

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

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

**PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:  
<http://HuntingtonNY.gov>**

**PRESENT:**

<b>Supervisor</b>	<b>Frank P. Petrone</b>
<b>Councilwoman</b>	<b>Susan A. Berland</b>
<b>Councilman</b>	<b>Eugene Cook</b>
<b>Councilman</b>	<b>Mark A. Cuthbertson</b>
<b>Councilwoman</b>	<b>Tracey A. Edwards</b>
<b>Town Clerk</b>	<b>Jo-Ann Raia</b>
<b>Town Attorney</b>	<b>Cindy Elan-Mangano</b>

**AGENDA FOR TOWN BOARD MEETING DATED SEPTEMBER 16, 2014**

**BOARD OF TRUSTEES' MEETING FOLLOWING**

Opened: 2:33 P.M. Closed: 2:34 P.M.

**COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING**

Opened: 2:34 P.M. Recessed: 2:38 P.M. Resumed: 3:25 P.M. Closed: 3:27 P.M.

**LOCAL DEVELOPMENT CORPORATION MEETING**

Opened: 3:27 P.M. Closed: 3:28 P.M.

**2:00 P.M. – TOWN HALL**

Opened: 2:06 P.M. Recessed: 2:33 P.M. Resumed: 2:38 P.M. Closed: 3:25 P.M.

(Resolutions #2014-441 to 2014-481)

**HEARINGS:**

**ACTION**

1. Consider adopting Local Law Introductory No. 35-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Locust Lane, Bayberry Road, Eatons Neck – Stop Sign.

(Local Law Introductory No. 35-2014)

*Scheduled as per Resolution 2014-433 at 8-19-2014 Town Board Meeting)*

**DECISION RESERVED**

2. Consider adopting Local Law Introductory No. 36-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Broadway, Huntington Station – Parking Restrictions.

(Local Law Introductory No. 36-2014)

*Scheduled as per Resolution 2014-434 at 8-19-2014 Town Board Meeting)*

**DECISION RESERVED**

**HEARINGS (Continued):**

**ACTION**

3. Consider issuing a Certificate of Approval in an Historic District  
Re: 20 East Main Street, Huntington – Old Huntington Green Historic  
District. (**Applicant: Kelly DiVico; SCTM #0400-073.00-02.00-005.001**)  
(2014-ZC-4-Ch. 198)  
*Scheduled as per Resolution 2014-438 at 8-19-2014 Town Board Meeting*

**DECISION RESERVED**

4. Consider issuing a Certificate of Approval at an individually designated  
site Re: 35 Greenlawn Road.  
(**Applicant: Rene Neville-Conk; SCTM #0400-075.00-01.00-032.001**)  
(2014-ZC-5-Ch. 198)  
*Scheduled as per Resolution 2014-439 at 8-19-2014 Town Board Meeting*

**DECISION RESERVED**

5. Consider authorizing various actions be taken upon certain properties  
designated as blighted in accordance with Chapter 156, Article VII,  
§156-67 (Blighted Property). (**SCTM #'S: 0400-175.00-01.00-025.000;**  
**0400-222.00-01.00-097.000; 0400-222.00-01.00-108.000;**  
**0400-253.00-02.00-055.000; 0400-009.00-04.00-025.000;**  
**0400-277.00-02.00-062.000**)  
(2014-M-42)  
*Scheduled as per Resolution 2014-436 at 8-19-2014 Town Board Meeting*

**ACTIONS TAKEN AS PER  
RESOLUTION 2014-465**

6. Consider authorizing the Supervisor to execute a license agreement for  
the use of a portion of Town of Huntington land identified as  
SCTM # 0400-031.00-01.00-002.002 with 95 New York Avenue, LLC  
and Prime Events Inc. D/B/A The Harbor Club.  
(2014-M-43)  
*Scheduled as per Resolution 2014-437 at 8-19-2014 Town Board Meeting*

**DECISION RESERVED**

7. Consider adopting Local Law Introductory No. 37-2014, amending  
the Code of the Town of Huntington, Chapter 198 (Zoning), Article I  
(General Provisions) and Article VI (Historic Landmarks and Districts).  
(Local Law Introductory No. 37-2014)  
*Scheduled as per Resolution 2014-435 at 8-19-2014 Town Board Meeting*

**DECISION RESERVED**

**BOARD OF TRUSTEES' HEARING:**

1. Consider the issuance of a Special Use Permit pursuant to the Marine  
Conservation Law, Town Code Chapter 137, Applicant: Thomas Knutson  
Family Trust, Location: 17 Mill Dam Rd., Huntington, NY  
SCTM #0400-031.00-01.00-011.000).  
(2014-BT-6-Ch. 137)  
*Scheduled as per Resolution 2014-BT-6 at 8-19-2014 Town Board Meeting*

**DECISION RESERVED**

**COMMUNITY DEVELOPMENT AGENCY HEARING:**

1. Obtain the views of citizens, Public Agencies and other interested parties  
on the housing and Community Development needs of the Town of  
Huntington for inclusion in the Agency's 5-Year Consolidated Plan and  
first year Annual Plan.

**HEARING CONCLUDED**

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 16, 2014**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**ABBREVIATIONS FOR PURPOSE OF AGENDA:**

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

- |                  |  |                  |                  |   |
|------------------|--|------------------|------------------|---|
| <b>2014-441.</b> | <b>AUTHORIZE</b> the Supervisor to execute a requirements contract with each of the lowest responsible bidders for the catch basin and drainage structure cleaning services for bid items one through seven.<br>(Re: E-Z Trucking Inc. and Magnum Cesspool Services Inc.; Term: One year)  | <b><u>SB</u></b> | <b><u>EC</u></b> | <b>SB-AYE<br/>EC-AYE<br/>FP-AYE<br/>MC-AYE<br/><u>TE-ABST</u></b> |
| <b>2014-442.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the contract for the processing and recycling of Huntington Residential Yardwaste with PowerCrush, Inc. (Extension: One year effective 1/4/2015)  | <b><u>SB</u></b> | <b><u>EC</u></b> | <b><u>5</u></b>   |
| <b>2014-443.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the requirements contract for communication equipment repair with Telecom Communications, Inc. (Extension: One year effective 1/1/2015)   | <b><u>MC</u></b> | <b><u>FP</u></b> | <b><u>5</u></b>   |
| <b>2014-444.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the contract for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM) with Vehicle Tracking Solutions LLC (VTS).<br>(Extension: Three years effective 12/28/2014)  | <b><u>SB</u></b> | <b><u>EC</u></b> | <b><u>5</u></b>   |
| <b>2014-445.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the requirements contract for the processing, recycling and marketing of commingled and discrete post consumer paper products with Omni Recycling of Westbury, Inc. (Extension: One year effective 12/14/2014)  | <b><u>SB</u></b> | <b><u>EC</u></b> | <b><u>5</u></b>   |
| <b>2014-446.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the requirements contract for refuse removal two cubic yard, four cubic yard, six cubic yard, and eight cubic yard containers with Jamaica Ash & Rubbish Removal, Co, Inc. and Progressive Waste Solutions of LI, Inc.<br>(Extension: One year effective 1/1/2015)  | <b><u>SB</u></b> | <b><u>EC</u></b> | <b>SB-AYE<br/>EC-AYE<br/>FP-AYE<br/>TE-AYE<br/><u>MC-ABST</u></b> |
| <b>2014-447.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the contract with Cullen and Danowski, LLP, to perform auditing and accounting services for the Town of Huntington and to execute an extension to the contract with Fuoco Group, LLP, to perform auditing and accounting services for the Huntington Human Services Institute, Cultural Affairs Institute and Youth Bureau Institute, and appoint each as official Town auditors to perform said accounting and auditing services for the fiscal year ending December 31, 2014. | <b><u>FP</u></b> | <b><u>SB</u></b> | <b><u>5</u></b>   |

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 16, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-448.</b> AUTHORIZE the Supervisor to execute an agreement with the Incorporated Village of Northport for the purpose of receiving funds to provide Youth Services.	<u><b>FP</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-449.</b> AUTHORIZE the Supervisor to designate individuals as user managers for the National Transit Database of the Federal Transit Administration.	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-450.</b> AUTHORIZE the execution of an extension to the requirements contract for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District with Hinck Electrical Contractors, Inc. (Extension: One year effective 1/1/2015)	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-451.</b> AUTHORIZE the emergency reconstruction of the Halesite Bulkhead, stating the estimated maximum cost thereof is \$2,300,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$2,300,000 to finance said appropriation. (Subject to Permissive Referendum)	<u><b>FP</b></u>	<u><b>MC</b></u> <u><b>SB</b></u>	<u><b>RC</b></u> <u><b>FP-AYE</b></u> <u><b>MC-AYE</b></u> <u><b>SB-AYE</b></u> <u><b>EC-AYE</b></u> <u><b>TE-AYE</b></u>
<b>2014-452.</b> RESCIND, in part, the Bond Resolution adopted on August 11, 2009, which authorized the issuance of \$3,750,000 bonds for the construction of improvements to Breezy Park. (\$1,000,000.00 is rescinded)	<u><b>FP</b></u>	<u><b>SB</b></u> <u><b>MC</b></u>	<u><b>RC</b></u> <u><b>FP-AYE</b></u> <u><b>SB-AYE</b></u> <u><b>MC-AYE</b></u> <u><b>EC-AYE</b></u> <u><b>TE-AYE</b></u>
<b>2014-453.</b> AUTHORIZE the Town of Huntington to sponsor a children’s Halloween Parade on Friday, October 31, 2014. (Time: 4:00 PM – 5:00 PM)	<u><b>MC</b></u> <u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-454.</b> AUTHORIZE the issuance of a permit to extend the operation of a “Haunted House” at 26 Pinelawn Road, Melville, New York. (Re: F & W Schmitts Farm; SCTM# 0400-255.00-01.00-012.000) (Dates/Times: 10/26, 10/28, 10/29, 10/30, 10/31, 11/1-7:00 PM until 12:00 AM)	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-455.</b> AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts – various departments.	<u><b>TE</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-456.</b> AUTHORIZE the Comptroller to distribute interest earned on tax revenue to the various taxing districts within the Town of Huntington.	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-457.</b> AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Carmine Allesandro, 17 Seward Drive, Dix Hills, SCTM# 0400-264.00-02.00-019.000, Chapter 87; Teofil Kolodziejczyk, 650 Washington Drive, Centerport, SCTM# 0400-039.00-01.00-023.000, Chapters 87, 156; Philip/Deborah McLauchlin, 1 Denton Court, Huntington, SCTM# 0400-206.00-01.00-055.000, Chapter 156; David McKay, 7 Sunset Drive, Huntington, SCTM# 0400-098.00-02.00-035.000, Chapter 156)	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 16, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-458.</b> ACCEPT a donation from Aqua Car Wash and Detailing for the donation of 20 full service car washes and 2 clay waxes to the Town of Huntington Senior Center, nunc pro tunc.	<u>TE</u>	<u>EC</u>	<u>5</u>
<b>2014-459.</b> APPOINT Board Members. (Re: Board of Assessment Review) (Appoint: Dominic Feeney, Jr., Jeffrey J. Stark [Chairman], Randolph W. Spelman [Vice-Chairman]; terms expire 9/30/2015)	<u>SB</u>	<u>FP</u>	<u>5</u>
<b>2014-460.</b> APPOINT a Deputy Director of General Services. (Re: Keith M. Barrett)			FP-AYE SB-AYE TE-AYE MC-AYE <u>EC-NO</u>
	<u>FP</u>	<u>SB</u> <u>TE</u>	
<b>2014-461.</b> ESTABLISH the standard work days for elected officials and appointed personnel for New York State and Local Retirement System reporting purposes.			FP-AYE SB-AYE MC-AYE TE-AYE <u>EC-NO</u>
	<u>FP</u>	<u>SB</u> <u>MC</u>	
<b>2014-462.</b> ISSUE a positive declaration for the Zone Change Application of Syndicated Ventures, #2013-ZM-397, to change the zone from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for property located on the northeast corner of Jericho Turnpike and Manor Road, Elwood, SCTM # 0400-209-02-(003,004.001, 005.006).			TE-AYE FP-AYE SB-AYE EC-AYE <u>MC-NO</u>
	<u>TE</u>	<u>FP</u>	
<b>2014-463.</b> REAPPOINT AND APPOINT members to the Public Art Advisory Committee and designating a Chairperson. (Reappoint: Robert Carter, Linda Furey, Michael Schantz, Ph.D., Janine Seifert [Chairperson], Richard Vaux; Appoint: Mark McAteer, James Metcalfe)	MC <u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-464.</b> ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 501 Sweet Hollow Road, Melville-Sweet Hollow Historic District. (Applicant: Ramin Rasuli) (SCTM# 0400-256.00-01.00-013.000)	<u>MC</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 16, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-465.</b> AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Schedule A & B: Estate of Shirley Kiesow, 413 2 <sup>nd</sup> Avenue W, East Northport, SCTM# 0400-175.00-01.00-025.000; Irene/Ann Rostick, 14 Kirby Lane, Commack, SCTM# 0400-222.00-01.00-097.000, Empire Property Solutions, LLC, 5 Kirby Lane, Commack, SCTM# 0400-222.00-01.00-108.000; Robert/Lisa Cook, 4 Tuxedo Drive, Melville, SCTM# 0400-253.00-02.00-055.000; Waterview Realty Properties, Inc., 349 Waterside Road, Northport, SCTM# 0400-009.00-04.00-025.000; James/Judith A./Neal Lovell, 26 Rustic Gate, Dix Hills, SCTM# 0400-277.00-02.00-062.000; Schedule D: Russell Van Deirse, 17 Carmen Road, Dix Hills, SCTM# 0400-243.00-01.00-029.000; Walter/Joann Hergenhan, 185 W. Pulaski Road, Huntington Station, SCTM# 0400-138.00-03.00-023.000)	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-466.</b> ENACTMENT: ADOPT Local Law Introductory No. 31-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions).	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-467.</b> ENACTMENT: ADOPT Local Law Introductory No. 33-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an Historic Landmark of the building and property known as the Cobb House, 17 Cherry Lane, Huntington, located at 19 Cherry Lane, Huntington, SCTM #0400-077-02-026.002. (Applicant: Stephen Davis)	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2014-468.</b> ENACTMENT: ADOPT Local Law Introductory No. 34-2014, amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article I (Title and Findings; Definitions), Article II (Taker's Permit Requirements), Article V (Refusal, Rescission and Appeals Procedures).	<u><b>FP</b></u> <u><b>EC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-469.</b> SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM Re: Preliminary Annual Operating Budget. (Re: Fiscal year beginning 1/1/2015)	<u><b>SB</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-470.</b> SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM Re: Preliminary Capital Budget. (Re: Fiscal year beginning 1/1/2015).	<u><b>SB</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-471.</b> SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM Concerning the adoption of the Assessment Roll for the Huntington Sewer District.	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-472.</b> SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM Concerning the adoption of the Assessment Roll for the Centerport Sewer District.	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 16, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-473. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory No. 38-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter I (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields).	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-474. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory No. 39-2014 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities); Article I (Definitions), Article II (Use Regulations and Restrictions) and Article III (Permit for Use of Park Facilities).	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-475. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory No. 40-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Anchorage Lane, Halesite-Parking Restrictions.	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2014-476. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory No. 41-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Bagatelle Road, Dix Hills-Parking Restrictions.	<u><b>SB</b></u> <u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-477. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory No. 42-2014 amending the Code of the Town of Huntington, Chapter 160 (Registration of Property).	<u><b>TE</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-478. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider adopting Local Law Introductory Number 43-2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an Historic Landmark the buildings and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington. (Re: P/O SCTM# 0400-026-02-041)	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-479. SCHEDULE A PUBLIC HEARING: October 21, 2014 at 6:00 PM</b> To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-67 (Blighted Property). (Re: Schedule A: 178 Beverly Road, LLC, 178 Beverly Road, Huntington Station, SCTM# 0400-203.00-02.00-004.001; Richard Olivo Enterprises, Inc., 286A Nassau Road, Huntington, SCTM# 0400-098.00-01.00-025.000; Walter/JoAnn Hergenhan, 9 Maryanne Court, Huntington, SCTM# 0400-077.00-02.00-036.007)	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR BOARD OF TRUSTEES'  
MEETING DATED: SEPTEMBER 16, 2014**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY  
MEETING DATED: SEPTEMBER 16, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-CD2.</b> AUTHORIZE the Chairman of the Community Development Agency to execute an agreement with Reach, CYA, Inc. (Re: Millennium Hills residents for the period 4/1/2014 - 3/31/2015)	<u><b>SB</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-CD3.</b> AUTHORIZE the Chairman to execute an agreement with The Family Service League, Inc. for the provision of a Home Share Program for Huntington residents.	<u><b>SB</b></u> <u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-CD4.</b> AUTHORIZE the Chairman to execute an agreement with Long Island Housing Services, Inc. (Period: 4/1/2014 – 3/31/2015)	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-CD5.</b> AUTHORIZE the Chairman to execute an extension to the contract with Cullen & Danowski, LLP Certified Public Accountants, to conduct an independent audit for the fiscal year ending December 31, 2014.	<u><b>FP</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-CD6.</b> ACCEPT donations to the Huntington Opportunity Resource Center, 1264 New York Avenue, Huntington Station, NY and authorizing the Chairman to sign an agreement in connection therewith. (Re: KPMG and Harras Bloom & Archer LLP)	<u><b>TE</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING  
MEETING DATED: SEPTEMBER 16, 2014**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**2014-LDC-1.AUTHORIZE** the Chairman to execute an extension to the contract with Cullen & Danowski, LLP Certified Public Accountants, to conduct an independent audit for the fiscal year ending December 31, 2014.

