providing the evidence must have personal knowledge of any facts.

(M) Abandonment. Any such use that is not operated for a continuous period of twelve (12) months shall be deemed abandoned, and the owner thereof shall be responsible for removal of all structures within ninety (90) days of the issuance of a notice by the Town declaring the facilities abandoned and directing removal, and upon failure to do so the Town may take such action at the owner's expense.

(N) Nonconforming uses. Such uses lawfully existing and operating prior to June 1, 2011 shall be permitted to remain as they presently exist, including routine maintenance and repair in like form and height which do not substantially change, extend, or expand the facilities.

(O) Application for an exemption.

(1) The Town Board, Zoning Board of Appeals, or the Director of Engineering Services, as the case may be, shall determine whether the proposed work or modification to existing wireless telecommunications facilities is routine maintenance and repair in like form and height, which does not substantially change, extend, or expand the facilities. Among the factors to be weighed in making such determination are whether there are any visible changes that would require review based upon aesthetic considerations or whether there are public safety issues requiring a de novo review. A joint application for the same type of modifications to multiple sites may be made provided a separate application fee is paid for each site.

(2) An application to exempt proposed work from the provisions of this article on the basis that the work is routine maintenance and repair of facilities in like form and height which does not substantially change, extend, or expand the facilities shall be made to the applicable Board, and shall include all relevant supporting proofs, studies, plans, and any other document requested by the Town. A non-refundable application fee of $1,500 shall be payable at the time of filing. The Board/Director may require the retention of consultants, at the applicant's expense, to assist it in its determination. No public hearing is required if the application is granted. If a public hearing is held by the Board, notice of the public hearing shall be given in the same manner as for a special use permit before the applicable Board.

(P) Access to Wireless Telecommunications Facilities.

(1) All Wireless Telecommunications Facilities shall be operated and maintained so as to prevent unauthorized access to and upon such facilities. Any owner or person-in-charge of the property, an accessory facility or any wireless telecommunications facility who commits an offense against the provisions of this section shall be deemed to be in violation of this chapter.

(2) Town Inspectors shall have access upon notice of at least 24 hours for the purpose of verifying continuing compliance with the special use permit, building permit and, where applicable, site plan approval.

(Q) Revocation of special use permit.

The Zoning Board of Appeals may, upon notice after a public hearing, revoke any special use permit it has approved if the Board determines that there are substantial violations of the conditions or provisions of the special use permit or if false documents or statements have been submitted in support of the application. The Town Board may revoke a special use permit it has approved under the same circumstances after a public hearing.

(R) Site Plan Approval and Building Permits.

(1) All applicants for the location of wireless telecommunications facilities in any zoning district must file a simultaneous application for and obtain site plan approval from the Planning Board, and a building permit from the Department of Engineering Services prior to the commencement of work, including property, installations or facilities which are exempt from the special use permit requirement, except for ordinary repairs or maintenance that does not materially change, extend or expand the facilities or service. Unless otherwise provided, variances from the requirements of the special use permit shall remain within the jurisdiction of the Zoning Board of Appeals.

(2) For property owned, leased, used or controlled by the Town Board, Huntington Board of Trustees or any subdivision thereof, the Town Board shall exercise the same authority as the Zoning Board of Appeals in all respects and shall determine whether or not the applicant meets the requirements of these regulations after holding a public hearing. Any grant approved by the Town Board is subject to site plan approval by the Planning Board and the filing of an application for and issuance of a building permit. Applications for Town Board approval shall be filed simultaneously with an application for site plan approval before the Planning Board.

(3) All applicants are required to be in compliance with all applicable building and fire codes, and the facilities shall be maintained in a safe manner in compliance with all conditions of the building permit, special use permit and site plan approval, as well as all applicable Town, State and Federal laws, rules and regulations, without exception. Any owner or person-in-charge of the property, accessory facility, or telecommunications facility who commits an offense against the provisions of this section shall be deemed in violation of this chapter.

