

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 AND FINAL AGENDA AVAILABLE: <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 MARCH 09, 2010

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 7:12P.M. Recessed: 7:17P.M. Resumed: 10:35 Closed: 10:36P.M

7:00P.M. – TOWN HALL

Opened: 6:30P.M. Recessed: 7:12P.M. Resumed: 7:17P.M. Recessed: 9:52P.M.

Resumed: 10:10P.M. Closed: 10:35P.M.

(Resolutions #2010-103 to 2010-143)

6:00P.M. HEARINGS:

ACTION

1. Consider issuing a Certificate of Approval for an historic building, site or landmark re: 30 Cousins Street, Northport, NY - Booker T. Washington House. (**Applicant: Indian Head Bluff, LLC - Diane Gleason Rice**) (SCTM #0400-014.00-06.00-003.001) (2010-ZC-2-Ch.198)
2. Consider issuing a Certificate of Approval in an historic district re: 38 Goose Hill Road, Cold Spring Harbor, NY - Cold Spring Harbor Historic District. (**Applicant: Robert Brahms**) (SCTM #0400-017.00-02.00-013.000) (2010-ZC-3-Ch.198)
3. Consider issuing a Certificate of Approval in an historic district re: 427 Park Avenue, Huntington, NY - Old Huntington Green Historic District. (**Applicant: Hartmut Herbert**) (SCTM #0400-073.00-01.00-037.000) (2010-ZC-4-Ch.198)

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

6:00P.M. HEARINGS (Con't):

ACTION

4. Consider issuing a Certificate of Approval in an historic district re: 618 Park Avenue, Huntington, NY - Old Huntington Green Historic District. **(Applicant: Rachel & Gennaro Mancini) (SCTM #0400-102.00-01.00-007.000)**
(2010-ZC-5-Ch.198)

DECISION RESERVED

5. Consider a variance of the Coastal Erosion Management Regulations pursuant to Local Law No. 7-1989. **(Applicant: Richard and Caterina Baranello) (Premises: 2A Makamah Beach Road, Northport, NY) (SCTM #0400-013.00-02.00-017.001)**
(2010-M-1)

DECISION RESERVED

6. Consider a variance of the Coastal Erosion Management Regulations pursuant to Local Law No. 7-1989. **(Applicant: Leonard Ennis) (Premises: 8 Makamah Beach Road, Northport, NY) (SCTM #0400-013.00-02.00-014.000)**
(2010-M-2)

DECISION RESERVED

7. Consider awarding a concession agreement to operate a townwide food and beverage service and mechanical vending operation at various Town facilities. **(Re: D & J Refreshments, Inc.)**
(2010-M-3)

DECISION RESERVED

BOARD OF TRUSTEES' HEARING:

1. Consider the issuance of a special use permit under Chapter 137 (Marine Conservation) at 175 East Shore Road, Huntington, NY. **(Applicant: En- Consultants Inc. for Keith Richman) (SCTM #0402-002.00-03.00-015.000)**
(2010-BT3-Ch.137)

DECISION RESERVED

7:00P.M. HEARING:

1. Consider adopting Local Law Introductory No. 4-2010 amending the Code of the Town of Huntington, Chapter 198 (Zoning) and Chapter A202 (Subdivision Regulations and Site Improvement Specifications) to create the Huntington Station Transit Oriented District (HSTOD) zoning classification and to consider Zone Change Application No. 2008-ZM-378 of Avalon Bay Communities, Inc. to change the zone from R-7 Residence District to the Huntington Station Transit Oriented District (HSTOD) for property located on the north side of East Fifth Street, 1,130.97 feet west of Park Avenue, Huntington Station, NY. **(Applicant: Avalon Bay Communities, Inc.) (SCTM #0400-104.04-01-(001-109, 112-114 and 116-118)**
(Local Law Intro No. 4-2010 and Zone Change Application #2008-ZM-378)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 9, 2010**