**FP**

**SB**

**5**

2014-441

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH EACH OF THE LOWEST RESPONSIBLE BIDDERS FOR THE CATCH BASIN AND DRAINAGE STRUCTURE CLEANING SERVICES FOR BID ITEMS ONE THROUGH SEVEN.

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN COOK

WHEREAS, catch basins are required to be cleaned periodically in order to maintain their ability to trap sediment, and consequently their ability to prevent flooding; and

WHEREAS, sealed bids were received on July 31, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the catch basin and drainage structure cleaning services, Bid No. TOH 14-07R-046 and the same were opened publicly and read aloud; and

WHEREAS, the Highway Department, in conjunction with the Department of Purchasing, have reviewed and analyzed the aforementioned bids and is recommending the award of a contract to the lowest responsive, responsible bidder for each of the seven (7) bid items as detailed in Schedule A; and

WHEREAS, catch basin and drainage structure cleaning services is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1) 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, pursuant to Schedule A, for the catch basin and drainage structure cleaning services. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not prior to October 7, 2014 and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:           AYES: 4           NOES: 0           ABSTENTIONS: 1

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	ABSTAINED

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

## SCHEDULE A

**Bid No. TOH 14-07R-046**  
**Catch Basin and Drainage Structure Cleaning Services**

**Awardees:**

<u>Bid Item No.</u>	<u>Description</u>	<u>Company Name and Address</u>	<u>Hourly Rate Per Unit (Includes Equipment, Operator and Laborer)</u>
	Clam-Shell Truck Type Service		
I	Zone 1	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$210.98
II	Zone 2	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$210.45
III	Zone 3	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$213.65
IV	Zone 4	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$214.95
V	Zone 5	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$212.75
VI	Zone 6	E-Z Trucking Inc. PO Box 361 Greenlawn, NY 11740	\$211.98
VII	Vacuum Truck type Service	Magnum Cesspool Service Inc. 52 Ontario Street Huntington, NY 11743	\$220.00

2014-442

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR THE PROCESSING AND RECYCLING OF HUNTINGTON RESIDENTIAL YARDWASTE WITH POWERCRUSH, INC.

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is committed to processing and recycling residential yardwaste materials in an environmentally sound and lawful manner. The Town of Huntington schedules approximately forty-five (45) separate yardwaste collections annually; The Town Refuse District Municipal and Contract Carters collect bundled branches less than 6" in diameter, and 4' in length, and bagged leaves or prunings, which are then delivered to the contractors facility; and

WHEREAS, Town Board Resolution 2012-517 authorized the execution of a contract with PowerCrush, Inc., 140 Old Northport Road, Kings Park, New York 11754 for the processing and recycling of Huntington residential yardwaste, Bid No. TOH 12-10R-067; and

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

WHEREAS, PowerCrush, Inc., 140 Old Northport Road, Kings Park, New York 11754 has requested the 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 PowerCrush, Inc., for the processing and recycling of Huntington residential yardwaste. The extension period shall be effective for one (1) year commencing on January 4, 2015 to be charged to SR8158.4990, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-443

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR COMMUNICATION EQUIPMENT REPAIR WITH TELECOM COMMUNICATIONS, INC.

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Department of Public Safety, Environmental Waste Management, General Services, and the Highway Department utilize communication equipment in order to expedite prompt responses to various townwide service requests, and such equipment needs to be maintained and kept in good working order. This contract provides for the repair and installation of two-way communication equipment for all Town of Huntington mobile, hand-held or base station radios, repeaters and antennas; and

WHEREAS, Town Board Resolution 2013-519 authorized the execution of a contract with Telecom Communications, Inc. for communication equipment repair, Bid No. TOH 13-10R-073; and

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

WHEREAS, Telecom Communications, Inc., 234 Newtown Road, Plainview, New York 11803 has requested the 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 Telecom Communications, Inc. for communication equipment repair. The extension period shall be effective for one (1) year commencing on January 1, 2015 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-444

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR THE TOWN OF HUNTINGTON AUTOMATED VEHICLE LOCATION AND MONITORING (AVLM) WITH VEHICLE TRACKING SOLUTIONS LLC (VTS).

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, , the Town of Huntington continues to desire a real time tracking system, which allows the Town to better manage and maximize the value of its fleets of vehicles. This system allows managers to monitor speed, mileage, idling status, stops and times, routes and locations driven, and more. Furthermore, real time alerts can be set up for speeding, after-hours use, extended stops or idling, and theft. The system shall comprise the ability to collect "real-time" data from all vehicles simultaneously and on a regular frequency; and

WHEREAS, Town Board Resolution 2011-500 authorized the execution of a contract with Vehicle Tracking Solutions, LLC (VTS) for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM), RFP No. 2011-09-013; and

WHEREAS, said requirements contract provides for a three (3) year extension with no increase in the price or change in the terms and conditions; and

WHEREAS, Vehicle Tracking Solutions, LLC (VTS), 152 Veterans' Memorial Highway, Commack, New York 11725 has requested the three (3) 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 Vehicle Tracking Solutions, LLC (VTS), for the Town of Huntington Automated Vehicle Location and Monitoring (AVLM). The extension period shall be effective for three (3) year commencing on December 28, 2014 to be charged to the various operating budgets under object code 4570 and equipment purchases to IT1997-2220, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

Supervisor Frank P. Petrone                    **AYE**

Councilwoman Susan A. Berland                    **AYE**

Councilman Eugene Cook                    **AYE**

Councilman Mark A. Cuthbertson                    **AYE**

Councilwoman Tracey A. Edwards                    **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-445

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE PROCESSING, RECYCLING AND MARKETING OF COMMINGLED AND DISCRETE POST CONSUMER PAPER PRODUCTS WITH OMNI RECYCLING OF WESTBURY, INC.

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington will either collect or make available on a regular basis, commingled and discrete post-consumer paper products that are to be recycled rather than be disposed of by landfilling or incineration; and

WHEREAS, Town Board Resolution 2012-451 authorized the execution of a contract and Town Resolution 2013-427 authorized the first one (1) year extension with Omni Recycling of Westbury, Inc. for the processing, recycling and marketing of commingled and discrete post-consumer paper products, RFP No. 2012-10-009; and

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

WHEREAS, Omni Recycling of Westbury, Inc., 7 Portland Ave., Westbury, New York 11590 has requested the second 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 Omni Recycling of Westbury, Inc. for the processing, recycling and marketing of commingled and discrete post-consumer paper products. The extension period shall be effective for one (1) year commencing on December 14, 2014, the revenue of which is to be deposited into Account No. SR 2651 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-446

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR REFUSE REMOVAL TWO CUBIC YARD, FOUR CUBIC YARD, SIX CUBIC YARD AND EIGHT CUBIC YARD CONTAINERS WITH JAMAICA ASH & RUBBISH REMOVAL, CO, INC. AND PROGRESSIVE WASTE SOLUTIONS OF LI, INC.

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, various departments throughout the Town require 2 cubic yard, 4 cubic yard, 6 cubic yard, or 8 cubic yard refuse removal, in order to consolidate, recycle and remove rubbish generated from various Town facilities. The collected refuse is then transported and disposed of at the Town of Huntington's Resource Recovery Facility. The facilities that utilize these containers include but are not limited to Town Parks, Beaches, Marinas, Streetlighting, HART Bus and the Dix Hills Water District; and

WHEREAS, Town Board Resolution 2013-520 authorized the execution of a contract with Jamaica Ash & Rubbish Removal Co., Inc. and Progressive Waste Solution of LI, Inc. for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers, Bid No. TOH 13-09R-056; and

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

WHEREAS, Jamaica Ash & Rubbish Removal Co., Inc., 172 School Street, Westbury, New York 11590 and Progressive Waste Solutions of LI, Inc., 1198 Prospect Avenue, Westbury, New York 11590 have requested a 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 Jamaica Ash & Rubbish Removal Co., Inc. and Progressive Waste Solution of LI, Inc. for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers. The extension period shall be effective for one (1) year commencing on January 1, 2015 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014- 446

VOTE:            AYES: 4            NOES: 0            ABSTENTIONS: 1

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	ABSTAINED
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE TOWN OF HUNTINGTON AND TO EXECUTE AN EXTENSION TO THE CONTRACT WITH FUOCO GROUP, LLP, TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE HUNTINGTON HUMAN SERVICES INSTITUTE, CULTURAL AFFAIRS INSTITUTE & YOUTH BUREAU INSTITUTE, AND APPOINT EACH AS OFFICIAL TOWN AUDITORS TO PERFORM SAID ACCOUNTING AND AUDITING SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014.

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2013-567 authorized the Supervisor to execute a contract with Cullen & Danowski, LLP for professional auditing and accounting services for the Town of Huntington; and

WHEREAS, Town Board Resolution 2013-567 authorized the Supervisor to execute a contract with Fuoco Group, LLP for professional auditing and accounting services for the Huntington Human Services Institute, Cultural Affairs Institute, and the Youth Bureau Institute; and

WHEREAS, said contracts provide for four one (1) year extensions upon mutual consent of both parties; and

WHEREAS, Cullen & Danowski , LLP and Fuoco Group, LLP have requested the Town Board's approval for the first one (1) year extension of the contract with a minimal price increase; 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 contract and any documents in connection and related therewith with Cullen & Danowski, LLP and appoint same as official Town Auditors to perform accounting and auditing services for the Town of Huntington for the fiscal year ending December 31, 2014 for an amount not to exceed the sum of SEVENTY-NINE THOUSAND EIGHT HUNDRED TEN AND NO/100 (\$79,810.00) DOLLARS to be charged to Operating Budget Item A1315-4550 for a term commencing January 1, 2015 and terminating December 31, 2015, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

2014-447

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract and any documents in connection and related therewith with Fuoco Group, LLP, and appoint same as official Town Auditors to perform accounting and auditing services for the fiscal year ending December 31, 2014, for an amount not to exceed the sum of THREE THOUSAND FIVE HUNDRED AND NO/100 (\$3,500.00) DOLLARS for the Huntington Human Services Institute; and for an amount not to exceed sum of the sum of THREE THOUSAND AND NO/100 (\$3,000.00) DOLLARS for the Cultural Affairs Institute, both to be charged to Operating Budget Item A1315-4550; and for an amount not to exceed the sum of FIVE THOUSAND FIVE HUNDRED AND NO/100 (\$5,500.00) DOLLARS for the Youth Bureau Institute to be charged directly to the Youth Bureau Institute. Each for a term commencing January 1, 2015 and terminating December 31, 2015 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-448

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

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Incorporated Village of Northport, 224 Main Street, Northport, NY, for the provision of youth services for an amount not to exceed the sum of SEVEN HUNDRED FIFTY AND NO/100 (\$750.00) DOLLARS to be recorded in Operating Budget Item A3833 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2014-449

RESOLUTION AUTHORIZING THE SUPERVISOR TO DESIGNATE INDIVIDUALS AS USER MANAGERS FOR THE NATIONAL TRANSIT DATABASE OF THE FEDERAL TRANSIT ADMINISTRATION

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the United States Congress established the National Transit Database (NTD) as the Federal Transit Administration's (FTA's) primary database for statistics of the transit industry; and

WHEREAS, the information contained within the database is utilized to plan public transportation; and

WHEREAS, the Town of Huntington is currently one of eight hundred and twenty one entities that provide information to the database; and

WHEREAS, the operators of the NTD now require that participating agencies designate a "User Manager" to perform the necessary functions required with the participation of the database; and

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

NOW, THEREFORE, THE TOWN BOARD, authorizes the Supervisor to designate individuals as user managers for the National Transit Database of the Federal Transit Administration.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-450

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR WASTEWATER TREATMENT FACILITY INSTRUMENTATION AND CONTROL MAINTENANCE FOR THE TOWN OF HUNTINGTON SEWER DISTRICT WITH HINCK ELECTRICAL CONTRACTORS, INC.

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is committed to providing preventive maintenance services to the Wastewater Control Systems at the Town of Huntington Sewer District facilities, and as such, these services may require specialized skills and outside support; and

WHEREAS, Town Board Resolution 2013-483 authorized the execution of a contract with Hinck Electrical Contractors, Inc. for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District, Bid No. TOH 13-09R-057; and

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

WHEREAS, Hinck Electrical Contractors, Inc., 75 Orville Drive, Suite 1, Bohemia, NY 11716 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 Hinck Electrical Contractors, Inc. for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District. The extension period shall be effective for one (1) year commencing on January 1, 2015 to be charged to Operating Funds SS1-8131-4650, SS2-8132-4650 and SS3-8133-4650, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Huntington, in the

County of Suffolk, New York

September 16, 2014

\* \* \*

A regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, was held at the Town Hall, 100 Main Street, Huntington, New York on September 16, 2014.

There were present: Hon. Frank P. Petrone, Supervisor; and

Board Members: COUNCILWOMAN SUSAN A. BERLAND  
COUNCILMAN EUGENE COOK  
COUNCILMAN MARK A. CUTHBERTSON  
COUNCILWOMAN TRACEY A. EDWARDS

There were absent:

Also present: Hon. Jo-Ann Raia, Town Clerk

\* \* \*

Supervisor Petrone offered the following resolution and moved its adoption:

**SECONDED BY: COUNCILMAN CUTHBERTSON, COUNCILWOMAN BERLAND**

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
NEW YORK, ADOPTED SEPTEMBER 16, 2014,  
AUTHORIZING THE EMERGENCY RECONSTRUCTION OF  
THE HALESITE BULKHEAD, STATING THE ESTIMATED  
MAXIMUM COST THEREOF IS \$2,300,000,  
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,  
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE  
PRINCIPAL AMOUNT OF \$2,300,000 TO FINANCE SAID  
APPROPRIATION

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

Section 1. The Town of Huntington, in the County of Suffolk, New York (herein  
called the "Town"), is hereby authorized to undertake the emergency reconstruction of the  
Halesite bulkhead. The estimated maximum cost thereof, including preliminary costs and costs  
incidental thereto and the financing thereof, is \$2,300,000 and said amount is hereby  
appropriated for such purpose. The plan of financing includes the issuance of bonds in the  
principal amount of \$2,300,000 to finance said appropriation, and the levy and collection of  
taxes on all the taxable real property in the Town to pay the principal of said bonds and the  
interest thereon as the same shall become due and payable. It is expected that Federal aid shall  
be received by the Town from the Federal Emergency Management Agency (FEMA) to pay all  
or part of the cost of the project. Any such aid received from FEMA or from any other source,  
and any insurance proceeds received in relation to the damaged bulkhead, are authorized to be

used to pay all or part of the cost of the project or to pay principal and/or interest on any bonds or notes issued pursuant to this resolution.

Section 2. Bonds of the Town in the principal amount of \$2,300,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (referred to herein as the "Law"), to finance said appropriation.

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

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 22 of the Law, is twenty (20) 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 bonds authorized by this resolution will exceed five years.

(d) The Town Board has given due consideration to the impact that the project described herein may have on the environment and, on the basis of such consideration, 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, Section 617.5(c)(2) and (33); therefore, no further

environmental review is required and the Town Board authorizes and directs that notice of this determination and any other appropriate documentation be duly filed pursuant to the provisions of the SEQRA law and regulations thereunder.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as 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 general tax upon all the taxable real property within the Town. 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 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 of the Law 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 as 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 of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as 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 the sale 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 bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in "*The Observer*," and "*The Long Islander*," two newspapers each having general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, and to post on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF HUNTINGTON, NEW YORK

PLEASE TAKE NOTICE that on September 16, 2014, the Town Board of the Town of Huntington, in the County of Suffolk, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Huntington, New York, adopted September 16, 2014, authorizing the emergency reconstruction of the Halesite bulkhead, stating the estimated maximum cost thereof is \$2,300,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$2,300,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to undertake the emergency reconstruction of the Halesite bulkhead; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,300,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of \$2,300,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; and STATING that any FEMA aid and insurance proceeds received from any source are authorized to be used to pay all or part of the cost of the project or to pay principal and/or interest on any bonds or notes issued pursuant to this resolution.

SECOND: AUTHORIZING the issuance of \$2,300,000 bonds of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is twenty (20) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; the proposed maturity of said bonds will exceed five (5) years; and the project is a Type II action under the State Environmental Quality Review Act (SEQRA) and no further environmental review is required;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof, and other related powers; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: September 16, 2014  
Huntington, New York

Hon. Jo-Ann Raia  
Town Clerk

Section 8. The Town Clerk is hereby directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the newspapers referred to in Section 7 hereof, and hereby designated the official newspapers for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

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

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilperson Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilperson Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilperson Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilperson Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The resolution was declared adopted.

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EXTRACT OF MINUTES  
Meeting of the Town Board of the  
Town of Huntington, in the  
County of Suffolk, New York  
September 16, 2014

\* \* \*

A regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, was held at the Town Hall, 100 Main Street, Huntington, New York on September 16, 2014.

There were present: Hon. Frank P. Petrone, Supervisor; and

Board Members: COUNCILWOMAN SUSAN A. BERLAND  
COUNCILMAN EUGENE COOK  
COUNCILMAN MARK A. CUTHBERTSON  
COUNCILWOMAN TRACEY EDWARDS

There were absent:

Also present: Jo-Ann Raia, Town Clerk

\* \* \*

Supervisor Petrone offered the following resolution and moved its adoption:

**SECONDED BY: COUNCILWOMAN BERLAND, COUNCILMAN CUTHBERTSON**

RESOLUTION OF THE TOWN OF HUNTINGTON, NEW YORK, ADOPTED SEPTEMBER 16, 2014 RESCINDING, IN PART, THE BOND RESOLUTION ADOPTED ON AUGUST 11, 2009, WHICH AUTHORIZED THE ISSUANCE OF \$3,750,000 BONDS FOR THE CONSTRUCTION OF IMPROVEMENTS TO BREEZY PARK

THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The resolution heretofore duly adopted by the Town Board of the Town of Huntington, in the County of Suffolk, New York (the "Town"), entitled:

"Bond Resolution of the Town of Huntington, New York, adopted August 11, 2009, authorizing the construction of improvements to Breezy Park, stating the estimated maximum cost thereof is \$6,750,000; appropriating said amount therefor, including the expenditure of \$3,000,000 available funds to pay a part of said appropriation; and authorizing the issuance of \$3,750,000 serial bonds of said Town to finance the balance of said appropriation,"

is hereby rescinded, in part. Specifically, the bond resolution is rescinded as to the \$1,000,000 of bond authorization which is currently unissued. Serial bonds in the principal amount of \$2,750,000 have been heretofore issued pursuant to such resolution and said \$2,750,000 bonds are not affected by the rescission of the remaining \$1,000,000 authorization. The maximum amount of bonds now authorized to be issued pursuant to the bond resolution is \$2,750,000, all of which has been previously issued. No additional bonds are authorized to be issued pursuant to the bond resolution.

Section 2. This resolution shall take effect immediately.

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

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilperson Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilperson Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilperson Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilperson Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The resolution was declared adopted.

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2014-453

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON TO SPONSOR A CHILDREN'S HALLOWEEN PARADE ON FRIDAY, OCTOBER 31, 2014

Resolution for Town Board Meeting Dated: September 16, 2014

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

And seconded by: **SUPERVISOR PETRONE**

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

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

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

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Town of Huntington to sponsor and conduct a Children's Halloween Parade to be held on Gerard Street and Wall Street in Huntington on Friday, October 31, 2014 from 4:00 p.m. until 5:00 p.m.; and

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to operate a "haunted house" at 26 Pinelawn Road, Melville, New York 11747 bearing Suffolk County Tax Map #0400-255.00-01.00-012.000 on the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> of October, 2014, from 7:00 p.m. until 12:00 a.m. and on the 13<sup>th</sup>, 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 24<sup>th</sup> and 25<sup>th</sup> of October, 2014 from 7:00 p.m. until 12:00 a.m.; and

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

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to extend the operation of the "haunted house" for the 26<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> of October, 2014 and the 1<sup>st</sup> of November, 2014, from 7:00 p.m. until 12:00 a.m.; and

WHEREAS, the issuance of a permit to extend the operation a haunted house is not an action as defined by 6 N.Y.C.R.R. 617.2(b), and therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the issuance of a permit to F & W Schmitts Farm for the operation of a haunted house on the 26<sup>th</sup>, 28<sup>th</sup>, 29<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> of October, 2014 and the 1<sup>st</sup> of November, 2014, from 7:00 p.m. until 12:00 a.m., upon the following terms and conditions:

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

3. F & W Schmitts Farm shall secure a policy of insurance covering the event which names the Town as certificate holder and as an additional insured, by endorsement, on the policy, with a policy limit in the minimum amount of \$2,000,000.00 per occurrence and a Certificate of Insurance evidencing same shall be provided to the Town Attorney's Office; and
4. F & W Schmitts Farm shall execute a hold harmless agreement in favor of the Town of Huntington, its agents and employees in a form acceptable to the Town Attorney; and
5. All applicable permit and/or application fees and/or deposits shall be fully paid in accordance with the Code of the Town of Huntington; and
6. Any additional costs incurred by the Town of Huntington for labor; services and/or inspections in connection with or resulting from the event shall be fully reimbursed by F & W Schmitts Farm and shall be paid to the Huntington Town Clerk no later than November 7, 2014; and
7. Patrons of the haunted house attraction at F & W Schmitts Farm shall not be permitted to park vehicles on the property identified as Suffolk County Tax Map # 0400-257-03-009.005; and

on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2014 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2014 Operating Budget as follows:

Reinstate the following position:

DB-5110-1100	Heavy Equipment Operator I	\$10,993
SW1-8321-1100	Clerk Typist	8,903

Create the following position:

A-1490-1100	Neighborhood Aide III	\$17,254
A-7183-1100	Heavy Equipment Operator II	20,463
B-8020-1100	Planner	19,347

Abolish the following position:

A-1490-1100	Confidential Secretary	(\$16,973)
A-7183-1100	Grounds Keeper II	(22,882)
B-8020-1100	Planning Aide	(18,266)

Adjust the following Appropriations:

A-1990-1100	Contingency	\$2,138
B-1990-1100	Contingency	(1,081)
DB-1990-1100	Contingency	(10,993)
SW1-1990-1100	Contingency	(8,903)

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-456

RESOLUTION AUTHORIZING THE COMPTROLLER TO DISTRIBUTE INTEREST EARNED ON TAX REVENUE TO THE VARIOUS TAXING DISTRICTS WITHIN THE TOWN OF HUNTINGTON.

Resolution for Town Board Meeting Date: September 16, 2014

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

And seconded by **SUPERVISOR PETRONE**

WHEREAS, interest earned on tax monies received and held in interest bearing accounts by the Receiver of Taxes is required to be distributed to the taxing districts; and

WHEREAS, the distribution of interest earned on tax accounts is not an action under SEQRA as defined by 6 N.Y.C.R.R. Section 617.2 (b), and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD HEREBY AUTHORIZES the Comptroller to distribute the earned interest on tax revenue to the various taxing districts within the Town of Huntington pursuant to the schedule attached hereto and made a part of this resolution.

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-456

**TOWN OF HUNTINGTON  
HUNTINGTON, NEW YORK  
INTEREST EARNINGS ON TAX MONIES: 2013-2014**

Interest to be distributed: \$9,978.74

<u>Town</u>	<u>2013-2014 Tax Distribution</u>	<u>Percentage of Total</u>	<u>Interest Earned</u>
General Fund - Whole Town	\$34,985,718.00	3.6410%	\$363.33
General Fund-Unpaid Property Clean-up	\$57,446.90	0.0060%	\$0.60
General Fund-Blight Abatement	\$86,594.98	0.0090%	\$0.90
General Fund-Court Ordered Receiver	\$14,788.18	0.0015%	\$0.15
General Fund - Part Town	\$4,190,837.00	0.4361%	\$43.52
Highway 1 & 2	\$29,393,394.00	3.0590%	\$305.25
Environmental Open Space Bond	\$1,500,000.00	0.1561%	\$15.58
Out of County Tuition	\$2,797,310.00	0.2911%	\$29.05
	<hr/>		
	\$73,026,089.06	7.5998%	\$758.38
 <u>County</u>			
County of Suffolk	\$132,626,977.29	13.8027%	\$1,377.28
	<hr/>		
	\$132,626,977.29	13.8027%	\$1,377.28
 <u>School Districts</u>			
Cold Spring Harbor C.S.D.	\$43,697,386.19	4.5477%	\$453.80
Commack U.F.S.D.	\$48,214,443.82	5.0177%	\$500.70
Elwood Library	\$1,458,330.38	0.1518%	\$15.15
Elwood U.F.S.D.	\$37,131,702.63	3.8644%	\$385.62
Half Hollow Hills C.S.D.	\$158,149,439.20	16.4588%	\$1,642.38
Harborfields Public Library	\$4,642,611.15	0.4832%	\$48.22
Harborfields U.F.S.D.	\$52,554,083.16	5.4694%	\$545.78
Huntington U.F.S.D.	\$96,967,466.06	10.0915%	\$1,007.00
Northport/E. Nport U.F.S.D.	\$135,325,914.97	14.0836%	\$1,405.37
South Huntington U.F.S.D.	\$99,318,011.28	10.3362%	\$1,031.42
Syosset C.S.D.	\$9,674.08	0.0010%	\$0.10
	<hr/>		
	\$677,469,062.92	70.5053%	\$7,035.54
 <u>Fire Districts</u>			
Centerport	\$1,777,538.19	0.1850%	\$18.46
Cold Spring Harbor	\$1,595,756.91	0.1661%	\$16.57
Commack	\$1,575,692.49	0.1640%	\$16.37
Dix Hills	\$4,907,113.74	0.5107%	\$50.96
East Northport	\$3,715,349.70	0.3867%	\$38.59
Eatons Neck	\$619,400.95	0.0645%	\$6.44
Greenlawn	\$2,747,223.49	0.2859%	\$28.53
Halesite	\$1,742,270.79	0.1813%	\$18.09
Huntington	\$2,911,849.90	0.3030%	\$30.24
Huntington Manor	\$4,913,748.69	0.5114%	\$51.03
Melville	\$4,909,662.38	0.5110%	\$50.99
	<hr/>		
	\$31,415,607.23	3.2696%	\$326.27

2014-456

**Special Districts**

Street Lighting	\$3,449,543.00	0.3590%	\$35.82
Huntington Sewer District	\$4,892,466.00	0.5092%	\$50.81
Centerport Sewer District	\$113,719.00	0.0118%	\$1.18
Consolidated Refuse District	\$23,773,582.00	2.4742%	\$246.89
Huntington Comm. Ambulance	\$2,378,848.00	0.2476%	\$24.71
Commack Ambulance	\$551,125.00	0.0574%	\$5.73
Fire Protection Dist. # 1	\$1,534,886.00	0.1597%	\$15.94
Dix Hills Water District	\$2,736,087.00	0.2847%	\$28.41
Dix Hills-Unpaid Water Bills	\$157,326.39	0.0164%	\$1.64
Huntington-BID	\$87,500.00	0.0091%	\$0.91
Huntington Station-BID	\$90,000.00	0.0094%	\$0.94
Cold Spring Harbor-BID	\$9,000.00	0.0009%	\$0.09
	<hr/>		
	\$39,774,082.39	4.1394%	\$413.07

**Water Districts**

So. Huntington Water Dist.	\$3,840,344.00	0.3997%	\$39.89
South Huntington-Unpaid Water Bills	\$252,552.93	0.0263%	\$2.62
Greenlawn Water District	\$2,302,500.00	0.2396%	\$23.91
Greenlawn-Unpaid Water Bills	\$171,033.54	0.0178%	\$1.78
	<hr/>		
	\$6,566,430.47	0.6834%	\$68.20

<b>Total</b>	<b>\$960,878,249.36</b>	<b>100.0000%</b>	<b>\$9,978.74</b>
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2014-457

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

Resolution for Town Board Meeting Dated: September 16, 2014

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-457

Schedule A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
17 Seward Drive Dix Hills, NY 11746	0400-264.00-02.00-019.000	Carmine Allesandro	09/11/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
650 Washington Dr. Centerport, NY 11721	0400-039.00-01.00-023.000	Teofil S. Kolodziejczyk	06/19/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Denton Ct. Huntington, NY 11743	0400-206.00-01.00-055.000	Philip T. Mc Lauchlin Deborah A. Mc Lauchlin	06/17/2014	N/A
7 Sunset Dr. Huntington, NY 11743	0400-098.00-02.00-035.000	David Mc Kay	08/05/2014	N/A
650 Washington Dr. Centerport, NY 11721	0400-039.00-01.00-023.000	Teofil S. Kolodziejczyk	06/17/2014	N/A



RESOLUTION APPOINTING BOARD MEMBERS

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the appointment of individuals to the Town of Huntington boards is not an action as defined by N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required;

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY APPOINTS the following individual to the Town of Huntington Board of Assessment Review for an unexpired term of Thomas Jerideau, to expire as indicated:

Dominic P. Feeney, Jr.	9/30/2015
21 Kallenberger Drive	
Melville, NY 11747	

HEREBY APPOINTS Jeffrey J. Stark, as Chairman and Randolph W. Spelman, as Vice-Chairman, of the Town of Huntington Board of Assessment Review through September 30, 2015.

VOTE:            AYES: 5            NOES: 0            ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-460

RESOLUTION APPOINTING A DEPUTY DIRECTOR OF GENERAL SERVICES

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND, COUNCILWOMAN EDWARDS**

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

NOW, THEREFORE THE TOWN BOARD

HEREBY APPOINTS:

KEITH M. BARRETT  
14 Jayne Avenue  
Melville, New York 11747

As Deputy Director of General Services, effective September 16, 2014, for an annual salary not to exceed NINETY FIVE THOUSAND DOLLARS (\$95,000).

VOTE:                      AYES: 4                      NOES: 1                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-461

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS FOR ELECTED OFFICIALS AND APPOINTED PERSONNEL FOR NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REPORTING PURPOSES

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the New York State & Local Retirement System requires that the Town of Huntington establish by resolution the number of hours in a standard work day and the reportable number of days worked in a month for all elected and appointed positions; and

WHEREAS, the establishment of a standard work day and reportable number of days worked for New York State Local Retirement Services reporting purposes is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY ESTABLISHES that the standard workweek for all full-time appointed employees at the Town of Huntington is seven hours per day, five days a week and such employees participate in the Town's employee time keeping system; and

FURTHER ESTABLISHES standard work days for Town of Huntington elected officials and for part-time appointed officials based on the record of activities maintained and submitted by these officials to the Town Clerk per Schedule A, which is attached hereto and made a part of this resolution; and

FURTHER RESOLVES that the Town of Huntington shall report the information contained on Schedule A to the New York State and Local Employees Retirement System and will cause such information to be posted on the Town of Huntington website as per 2 NYCRR §315.4.