(4) Site Plan review by the Planning Board shall run concurrently with review by the Zoning Board of Appeals, the Town Board or the Department of the Engineering Services, as the case may be, and shall be timed so that determinations can be made at approximately the same time to the extent practicable.

* * *

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: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	NO
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2011-268

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 14 -2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198, (ZONING), ARTICLE III (RESIDENCE DISTRICTS) §198-19 (R-5 RESIDENCE DISTRICT), ARTICLE XI (CONDITIONAL USES; SPECIAL USE PERMITS) § 198-68 (19)

Resolution for Town Board Meeting Dated: May 16, 2011

The following Resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Town of Huntington wishes to schedule a Public Hearing to consider amending Chapter 198 of the Code of the Town of Huntington which sets forth the permitted uses in Residence Districts within the Town; and

WHEREAS, the Town Board recognizes that presently the R-5 zoning district is designated for parcels with a minimum of 5000 square feet, providing for a more densely zoned single family residential zoning classification; and

WHEREAS, the present code permits the conversion of a single family dwelling to a two family dwelling in an R-5 zoning district where the lot size is at least 10,000 square feet as of right; and

WHEREAS, in those situations where an owner of a R-5 parcel of less than 10,000 square feet can apply to the Zoning Board of Appeals to permit conversion to a two-family use as a Conditional Use; and

WHEREAS, the present criteria permitting the conversion to two family use requires the owner to show hardships that require the conversion be permitted; and

WHEREAS, the requirement of a showing of hardship which is presently a condition of permitting a two family conversion is incongruent with, and inapplicable to conditions of non-owner occupied dwellings; and

WHEREAS, properties bearing a R-5 zoning classification, have a lesser minimum parcel size and are least able to absorb the intensification of use resulting from conversion to two family dwelling units; and

WHEREAS, the Town Board wishes to consider whether to prohibit the conversion of non-owner occupied one family dwellings on lots of 10,000 square feet or more to two family dwellings in the R-5 Residential District; and

WHEREAS, the Town Board wishes to further consider amending the code to require that any conditional use grant of a two family conversion on a lot of less than 10,000 square feet must be based upon a hardship; and

2011-268

WHEREAS, the Town Board wishes to further consider amending the code to remove the permitted conversion to a two family dwelling use in an R-3M Residential District and the C-1 Business District; and

WHEREAS, scheduling a public hearing to consider amending the Code of the Town of Huntington to limit conversions from single family dwellings to two family dwellings 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 of the scheduling of a public hearing is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of June , 2011 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 14 -2011, Amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts) §198-19 (R-5 Residence District), and Article XI (Conditional Uses; Special Use Permits) §198-68 (19) as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 14 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
ARTICLE III (RESIDENCE DISTRICTS) §198-19 (R-5 RESIDENCE DISTRICTS), AND
ARTICLE XI (CONDITIONAL USES; SPECIAL USE PERMITS) §198-68 (19)

Section 1. The Code of the Town of Huntington Chapter 198 (Zoning), Article III (Residnece Districts) is hereby amended, as follows:

CHAPTER 198 (ZONING)

* * *

ARTICLE III –RESIDENCE DISTRICTS;
R-5 RESIDENCE DISTRICTS

* * *

§ 198-19. R-5 Residence District.

* * *

(3) Two family owner-occupied dwellings, on parcels containing a minimum of 10,000 square feet.

* * *

2011-268

ARTICLE XI

CONDITIONAL USES; SPECIAL USE PERMITS

* * *

198-68

* * *

(19) Conversion of a single family dwelling to a two family in R-5 [and R-3M] Residence Districts [and in C-1 Business Districts] in cases where the lot area is less than ten thousand (10,000) square feet and /or the lot width is less than one hundred (100) feet, provided that:

(f) In an R-5 Residence District on parcels containing less than 10,000 square feet, as a condition of a grant of an area variance to permit conversion to a two family dwelling, a covenant and restriction to run with the land, must be filed in the Office of the Clerk of Suffolk County requiring that one of the dwelling units must be owner-occupied.

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 no 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 Secretary of State of the State of New York.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone AYE
Councilwoman Susan A. Berland AYE

2011-268

Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011- 270

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: BURR ROAD, NO PARKING RESTRICTION

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: SUPERVISOR PETRONE

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding parking restrictions are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 6th day of June, 2011, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 3, Parking Regulations; Article II, Parking, Standing and Stopping Regulations; §3-3, Designation of Areas and Restrictions; Schedule J.

	NAME OF STREET/SIDE LOCATION	REGULATION	HOURS/DAYS
DELETE:	Burr Road/South From 95 ft. west of Town Line Rd. to Town Line Rd. (CMK)	No Parking	———
ADD:	Burr Road/South From 190 ft. west of Town Line Rd. to Town Line Rd. (CMK)	No Parking	———

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

Burr Rd-No Parking.doc
Transportation & Traffic Safety/ea
5/6/2011 11:40 AM

2011-271

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: DEPOT ROAD, NO STOPPING RESTRICTION

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: SUPERVISOR PETRONE

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding parking restrictions are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 6th day of June, 2011, at 7p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 3, Parking Regulations; Article II, Parking, Standing and Stopping Regulations; §3-3, Designation of Areas and Restrictions; Schedule J.

	NAME OF STREET/SIDE LOCATION	REGULATION	HOURS/DAYS
ADD:	Depot Road/East From Vondran Steet south for 50 ft. (HUS)	No Stopping	-------

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

Depot Road No Stopping Restriction/Public Hearing
Transportation & Traffic Safety/aa
5/6/2011 11:41 AM

2011-272

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 130 OLD COUNTRY ROAD, MELVILLE - SWEET HOLLOW HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN MAYOKA

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Mario Diamandis, 130 Old Country Road, Melville, NY 11747, for a Certificate of Approval to construct a 16' x 36' below ground vinyl swimming located at 130 Old Country Road, Melville, NY 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-02.00-10.000, and

WHEREAS, the issuance of a Certificate of Approval in an historic district is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(9) and, therefore no further SEQRA review is required.

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of June 2011, at 7:00p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Mario Diamandis.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

130 Old Country Rd. Melville
Engineering Services Dit.
5/6/2011 2:04 PM

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A CERTIFICATE OF APPROVAL FOR AN HISTORIC BUILDING, SITE OR LANDMARK
RE: 195 PIDGEON HILL ROAD – PHILLIP VALENTINE HOUSE

Resolution for Town Board Meeting Dated: May 16, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Andrew Oliveira, 195 Pidgeon Hill Road, Huntington Station, NY 11746 for a Certificate of Approval to erect (2) 2-story additions with: finished basement, cellar entrance, laundry room & 2-car garage under porches & portico; 1st floor study, office, guest bedroom, bath, relocated kitchen, breakfast room & family room with fireplace; 2nd floor master bedroom, three bedrooms & three bathrooms, per plans dated 4/18/2011; for one-family dwelling located at 195 Pidgeon Hill Road, Huntington Station, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is an historic building, site or landmark and bears Suffolk County Tax Map #0400-240.00-3.00-15.002 and

WHEREAS, the issuance of a Certificate of Approval for an historic building, site or landmark is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(9) and, therefore no further SEQRA review is required.

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of June 2011, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Andrew Oliveira.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

195 Pidgeon Hill Rd Hunt Hist Bldg
Engineering Serv. DE
5/17/2011 3:54 PM

2011- 274

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 498 SWEET HOLLOW ROAD, MELVILLE - SWEET HOLLOW HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: May 16, 2011

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

and seconded by: SUPERVISOR PETRONE, COUNCILWOMAN JACKSON

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Roger and Eileen Erdvig, 498 Sweet Hollow Road, Melville, NY 11747, for a Certificate of Approval to: demolish a two-story one-family dwelling & detached two-car garage; erect a two-story synagogue with partially finished basement, offices and classrooms for religious instruction, located at 498 Sweet Hollow Road, Melville, NY 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-1.00-12.000, and

WHEREAS, the issuance of a Certificate of Approval in an historic district is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(9) and, therefore no further SEQRA review is required.

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of June, 2011, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Roger & Eileen Erdvig

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-275

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 16th day of May, 2011.

PRESENT:

Hon. Frank P. Petrone, Supervisor
Susan A. Berland, Councilwoman
Mark A. Cuthbertson, Councilman
Glenda A. Jackson, Councilwoman
Mark Mayoka, Councilman

In the Matter

of the

Increase and Improvement of Facilities of the Huntington Sewer District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law

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Offered by: SUPERVISOR PETRONE

Seconded by: COUNCILMAN MAYOKA

RESOLUTION AND ORDER AFTER PUBLIC HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town Board" and the "Town", respectively), in the County of Suffolk, New York, and the Huntington Sewer District (herein called the "District"), in the Town, have reviewed a map, plan and report prepared by an engineer duly licensed by the State of New York (the "Engineer") for the increase and improvement of facilities of the District consisting of: (a) replacement of manholes at the estimated maximum cost of $80,000, (b) rehabilitation of sewer lines at the estimated maximum cost of $220,000, (c) replacement of blowers at the estimated maximum

cost of $180,000 and (d) replacement of the roof on the sludge building at the estimated maximum cost of $70,000; and pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such map, plan and report and has estimated the cost thereof, including furnishings or apparatus, and any ancillary or related work required in connection therewith, to be $550,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on May 3, 2011 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of May, 2011 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1), (2) and (25), and therefore no further environmental review is required;

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Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of $550,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney or the attorney for the District, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of $550,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 16, 2011

(SEAL) TOWN BOARD OF THE TOWN OF HUNTINGTON

2011-275

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting AYE
Councilwoman Susan A. Berland	voting AYE
Councilman Mark A. Cuthbertson	voting AYE
Councilwoman Glenda A. Jackson	voting AYE
Councilman Mark Mayoka	voting AYE

The Resolution and Order were declared adopted.

2011-276

BOND RESOLUTION OF THE TOWN OF HUNTINGTON, NEW YORK, ADOPTED MAY 16, 2011, APPROPRIATING $550,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE HUNTINGTON SEWER DISTRICT, CONSISTING OF VARIOUS IMPROVEMENTS, AND AUTHORIZING THE ISSUANCE OF $550,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Offered by: SUPERVISOR PETRONE

Seconded By: COUNCILMAN MAYOKA

Recital

WHEREAS, following preparation of a map, plan and report and an estimate of cost for the increase and improvement of facilities of the Huntington Sewer District (herein called the "District"), in the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of $550,000 for the increase and improvement of facilities of the District, consisting of: (a) replacement of manholes at the estimated maximum cost of $80,000, (b) rehabilitation of sewer lines at the estimated maximum cost of $220,000, (c) replacement of blowers at the estimated maximum cost of $180,000 and (d) replacement of the roof on the sludge building at the estimated maximum cost of $70,000, including furnishings or apparatus, and any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is $550,000. The plan of financing includes the issuance of $550,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of $550,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which $80,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years. The period of probable usefulness of the object or purpose for which $70,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a)(2) of the Law, is fifteen (15) years. The period of probable usefulness of the object or purpose for which $400,000 of said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R. Regulations Part 617.5(c)(1), (2) and (25), and therefore no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds; and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in

anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "THE

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OBSERVER," and "THE LONG ISLANDER," two newspapers each having a general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

2011-276

The adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting AYE
Councilwoman Susan A. Berland	voting AYE
Councilman Mark A. Cuthbertson	voting AYE
Councilwoman Glenda A. Jackson	voting AYE
Councilman Mark Mayoka	voting AYE

The Resolution was declared adopted.