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**

- | | | | | |
|------------------|---|--------------------------------|--------------------------------|--|
| 2010-103. | AUTHORIZE the Supervisor to apply for non-competing continuation funding from the U.S. Department of Health and Human Services, for the Huntington Youth Bureau Sanctuary Runaway, Homeless Youth Program. (Period: 9/30/2010 – 9/29/2011) | <u>FP</u> | <u>SB</u> | <u>5</u> |
| 2010-104. | AUTHORIZE the Supervisor to apply for and receive funding from the New York State Office of Children and Family Services for State Aid for the Youth Bureau Administration, Youth and Family Services and Runaway Homeless Youth Services for 2010. (Period: 1/1/2010 – 12/31/2010) | <u>MM</u> | <u>GJ</u> | <u>5</u> |
| 2010-105. | AUTHORIZE the Supervisor to execute a revised agreement with Suffolk County Department of Health Services for the provision of drug treatment and prevention services. (Period: 1/1/2010- 12/31/2010) | <u>GJ</u> | <u>SB</u> | <u>5</u> |
| 2010-106. | AUTHORIZE the Supervisor to execute an amendment to the agreement with Suffolk County to obtain operating assistance for the Town’s Mass Transit (HART) Bus System. (Period: 1/1/2010- 12/31/2010) | <u>SB</u> | <u>GJ</u>
<u>MC</u> | <u>5</u> |
| 2010-107. | AUTHORIZE the Supervisor to execute a contract with Saracino Construction Corporation for the roof replacement and repairs at the Huntington Area Rapid Transit (Hart) Bus Facility. (Contract No. TTHB 2010-01) | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2010-108. | AUTHORIZE the Supervisor to submit an application for an Entitlement Grant of Community Development Block Grant Funds under the Housing and Community Development Act of 1974 and authorizing all assurances connected with said application. | <u>GJ</u> | <u>FP</u> | <u>5</u> |
| 2010-109. | AUTHORIZE the execution of a contract with AARCO Environmental Services Corp., Inc. for removal and replacement of underground diesel fuel tanks at Plant 9, Wells 9-1 and 9-2 for the Dix Hills Water District. | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2010-110. | AUTHORIZE the execution of a requirements contract with Bensin Contracting, Inc. for the repairs of wastewater treatment plant equipment at the treatment plant and pump stations. | <u>MC</u> | <u>FP</u> | 4-AYES
1-NO
<u>(MM)</u> |
| 2010-111. | AUTHORIZE the Supervisor to execute a contract with Welsbach Electric Corp. of Long Island for the requirements contract for the installation of energy efficient streetlighting fixtures. (Term: 3 years) | <u>FP</u>
<u>MC</u> | <u>SB</u>
<u>GJ</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 9, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-112. AUTHORIZE the Supervisor to execute an agreement with Mindshift Technologies Inc. for the provision of internet access, wide area network services (WAN), managed website hosting, networking and maintenance support. (Term: 2 years)	<u>GJ</u>	<u>FP</u>	4-AYES 1-NO (MM)
2010-113. AUTHORIZE the Supervisor to execute a professional services contract with MCTV for design, installation oversight and employee training for a digital television recording system to enable government access cable television video broadcasting. (Re: MadChill Productions, Inc.)	<u>SB FP</u>	<u>GJ</u>	<u>5</u>
2010-114. AUTHORIZE the Supervisor to execute a renewal of the annual support and license agreement for the town's municipal financial software package, (MUNIS) with Tyler Technologies Inc., Munis Division. (Period: 4/2/2010 – 4/1/2011)	<u>GJ</u>	<u>SB</u>	<u>5</u>
2010-115. REMOVED FROM AGENDA AT WORKSHOP.			
2010-116. AUTHORIZE the appointment of attorneys to prosecute violations of the laws and ordinances of the Huntington Town Code and its special districts in District Court. (Re: Deirdre Butterfield, Heidi Levine-Sorkin, Johanna Stewart-Suchow, Patricia Flynn, Margaret Pezzino, Valerie Smith, Cindy Elan-Mangano, Luciana DeCarlo, Ellen Schaffer and Thelma Neira)	<u>SB GJ</u>	<u>MC</u>	<u>5</u>
2010-117. 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: Huntington Hills Associates, LLC, 49 Ryder Avenue, Dix Hills, SCTM# 0400-274.00-02.00-019.000, Chapters 119, 198; U.S. Bank National Assn./ Lucien Saint Cyr, 3 Tippin Drive, Huntington Station, SCTM# 0400-143.00-01.00-106.000, Chapter 119, 133; Monique Sonyea Mackroy-Davis, 7 Crooked Hill Road, Huntington, SCTM# 0400-098.00-01.00-031.000, Chapter 133; Frank Mangano, 132A Columbia Street, Huntington Station, SCTM# 0400-141.00-01.00-035.000, Chapter 156)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-118. AUTHORIZE the Comptroller to amend the 2010 Operating Budget for snow removal materials for the Town of Huntington and its special districts-Highway Department.	<u>MM</u>	<u> </u>	NO SECOND RESOLUTION FAILS <u> </u>
2010-119. AUTHORIZE the Comptroller to amend the 2010 Operating Budget for the Town of Huntington and its special districts-various departments.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-120. AUTHORIZE settlement of a claim. (Allstate Insurance Co. a/s/o Beatriz Romero v Town of Huntington)	<u>SB</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 9, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-121. ACCEPT donations from Covanta Energy Corporation, Green Logic LLC, TD Bank, and Energy by Choice for the promotion, marketing and operating expenses associated with the “2010 Huntington Family Earth Day Expo” on April 24, 2010.	<u>MC</u> <u>FP</u>	<u>GJ</u> <u>SB</u>	<u>5</u>
2010-122. ADOPT the recommendations of the Administrative Hearing Officer in the matter of the appeal of Landon P. Desantis (Re: Transportation for Hire Operator’s Permit). (Re: Approval)	<u>MC</u>	<u>FP</u>	<u>5</u>
2010-123. DECLARE a certain item as surplus and authorize the sale of same to Greenlawn/Centerport Historic Society. (Re: Artifact in the form of a large mechanical piece of hardware)	<u>SB</u> <u>GJ</u>	<u>MC</u>	<u>5</u>
2010-124. GRANT a permit for an aquatic event to Metropolitan Swimming, Inc. for their open water swimming championships. (Re: July 11, 2010)	<u>FP</u> <u>MM</u>	<u>SB</u>	<u>5</u>
2010-125. GRANT a permit for an aquatic event to the Carpe Paddlum Foundation, Inc. for its Kayak for a Cause X Charity Kayaking Event. (Re: July 24, 2010 at 7:00 AM – Staging July 23, 2010 at 1:00 PM)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-126. MEMORIALIZE Town Board opposition to proposed closure of State Parks as a component of the Governor’s State Fiscal Year 2010-11 budget proposal.	<u>FP</u> <u>MC</u>	<u>SB</u> <u>GJ</u>	<u>5</u>
2010-127. RENAME Deposit Road, East Northport, to be known as Rescue Way/Deposit Road. (Re: League of Animal Protection)	<u>FP</u> <u>MM</u>	<u>SB</u>	<u>5</u>
2010-128. SCHEDULE A PUBLIC HEARING: April 13, 2010 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: Bedell Place & Reinhart Court, No Parking Restrictions.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-129. SCHEDULE A PUBLIC HEARING: April 13, 2010 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: East Ninth Street, Parking Restriction Removal.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2010-130. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule K Re: Parking at Private Fields.	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-131. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 20 East Main Street – Old Huntington Green Historic District. (Applicant: Rudolf Lippan – SCTM# 0400-073.00-02.00-005.001)	<u>MM</u>	<u>FP</u>	<u>5</u>
2010-132. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM			