VOTE:            AYES: 4        NOES: 1        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Town of Huntington  
Appointed and Elected  
Schedule A  
2014

<u>Title</u>	<u>Last Name</u>	<u>First Name</u>	<u>Standard Work Day</u>	<u>Term Begins/Ends</u>	<u>Participates in Time Keeping System</u>	<u>Days/Month</u>	
Town Dir Planning & Environment	Aloisio	Anthony	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Executive Assistant	Asher	Gigi	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Town Personnel Officer	Baisley	Lisa	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director of General Services	Barrett	Keith	7	03/03/14 - 12/31/17	Y	N/A	Appointed
Spec Asst Town Attorney P/T	Bennett	John	7	01/01/14 - 12/31/17	N	10.22	P/T Appointed
Town Director General Services	Boccard	Thomas	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Town Director Parks & Rec	Bosch	Paul	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Assistant Town Attorney	Brosniak	Marin	7	01/01/14 - 12/31/17	Y	N/A	P/T Appointed
Assistant Town Attorney	Butterfield	Deirdre	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Superintendent Highway	Cancellare	Chas	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Traffic Hearing Officer	Cangemi	Andrew	7	01/01/14 - 12/31/17	Y	N/A	P/T Appointed
Executive Assistant	Capodanno	Mark	7	01/01/14 - 12/31/17	Y	N/A	P/T Appointed
Publicity Info Officer	Carter	Arnold	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Town Director Engineer Services	Cline	Joseph	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Town Clerk	Colamussi	Stacy	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Cultural Affairs Supervisor	Coraor	John	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Director Of Info Technology	Crowley	William	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Council Member	Cuthbertson	Mark	6	01/01/14 - 12/31/17	N	20.24	Elected
Deputy Supervisor	Del Col	Patricia	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Secretary To Town Clerk	Donaghy	Carole	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Council Member	Edwards	Tracey	6	01/01/14 - 12/31/17	N	9.90	Elected
Town Attorney	Elan-Mangano	Cindy	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Town Clerk	Eldridge	Luann	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Confidential Secretary	Famighette	Deborah	7	01/01/14 - 12/31/17	Y	N/A	Appointed

# 2014-461

Deputy Receiver Of Taxes	Farabaugh	Mary	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Assistant Town Attorney	Flynn	Patricia	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Secretary To Tax Receiver	Frangione	Annette	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Spec Assistant Town Attorney	Gathman	James	7	01/01/14 - 12/31/17	N	7.70	P/T Appointed
Legislative Secretary	Gaumont	Kristen	7	01/01/14 - 12/31/17	Y	N/A	P/T Appointed
Executive Director Youth Bureau	Georgiou	Maria	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Town Attorney	Glascoock	Thomas	7	03/01/14 - 12/31/17	Y	N/A	Appointed
Confidential Secretary	Gosik	Christine	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Legislative Secretary	Gray	Joanne	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Confidential Secretary	Grube	Lori	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Director Human Services	Guthman-Abadom	Jillian	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Executive Assistant	Haber	Steven	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Historian	Hughes	Robert	7	01/01/14 - 12/31/17	N	9.34	Appointed
Legislative Aide	Hatter	Timothy	7	01/01-14- 12/31/17	Y	N/A	Appointed
Town Intergovernmental Relation Coordinator	Ingerman	Philip	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director Information Technology	Jimenez	Robert	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Legislative Aide	Jimenez	Stephen	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director Trans & Traffic Safety	Kinsley	Terese	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director Environ Waste Management	Laux	Matthew	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Legislative Secretary	Levine	Linda	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Assistant Town Attorney	Levine-Sorkin	Heidi	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Legislative Aide	Martines	Michele	7	01/29/14 - 12/31/17	Y	N/A	Appointed
Town Director Trans & Traffic Safety	Mc Gloin	Stephen	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Town Director Parks & Rec	Mc Kay	Donald	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Confidential Secretary	Michel	Jill	7	01/01/14 - 12/31/17	Y	N/A	Appointed
ZBA Chair	Modelewski	Chris	6	01/01/14 - 12/31/14	N	7.55	Board Member
Assistant Town Attorney	Neira	Thelma	7	03/01/14 - 12/31/17	Y	N/A	Appointed
Accessory Apartment Hearing Officer	Nitkewicz	Edward	7	01/01/14 - 12/31/17	N	3.20	P/T Appointed
Planning Board Member	Pennetta	David	6	01/01/14 - 12/31/20	N	1.97	Board Member
Assistant Town Attorney	Pezzino	Margaret	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Executive Assistant	Pilnick	Robert	7	01/01/14 - 12/31/17	Y	N/A	Appointed

2014-461

Assessor	Ramme	Roger	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director Planning & Environment	Riekert	Robert	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Executive Assistant	Rossetti	Donna	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Executive Assistant	Sanfilippo	Salvatore	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Director Environmental Waste Management	Sheehan	Neal	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director Human Services	Shepardson	Rhonda	7	01/01/14 - 12/31/17	Y	N/A	Appointed
Assessment Review Board Member	Stark	Jeffrey	6	01/01/14 - 09/30/17	Y	N/A	Board Member
Town Director Minority Affairs	Thorbourne	Kevin	7	01/01/14 - 12/31/17	Y	N/A	P/T Appointed
Assistant Town Attorney	Turner	Jacob	7	04/01/14 - 12/31/17	Y	N/A	Appointed
Deputy Director General Services	Tyree	Mark	7	01/01/14 - 12/31/17	Y	N/A	Appointed

2014-462

RESOLUTION ISSUING A POSITIVE DECLARATION FOR THE ZONE CHANGE APPLICATION OF SYNDICATED VENTURES, #2013-ZM-397, TO CHANGE THE ZONE FROM R-40 RESIDENCE DISTRICT AND C-6 GENERAL BUSINESS DISTRICT TO C-5 PLANNED SHOPPING CENTER DISTRICT FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF JERICHO TURNPIKE AND MANOR ROAD, ELWOOD, SCTM# 0400-209-02-(003, 004.001, 005.006).

Resolution for Town Board Meeting dated: September 16, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, SYNDICATED VENTURES, LLC, 536 Middle Neck Rd., Great Neck, NY 11023, submitted application #2013-ZM-397 for a change of zone from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for property located on the northeast corner of Jericho Turnpike (NYS Route 25) and Manor Road, Elwood, and designated as 0400-209-02-(003, 004.001, 005.006) on the Suffolk County Tax Map; and

WHEREAS, said application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the applicant has submitted an Environmental Assessment Form (EAF) Part I and an Expanded EAF in connection with the application, and the Department of Planning and Environment has reviewed the information provided with these documents and determined that this action is classified as a Type I Action in accordance with SEQRA, 6 NYCRR Part 617.4(b)(3, 6 & 10), for proposing the construction of 486,380 sq. ft. of commercial space, the disturbance of more than 40 acres of land, and parking for 1,929 vehicles on property listed on the Town of Huntington's Open Space Index and adjacent to a County park; and

WHEREAS, the Department of Planning and Environment has coordinated the EAF Part I and Expanded EAF submitted with the application with all involved agencies, and since no objections have been received and thirty (30) days has elapsed since the coordination of each document, the Town Board, 100 Main St., Huntington, NY 11743 has now been established as Lead Agency; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III dated September 9, 2014 which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan Update and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can

be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: [planning@huntingtonny.gov](mailto:planning@huntingtonny.gov); and

WHEREAS, on September 10, 2014 the Planning Board reviewed the zone change application and completed EAF and recommended that the Town Board issue a Positive Declaration in accordance with SEQRA because the project may have the potential for significant adverse environmental impacts; and

WHEREAS, the Town Board, upon due deliberation of the completed EAF, has found that the action may have the potential for significant effects upon the environment based upon the reasons stated in the EAF Parts II and III;

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby:

- (1) Issues a Positive Declaration based upon the impacts identified in the EAF and in accordance with Article 8 of the Environmental Conservation Law; and
- (2) Directs the Director of Planning and Environment to file the Notice of the Determination of Significance pursuant to 6 NYCRR 617.12; and
- (3) Requires the applicant to prepare a Draft Environmental Impact Statement (DEIS) that would identify and analyze the impacts of the zone change application and alternatives in accordance with the standards listed in 6 NYCRR 617.9.

VOTE:                    AYES: 4                    NOES: 1                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION REAPPOINTING AND APPOINTING MEMBERS TO THE PUBLIC ART ADVISORY COMMITTEE AND DESIGNATING A CHAIRPERSON

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, Town Board Resolution 2001-550 adopted Public Art Advisory Committee Guidelines and Administrative Plan, created a Public Art Advisory Committee, appointed members thereto and designated a Chairperson; and

WHEREAS, the terms of current members Robert Carter, Linda Furey, and Richard Vaux expired on September 10, 2013; and

WHEREAS, the terms of current members Janine Seifert and Michael Schantz will expire on September 10, 2014; and

WHEREAS, two other positions on the Public Art Advisory Committee have recently become vacant; and

WHEREAS, pursuant to the Public Art Advisory Committee Guidelines and Administrative Plan, the Chairperson shall be designated annually by the Town Board; and

WHEREAS, the appointment, or reappointment, of members to the Public Art Advisory Committee and designation of its chairperson are not actions as defined by 6 NYCRR §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Public Art Advisory Committee,

HEREBY REAPPOINTS the following individuals to the Public Art Advisory Committee for terms to expire as indicated:

ROBERT CARTER (for a term ending on September 10, 2016)  
15 Buttonwood Drive, Dix Hills, New York 11746

LINDA FUREY (for a term ending on September 10, 2016)  
11 Meade Drive, Centerport, New York 11721

MICHAEL W. SCHANTZ, PH.D. (for a term ending on September 10, 2017)  
2 Prime Avenue, Huntington, New York 11743

JANINE SEIFERT (for a term ending on September 10, 2017)  
5 Emil Court, Huntington, New York 11743

RICHARD VAUX (for a term ending on September 10, 2016)  
4 Lloyd Lane, Lloyd Neck, NY 11743

and

HEREBY APPOINTS the following individuals to the Public Art Advisory Committee for the unexpired terms as indicated:

MARK McATEER (for a term ending on September 10, 2015)  
31 Prospect Street, Huntington, New York 11743

JAMES METCALFE (for a term ending on September 10, 2015)  
137 Lodge Avenue, Huntington Station, New York 11746

and

HEREBY DESIGNATES as Chairperson JANINE SEIFERT, 5 Emil Court, Huntington, New York, for a period to expire on September 10, 2015.

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-464

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL  
IN A HISTORIC DISTRICT  
RE: 501 SWEET HOLLOW ROAD, MELVILLE—SWEET HOLLOW HISTORIC  
DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

**THE TOWN BOARD**

HAVING HELD A PUBLIC HEARING on the 19th day of August, 2014, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Ramin Rasuli, 501 Sweet Hollow Road, Melville, NY 11747, for a Certificate of Approval to install solar panels on the roof of a non-contributing single family dwelling located at 501 Sweet Hollow Road, Melville, NY 11747, in accordance with plans dated April 13, 2014, bearing Suffolk County Tax Map #0400-256.00-01.00-013.000, and located in the Sweet Hollow Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Ramin Rasuli for a Certificate of Approval.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-465

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

Resolution for Town Board Meeting dated: September 16, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, on July 15, 2014 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties have been evaluated and considered for further action(s) to be taken at a public hearing held on August 19, 2014; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

HEREBY DIRECTS the Director of Planning and Environment and/or Engineering to maintain records of all costs and expenses in connection with the abatement of the blight conditions and to provide same reports to the Town Board for determination as to the amounts to be assessed against the properties listed on Schedule "A" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

2014-465

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

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

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

HEREBY DESIGNATES the properties listed on Schedule "D" as persistent or ongoing blighted properties and shall be assessed the annual blighted property assessment fee, whereas the Town will take any and all necessary actions to abate the blighted conditions; and

HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedule "D" with a copy of this Resolution, sent registered or certified mail return receipt to the last known address as shown by the records of the Town Assessor.

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
129	413 2nd Ave. W. East Northport	0400-175.00-01.00-025.000	Estate of Shirley Kiesow 413 2nd Avenue W. East Northport, NY 11731	7/22/2014	\$2,500.00
130	14 Kirby Lane Commack	0400-222.00-01.00-097.000	Irene Rostick Jo- Ann Rostick 14 Kirby Lane Commack, NY 11725-2716	7/28/2014	\$2,500.00
131	5 Kirby Lane Commack	0400-222.00-01.00-108.000	Empire Property Solutions, LLC 5 Kirby Lane Commack, NY 11725	7/28/2014	\$2,500.00
132	4 Tuxedo Drive Melville	0400-253.00-02.00-055.000	Robert S. Cook Lisa S. Cook 4 Tuxedo Drive Melville, NY 11747-2409	8/1/2014	\$2,500.00
133	349 Waterside Road Northport	0400-009.00-04.00-025.000	Waterview Realty Properties, Inc. 12 Lily Drive South Setauket, NY 11720	8/1/2014	\$2,500.00
134	26 Rustic Gate Lane Dix Hills	0400-277.00-02.00-062.000	James Lovell Judith A. & Neal Lovell 26 Rustic Gate Lane Dix Hills, NY 22746-6132	8/14/2014	\$2,500.00

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
129	413 2nd Ave. W. East Northport	0400-175.00-01.00-025.000	Estate of Shirley Kiesow 413 2nd Avenue W. East Northport, NY 11731	7/22/2014	8/19/2014
130	14 Kirby Lane Commack	0400-222.00-01.00-097.000	Irene Rostick Jo-Ann Rostick 14 Kirby Lane Commack, NY 11725-2716	7/28/2014	8/19/2014
131	5 Kirby Lane Commack	0400-222.00-01.00-108.000	Empire Property Solutions, LLC 5 Kirby Lane Commack, NY 11725	7/28/2014	8/19/2014
132	4 Tuxedo Drive Melville	0400-253.00-02.00-055.000	Robert S. Cook Lisa S. Cook 4 Tuxedo Drive Melville, NY 11747-2409	8/1/2014	8/19/2014
133	349 Waterside Road Northport	0400-009.00-04.00-025.000	Waterview Realty Properties, Inc. 12 Lily Drive South Setauket, NY 11720	8/1/2014	8/19/2014
134	26 Rustic Gate Lane Dix Hills	0400-277.00-02.00-062.000	James Lovell Judith A. & Neal Lovell 26 Rustic Gate Lane Dix Hills, NY 22746-6132	8/14/2014	8/19/2014

**-SCHEDULE B-**

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

<b>PREVIOUS EXHIBITS-SCHEDULE A</b>	<b>PROPERTY IN VIOLATION</b>	<b>TAX ID #</b>	<b>PROPERTY OWNER/MAILING ADDRESS</b>	<b>NOTIFICATION DATE</b>
128	41 Hearthstone Drive Dix Hills	0400-250.00-02.00-068.000	Joseph Cinquemani 41 Hearthstone Drive Dix Hills, NY 11746-5032	6/9/2014

**-SCHEDULE C-  
IN COMPLIANCE**

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
4	17 Carman Road Dix Hills	0400-243.00-01.00-029.000	Russell Van Deinse 241-16 Linden Blvd. Elmont, NY 11003	9/19/2011	\$2,500.00
106	185 W. Pulaski Road Huntington Station	0400-138.00-03.00-023.000	Walter Hergenhan Joann Hergenhan 84 E. 19th St. Huntington Sta., NY 11746	10/28/2013	\$2,500.00

**-SCHEDULE D-  
PERSISTENT BLIGHT**

2014-466

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 31- 2014,  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159  
(RECREATIONAL FACILITIES), ARTICLE II (USE REGULATIONS AND  
RESTRICTIONS)

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD having held a public hearing on the 19<sup>th</sup> day of August, 2014 at  
7:00 p.m. to consider adopting Local Law Introductory No. 31-2014 amending the code  
of the Town of Huntington Chapter 159 (Recreational Facilities), Article II (Use  
Regulations and Restrictions) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 31-2014, amending the code of the Town of Huntington  
Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions); as  
follows:

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

LOCAL LAW NO. 32 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 159 (RECREATIONAL FACILITIES)  
ARTICLE II (USE REGULATIONS AND RESTRICTIONS)

Section 1. Chapter 159 (Recreational Facilities), Article II (Use Regulations and  
Restrictions) is hereby amended to read as follows:

CHAPTER 159  
RECREATIONAL FACILITIES

\* \* \*

Article II. USE REGULATIONS AND RESTRICTIONS

\* \* \*

Section 159-20. Behavior and Conduct.

\* \* \*

N. Smoke a tobacco product; herbal product; cigarette; pipe or cigar in an outdoor playground or beach. This prohibition applies only to public playgrounds and beaches and is not intended to include private property to which the general public does not generally have access or private areas used exclusively for private functions. "No Smoking" signs, or the international "No Smoking" symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, shall be prominently posted where smoking is regulated by this Article. In the event a playground is not enclosed by fencing or other partition, no smoking shall be permitted beyond the signs posted in accordance with this section. This prohibition is not intended to include parking lots at beaches.

\* \* \*

Section 2 Severability.

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

Section 3 Effective Date.

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

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

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-467

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 33 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), SECTION 42 (DESIGNATION OF SITES AND BUILDINGS), TO REVOKE THE DESIGNATION AS AN HISTORIC LANDMARK OF THE BUILDING AND PROPERTY KNOWN AS THE COBB HOUSE, 17 CHERRY LANE, HUNTINGTON, LOCATED AT 19 CHERRY LANE, HUNTINGTON, SCTM #0400-077-02-026.002.

Resolution for Town Board Meeting dated: September 16, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Cobb House, 17 Cherry Lane, Huntington, was designated as an historic landmark by the Town Board on June 12, 1990, by Ordinance No. 90-ZC-227; and

WHEREAS, the current property owner submitted a petition to the Town Board to revoke the historic designation in accordance with the requirements set forth in Chapter 198, Section 40.5 (Revocation of Designation; Petition for Hardship) of the Huntington Town Code, and the petition was filed with the Town Clerk on May 1, 2014; and

WHEREAS, the Historic Preservation Commission has reviewed the request and submitted an advisory report with a recommendation to the Town Board supporting the applicant's request to revoke the historic designation; and

WHEREAS, the designation of historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE

THE TOWN BOARD, having held a public hearing on the 19th day of August, 2014 to consider adopting Local Law Introductory Number 33 - 2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the buildings and property known as the Cobb House, 17 Cherry Lane, Huntington, located at 19 Cherry Lane, Huntington, SCTM #0400-077-02-026.002, and due deliberation having been had;

HEREBY ADOPTS

Local Law Introductory Number 33 - 2014 as follows:

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

LOCAL LAW NO. 33 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198  
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS) SECTION 42  
(DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)  
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)  
SECTION 42 (DESIGNATION OF SITES AND BUILDINGS)

\* \* \*

§198-42. Designation of Sites and Buildings

\* \* \*

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

\* \* \*

(56) (Reserved) [Cobb House, 17 Cherry Lane, Huntington.]

\* \* \*

Section 2. Severability

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

Section 3. Effective Date

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

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

2014-467

VOTE:                   AYES: 5                   NOES: 0                   ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-468

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 34-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 166 (SHELLFISH MANAGEMENT), ARTICLE I (TITLE AND FINDINGS; DEFINITIONS), ARTICLE II (TAKER'S PERMIT REQUIREMENTS), ARTICLE V (REFUSAL, RESCISSION AND APPEALS PROCEDURES)

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: **SUPERVISOR PETRONE, COUNCILMAN COOK**

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD having held a public hearing on the 19<sup>th</sup> day of August, 2014, at 7:00 p.m. to consider adopting Local Law Introductory No. 34-2014, amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article I (Title and Findings; Definitions), Article II (Taker's Permit Requirements), Article V (Refusal, Recission and Appeals Procedures), and due deliberation being had,

HEREBY ADOPTS

Local Law Introductory No. 34-2014, amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article I (Title and Findings; Definitions), Article II (Taker's Permit Requirements), Article V (Refusal, Rescission and Appeals Procedures), as follows:

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

LOCAL LAW NO. 34-2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 166 (SHELLFISH MANAGEMENT)  
ARTICLE I (TITLE AND FINDINGS, DEFINITIONS)  
ARTICLE II (TAKER'S PERMIT REQUIREMENTS)  
ARTICLE V (REFUSAL, RESCISSION AND APPEALS PROCEDURES)

Section1. Amendment to Chapter 166 of the Code of the Town of Huntington, Article I (Title and Findings, Definitions), Article II (Taker's Permit Requirements), Article V (Refusal, Recission and Appeals Procedures) as follows:

CHAPTER 166

ARTICLE I

Title and Findings; Definitions

\* \* \*

§ 166-2 Definitions and word usage.

\* \* \*

RESIDENT

A person who has his/her principal place of abode and domicile in the Town of Huntington for at least six months prior to the date of the submission of a permit application or a business, firm, partnership or corporation having its principal place of business in the Town of Huntington.

\* \* \*

ARTICLE II

Taker's Permit Requirements

§ 166-3. Shellfish Taker's Permit Required.

\* \* \*

C. Restrictions.

\* \* \*

(3) Commercial taker's permits.

\* \* \*

(b) Standard commercial taker's permits. The number of full-time standard commercial taker's permits issued by the Town of Huntington in any one (1) year shall be limited to [four hundred (400)] one hundred and twenty five (125) permits, in accordance with the appropriate section of this chapter. [Those having held a permit in the previous year shall constitute a preapproved list and shall have thirty (30) days prior to the renewal date set forth in this chapter to reapply for such a permit before new applicants shall be considered for receipt of a permit. Such preapproval shall be subject to any restrictions set forth in this chapter, such as violations of this or any other chapters of the Code of the Town of Huntington.]

\* \* \*

§ 166-4 Types of taker's permits; terms.

\* \* \*

B. Commercial taker's permits. A commercial taker's permit shall allow the person, business, firm, partnership or corporation to whom it is issued to take shellfish from

certified town lands underwater for commercial purposes. There shall be [two (2)] three (3) types of commercial taker's permits issued:

(1) Generally. A standard commercial taker's permit is a full-time commercial taker's permit to be issued to persons [of any age] from ages 18 through 65 and which does not have a seasonal restriction.

\* \* \*

(b) Term. Each commercial taker's permit shall be valid from April 1 the year of issuance and, unless sooner voided, suspended or revoked in accordance with the appropriate sections of this chapter shall expire on March 31, next ensuing. [As set forth hereinabove in this chapter, those permit holders constituting a preapproved list shall have thirty (30) days prior to the renewal date forth in this section to reapply for such permit before new applicants shall be considered for receipt of a permit.]

\* \* \*

(3) Senior commercial taker's permits.

(a) Generally. A senior commercial taker's permit is a full-time permit to be issued only to persons older than (65) years of age, and which does not have a seasonal restriction.

(b) Term. Each senior commercial taker's permit shall be valid from April 1 the year of issuance and, unless sooner voided, suspended or revoked in accordance with the appropriate sections of this chapter, shall expire on March 31 next ensuing.

\* \* \*

§ 166-6 Taker's permit fees; decal replacement fees.

A. Personal takers permits. Each personal taker's permit application shall be accompanied by the appropriate nonrefundable fee as set forth hereinbelow:

\* \* \*

(2) [Seniors:] No fee for a person sixty (60) years of age or older.

B. Standard commercial taker's permits.

[(1) Fees. Each full-time commercial taker's permit application shall be accompanied by the appropriate nonrefundable fee as set forth hereinbelow:]

[(a) Generally: one hundred (\$100) dollars for the applicant and an additional one hundred (\$100) dollars for each employee to be engaged in taking shellfish under the permit of a person, business, firm, partnership or corporation, which shall thereafter increase to one hundred fifty (\$150) dollars for each such permit and employee permit for the 2000-2001 term, then two hundred (\$200) dollars for each for the 2001-2002 term, then two hundred fifty (\$250) dollars for each for the terms thereafter]

[(b) Seniors: fifty (\$50) dollars for any individual applicants sixty (60) years of age or older.]

Fees. Each full-time commercial taker's permit application shall be accompanied by a nonrefundable fee of four hundred (\$400) dollars for the applicant and an additional four hundred (\$400) dollars for each employee to be engaged in taking shellfish under the permit of a person, business, firm, partnership or corporation.

\* \* \*

D. Senior commercial taker's permits. Each senior commercial taker's permit application shall be accompanied by the appropriate nonrefundable fee of fifty (\$50) dollars.

[D. ] E. Gauges. No permit of any category shall be issued until either a currently valid and functioning gauge as required in this chapter has been produced for examination by the Town Clerk's office, or the appropriate fee has been paid to the Town Clerk's office for such a gauge.

[E.] F. Replacement permits. Each replacement of permit application shall be accompanied by the appropriate nonrefundable fee of ten (\$10) dollars, except for replacement of personal taker's permits, for which there shall be no replacement fee.

[F.] G. Replacement decals. Each replacement of decals application shall be accompanied by the appropriate nonrefundable fee of ten (\$10) dollars per decal.

\* \* \*

Article V  
Refusal, Rescission and Appeals Procedures

\* \* \*

§ 166-29 Fees.

\* \* \*

B. Commercial taker's, buyer's or buyer's helper permits.

(1) Fee. All appeals shall be accompanied by a nonrefundable fee of one hundred (\$100) dollars for the permit holder, and an additional nonrefundable fee of one hundred (\$100) dollars for each employee required to have a permit herein, except that the nonrefundable fee shall be fifty (\$50) dollars for persons [sixty (60) years of age or older] holding a junior commercial taker's or senior commercial taker's permit.

\* \* \*

C. Public hearings.

(1) Fee. All demands for a public hearing shall be accompanied by the fee set forth hereinabove, and a nonrefundable fee of an additional one hundred (\$100) dollars, except that the additional nonrefundable appeal fee shall be fifty (\$50) dollars for persons [sixty (60) years of age or older] holding a junior commercial taker's permit or a senior commercial taker's permit.

Section 2. Severability.

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

Section 3. Effective Date.

This Local Law shall take effect on January 1, 2015.

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

VOTE:                      AYES: 5      NOES: 0      ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-469

RESOLUTION SCHEDULING PUBLIC HEARING RE: PRELIMINARY ANNUAL OPERATING BUDGET

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD OF THE TOWN OF HUNTINGTON, having received the detailed statement of estimated expenditures and revenues from the Town Clerk, pursuant to the provisions of Section 106 of Town Law, and having received the tentative Annual Operating Budget for the fiscal year beginning January 1, 2015 from the Supervisor, pursuant to the provisions of Section 52 (2) of Town Law,

WHEREAS, the Operating Budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (21) and therefore no further SEQRA review is required; and

HEREBY APPROVES the aforementioned tentative Annual Operating Budget as the Preliminary Annual Operating Budget of the Town of Huntington for the fiscal year beginning January 1, 2015 and directs that such preliminary Annual Operating Budget be filed forthwith in the office of the Town Clerk of the Town of Huntington where it shall be available for inspection by any interested person at all reasonable hours; and

HEREBY SCHEDULES A PUBLIC HEARING for the 21 day of October 2014, at 6:00pm at Town Hall, 100 Main Street, Huntington, New York, for the purpose of reviewing said Preliminary Annual Operating Budget and hearing the public thereon; and

HEREBY DIRECTS that the Town Clerk shall give notice of such public hearing by publishing notice thereof in the Long Islander and The Observer, and that the Town Clerk shall cause a copy of such notice to be posted on the sign board of the Town of Huntington, in accordance with the provisions of Section 108 of Town Law.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-469

LEGAL NOTICE

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Huntington, New York, at a Town Board meeting held at Town Hall, 100 Main Street, Huntington, New York on the 16<sup>th</sup> day of September, 2014 at 2:00pm, duly adopted a resolution, an abstract of which is as follows:

NOTICE IS HEREBY GIVEN that the Preliminary Annual Operating Budget of the Town of Huntington, Suffolk County, New York, for the fiscal year beginning January 1, 2015, has been completed and filed in the office of the Town Clerk of the Town of Huntington, 100 Main Street, Huntington, New York, where it is available for inspection by any interested person at all reasonable hours; and

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Huntington will meet and review said Preliminary Annual Operating Budget and hold a public hearing thereon at Town Hall, 100 Main Street, Huntington, New York, on the 21st day of October, 2014, at 6:00pm, and that at such hearing any person may be heard in favor of or against the Preliminary Annual Operating Budget as compiled or for or against any item or items therein contained; and

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of Town Law, that the following are proposed annual salaries of Town Officers for the Town of Huntington to wit:

SUPERVISOR	\$162,903
COUNCILPERSON	\$76,841
TOWN CLERK	\$112,911*
SUPERINTENDENT OF HIGHWAYS	\$139,969**

\*The Town Clerk also receives a stipend as Registrar of Vital Statistics of \$17,342

\*\*The Superintendent of Highways also receives a stipend as Coordinator of Emergency Response-Public Works of \$7,000.00

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF HUNTINGTON

DATED:       Huntington, New York  
              September 16, 2014

2014-470

RESOLUTION SCHEDULING PUBLIC HEARING RE: PRELIMINARY CAPITAL BUDGET

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD OF THE TOWN OF HUNTINGTON, having received the tentative Capital Budget prepared pursuant to the Code of the Town of Huntington Chapter 12 (Capital Program) that includes proposed capital projects to be undertaken during 2015,

WHEREAS, the Capital Budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (21) and therefore no further SEQRA review is required; and

HEREBY APPROVES the aforementioned tentative Capital Budget as the Preliminary Capital Budget of the Town of Huntington for the fiscal year beginning January 1, 2015, and directs that such preliminary Capital Budget be filed forthwith in the office of the Town Clerk of the Town of Huntington where it shall be available for inspection by any interested person at all reasonable hours; and

HEREBY SCHEDULES A PUBLIC HEARING for the 21 day of October 2014, at 6:00pm at Town Hall, 100 Main Street, Huntington, New York, for the purpose of reviewing said Preliminary Capital Budget and hearing the public thereon; and

HEREBY DIRECTS that the Town Clerk shall give notice of such public hearing by publishing notice thereof in the Long Islander and The Observer, and that the Town Clerk shall cause a copy of such notice to be posted on the sign board of the Town of Huntington, in accordance with the provisions of Section 108 of Town Law.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-471

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING THE ADOPTION OF THE ASSESSMENT ROLL FOR THE HUNTINGTON SEWER DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Law §239, the Town Board is required to hold a public hearing on the assessment roll for the Huntington Sewer District; and

WHEREAS, Town Law §239 requires that no less than ten nor more than twenty days before the public hearing the Town Clerk must publish a notice of the completed assessment roll and public hearing on such roll at least once in a newspaper published within the Town;

WHEREAS, Town Law §239 and applicable law require that such notice be mailed to each owner of taxable real property in the Huntington Sewer District; and

WHEREAS, the proposed budget for the sewer district and, as required by Town Law §239, the completed assessment roll for the Huntington Sewer District, are on file in the Office of the Huntington Town Clerk; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing on the assessment roll for the Huntington Sewer District to be held on the 21<sup>st</sup> day of October, 2014 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York at which time all persons interested may be heard on such assessment roll; and

HEREBY DIRECTS the Town Clerk to publish at least once in a newspaper published within the Town a notice of the completed assessment roll and public hearing for the Huntington Sewer District no less than ten nor more than twenty days before the public hearing on said assessment roll; and

HEREBY FURTHER DIRECTS the Department of Information Technology, under the direction of the Department of Environmental Waste Management, to: (i) promptly print the notice of completed assessment roll and public hearing for the Huntington Sewer

2014-471

District for each owner of taxable real property in the District; and (ii) promptly deliver such notices to the Office of the Receiver of Taxes; and

HEREBY FURTHER DIRECTS the Office of the Receiver of Taxes, with the assistance of the Department of Environmental Waste Management, to: (i) arrange for the mailing of the notice of the completed assessment roll and public hearing for the Huntington Sewer District to each owner of taxable real property in the District within the prescribed legal time frame, but in no event later than October 11, 2014; and (ii) file with the Town Clerk no later than three days before such public hearing a notarized affidavit of service of the mailing, and the names and addresses to whom such notice was mailed.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-472

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING THE ADOPTION OF THE ASSESSMENT ROLL FOR THE CENTERPORT SEWER DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Town Law §239, the Town Board is required to hold a public hearing on the assessment roll for the Centerport Sewer District; and

WHEREAS, Town Law §239 requires that no less than ten nor more than twenty days before the public hearing the Town Clerk must publish a notice of the completed assessment roll and public hearing on such roll at least once in a newspaper published within the Town;

WHEREAS, Town Law §239 and applicable law require that such notice be mailed to each owner of taxable real property in the Centerport Sewer District; and

WHEREAS, the proposed budget for the sewer district and, as required by Town Law §239, the completed assessment roll for the Centerport Sewer District, are on file in the Office of the Huntington Town Clerk; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing on the assessment roll for the Centerport Sewer District to be held on the 21<sup>st</sup> day of October, 2014 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York at which time all persons interested may be heard on such assessment roll; and

HEREBY DIRECTS the Town Clerk to publish at least once in a newspaper published within the Town a notice of the completed assessment roll and public hearing for the Centerport Sewer District no less than ten nor more than twenty days before the public hearing on said assessment roll; and

HEREBY FURTHER DIRECTS the Department of Information Technology, under the direction of the Department of Environmental Waste Management, to: (i) promptly print

2014-472

the notice of completed assessment roll and public hearing for the Centerport Sewer District for each owner of taxable real property in the District; and (ii) promptly deliver such notices to the Office of the Receiver of Taxes; and

HEREBY FURTHER DIRECTS the Office of the Receiver of Taxes, with the assistance of the Department of Environmental Waste Management, to: (i) arrange for the mailing of the notice of the completed assessment roll and public hearing for the Centerport Sewer District to each owner of taxable real property in the District within the prescribed legal time frame, but in no event later than October 11, 2014; and (ii) file with the Town Clerk no later than three days before such public hearing a notarized affidavit of service of the mailing, and the names and addresses to whom such notice was mailed.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 - 473

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 38-2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER I (GENERAL PROVISIONS), CHAPTER 3 (PARKING REGULATIONS) AND CHAPTER 4 (PARKING FIELDS)

Resolution for Town Board Meeting dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, it is the intent of the Town Board to update the Uniform Traffic Code of the Town of Huntington in order to remove provisions and achieve uniformity in the application of the parking provisions contained therein and in the Code of the Town of Huntington; and

WHEREAS, administrative updates to the Town's parking management system are classified as Type II Actions in accordance with SEQRA, 6 NYCRR §617.5 (c)(20) and (c)(27) and therefore, no further environmental review is required.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the 21st day of October, 2014 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 38-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields); as follows:

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

LOCAL LAW INTRODUCTORY NO. 38 – 2014

AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER I (GENERAL PROVISIONS), CHAPTER 3 (PARKING REGULATIONS) AND CHAPTER 4 (PARKING FIELDS)

Section 1. Amendment to Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields) of the Uniform Traffic Code of the Town of Huntington; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

CHAPTER 1  
(GENERAL PROVISIONS)

ARTICLE I  
(DEFINITIONS; WORD USAGE)

§1-1. Definitions of words and phrases.

\* \* \*

(B) The following words and phrases, which are not defined by Article I of the Vehicle and Traffic Law of the State of New York, shall have the following meanings:

\* \* \*

[VEHICLE, ALTERNATIVE FUEL - Any motor vehicle which is powered by clean-burning fuels such as compressed natural gas (CNG); liquefied natural gas (LNG); liquefied petroleum gas (LPG); (propane); hydrogen; electricity (including electricity from solar energy); coal derived liquid fuels; 100% bio-diesel, and any other fuel which is at least 85% alcohol (any kind) including methanol (M85) and denatured ethanol. Alternative fuel vehicles shall include dedicated natural gas vehicles (NGV's) which are designed to run only on natural gas, bi-fuel NGVs which have two separate fueling system enabling these vehicles to use either natural gas or conventional fuel such as gasoline or diesel, and those vehicles which have been retrofitted or converted into an alternative fuel vehicle.]

VEHICLE, PLUG-IN ELECTRIC [OR HYBRID] - A plug-in electric vehicle (PEV) is any motor vehicle that can be recharged from any external source of electricity, such as wall sockets, and the electricity stored in the rechargeable battery packs drives or contributes to drive the wheels, including all-electric or battery electric vehicles (BEVs), plug-in hybrid vehicles (PHEVs), [and electric vehicle conversions of hybrid electric vehicles and conventional internal combustion engine vehicles.]

\* \* \*

ARTICLE III  
(ENFORCEMENT; PENALTIES)

\* \* \*

§1-7. Penalties.

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

\* \* \*

- (B) Fifty dollars (\$50): §TC3-3(F), §TC3-6(C), §TC3-7, and §TC4-3(F)(2) [and §TC4-23].
- (C) One hundred dollars (\$100) for the first offense; One Hundred fifty dollars (\$150) for the second offense; One hundred seventy-five dollars (\$175) for each and every offense thereafter: §3-2; §3-3(A), (D) and (E); §4-1(A)(1) and (C); §4-3(B), (C), (E), (F)(1), (F)(7) and (F)(8); §4-12; §4-13; §4-14; and §4-15. [, §4-24, §4-25 and § 4-26].
- (D) Two hundred dollars (\$200): §2-2; §2-3; §3-3(C); [§4-1(A)(5);] [§4-2(C);] and §4-3(F)(6).

\* \* \*  
 CHAPTER 3  
 (PARKING REGULATIONS)

\* \* \*  
 [ARTICLE V]  
 [(PARKING FOR HYBRID AND ALTERNATIVE FUEL VEHICLES)]

[§3-19.] [Application of provisions. The provisions of this article shall apply to all nonresidential private parking fields and parking garages open or available for use by the general public.]

[§3-20.] [Reserved.]

[§3-21.] [Required number of spaces. Parking spaces for hybrid and alternative fuel vehicles shall be provided pursuant to the following table:]

[Total Number of Parking Spaces In Field or Garage]	[Number of Parking Spaces for Hybrid/Alternative Fuel Vehicle]
[1 to 25]	[0]
[26 to 50]	[0]
[51 to 75]	[1]
[76 to 100]	[1]
[101 to 150]	[2]
[151 to 200]	[2]
[201 to 300]	[2]
[301 to 400]	[3]
[401 to 500]	[4]
[501 to 1,000]	[1% of total]
[Over 1,000]	[1% of total]

[§3-22.] [Designation of spaces.]

[Parking spaces for hybrid and alternative fuel vehicles shall be clearly identified by above-grade signs. Such signs shall be installed and maintained so that the bottom of the signs are at a height not less than five (5) feet nor more than (7) feet from the parking surface. There shall be a minimum of one (1) such sign for each two (2) spaces.]

CHAPTER 4  
(PARKING FIELDS)

ARTICLE I  
(USE REGULATIONS)

§4-1 Private parking fields listed in Schedule K.

In accordance with §1660-a of the Vehicle and Traffic Law, traffic and parking regulations are hereby established as follows for the private parking fields listed in Schedule K, pursuant to the written request of either the owner or the person in general charge of the operation and control of such parking fields:

(A) No vehicle shall be stopped, left standing or parked:

\* \* \*

[(5)] [In parking spaces designated as reserved for hybrid or alternative fuel vehicle parking, whether or not the vehicle is occupied, unless a valid permit has been issued by the Huntington Town Clerk and is conspicuously displayed on the vehicle.]

\* \* \*

§4-2. Parking fields in shopping centers or facilities comprising of five or more retail stores and having 20 or more off-street parking spaces.

\* \* \*

(C) [No person shall park, leave standing or stop a motor vehicle, whether or not the vehicle is occupied, in a parking space designated for hybrid or alternative fuel vehicles unless a valid permit has been issued by the Huntington Town Clerk and is conspicuously displayed on the vehicle.]

§4-3. Town parking fields.

\* \* \*

(F) In any Town parking field, it shall be unlawful to stop, leave standing or park a vehicle as follows:

\* \* \*

(6) [Hybrid and alternative fuel vehicles.] Plug-in Electric Vehicles.

- [(a)] [In parking spaces designated as reserved for hybrid or alternative fuel vehicles, whether or not the vehicle is occupied, unless a valid permit has been issued by the Huntington Town Clerk.]
- [(b)] In parking spaces designated as reserved for plug-in electric vehicles, [ , whether or not the vehicle is occupied, unless the vehicle is wholly or partly powered by electricity and a valid permit has been issued by the Huntington Town Clerk.]

\* \* \*

ARTICLE II  
(COMMUTER PARKING)

\* \* \*

§4-13. Non-transferability of permit. No person shall permit or allow a permit to be posted on a vehicle other than the vehicle for which the permit was issued without the consent of the Huntington Town Clerk. Such permit shall be null and void without such consent. The person or entity to whom the permit was originally issued and the owner of the vehicle where the permit has been unlawfully posted shall be strictly liable for a violation of this chapter.

\* \* \*

[ARTICLE III]  
[(HYBRID AND ALTERNATIVE FUEL VEHICLES)]

[§4-20.] [Permit requirements. Hybrid and alternative fuel permits shall be issued by the Huntington Town Clerk only for vehicles which are registered or leased to a resident of the Town of Huntington, upon such conditions and restrictions as deemed advisable by the Huntington Town Clerk.]

[§4-21.] [Permit application.]

[(A)] [No application fee shall be required for the issuance of a permit; and]

[(B)] [All applicants shall present a copy of the vehicle registration card, proper proof of residency and proof to the satisfaction of the Town that the vehicle is a hybrid or alternative fuel vehicle. Motorists who lease a hybrid or alternative fuel vehicle shall present a true copy of the lease and any other proof required by the Town before a permit will be issued; and]

[(C)] [The Director of Public Safety shall provide the Huntington Town Clerk with an updated list of hybrid and alternative fuel vehicles once every three (3) months or sooner if requested by the Town Clerk. In the event a question arises as to whether a vehicle qualifies as a hybrid or alternative fuel vehicle, the decision of the Director of Public Safety shall control and be final.]

[§4-22.] [Term of permit. Such permits shall be valid from the date of issuance to 12:00 midnight on December 31st of the year next following the date of issue.]

[§4-23.] [Placement and removal of permit. All permits shall be properly and securely affixed to the inside of the upper left corner of the rear window of the vehicle for which it was issued, and shall be unobstructed at all times so as to be clearly visible. All expired parking permits shall be removed from the vehicle upon expiration. A permit holder who fails to post or remove a permit in compliance with this section shall be in violation of this chapter.]

[§4-24.] [Non-transferability of permit. No person shall permit or allow a permit to be posted on a vehicle other than the vehicle for which the permit was issued. Such permit shall be null and void. The person or entity to whom the permit was originally issued and the owner of the vehicle where the permit has been unlawfully posted shall be strictly liable for a violation of this chapter.]

[§4-25.] [Alteration of permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a parking permit issued pursuant to this chapter. The owner of the vehicle and/or permit holder shall be strictly liable for a violation of this section.]

[§4-26.] [Assignment of permit. Assignment of a permit is prohibited. It shall be unlawful to assign a permit to the new owner of a vehicle for which a permit has been issued. Such assignment shall be null and void. Failure to comply with this section shall be deemed a violation of this chapter.]

[§4-27. through §4-30. (Reserved)]

\* \* \*

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]

2014 - 473

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014-474

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 39 -2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES); ARTICLE I (DEFINITIONS), ARTICLE II (USE REGULATIONS AND RESTRICTIONS) AND ARTICLE III (PERMIT FOR USE OF PARK FACILITIES)

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, it is the intent of the Town Board to update the Code of the Town of Huntington in order to achieve uniformity in the application of the parking provisions contained therein and in the Uniform Traffic Code of the Town of Huntington; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the **21st** day of October, 2014 at **6:00 pm**, at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No.: 39 -2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions), Article II (Use Regulations and Restrictions), and Article III (Permit for Use of Park Facilities); as follows:

LOCAL LAW INTRODUCTORY NO. **39** - 2014

AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 159 (RECREATIONAL FACILITIES)  
ARTICLE I (DEFINITIONS), ARTICLE II (USE REGULATIONS AND  
RESTRICTIONS) AND ARTICLE III (PERMIT FOR USE OF PARK FACILITIES)

Section 1. Chapter 159 (Recreational Facilities), Article I (Definitions), Article II (Use Regulations and Restrictions), and Article III (Permit for Use of Park Facilities) of the Huntington Town Code is hereby amended, as follows:

CHAPTER 159  
(RECREATIONAL FACILITIES)

ARTICLE I  
(DEFINITIONS)

§159-1. Definitions.

As used in this chapter the following words shall have the meanings indicated:

\* \* \*

[VEHICLE, ALTERNATIVE FUEL - Any motor vehicle which is powered by clean-burning fuels such as compressed natural gas (CNG); liquefied natural gas (LNG); liquefied petroleum gas (LPG) (propane); hydrogen; electricity (including electricity from solar energy); coal-derived liquid fuels; one hundred (100%) percent bio-diesel, and any other fuel which is at least eighty-five (85%) percent alcohol (any kind) including methanol (M85) and denatured ethanol. Alternative fuel vehicles shall include dedicated natural gas vehicles (NGVs) which are designed to run only on natural gas, bi-fuel NGVs which have two separate fueling systems enabling these vehicles to use either natural gas or conventional fuel such as gasoline or diesel, and those vehicles which have been retrofitted or converted into an alternative fuel vehicle.]

[VEHICLE, HYBRID - Any gas-electric powered motor vehicle.]

\* \* \*

ARTICLE II  
(USE REGULATIONS AND RESTRICTIONS)

\* \* \*

§159-12. Beach use and parking.

\* \* \*

[C.] [Hybrid or alternative fuel vehicles.]

[(1)] [No fee shall be required for the parking of any hybrid or alternative fuel vehicle which is registered or leased to a resident of the Town of Huntington, and for which a valid permit has been issued by the Huntington Town Clerk. All applicants shall present a copy of the vehicle registration card, proper proof of residency and proof to the satisfaction of the Town that the vehicle is a hybrid or alternative fuel vehicle. Motorists who lease a hybrid or alternative fuel vehicle shall present a copy of the lease and any other proof required by the Town before a permit will be issued. Such permits are not transferable to another vehicle and shall be valid from the date of issuance to 12:00 midnight on December 31st of the year next following the date of issue.]

[(2)] [The Director of Public Safety shall provide the Huntington Town Clerk with an updated list of hybrid and alternative fuel vehicles once every three (3) months or sooner if requested by the Town Clerk. In the event a question arises as to whether a vehicle qualifies as a hybrid or alternative fuel vehicle, the decision of the Director of Public Safety shall control and be final.]

[(3)] [All such permits shall be securely affixed to the right, rear passenger-side window of the vehicle and shall be unobstructed at all times so as to be clearly visible.]

\* \* \*

§ 159-17. Use of designated picnic areas.

A. Reservation of picnic areas.

\* \* \*

(2) Applications to reserve designated picnic areas shall be filed with the Department of Parks and Recreation no later than [two (2) weeks] fifteen (15) business days before the scheduled event. No application shall be complete and no permit will be issued unless accompanied by the requisite application fee and [any other document deemed necessary] all documents required by the Director.

\* \* \*

ARTICLE III  
PERMIT FOR USE OF PARK FACILITIES

§ 159-31. Permit; application and issuance.

\* \* \*

(B) Application. Applications with all required documents shall be filed no later than [two (2) weeks] fifteen (15) business days before [the] an event as specified on forms provided by the Department of Parks and Recreation. A permit may be denied if all required documents are not submitted within the specified time period. All applications shall be filed with the following:

\* \* \*

(2) In the case of special events, a [cash] deposit in an amount fixed by the Director to protect against damage to public property; to insure the area is left in a clean and usable condition; and to reimburse the Town for the direct and incidental costs incurred as a result of the function including the costs of added security. The deposit may be made by credit card, check or money order payable to the Town of Huntington. Any deposit posted shall be refunded if no damage has occurred, all trash has been properly disposed of, and after all costs incurred by the Town have been reimbursed. The permit holder shall be liable for all costs or damages which exceed the amount deposited.

\* \* \*

Section 2. Severability.

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

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

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-475

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 40 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: ANCHORAGE LANE, HALESITE - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: September 16, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to improve egress along Anchorage Lane, Halesite; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 21st day of October, 2014, at 6:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 40 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 40 -2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2014-475

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

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

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Anchorage Lane/North From New York Ave. (Rt. 110) west for 190 ft. (HLS)	No Standing	-----
	Anchorage Lane /South From New York Ave. (Rt. 110) west for 175 ft. (HLS)	No Standing	-----
	Anchorage Lane/West From 375 ft. north of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HLS)	No Standing	-----
	Anchorage Lane/East From 270 ft. north of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HLS)	No Standing	-----

Section 2. Severability.

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

2014- 475

Section 3. Effective Date.

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

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014-476

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 41-2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: BAGATELLE ROAD, DIX HILLS - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: September 16, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to improve egress for the residents on Bagatelle Road, Melville; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 21st day of October, 2014 at 6:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 41-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

2014- 476

LOCAL LAW INTRODUCTORY NO. 41 -2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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

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

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD: Bagatelle Road/West From Half Hollow Rd south for 115 feet (DXL)	No Parking	-----

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.

2014-476

VOTE:        AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014 - 477

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 42 -2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION OF PROPERTY)

Resolution for Town Board Meeting Dated: September 16, 2014

The following Resolution offered by: Councilwoman Edwards

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington currently requires the registration of residential rental properties, whether or not occupied, within the Town of Huntington; and

WHEREAS, in 2002 the Town Board enacted a rental registration law to preserve the health, safety and welfare of the residents and maintain the quality of life in non-owner occupied residential rental properties within the Town by maintaining a registration accountability system; and

WHEREAS, the Board wishes to further advance and protect the health, safety and welfare of the community at large and neighborhoods negatively impacted by non-owner occupied rental properties by extending the accountability system so as to enhance the ability of municipal officers and emergency personnel to deliver services in an informed, consistent, and orderly fashion; to maintain the aesthetic and environmental quality of life; enhance planned development of the Town; and meet the needs of property owners throughout the Town; and

WHEREAS, in amending its Code, the Town Board is exercising its statutory authority under §130 (3-a), (5), (11), (15) and (16) of the Town Law; §10(1)(ii)(a)(11) and (12) and §10(1)(iii)(d)(3) of the Municipal Home Rule Law, and any other applicable law, rule or statute in order to require owners of property to maintain minimum maintenance and safety standards, protect the occupants of non-owner occupied housing, preserve property values, and enhance the quality of life; and

WHEREAS, adding a permit process for residential rental properties is a Type II Action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(18, 19, 20, & 27), requiring no further environmental review because the legislation involves the continuing establishment and maintenance of Town administrative and recordkeeping procedures,

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 21st day of October, 2014 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 42 -2014, amending the Code of the Town of Huntington, Chapter 160 (Registration of Property); as follows:

2014 - 477

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

LOCAL LAW INTRODUCTORY NUMBER 42 -2014  
AMENDING THE CODE OF THE TOWN OF  
HUNTINGTON, CHAPTER 160 (REGISTRATION OF PROPERTY)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 160 (Registration of Property), as follows:

CHAPTER 160  
REGISTRATION AND PERMITTING OF PROPERTY

ARTICLE I  
[RENTAL REGISTRATION] GENERAL PROVISIONS

§160-1. Legislative intent.

[The intent of the local law is to preserve health, safety and welfare of the residents of the Town by maintaining a registration accountability system. This system will positively impact various municipal services, such as sanitation and code enforcement, as well as improve emergency services by ensuring efficient planning and prompt delivery of said services. The registration system will also ensure that rental residential use of any zoned property is monitored to allow for proper planning and administration of municipal and emergency services. The intent of this registration is not to legalize the occupancy of any structure that predates 1934 or possesses a letter in lieu with affidavits, nor is it an admission by the Town of Huntington that said structure is legal.]

(A) The Town Board intends to preserve the health, safety and welfare of residents within the jurisdictional limits of the Town of Huntington exclusive of its Incorporated Villages by establishing a registration and permitting system which will enhance the delivery of municipal services, such as sanitation and code enforcement services, and emergency services such as fire, water and police services when such services are needed, and effectively aid in the maintenance of the peace and good order and a tool for the establishment of efficient planning.

(B) In addition, the welfare and safety of our residents is threatened by rental properties that are occupied while infested with rodents and other creatures, lack sufficient heat, ventilation, light or other necessities, and are otherwise uninhabitable or blighted or threaten the quality of life in the community by creating nuisances or disrupting the peace and good order.

(C) The intent of this legislation is not to legalize the occupancy of any structure that predates the year 1934 or possesses a letter-in-lieu, nor is it an admission by the Town of Huntington that said structures are legal or habitable.

(D) Nothing in this Chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state, or extinguish the requirements of any local law, rule or statute of any agency having jurisdiction. In the case of a conflict between this Chapter and other regulations, the more stringent requirement shall prevail.

ARTICLE II  
REGISTRATION OF RESIDENTIAL RENTAL PROPERTY

\* \* \*

ARTICLE III [ARTICLE II]  
(VACANT BUILDING REGISTRATION)

\* \* \*

§160-17. through §160-19. (Reserved).

ARTICLE IV  
RESIDENTIAL RENTAL PERMITS

§160-20. As used in this article, the following words shall have the meanings indicated:

IMMEDIATE FAMILY - The owner's spouse, children, parents, grandparents or grandchildren.

MANAGING AGENT - Any individual, business entity, enterprise, trust, association, public utility or other legal entity responsible for the maintenance or operation of any residential rental property.

OWNER - Any person, business entity, or association who, alone or jointly with others, holds a fee interest in real property with or without accompanying actual possession thereof; or a managing agent who is responsible for the maintenance and/or operation of real property; or any person, business entity, or association who shall have charge, care or control of any dwelling unit as a cooperative shareholder; or as executor, administrator, trustee, receiver or guardian of an estate; or as a mortgagee who has secured a judgment of foreclosure and sale, or who is in possession, title or control of real property, including but not limited to a bank or lending institution, regardless of how such judgment, possession, title or control was obtained.

RENTAL PROPERTY - Any residential area, space, housing unit or group of units in any zoning district which is occupied for habitation as a residence by persons other than the owner or the owner's immediate family, or for which a fee or other compensation is received by the owner or managing agent, directly or indirectly, in exchange for such residential occupation. The term rental property shall exclude properties used solely for non-residential purposes or those having a valid accessory apartment permit in any zoning district.

§160-21. Rental permit required.

(A) Owner or managing agent. It shall be unlawful for the owner or managing agent to lease or rent any rental property or dwelling unit, including without limitation a motel or hotel room and a room in a bed and breakfast, for which a valid rental permit has not been issued pursuant to this article. It shall be immaterial whether or not rent or any other consideration is paid or tendered to the owner or managing agent by the occupant of such dwelling unit or rental property.

(B) Real estate broker or agent. It shall be unlawful for any person, real estate broker or agent to list, show or otherwise offer for lease, rent or occupancy any rental property or dwelling unit, including without limitation a motel or hotel room and a room in a bed and breakfast, for which a valid rental permit has not been issued pursuant to this article. It shall be the duty of such person, broker or agent to verify the existence of a valid permit before listing, showing or otherwise offering for lease, rent or occupancy any rental property or dwelling unit.

(C) Occupant(s) of rental property or dwelling units. It shall be unlawful for a person to occupy any rental property or dwelling unit, including without limitation a motel or hotel room and a room in a bed and breakfast, until a valid rental permit has been issued pursuant to this article. It shall be immaterial whether or not rent or any other consideration is paid or tendered to the owner or managing agent by the occupant of such dwelling unit or rental property, or that the person occupying said residential building or dwelling unit had no prior knowledge that a rental permit had not been issued or was required.

(D) Exemptions. A rental permit shall not be required for holders of valid accessory apartment permits; any property owned by the United States, the State of New York, the County of Suffolk, Town of Huntington and their respective agencies or political subdivisions; any property administered by the Huntington Community Development Agency; any property owned and/or maintained by the Huntington Housing Authority and/or the Huntington Housing Authority Mortgage Banking Corporation, and any affordable housing unit for which a plan has been or is being filed with the United States Department of Housing and Urban Development.

§160-22. Violation of article; presumptive evidence. The presence or existence of any of the following shall create a rebuttable presumption that rental property or a dwelling unit is rented. Nothing herein shall be construed so as to prevent persons from living together as a family unit with the owner.

- (1) The property is occupied by someone other than the owner, and the owner or managing agent of the property represents in writing or otherwise, to any person or establishment, business, institution or government agency, that he resides at an address other than the rental property.
- (2) Persons living in the rental property or dwelling unit represent that they pay rent to the owner of the premises.

- (3) Utilities, cable, phone or other services are in place or requested to be installed or used at the premises in the name of someone other than the record owner.
- (4) Testimony by a witness with personal knowledge of the facts that a person other than the record owner resides at the premises.
- (5) There is more than one mailbox at the premises.
- (6) There is more than one gas meter at the premises.
- (7) There is more than one electric meter at the premises.
- (8) There are separate entrances for segregated parts of the building.
- (9) There are partitions or internal doors which may serve to bar access between segregated portions of the building including but not limited to bedrooms.
- (10) There exists a separate written or oral lease, or rental or occupancy agreement, or payment arrangement for portions of the rental property between the owner or managing agent and the different occupants and/or tenants of the property.
- (11) There exists an inability of any occupant or person in possession thereof to have unimpeded and/or lawful access to all parts of the rental property or rental unit.
- (12) Two or more kitchens each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or preparation of food and/or a refrigerator.

§160-23. Term of permit. A rental permit shall be valid for a period of one (1) year from the date of issuance unless sooner terminated.

§160-24. Application for rental permits.

(A) The owner or managing agent of rental property or dwelling unit shall apply for a rental permit and pay a non-refundable application fee in accordance with the following schedule:

- (1) Class I - one or two family homes; buildings providing up to three dwelling units or boarding rooms: \$475 per property.
- (2) Class II - multiple family residential buildings of four or more dwelling units; hotels, motels, bed and breakfasts; boarding houses with four or more dwelling units or boarding rooms; and all other multi-residential buildings: \$750 per property.
- (3) Late charges. A late charge equal to two times the amount of the application fee, prorated for the period of delay, shall be charged to owners and/or managing agents who fail to apply for or renew their permits on a timely basis.

(B) Applications for rental permits shall be notarized and in a form prescribed by the Department of Public Safety. In no instance shall the filing of an application and payment

2014-477

of fees be construed as to exonerate the owner or managing agent of responsibility for compliance with the building, housing and maintenance requirements of any local, county, state or federal agency having jurisdiction. Each application shall include the following:

- (1) The information set forth in §160-13(A) as is applicable in the discretion of the Director of Public Safety, and §160-13(B); and
- (2) A copy of the latest deed to the property; and
- (3) Latest survey of the property, if available; and
- (4) Government issued proof of residency of each owner with picture ID (driver's license, passport, etc.), and the address and contact number thereof; and
- (5) The name, address and contact number of the managing agent, if applicable; and
- (6) A signed and notarized certification in a form acceptable to the Director of Public Safety by each property owner or managing agent attesting to the total number of persons occupying each rental property or rental unit owned or managed by the registrant as of the date of registration; and
- (7) Location of the premises, the number of dwellings units located therein, and number of persons to be accommodated; and
- (8) A plot or schematic showing the size and location of the premises, all buildings and structures and the floor plan to scale of each dwelling unit and accommodation; and
- (9) A certification from a licensed professional engineer, licensed architect, or a Town ordinance/code enforcement officer attesting that that the property at issue is in compliance with the Huntington Town Code, and meets the requirements of all applicable county, state and federal laws, codes, rules and regulations. Nothing in this article, except in the case of an emergency pursuant to §160-28, shall be deemed to authorize the Town to conduct an inspection of any property without the consent of the owner or managing agent or occupant of the property in the absence of a warrant duly issued by a court of law.
- (10) Such other information and/or documentation deemed necessary by the Director of Public Safety.

(C) Duty to amend. If the status of the information changes during the course of any calendar year, it is the responsibility of the owner or managing agent to submit such changes to the Department of Public Safety in writing within thirty (30) days of the occurrence of such change.

(D) Non-compliance. Failure of an owner or managing agent to secure a rental permit or to amend the information, or to do so within the period provided shall constitute a violation of this article.

(E) Renewal of permit. A rental permit may be renewed by application to the Department of Public Safety as in the case of an original permit application, with

payment of the requisite fee and upon the production of any document deemed necessary by the Director. All applications for a renewal of a permit shall be filed before the expiration of the original permit.

§160-25. Compliance required. No permit or renewal shall be issued unless the property is in compliance with all the provisions of the Code of the Town of Huntington, and meets the requirements of all applicable county, state and federal laws, codes, rules and regulations.

§160-26. through §160-27. (Reserved).

ARTICLE V  
ADMINISTRATIVE REMEDIES AND PENALTIES

§160-28. Authority of the Town.

(A) Application for a search warrant. See, Chapter 71 of the Huntington Town Code.

(B) Emergencies. If, in the judgment of the Director of Public Safety, an emergency exists as when a condition or hazard is an immediate peril to the public health and safety, or a serious and immediate danger to person or property, he or she may enter any building or structure to inspect and investigate.

§160-29. Penalties for offenses.

(A) An owner or managing agent who fails to apply for and obtain a rental permit or to notify the Department of Public Safety of changes shall be punishable by a fine or penalty of not less than two hundred and fifty (\$250) dollars nor greater than one thousand (\$1,000) dollars and/or imprisonment for a period not to exceed 15 days; a conviction of a second offense, within a period of five (5) years of the first conviction, shall be punishable by a fine or penalty of not less than one thousand (\$1,000) dollars nor greater than one thousand five hundred (\$1,500) dollars and/or imprisonment for a period not to exceed 15 days; and a conviction of a third or subsequent offense, within a period of five (5) years of the second conviction, shall be punishable by a fine or penalty of not less than one thousand five hundred (\$1,500) dollars nor greater than two thousand five hundred (\$2,500) dollars and/or imprisonment for a period not to exceed 15 days. Each week or part thereof the violation continues shall be deemed a separate and distinct offense punishable in like manner.

(B) Each violation of the provisions of §160-21(B) and (C) shall be deemed a violation and punishable by a fine or penalty of not less than two hundred and fifty (\$250) dollars nor greater than one thousand five hundred (\$1,500) dollars. Each week or part thereof the violation continues shall be deemed a separate and distinct offense punishable in like manner.



2014-478

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 43 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), §198-42 (DESIGNATION OF SITES AND BUILDINGS), TO DESIGNATE AS AN HISTORIC LANDMARK THE BUILDING AND PROPERTY KNOWN AS THE JUPITER HAMMON HOUSE, 73 WEST SHORE ROAD, HUNTINGTON.

Resolution for Town Board Meeting dated: September 16, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Historic Preservation Commission has petitioned the Town Board for the historic designation of the building and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington, and the Commission and the Department of Planning and Environment have prepared reports in accordance with the Code of the Town of Huntington §198-40.3; and

WHEREAS, the Zoning Board of Appeals has already granted architectural review power over the existing house to the Historic Preservation Commission as a condition of approving Appl. #20782-20783, which granted variances to allow a two-lot subdivision application to proceed; and

WHEREAS, the applicant has an active subdivision application before the Planning Board known as Fuschetto Plat, and the designation is only proposed for the lot that would contain the existing house; and

WHEREAS, designating historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 21st day of October, 2014 at 6:00 p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 43 - 2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington, described as follows:

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

2014-478

LOCAL LAW INTRODUCTORY NO. 43 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198  
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)  
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)  
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)  
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

§198-42. Designation of Sites and Buildings

\* \* \*

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

\* \* \*

( ) Jupiter Hammon House, 73 West Shore Road, Huntington, proposed Lot 1 of Fuschetto Plat, p/o SCTM# 0400-026-02-041.

\* \* \*

Section 2. Severability

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

Section 3. Effective Date

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

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

2014-478

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-479

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING VARIOUS ACTIONS BE TAKEN UPON CERTAIN PROPERTIES DESIGNATED AS BLIGHTED IN ACCORDANCE WITH CHAPTER 156, ARTICLE VII, § 156-67 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: September 16, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the **21st** day of **October**, 2014 at **6:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2014- 479

VOTE:            AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

EXHIBIT NO.	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
134	178 Beverly Road Huntington Station	0400-203.00-02.00-004.001	178 Beverly Road, LLC c/o Amerevision 30 Broad Street, Ste 407 New York, NY 10004	8/15/2014	\$ 2,500.00
135	286A Nassau Road Huntington	0400-098.00-01.00-025.000	Richard Olivo Enterprises, Inc. 285 Route 25A Rocky Point, NY 11778	8/18/2014	\$ 2,500.00
136	9 Maryanne Court Huntington	0400-077.00-02.00-036.007	Walter J. Hergenhan Jo Ann Hergenhan 9 Maryanne Court Huntington, NY 11743-7912	8/20/2014	\$ 2,500.00

2014-480

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A  
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT  
RE: MARGARET LANE & EAST MAIN STREET, HUNTINGTON—OLD  
HUNTINGTON GREEN HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Margaret Lane LLC, 5 Wendover Drive, Huntington, NY 11743, for a Certificate of Approval to erect a new two story single family home with unfinished basement, attached garage, and one story porch at the property located at Margaret Lane and East Main Street, Huntington, NY 11743, in accordance with plans dated June 23, 2014 except that the siding shall be wood shingles, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map #400-74-03-34.4 & 34.5, 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 **21st** day of **October**, 2014, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Margaret Lane LLC.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

## 2014 – CD 2

### RESOLUTION AUTHORIZING THE CHAIRMAN OF THE COMMUNITY DEVELOPMENT AGENCY TO EXECUTE AN AGREEMENT WITH REACH CYA, INC.

Resolution for Community Development Agency Board Meeting dated: September 16, 2014

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

And seconded by: **MEMBER EDWARDS**

WHEREAS, the Huntington Community Development Agency (HCDA) has the authority to develop programs that enhance the quality of life in the Town of Huntington; and

WHEREAS, REACH CYA, Inc., 525 Half Hollow Road, Dix Hills, 11746, a charitable 501(c)(3), non-profit organization provides social, recreational, informational, educational and advocacy programs for children, youth and families in Commack and Half Hollow Hills; and

WHEREAS, REACH CYA, Inc. and HCDA each recognize the need to provide on-site family support services to alleviate family concerns and promote self sufficiency and a particular need to provide housing assistance and counseling to the residents of Millennium Hills, an affordable housing complex for low income homeowners and renters within the Town of Huntington; and

WHEREAS, the adopted April 1, 2014 through March 31, 2015 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Reach CYA, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing services for Millennium Hills is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required

NOW, THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement with REACH CYA, Inc., to provide social, recreational, informational, educational and advocacy programs to the residents of Millennium Hills for the period April 1, 2014 through March 31, 2015, for an amount not to exceed the sum of NINE THOUSAND

# 2014 – CD2

FIVE HUNDRED DOLLARS AND NO/100 (\$9,500.00) and upon such other terms and conditions as approved by the Agency Attorney.

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2014 – CD3

## RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH THE FAMILY SERVICE LEAGUE, INC. FOR THE PROVISION OF A HOME SHARE PROGRAM FOR HUNTINGTON RESIDENTS

Resolution for the Community Development Agency Board Meeting dated: September 16, 2014

The following resolution was offered by: **MEMBER BERLAND, MEMBER CUTHBERTSON**

And seconded by: **MEMBER COOK**

WHEREAS, the Family Service League, Inc., 790 Park Avenue, Huntington, New York, 11743, is a charitable 501 (c) (3), not for profit organization, which provides services to families and individuals in need of financial assistance, housing and counseling; and

WHEREAS, there are Huntington residents who are faced with losing their independence, or, are unable to achieve economic self sufficiency because they cannot find affordable housing, and the Family Service League Home Share Program matches individuals who own homes with individuals in need of housing; and

WHEREAS, the adopted April 1, 2014 through March 31, 2015 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Family Service League, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing family and housing counseling for seniors is not an action pursuant to 6 N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement with the Family Service League, Inc. for the provision of a Home Share Program to the residents of the Town of Huntington for the period April 1, 2014 through March 31, 2015 for an amount not exceed the sum of EIGHT THOUSAND SEVENTY-FIVE DOLLARS AND NO/100 (\$8,075.00) and upon such other terms and conditions as approved by the Agency Attorney.

# 2014 – CD3

VOTE:           AYES: 5       NOES: 0       ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark A. Cuthbertson	<b>AYE</b>
Member Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 – CD4

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH LONG ISLAND HOUSING SERVICES, INC.

Resolution for Huntington Community Development Agency Board Meeting dated: September 16, 2014

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

And seconded by: **MEMBER BERLAND**

WHEREAS, it is an important goal of Huntington Community Development Agency to promote fair housing and fair housing practices by increasing public awareness of fair housing laws; and

WHEREAS, Long Island Housing Services, Inc., 640 Johnson Avenue, Bohemia, New York, is a not-for-profit corporation of the State of New York, based in Suffolk County and dedicated to the advancement of fair housing through education and counseling; and

WHEREAS, the adopted April 1, 2014 through March 31, 2015 budget approved by the Huntington Community Development Agency Board included Community Development Block Grant funds for the purpose of continuing the counseling and assistance provided by Long Island Housing Services, Inc.; and

WHEREAS, providing housing counseling for Town of Huntington residents is not an action pursuant to 6N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement with Long Island Housing Services, Inc. whereby outreach, public education, and counseling is provided to Town residents regarding landlord and tenant responsibilities, real estate discrimination, FHA mortgages, conventional mortgages, reverse mortgages and pre-purchase and post-purchase financial counseling, for the period April 1, 2014 through March 31, 2015, for an amount not to exceed the sum of SEVEN THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS AND NO/100 (\$7,125.00) and upon such other terms and conditions as approved by the Agency Attorney.

2014 - CD 4

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2014 – CD5

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014

Resolution for Community Development Agency Board meeting dated: September 16, 2014

The following resolution was offered by **CHAIRMAN PETRONE**

and seconded by **MEMBER BERLAND**

WHEREAS, the Huntington Town Board has extended the contract with Cullen & Danowski, LLP, Certified Public Accountants, to conduct the independent audit of the Town of Huntington based on the recommendation of the Town's Audit Committee and it is both advantageous and cost effective for the Community Development Agency to contract for and be audited in conjunction with the Town's audit; and

WHEREAS, the terms of the Federal Community Development Block Grant Program, which is the principal source of funding for the Agency, requires that an annual independent audit be conducted; and

WHEREAS, the Community Development Agency is an independent New York State public benefit corporation, established under Section 654 of general Municipal Law; and

WHEREAS, Community Development Agency Board Resolution 2013 CD-10 authorized the Chairman to execute a contract with Cullen & Danowski, LLP, Certified Public Accountants, to conduct an independent audit for the Community Development Agency; and

WHEREAS, said contract provides for four one (1) year extensions upon mutual consent of both parties; and

WHEREAS, Cullen & Danowski, LLP., Certified Public Accountants, has requested the Community Development Agency Board approval for the second one (1) year extension of the contract; and

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

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

# 2014 – CD 5

HEREBY AUTHORIZES the Chairman to execute the second extension to the contract with Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson, New York 11776, to conduct an audit for the fiscal year ending December 31, 2014, for an amount not to exceed the sum of SIX THOUSAND FIVE HUNDRED NO/100 (\$6,500.00) DOLLARS, for a term commencing January 1, 2014 and terminating December 31, 2014.

VOTE:            AYES: 5      NOES:0      ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark A. Cuthbertson	<b>AYE</b>
Member Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING DONATIONS TO THE HUNTINGTON OPPORTUNITY RESOURCE CENTER, 1264 NEW YORK AVENUE, HUNTINGTON STATION, NY AND AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT IN CONNECTION THEREWITH

Resolution for Community Development Agency Meeting of: September 15, 2014

The following resolution was offered by: Member Tracey A. Edwards

and seconded by **MEMBER BERLAND**

WHEREAS, the Town of Huntington and Huntington Community Development Agency (HCDA), in partnership with the County of Suffolk, recently launched the Huntington Opportunity Resource Center (HORC) in Huntington Station to coordinate the offering of shared services to the community with its primary goal to address local unemployment and underemployment; and

WHEREAS, HORC services are being provided at Huntington Community Development Agency-owned and operated 1268 and 1264 New York Avenue in Huntington Station with the 1264 New York Avenue site in need of furnishings and refurbishment; and

WHEREAS, HCDA is a public benefit corporation and component unit of the Town of Huntington, established under New York State law to assist low and moderate income residents of the Town of Huntington through housing and other initiatives and as such any donations to the Agency are tax deductible under the law; and

WHEREAS, in response to the important public service HORC is providing to the community HCDA is in receipt of various donations from the business sector; and

WHEREAS, the law firm of Harras Bloom & Archer LLP, 445 Broad Hollow Road, Melville has donated \$1,000 to Huntington Community Development Agency toward the cost of paint and supplies for the site's refurbishment; and

WHEREAS, the accounting firm of KPMG, 1305 Walt Whitman Road, Melville is donating office furniture and assorted office supplies; and

WHEREAS, in connection with the retrieval of office furniture from KPMG's Melville offices it will be necessary for the Chairman to sign a hold harmless agreement; and

WHEREAS, the acceptance of donations and the execution of required agreements in connection therewith are classified as Type II actions pursuant to 6 NYCRR §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE AGENCY BOARD

HEREBY ACCEPTS the donation of office furniture from KPMG, 1305 Walt Whitman Road, Melville, New York and also the \$1,000 check from the law firm of Harras Bloom & Archer LLP to purchase paint and supplies; and

FURTHER AUTHORIZES the Chairman to sign an agreement in connection with the retrieval of office furniture and on such other terms and conditions as may be acceptable to the Agency Attorney

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark A. Cuthbertson	<b>AYE</b>
Member Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2014- LDC -1

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014

Resolution for Local Development Corporation Board meeting dated: September 16, 2014

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, pursuant to Section 1411 of the Not-for-Profit Corporation Law, the Town of Huntington Local Development Corporation was established in 2010 as a not-for-profit local development corporation of the State to enhance economic development and business opportunities within the Town of Huntington; and

WHEREAS, the New York State Comptroller's Office requires local development corporations to obtain an annual independent audit; and

WHEREAS, the Town of Huntington solicited written quotes for Professional Auditing and Accounting Services and sealed proposals were opened and read aloud on October 11, 2013 for same; and

WHEREAS, Cullen & Danowski, LLP was determined to be the most qualified, responsive and responsible proposer to conduct the Town's and other Town agency's annual audits, including that of the Town of Huntington Local Development Corporation; and

WHEREAS, said contract provides for four one (1) year extensions upon mutual consent of both parties; and

WHEREAS, Cullen & Danowski, LLP, Certified Public Accountants, has requested Huntington Local Development Corporation Board approval for the second one (1) year extension of the contract; and

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

NOW, THEREFORE

THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

HEREBY AUTHORIZES the Chairman to execute the second extension to the contract with Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson Station, NY 11776, to conduct an audit for the fiscal year ending December 31, 2014, for an amount not to exceed the sum of TWO THOUSAND FIVE HUNDRED NO/100 (\$2,500.00) DOLLARS and upon any such terms as may be imposed by the Corporation's counsel.

# 2014- LDC{

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**INFORMATIONAL SHEET FOR:  
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT  
MEETING DATED: 9/16/2014**

**COMMUNICATION**

**DISTRIBUTION**

1. Letters received Certified Mail – Applying for Liquor Licenses:  
From: Omar Cruz for La Spada Ristorante Italiano (315 Walt Whitman Road, Huntington Station);  
  
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:  
  
**NONE**
3. Email received from Lawrence Connelly regarding his objection to placing parking restrictions on Pine Drive in Cold Spring Harbor.  
  
cc: Traffic & Transportation
4. Letter received from Laurel Mooney, Vice President of the Green Towers Group, regarding AT&T Wireless interest in leasing space at Washington Drive Parking Lot in Centerport. The writer indicates AT&T Wireless would like to know if the Town would be willing to consider leasing a portion of its property to AT&T for its telecommunication purposes.  
  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
5. Letter received from Lee Kilbrith, Vice President of the Huntington Village Business Improvement District, attached was a copy of the 2015 Preliminary Budget.  
  
Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
6. Letter received from Keri Loughlin, Assistant Superintendent for Business for the Elwood School District, attached was a copy of the 2015 Official Budget.  
  
Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
7. Letter received from Karleen Bayer in support of the Benchmark senior living facility proposed for 25A in Huntington.  
  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
8. Email/letter received in support of the Seasons at Elwood.  
  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
9. Emails received in opposition of the proposed 15 year tax abatement for the Hotel Huntington from: Melissa Argaman, Shant Michaelian, Rodrigo/Kerry Neira and Michele Kustera.  
  
Supervisor  
Town Board  
Town Attorney  
Tax Assessor  
cc: Planning & Environment

10. Email received in opposition to the Benchmark Corporation proposal to build an assisted living facility at the intersection of East main Street and Old Northport Road from Lisa Chalif, Shelley/Stuart Kay, Allyson Barish, Joanna Lizzio, Gary Stankiewicz, Beth Bansen, Gene Mavleos, Shari Feibel, Dr./Mrs. Giambalvo, John Fortin and Peter/Joyce Johnston  
T.Edwards, Councilwoman  
Town Attorney  
Engineering Services  
cc: Planning & Environment
11. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning, regarding Town of Huntington Resolution numbers, 2014-435 and 2014-BT6. The Commission has decided that this is a matter for local determination; and this decision is not to be construed as an approval or a disapproval.  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
12. Emails received from MaryAnn Plump(2 received) and Julie Badlato, regarding the writers opinions with respect to the August 19, 2015 Town Board Meeting.  
cc: Town Attorney
13. Letter received from Sarah Lansdale, Director of Planning for Suffolk County, advising that two Huntington parcels (0400-203.00-02.00-051.001 and 0400-203.00-02.00-051.003) were certified for inclusion in Agricultural District No. 3 effective August 14, 2014.  
Supervisor  
Town Board  
Town Attorney  
cc: Assessor
14. Email received from Scott Yanuck, regarding the Wall property – Old Northport “Benchmark”. The writer indicates his opinions on this property are as follows: 1) support this as a park or open space 2) a smaller version of the “Benchmark” proposal 3) change zone to R-40.  
E. Cook  
Town Attorney  
Engineering Services  
cc: Planning & Environment
15. Letter received from John Cooney, Commander, Northport American Legion Post 694 and Bruce Brenner, Commander, Huntington VFW Post 1469 expressing concern for the use of Town facilities for not for profit veterans organization events.  
Supervisor  
Town Board  
Town Attorney  
cc: Parks & Recreation
16. Email received from Diane Woodhouse regarding Pickle Park. The writer indicates that the Town of Huntington should work with the Board of Education to finalize an agreement on the preservation and maintenance of Pickle Park.  
Supervisor  
Town Board  
Town Attorney  
cc: Parks & Recreation
17. Copy of Public Notice from Gail Devol, Village Administrator for the Village of Huntington Bay, Zoning Board of Appeals, regarding the a hearing to be held on 9/18/2014 at 7:30 PM at Village Hall. The following properties require various variances: 3 Shore Drive, 19 Terra Mar Drive, 14 Kanes Lane, 352 Bay Avenue, 122 Bay Drive East, 6 Fleetwood Drive and 9 Woodland Drive.  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
18. Email received from Tom DiGiacomo regarding non owner occupied rental properties. He is unable to attend the 9/16/2014 Town Board meeting and attached a letter that he would like read at the meeting. The writer is concerned with the fee distributions.  
Town Attorney  
cc: Public Safety