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 9, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
To consider issuing a Certificate of Approval in an Historic District Re: 38 Goose Hill Road – Cold Spring Harbor Historic District. (Applicant: Anthony Musso - SCTM# 0400-017.00-02.00-013.000)	<u>MM</u>	<u>SB</u>	<u>5</u>
2010-133. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: E/S Poplar Place – Cold Spring Harbor Historic District. (Applicant: Frank D'Amelio – SCTM# 0400-063.00-05.00-002.000)	<u>MM</u>	<u>GJ</u>	<u>5</u>
2010-134. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider issuing a Certificate of Approval for an Historic Building, Site or Landmark Re: 130 Old Country Rd. – Dr. Conklin House. (Applicant: Maria & Mario Diamandis – SCTM# 0400-256.00-02.00-010.000)	<u>SB</u>	<u>MM</u>	<u>5</u>
2010-135. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 172 Woodhull Road, Huntington-Old Huntington Green Historic District. (Applicant: Robert D'Angelo – SCTM# 0400-073.00-01.00-024.000)	<u>GJ</u>	<u>FP</u>	<u>5</u>
2010-136. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM To consider adopting Local Law Introductory No. 6 – 2010, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments), §198-134 (Accessory Apartment Permit; Conditions).	<u>SB</u> <u>GJ</u>	<u>MM</u>	<u>5</u>
2010-137. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule K. Re: Parking at private fields	<u>SB</u>	<u>MC</u>	<u>5</u>
2010-138. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: Allerton Avenue, No Parking Restrictions.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-139. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: Printer Court, No Stopping Restriction.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-140. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G Re: Miller Place, Stevens Place, Putnam Place-Stop Signs.	<u>GJ</u>	<u>FP</u>	<u>5</u>
2010-141. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: East Second Street, Limited Parking Restrictions.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-142. ENACTMENT: ADOPT Local Law Introductory No. 2-2010 amending the Code of the Town of Huntington, Chapter 198 (Zoning) and Chapter A202 (subdivision regulations and site improvement specifications), to			4-AYES 1-NO

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 9, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
add a New Residence-Open Space Cluster (R-OSC) Zoning District.	<u>MC</u>	<u>FP</u>	<u>(MM)</u>
2010-143. ENACTMENT: ADOPT Local Law Introductory No. 3-2010 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts). (Re: Affordable Housing Law)	<u>FP</u>	<u>MC</u>	<u>5</u>

2010-BT4. SCHEDULE A PUBLIC HEARING: April 13, 2010 at 7:00 PM

To consider the execution of a license agreement as is necessary for the construction and maintenance of an existing bulkhead at 175 East Shore Rd., Huntington, New York (Applicant: En-Consultants Inc. for Keith Richman). (SCTM# 0402-002.00-03.00-015.000)

**MM FP
MC 5**

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: MARCH 9, 2010

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses: From: Theodore Mitchel for RH Melville, LLC d/b/a Marriott Melville; From: Alan Gardner for Sunstone Hotel Properties Inc. d/b/a Huntington Hilton;
Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: David Futerman for Corinne's Concept in Catering; From: Leonardo Bermejo for Goldmine Mexican Grill; From: Carol M. Chopp for TGI Friday's; From: Joseph Celano for La Casa Cafe Inc; From: Jack Palladino for Christopher's; From: Thomas Wilson for Wil-Mor Tavern Inc. d/b/a J. T. Carrington's; From: Nicole Offerman Nappy for Batata Cafe; From: Mitchell Hauser for Crew; From: John A Dolan, Jr. for Jeds Pub Inc. d/b/a Finnians Pub; From: Kathleen Mcmanus McPherson for Katies Mc Irish Pub; From: David Howard for Southdown Pizza; From: Cosmo Parrella for LACP Inc. d/b/a Munday's;
Supervisor
Town Board
Town Attorney
Fire Inspector
Public Safety
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Letter received from Thomas Weinschenk, Vice Chairman of the Zoning Board of Appeals for the Town of Babylon regarding a legal notice for a Public Hearing to be held on March 4, 2010 at 6:15 PM at Babylon Town Hall, for the following property located within 500' of the Town of Huntington: Premises located at 2263 Broad Hollow Road, East Farmingdale request for a renewal of permission to increase sign area from 50 square feet maximum to 111 square feet.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
4. Letter received from the Clerk to the Board of Zoning Appeals for the Town of Smithtown, regarding property located within 500' of the Town of Huntington boundary. The applicant is submitting for an installation of a second sign. The applicant is located at 4 Vanderbilt Parkway, Commack.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding the Town of Huntington resolution # 2010 –53 amending Chapter 198 section A202 to add "Residence – Open Space Cluster District", it is their opinion that this is a matter of local determination and this should not be construed as an approval or disapproval.
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 February 25, 2010 at 7:00 PM at the Eugene A. Cannataro Senior Citizen Center regarding the Smithtown Town Board's own motion to consider amendments to previous Zone Petition approval of #92-02 PJ Venture.
Supervisor
Town Board
Town Board
Engineering Services
cc: Planning & Environment

7. Email received from Alicia Brown, Legislative Aide for the Suffolk County Legislature, addressed to Jo-Ann Raia, Town Clerk, Bryan Monaghan, Assessor, and Ester Bivona, Tax Receiver, regarding February 2, 2010 resolutions which are as follows: Resolution #13 – to readjust, compromise, and grant refunds and chargebacks on real property correction of errors by: County Legislature; Resolution # 21 – authorizing the sale, pursuant to Local Law No. 16- 1976, of real property acquired under section 46 of the Suffolk County Tax Act Palmerino Lupinacci; Resolution #23 – authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Laila PetruzzIELLO and Salvatore Baldi, wife and husband; Resolution # 25 – authorizing the sale, pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Thomas Amodeo, as surviving tenant by the entirety.
- Supervisor
Town Board
cc: Town Attorney
8. Letter hand delivered and faxed to Jo-Ann Raia, Town Clerk, from Robert W. Ralph the President of the Fair Housing in Huntington Committee, Inc., regarding the committee's comments on the Consolidated Plan, 2010 – 2014. Also attached was a copy of a letter from Skadden, Arps, Slate, Meagher & Flom LLP that was sent to the Town of Huntington Planning Board c/o James Ryan, Esq. for Cullen and Dykman LLP regarding Ruland Road Site Plan Application.
- Supervisor
Town Board
Town Attorney
Engineering Services
Community Development
cc: Planning & Environment
9. Fax received from Andy Freleng, Chief Planner for Suffolk County regarding application of the Town Board amendment to the Zoning Code, Local Law Intro 4-2010 Chapter 198 – HSTOD. Also, Application of Avalon Bay Communities Inc – Change of Zone R-7 to HSTOD local file # 2008-ZM-378. Included also was SEQR Lead Agency for proposed creation of HSTOD and Change of Zone R-7 to HSTOD – Avalon Bay Communities Inc.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Letters received from Seena Palter, Joseph Cerbone, and Jack Goodman in support of the proposed "Kensington Estates" development for the Dougal Property located on Jericho Turnpike.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment