

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:**

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

**AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 4, 2014**

**BOARD OF TRUSTEES' MEETING FOLLOWING**

Opened: 7:23 P.M. Recessed: 7:33 P.M. Resumed: 8:25 P.M. Closed: 8:26 P.M.

**7:00 P.M. – TOWN HALL**

Opened: 7:04 P.M. Recessed: 7:23 P.M. Resumed: 7:33 P.M. Closed: 8:25 P.M.

(Resolutions #2014-45 to 2014-97)

**HEARINGS:**

**ACTION**

1. Consider adopting Local Law Introductory No. 2-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments).  
(Local Law Introductory No. 2-2014)  
*Scheduled as per Resolution 2014-43 at 1-7-2014 Town Board Meeting*

**ENACTMENT  
RESOLUTION 2014-83**

**BOARD OF TRUSTEES' HEARINGS:**

1. Consider a variance and the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 for the construction of a residential floating dock assembly.

**Applicant: Ljiljana Mirjanic, Location: 101 Asharoken Avenue, Northport, NY 11768, SCTM #0401-008.00-02.00-028.000**  
(2014-BT-1-Ch. 137)  
*Scheduled as per Resolution 2014-BT-1 at 1-7-2014 Town Board Meeting*

**DECISION RESERVED**

**HEARINGS (Continued):**

**ACTION**

**BOARD OF TRUSTEES' HEARINGS (Continued):**

2. Consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, for the construction of a residential fixed pier and floating dock assembly.

**Applicant: Ljiljana Mirjanic, Location: 101 Asharoken Avenue,  
Northport, NY 11768, SCTM #0401-008.00-02.00-028.000  
(2014-BT-2)**

*Scheduled as per Resolution 2014-BT-2 at 1-7-2014 Town Board Meeting*

**DECISION RESERVED**

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 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>2014-45.</b> | <b>AUTHORIZE</b> the Supervisor to execute a contract with the Huntington YMCA for the use of the Dix Hills Park Pool. (Dates/Times: 6/30/2014 – 8/15/2014 between the hours of 6:00 AM and 8:00 AM)  | <b><u>FP</u></b> | <b><u>SB</u></b>               | <b><u>5</u></b> |
| <b>2014-46.</b> | <b>AUTHORIZE</b> the Supervisor to execute a contract Budget/Program Description Approval Form Revision No. Two amending the agreement with Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services and Alternatives for Youth Services. (Re: Resolution 2012-59 adopted 2/6/2012 and Resolution 2013-39 adopted 2/5/2013) | <b><u>SB</u></b> | <b><u>TE</u><br/><u>EC</u></b> | <b><u>5</u></b> |
| <b>2014-47.</b> | <b>AUTHORIZE</b> the Supervisor to execute a contract for the provision of investment, administrative and trustee services for the Town of Huntington Public Employees Deferred Compensation Plan with MassMutual Financial Group. (Period: Five years)   | <b><u>SB</u></b> | <b><u>FP</u></b>               | <b><u>5</u></b> |
| <b>2014-48.</b> | <b>AUTHORIZE</b> the Supervisor to execute a requirements contract for overhead and rollup door repairs and service with Superior Overhead Door, Inc. (Period: One year upon execution but not before 3/9/2014)   | <b><u>MC</u></b> | <b><u>EC</u></b>               | <b><u>5</u></b> |
| <b>2014-49.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the requirements contract for Heating Ventilation and Air Conditioning (HVAC) Service, installation and maintenance, with Absolute Control HVAC Corp. (Extension Period: One year commencing 4/7/2014)   | <b><u>SB</u></b> | <b><u>EC</u></b>               | <b><u>5</u></b> |
| <b>2014-50.</b> | <b>AUTHORIZE</b> the execution of a requirements contract for repair and/or replacement of manhole frames and covers on New York State roadways, within the Huntington Sewer District, with Roadwork Ahead, Inc. (Period: One year commencing upon execution but not before 3/8/2014)   | <b><u>MC</u></b> | <b><u>EC</u></b>               | <b><u>5</u></b> |
| <b>2014-51.</b> | <b>AUTHORIZE</b> the Supervisor to execute a license agreement with Vicobe Productions for the use of Crab Meadow Beach for a sprint triathlon and youth event on September 13, 2014 and September 14, 2014, and further granting an aquatic permit in conjunction with such event. (Re: 9/13/2014 from 9:00 AM to 6:00 PM and 9/14/2014 from 4:00 AM to 12:00 PM)          | <b><u>FP</u></b> | <b><u>EC</u></b>               | <b><u>5</u></b> |

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-52.</b> <b>AUTHORIZE</b> the Supervisor to execute an agreement with the Long Island Growers Market for the purpose of allowing a Farmers Market to operate in the Town of Huntington. (Location: Elm Street municipal parking lot; Sundays between the hours of 7:00 AM – 12:00 PM; Dates- 5/25/2014-11/23/2014)	<u><b>FP</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-53.</b> <b>AUTHORIZE</b> the Supervisor to execute a license agreement with the Cow Harbor Warriors, Inc. for the use of Crab Meadow Beach for Cow Harbor Warrior Weekend events on September 6, 2014 and to execute a New York State Liquor Authority Special Event Permit Application, and further granting an aquatic permit in conjunction with such event.	<u><b>MC</b></u>	<u><b>FP</b></u>	<b>3-AYES</b> ( <b>MC</b> ) ( <b>FP</b> ) ( <b>TE</b> ) <b>2-ABST</b> ( <b>SB</b> ) <u>(<b>EC</b>)</u>
<b>2014-54.</b> <b>AUTHORIZE</b> the Supervisor to execute an extension to the license agreement with HASA Construction LLC, nunc pro tunc. (Re: Temporary use of the former Naval Reserve property located between Creek Road and Mill Dam Road for temporary storage).	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-55.</b> <b>AUTHORIZE</b> the Supervisor to execute an agreement to continue the utilization of the house at the Fuch’s Pond Preserve located at 21 Norwood Road, Northport, New York with Cornell Cooperative Extension of Suffolk County for seasonal environmental educational programs. (Period: Commencing upon execution to 12/31/2019)	<u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-56.</b> <b>AUTHORIZE</b> the Supervisor to execute an extension to the franchise agreement with Hobby Quest to provide a hands-on enrichment program for children to learn skills such as fashion design, magic, and aviation. (Extension 6/1/2014 – 6/1/2015)	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-57.</b> <b>AUTHORIZE</b> the Supervisor to execute New York State Liquor Authority Special Event Permit Applications on behalf of various organizations for special events scheduled to be held on town property for the year 2014.	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-58.</b> <b>AUTHORIZE</b> participation by Town employees through payroll deductions in the American Family Life Assurance Company of New York’s (AFLAC New York) Hospital Confinement Indemnity Plan and Short Term Disability Income Insurance Plan.	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-59.</b> <b>AUTHORIZE</b> the change of name of Holzmacher, McLendon, & Murrell P.C. to H2M Architects + Engineers for the annual engineering retainer services agreement for the Huntington and Centerport Sewer Districts nunc pro tunc. (Re: Resolution 2013-572 – 12/10/2013)	<u><b>TE</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>



**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-67.</b> ACCEPT a donation of three HP M551N color Laserjet printers from Spencer & Associates Publishing, Ltd. of Melville, New York, nunc pro tunc.	<u>TE</u>	<u>EC</u>	<u>5</u>
<b>2014-68.</b> REMOVED FROM THE AGENDA AT WORKSHOP.			
<b>2014-69.</b> ADOPT the Marina Contract for spring, summer, and autumn wet storage at Town marinas.	<u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-70.</b> ALLOW Town Employees to donate accrued sick, vacation or personal time from their accounts to the account of Jason Jackson.	<u>FP</u>	<u>TE</u> <u>SB</u>	<u>5</u>
<b>2014-71.</b> APPOINT AND REAPPOINT members to the Town of Huntington Planning Board, Zoning Board of Appeals and Board of Assessment Review. (Re: Paul Mandelik, Chairman of the Planning Board, term 1/14/2014-12/31/2014; Jane R. Devine, Vice Chairman of the Planning Board, term 1/1/2014-12/31/2014; Dave Pennetta, Planning Board, term to expire 12/31/2020; Kathleen A. Casey, Planning Board, term to expire 12/31/2018; Peter E. Tonna, Zoning Board of Appeals, term to expire 12/31/2020; Christopher Modelewski, Chairman of Zoning Board of Appeals, term 1/1/2014-12/31/2014; Peter E. Tonna, Vice Chairman Zoning Board of Appeals, term 1/1/2014-12/31/2014; Thomas Jerideau, Board of Assessment Review, term to expire 9/30/19; Jeffrey Stark, Board of Assessment Review, term to expire 9/30/17; Gary V. Hamilton, Board of Assessment Review, term to expire 9/30/16; Jairo Sanin, Board of Assessment Review, term to expire 9/30/2015, Thomas Jerideau, Chairman Board of Assessment Review, term 1/1/2014 -12/31/2014 and Jeffrey Stark, Vice Chairman of Assessment Review, term 1/1/2014-12/31/2014)	<u>MC</u>	<u>FP</u>	4-AYES (MC) (FP) (SB) (TE) 1-NO (EC)
<b>2014-72.</b> DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>MC</u>	<u>TE</u>	<u>5</u>
<b>2014-73.</b> DESIGNATE East Spring Hollow Road and Country Meadow Court Town Highways by usage pursuant to Highway Law §189.	<u>FP</u>	<u>EC</u>	4-AYES (FP) (EC) (SB) (TE) 1-ABST (MC)
<b>2014-74.</b> GRANT an easement to the Huntington Historical Society. (Re: 209 Main Street)	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-75.</b> GRANT an aquatic permit to Camp Sunshine for its annual Freezin' for a Reason Polar Dip fundraiser event at Crab Meadow Beach and authorizing the Supervisor to execute a license agreement in conjunction with such event. (Re: 3/1/2014)	<u>MC</u>	<u>FP</u>	<u>5</u>
<b>2014-76.</b> GRANT a permit for an aquatic event to Metropolitan Swimming, Inc. for their Open Water Swimming Championships. (Date: 7/13/2014)	<u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-77.</b> REMOVED FROM AGENDA AT THE EXECUTIVE SESSION.			
<b>2014-78.</b> REAPPOINT members to the Audit Committee. ( Re: Mark Cuthbertson – Term 1/1/2014 – 12/31/2017; Brian Orange – Term 1/1/2014-12/31/2016; James Kelly – Term 1/1/2014 – 12/31/2015)	<u>FP</u>	<u>TE</u>	<b>4-AYES</b> (FP) (TE) (MC) (SB) 1-NO (EC)
<b>2014-79.</b> AUTHORIZE appropriate actions(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.	<u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-80.</b> ENACTMENT: ADOPT Local Law Introductory Number 34-2013, amending the Zoning Map on the Town Board's own motion to change the zoning from C-6 General Business District to C-6 Huntington Station Overlay District for property located on the south side of Railroad Street, East of Lowndes Avenue, Huntington Station, SCTM# 0400-147-01-005.003.	<u>FP</u>	<u>EC</u>	<u>5</u>
<b>MOTION TO AMEND RESOLUTION #2014-81</b>	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2014-81.</b> ENACTMENT: ADOPT Local Law Introductory Number 35-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-27.1 (C-6 Huntington Station Overlay District), to add a Special Use Permit for Hotels, as amended.	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
<b>2014-82.</b> ENACTMENT: ADOPT Local Law Introductory No. 39-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule "K" Re: Cold Spring Harbor High School – Private Parking Fields.	<u>SB</u>	<u>EC</u> <u>TE</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-83. ENACTMENT: ADOPT</b> Local Law Introductory No. 2-2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments).	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-84. SCHEDULE A PUBLIC HEARING: April 8, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory Number 3-2014, amending Town Board Resolution 1995-137, Local Law No. 47-1998, Local Law No. 3-2001, and Local Law No. 4-2012 so as to revoke all of the Covenants and Restrictions previously recorded against the property bearing SCTM# 0400-257-03-009.005, and in lieu thereof, establishing certain new Covenants and Restrictions upon the property, located on the east side of Broadhollow Road, north of Pinelawn Road, Melville. (Applicant: F & W Schmitt Brothers Farm – 26 Pinelawn Road, Melville)	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2014-85. REMOVED FROM THE AGENDA AT WORKSHOP.</b>			
<b>2014-86. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 4-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields).	<u><b>FP</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2014-87. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 5-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Fair Oaks Court, East Northport – Stop Sign.	<u><b>EC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-88. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 6-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Samara Court, Commack – Stop Sign.	<u><b>TE</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2014-89. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 7-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Washington Drive, Centerport – Stop Sign.	<u><b>EC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2014-90. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 8-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Woodbury Road, Huntington – Parking Restrictions.	<u><b>EC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 4, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2014-91. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 9-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule K Re: Caspian Group, LLC, 560 Broad Hollow Road, Melville, New York- Private Parking Fields.</p>	<u><b>SB</b></u>	<u><b>EC</b></u> <u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2014-92. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider adopting Local Law Introductory No. 10-2014 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions), §159-20 (Behavior and Conduct) and Article III §159-31 (Permit; Application and Issuance).</p>	<u><b>MC</b></u>	<u><b>EC</b></u> <u><b>TE</b></u>	<u><b>5</b></u>
<p><b>2014-93. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider the acquisition of certain real property located on the north side of NYS Route 25A in Centerport, New York, pursuant to Section 201 of the Eminent Domain Procedure Law. (Re: SCTM# 0400-044.00-04.00-001.000)</p>	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2014-94. SCHEDULE A PUBLIC HEARING: March 4, 2014 at 2:00 PM</b> To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). [Re: Yusef/Umur Yuceoglu, 30 Essex Drive, Northport, SCTM#0400-002.00-01.00-002.000, Chapter 156 §67 (A), (B), (C) and (D); 1081 EJT LLC, 1081 East Jericho Turnpike, Huntington, SCTM#0400-210.00-01.00-081.003, Chapter 156 §67 (A), (B), (C) and (D)]</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2014-95. APPROVE</b> Public Official Bonds nunc pro tunc. (Re: Frank P. Petrone, Supervisor; Tracey A. Edwards, Councilwoman; Mark Cuthbertson, Councilman; and Peter Gunther, Superintendent of Highways)</p>	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2014-96. APPOINT</b> a Deputy Town Attorney. (Re: Thomas D. Glascock)</p>			<b>4-AYES</b> (TE) (SB) (FP) (MC) <b>1-NO</b> <u>(EC)</u>
<p><b>2014-97. AUTHORIZE</b> the Town Attorney to continue to retain the services of Lapkoff &amp; Gobalet Demographic Research, Inc. an expert in statistical analysis and sociology.</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR BOARD OF TRUSTEES'  
MEETING DATED: FEBRUARY 4, 2014**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**2014-BT3. AUTHORIZE** the Comptroller to pay 2013-2014 Town of Huntington Taxes on Board of Trustee - owned property.

**FP    SB    5**

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH THE HUNTINGTON YMCA FOR THE USE OF THE DIX HILLS PARK POOL

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington wishes to make the Dix Hills Park Pool available to the Huntington YMCA from Monday, June 30, 2014 through Friday, August 15, 2014 from 6 a.m. to 8 a.m. Monday through Friday at no cost to the Town; and

WHEREAS, the YMCA agrees to provide a certified lifeguard and staff at all times when using the pool and will provide the necessary insurance coverage naming the Town of Huntington as an additional insured certificate holder; and

WHEREAS, the YMCA will pay the Town of Huntington \$20.00 per hour for the use of the pool; and

WHEREAS, this agreement is not an action as defined by to 6 N.Y.C.R.R. §617.2(b) and, therefore, no SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the Huntington YMCA, 60 Main Street, Huntington NY 11743 for use of the Dix Hills Park Pool from June 30, 2014 to August 15, 2014 between the hours of 6:00 a.m. and 8:00 a.m., Monday through Friday, 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 SUPERVISOR TO EXECUTE A CONTRACT BUDGET/PROGRAM DESCRIPTION APPROVAL FORM REVISION NO. TWO AMENDING THE AGREEMENT WITH SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE PROVISION OF DRUG TREATMENT AND PREVENTION SERVICES AND ALTERNATIVES FOR YOUTH SERVICES

Resolution for Town Board Meeting Dated: February 4, 2014

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

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

WHEREAS, pursuant to Town Board Resolution 2012-59, adopted on February 6, 2012, the Town of Huntington entered into an Agreement with the Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services and Alternatives for Youth Services in an amount not to exceed SIX HUNDRED FIFTY SEVEN THOUSAND EIGHT HUNDRED SEVEN AND NO/100 DOLLARS (\$657,807.00) for the 2012 Budget Period; and

WHEREAS, pursuant to Town Board Resolution 2013-39, adopted on February 5, 2013, the Town of Huntington executed Contract Budget/Program Description Approval Form Revision No. One amending the Agreement with the Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services and Alternatives for Youth Services, dated March 30, 2012, for an additional amount not to exceed SIX HUNDRED FIFTY SEVEN THOUSAND THREE HUNDRED EIGHTY TWO AND NO/100 DOLLARS (\$657,382.00) for the 2013 Budget Period; and

WHEREAS, funding for the 2013 Budget period was further increased in the amount of TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), modifying the total amount of such contract for the 2013 budget period to an amount not to exceed SIX HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED SEVEN AND NO/100 DOLLARS (\$674,307.00)

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute Contract Budget/Program Description Approval Form Revision No. Two amending the Agreement with the Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services and Alternatives for Youth Services, dated March 30, 2012,, to increase funding in the amount not to exceed TWENTY FIVE THOUSAND AND

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NO/100 DOLLARS (\$25,000.00), modifying the total amount of such contract for the 2013 budget period to an amount not to exceed SIX HUNDRED SEVENTY FOUR THOUSAND THREE HUNDRED SEVEN AND NO/100 DOLLARS (\$674,307.00) to be recorded in Revenue Code A3831, Appropriation A4220, 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	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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE PROVISION OF INVESTMENT, ADMINISTRATIVE AND TRUSTEE SERVICES FOR THE TOWN OF HUNTINGTON PUBLIC EMPLOYEES DEFERRED COMPENSATION PLAN WITH MASSMUTUAL FINANCIAL GROUP.

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, in compliance with New York State Law, requests for proposals RFP 2013-11-012 for investment, administrative and trustee services were advertised publicly and solicited from investment industry providers and on November 1, 2013, sealed proposals were opened and read aloud; and

WHEREAS, sealed proposals bids were received on November 1, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Section 457 deferred compensation plan, RFP 2013-11-012 and the same were opened publicly and read aloud; and

WHEREAS, the Town Board of the Town of Huntington by resolution 1997-106 authorized the formation of a Deferred Compensation Committee ("Committee") comprised of representatives of management and labor to evaluate the proposals submitted; and

WHEREAS, MassMutual Financial Group, 100 Bright Meadow Boulevard, Enfield, Connecticut 06082 is the successful responsive, responsible proposer; and

WHEREAS, the execution of this agreement is a Type II, 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 a contract for the provision of investment and administrative services for the Town of Huntington Public Employees' Deferred Compensation Plan with

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with MassMutual Financial Group for the Section 457 deferred compensation plan. The contract period shall be effective for a five (5) year term commencing upon execution, and upon such other terms and conditions as may be acceptable to the Town Attorney.

# 2014-47

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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR OVERHEAD AND ROLLUP DOOR REPAIRS AND SERVICE WITH SUPERIOR OVERHEAD DOOR, INC.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, it is the intent of this requirements contract to provide repair service and general maintenance to a wide variety of overhead and rollup doors, as required by various Town facilities to ensure that all doors are operating in good working order; and

WHEREAS, sealed bids were received on January 30, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the overhead and rollup door service and repair, Bid no. TOH 14-01R-007 and the same were opened publicly and read aloud; and

WHEREAS, Superior Overhead Door, Inc., 309 Magnolia Drive, Selden, New York 11784 is the lowest responsive, responsible bidder; and

WHEREAS, overhead and rollup door service and repair is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Superior Overhead Door, Inc. for the overhead and rollup door service and repair. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before March 9, 2014 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to various departments in object code .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.

2014-49

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

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

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

WHEREAS, the contractor must utilize high-energy efficiency HVAC equipment that meets or exceeds the energy efficiency specifications set forth in ENERGY STAR and meets or exceeds PSEG and/or National Grid efficiency and incentive levels to qualify for utility rebates if available; and

WHEREAS, Town Board Resolution 2011-93 authorized the execution of a contract with Absolute Control HVAC Corp. for HVAC service, installation and maintenance, Bid No. TOH 11-01R-012 and Town Board Resolution 2012-53 authorized the first one (1) year extension and Town Board Resolution 2013-47 authorized the second (1) year extension; 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, Absolute Control HVAC Corp., 962 Sunrise Highway, West Babylon, New York 11704 has requested the final 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 a final extension to the requirements contract, and any documents in connection and related therewith, with Absolute Control HVAC Corp. for HVAC service, installation and maintenance. The extension period shall be effective for one (1) year commencing on April 7, 2014 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	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.

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT FOR REPAIR AND/OR REPLACEMENT OF MANHOLE FRAMES AND COVERS ON NEW YORK STATE ROADWAYS, WITHIN THE HUNTINGTON SEWER DISTRICT, WITH ROADWORK AHEAD, INC.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, it is the intent of this procurement to provide for the repair and/or replacement of manhole frames and covers on New York State owned roadways in the Huntington Sewer District. Additionally, this requirements contract will be utilized to furnish all labor, materials, equipment and appliances necessary to maintain both vehicular and pedestrian traffic, protect the public from all damage to person and property and to minimize inconveniences to the facilities adjacent to the work areas, in accordance with the contract specifications and the New York State Manual of Uniform Traffic Control; and

WHEREAS, sealed bids were received on January 9, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the repair and/or replacement of manhole frames and covers in New York State roadways, Bid No. TOH 14-01R-004 and the same were opened publicly and read aloud; and

WHEREAS, Roadwork Ahead, Inc., 96 Madison avenue, Westbury, New York 11590 is the lowest responsive, responsible bidder; and

WHEREAS, the repair and/or replacement of manhole frames and covers in New York State roadways is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1)and(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a requirements contract, and any documents in connection and related therewith, with Roadwork Ahead, Inc. for the repair and/or replacement of manhole frames and covers in New York State roadways. The contract period shall be effective for a one (1) year period, commencing upon execution of the contract but not before March 8, 2014 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to WM 8197 2780, 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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH VICOBE PRODUCTIONS FOR THE USE OF CRAB MEADOW BEACH FOR A SPRINT TRIATHLON AND YOUTH EVENT ON SEPTEMBER 13, 2014 AND SEPTEMBER 14, 2014, AND FURTHER GRANTING AN AQUATIC PERMIT IN CONJUNCTION WITH SUCH EVENT

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, Vicobe Productions has successfully conducted sprint triathlons and youth events in several Long Island Towns, including Huntington, and such events help promote physical fitness and a healthy lifestyle; and

WHEREAS, Vicobe Productions has requested permission to utilize Crab Meadow Beach, parking lot and pavilion to conduct a youth race event and registration on Saturday, September 13, 2014 from 9:00 a.m. to 6:00 p.m. and a sprint triathlon from 4:00 a.m. to 12 p.m. on Sunday, September 14, 2014 and;

WHEREAS, a portion of proceeds from both events will benefit two local not-for-profit organizations with strong ties to the Northport community; and

WHEREAS, such permission to utilize said Town property is contingent upon the execution of a License Agreement, which includes provisions requiring Cow Harbors Warriors, Inc. to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose and the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Vicobe Productions for its Triathlon events at the Town of Huntington Crab Meadow Beach Saturday, on September 13, 2014 and September 14, 2014; and

FURTHER AUTHORIZES the Supervisor to execute a License Agreement with Vicobe Productions, 164 St. Regis Drive, Massapequa Park, New York 11762, for its Triathlon Event at the Town of Huntington Crab Meadow Beach on September 13, 2014 and September 14, 2014. Permission for such event is subject to: 1) the execution of a License Agreement which includes provisions requiring Vicobe Productions to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of Vicobe Productions; 2) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; 4) the granting of an aquatic permit pursuant to §120-15 of the Huntington Town Code; 5) and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction 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 SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE LONG ISLAND GROWERS MARKET FOR THE PURPOSE OF ALLOWING A FARMERS MARKET TO OPERATE IN THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, for the past several years, Long Island Growers Market has successfully operated a Farmers Market in the Town of Huntington municipal parking lot located at Elm Street in Huntington Village; and

WHEREAS, said Farmers Market has engendered much local support and patronage; and

WHEREAS, Long Island Growers Market has requested permission to once again operate a Farmers Market in the Town of Huntington for the 2014 harvest season commencing on May 25, 2014 and ending on November 23, 2014; and

WHEREAS, pursuant to Chapter 91 of the Huntington Town Code, Long Island Growers Market shall pay to the Town of Huntington a permit fee in the amount of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS; and

WHEREAS, the operation of the Long Island Growers Market Farmers Market at a municipal parking lot in the Town of Huntington 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 agreement with the Long Island Growers Market, 35870 Main Road, Orient, New York 11957, for the use of a portion of the Elm Street municipal parking lot for the purpose of operating a Farmers Market pursuant to Chapter 91 of the Huntington Town Code, to be held on Sundays between the hours of 7:00 a.m. and 12:00 p.m., for the period commencing on May 25, 2014 and ending November 23, 2014, and pursuant to Chapter 91 of the Huntington Town Code, Long Island Growers shall pay to the Town of Huntington a permit fee in the amount of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS to be recorded in Operating Budget Account A1255 and on such other terms and conditions as may be acceptable to the Town Attorney.

2014-52

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 SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE COW HARBOR WARRIORS, INC. FOR THE USE OF CRAB MEADOW BEACH FOR COW HARBOR WARRIOR WEEKEND EVENTS ON SEPTEMBER 6, 2014 AND TO EXECUTE A NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATION, AND FURTHER GRANTING AN AQUATIC PERMIT IN CONJUNCTION WITH SUCH EVENT.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Cow Harbor Warriors, Inc. is a non-profit organization committed to honoring and enabling Tri-State Wounded Warriors from Operation Iraqi Freedom and Operation Enduring Freedom; and

WHEREAS, Cow Harbor Warriors, Inc. will be hosting the Cow Harbor Warrior Weekend September 5, 2014 through September 7, 2014 and will invite local and Tri-State veterans, their families and community members for a weekend of recreation, celebration and appreciation; and

WHEREAS, Cow Harbor Warriors, Inc. has requested permission to utilize Crab Meadow Beach for its four-mile Warrior Run, various Water Sports and a Sunset Clam Bake on Saturday, September 6, 2014; and

WHEREAS, such permission to utilize said Town property is contingent upon the execution of a License Agreement, which includes provisions requiring the Cow Harbor Warriors, Inc. to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; the issuance of any and all requisite New York State Liquor Authority Permits; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, as Licensee and owner of the property to be utilized for said event, it is necessary for the Supervisor to sign the New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant, Cow Harbor Warriors, Inc.; and

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose, the execution of a New York State Liquor Authority Special Event Permit Application and the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute a License Agreement with Cow Harbor Warriors, Inc., P.O. Box 204, Northport, New York 11768, for its Cow Harbor Warrior Weekend events at the Town of Huntington Crab Meadow Beach on September 6, 2014 at the on March 1, 2014. Permission for such event is subject to: 1) the execution of a License Agreement which includes provisions requiring Cow Harbor Warriors, Inc. to hold harmless and indemnify the Town of Huntington and the Town of Huntington Board of Trustees and signed by an authorized representative of Cow Harbor Warriors, Inc.; 2) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; 4) the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; 5) the issuance of any and all requisite New York State Liquor Authority Permits; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney; and

FURTHER AUTHORIZES the Supervisor to execute a New York State Liquor Authority Special Event Permit Application (Temporary Beer and Wine Permit) for the applicant, Cow Harbor Warriors, Inc.; and

FURTHER GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Cow Harbor Warriors, Inc. in conjunction with such event.

VOTE:                    AYES: 3                    NOES: 0                    ABSTENTIONS: 2

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-54

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE LICENSE AGREEMENT WITH HASA CONSTRUCTION LLC, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, HASA Construction LLC is under contract with the New York State Department of Transportation to perform drainage and roadway improvements under Contract #D261568 located in Halesite, New York; and

WHEREAS, the Town entered into a License Agreement with HASA Construction LLC and BOVE Industries pursuant to Town Board Resolution 2012-334 permitting HASA Construction LLC and BOVE Industries to use the Town of Huntington/Town of Huntington Board of Trustee property, former Naval Reserve located between Creek Road and Mill Dam Road for temporary placement of their equipment and materials; and

WHEREAS, HASA Construction LLC has requested an extension to the License Agreement under the same terms and conditions for a term not to exceed December 31, 2014 at the end thereof HASA shall restore the property to its original condition as it was under prior to its usage; and

WHEREAS, the Town Board is desirous of making said space available to HASA Construction LLC to facilitate their operations and drainage and roadway improvements within the Town; and

WHEREAS, a license agreement for the temporary use of Town land is a Type II action pursuant to § 6 N.Y.C.R.R. 617.5 (C) (15), and therefore no further SEQRA review is required; and

NOW THEREFORE,

HEREBY AUTHORIZED the Supervisor to execute an Extension to the License Agreement, nunc pro tunc, with HASA Construction LLC for the temporary use of the former Naval Reserve property located between Creek Road and Mill Dam Road for the temporary storage its equipment and materials for the monthly fee of TWO THOUSAND DOLLARS (\$2,000.00), and any further documents necessary to facilitate the intent of the agreement, on behalf of the Town of Huntington/Town of Huntington Board of Trustees and deemed warranted by the Town Attorney's Office.

2014-54

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.

2014-55

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT TO CONTINUE THE UTILIZATION OF THE HOUSE AT THE FUCH'S POND PRESERVE LOCATED AT 21 NORWOOD ROAD, NORTHPORT, NEW YORK WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR SEASONAL ENVIRONMENTAL EDUCATIONAL PROGRAMS.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, sealed proposals were received on January 3, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for a community or educational proposal for the utilization of the house at the Fuch's Pond Preserve located at 21 Norwood Road, Northport, New York, RFP No. 2014-01-001 and the same were opened and read aloud; and

WHEREAS, Cornell Cooperative Extension of Suffolk County, 423 Griffing Avenue, Riverhead, New York 11901 is the sole proposer and has been fully qualified to conduct environmental education programs at the Fuch's Pond Preserve as demonstrated through their previous contract; and

WHEREAS, the proposed execution of a continued educational use agreement may be classified as Type II pursuant to 6 NYCRR 617.5(c)(20) and (26) and is consistent with the stated intent of resolution #2001-524 of September 25, 2001 that authorized funding for the Fuch's Pond Preserve acquisition for nature center use.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any documents in connection therewith, with Cornell Cooperative Extension of Suffolk County for a period commencing upon execution of the agreement to December 31, 2019, to assist the Town in providing seasonal environmental educational programs at the Fuchs Pond Preserve House for a monthly rental fee in the amount of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00), for the period of June 1 to October 31 of each year over the term of the agreement, to be deposited into revenue account A2410.2410 and upon such other terms and conditions as may be acceptable by the Town Attorney.

2014-55

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.

2014-56

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE FRANCHISE AGREEMENT WITH HOBBY QUEST TO PROVIDE A HANDS-ON ENRICHMENT PROGRAM FOR CHILDREN TO LEARN SKILLS SUCH AS FASHION DESIGN, MAGIC, AND AVIATION.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by **COUNCILMAN COOK**

WHEREAS, the Town wishes to offer its residents a series of mini-camps with Hobby Quest featuring fashion design, magic, and aviation. The Town wishes to extend the contract because the vendor operates a good program; and

WHEREAS, Town Board Resolution 2012-164 granted a franchise agreement with Hobby Quest 391A Grand Avenue, Englewood, New Jersey 07631 to conduct enrichment programs; and

WHEREAS, said contract provides for a one (1) year extension at the same terms and conditions; and

WHEREAS, Hobby Quest has requested the one (1) year extension at the same terms and conditions in the contract; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the franchise agreement, and any documents in connection and related therewith, with Hobby Quest to offer enrichment programs. Hobby Quest will pay the Town (15%) fifteen percent of the gross revenue received, to be deposited into Revenue Code A2006 for the term commencing June 1, 2014 and terminating June 1, 2015, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014-56

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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATIONS ON BEHALF OF VARIOUS ORGANIZATIONS FOR SPECIAL EVENTS SCHEDULED TO BE HELD ON TOWN PROPERTY FOR THE YEAR 2014

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington regularly considers applications and issues permits for Special Events to be held on Town property; and

WHEREAS, organizations submitting applications for such Special Events and who would like to serve/sell wine or beer at such events are required to submit a Special Event Permit Application to the New York State Liquor Authority for a Temporary Beer and Wine Permit; and

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

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute New York State Liquor Authority Special Event Permit Applications (Temporary Beer and Wine Permits) for various applicants/organizations, upon the approval and recommendation of the Director of the Town of Huntington Department of Parks and Recreation and the Huntington Town Attorney, for the period commencing on January 1, 2014 and ending on December 31, 2014, and on the condition that all such other requirements for the events will be satisfied, 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 PARTICIPATION BY TOWN EMPLOYEES THROUGH PAYROLL DEDUCTIONS IN THE AMERICAN FAMILY LIFE ASSURANCE COMPANY OF NEW YORK'S (AFLAC NEW YORK) HOSPITAL CONFINEMENT INDEMNITY PLAN AND SHORT TERM DISABILITY INCOME INSURANCE PLAN

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board is desirous of making benefits available to employees to protect themselves and their families; and

WHEREAS, AFLAC New York, 22 Corporate Woods Boulevard, Albany, NY 12211, offers a comprehensive insurance plan for expenses related to hospital confinement supplemental to expenses normally paid by an employee's health insurance plan; and

WHEREAS, AFLAC offers a Short-Term Disability Income Insurance Plan for employees who are unable to work due to disability; and

WHEREAS, the cost of these insurance plan are paid by the employee and therefore there is no cost to the Town; and

WHEREAS, premiums for such insurance can be paid through payroll deductions and on a pre-tax dollar basis; and

WHEREAS, the participation by Town employees in the Hospital Confinement Indemnity Plan and the Short-Term Disability Income Insurance Plan 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 participation by Town employees through payroll deduction in AFLAC New York's Hospital Protection Plan and Short-Term Disability Income Insurance Plan

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 CHANGE OF NAME OF HOLZMACHER, McLENDON, & MURRELL P.C. TO H2M ARCHITECTS + ENGINEERS FOR THE ANNUAL ENGINEERING RETAINER SERVICES AGREEMENT FOR THE HUNTINGTON AND CENTERPORT SEWER DISTRICTS NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2013-572 of December 10, 2013 authorized an agreement with Holzmacher, McLendon and Murrell P.C. to provide annual retainer services for 2014 for the Huntington and Centerport Sewer Districts; and

WHEREAS, the vendor notified the Town on January 2, 2014 that their vendor name had been changed H2M architects + engineers; and

WHEREAS, the Office of the Town Attorney has prepared the agreement using the vendor's new name; and

WHEREAS, the proposed action has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5 (c) (20) and no further action is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the change of name of Holzmacher, McLendon and Murrell P.C. to H2M architects + engineers on the 2014 engineering services retainer agreement for the Huntington and Centerport Sewer Districts nunc pro tunc and upon such terms and conditions as approved by 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 CHANGE OF NAME OF HOLZMACHER, McLENDON, & MURRELL P.C. TO H2M ARCHITECTS + ENGINEERS FOR THE ANNUAL ENGINEERING RETAINER SERVICES AGREEMENT FOR THE DIX HILLS WATER DISTRICT NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Town Board Resolution 2013-573 of December 10, 2013 authorized an agreement with Holzmacher, McLendon and Murrell P.C. to provide annual retainer services for 2014 for the Dix Hills Water District; and

WHEREAS, the vendor notified the Town on January 2, 2014 that their vendor name had been changed to H2M architects + engineers; and

WHEREAS, the Office of the Town Attorney has prepared the agreement using the vendor's new name; and

WHEREAS, the proposed action has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5 (c) (20) and no further action is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the change of name of Holzmacher, McLendon and Murrell P.C. to H2M architects + engineers on the 2014 engineering services retainer agreement for the Dix Hills Water District nunc pro tunc and upon such terms and conditions as approved by 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 FIRST AMENDMENT TO THE MASTER DEVELOPER AGREEMENT BY AND AMONG THE TOWN OF HUNTINGTON, TOWN OF HUNTINGTON ECONOMIC DEVELOPMENT CORPORATION AND RENAISSANCE DOWNTOWNS AT HUNTINGTON STATION, LLC

Resolution for Town Board Meeting Dated: February 4, 2014

The following Resolution was offered by: Supervisor Petrone

and seconded by: COUNCILMAN COOK

WHEREAS, by Resolution 2011-330 dated July 12, 2011 (the "Resolution"), the Town Supervisor was authorized to execute an agreement with Renaissance Downtowns at Huntington Station LLC as Master Developer in connection with the next phase of the revitalization of Huntington Station and such execution was determined to be a Type II action under SEQRA; and

WHEREAS, the Town entered into that certain Master Developer Agreement dated as of April 26, 2012 (the "MDA") made, by and among the Town, the Town of Huntington Economic Development Corporation ("EDC") and Renaissance Downtowns at Huntington Station LLC, a wholly-owned affiliate of Renaissance Downtowns LLC ("RDHS") pursuant to which RDHS would study, engage with the community and, subject to the terms and conditions set forth in the MDA, redevelop, enhance neighborhoods, and advance economic development within Huntington Station, specifically described in the MDA; and

WHEREAS, in order to ensure that, prior to any construction by RDHS, a Community Benefits Agreement ("CBA") will be developed and implemented, the parties to the MDA have agreed to amend the MDA to clarify the intention of the parties with respect to a CBA.

NOW, THEREFORE, THE TOWN BOARD,

HEREBY AUTHORIZES the Town Supervisor to execute a First Amendment to the Master Developer Agreement by and among the Town, the EDC and Renaissance Downtowns at Huntington Station LLC, and upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

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: February 4, 2014

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

and seconded by: **SUPERVISOR PETRONE**

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

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

WHEREAS, the elimination of full-time positions, including applicable funding, vacated by retirements and attrition to a general contingency account is not an action as defined 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 Comptroller to make budgetary amendments to the 2014 Operating Budget as per the attached Schedule A.

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.

Schedule A**Create the following positions:**

A1355-1100	Head Clerk	61,241
A1621-1100	Executive Assistant	60,580
A5630-1100	Auto Mechanic III	60,513
DB5110-1100	Labor Crew Leader II	73,034
DB5110-1100	Labor Crew Leader II	73,034
DB5110-1100	Labor Crew Leader II	73,034

**Abolish the following positions:**

A1355-1100	Principal Clerk	(52,014)
A5630-1100	Auto Mechanic II	(58,023)
DB5110-1100	Labor Crew Leader I	(71,078)
DB5110-1100	Labor Crew Leader I	(71,078)
DB5110-1100	Labor Crew Leader I	(71,078)

**Reinstate the following positions:**

A1621-1100	Auto Equipment Operator	28,574
B8020-1100	Planning Aide	41,505
DB5110-1100	Auto Equipment Operator	32,656
DB5110-1100	Labor Crew Leader I	71,078
DB5110-1100	Laborer	28,686

**Adjust the following positions:**

A1010-1100	Legislative Secretary	8,962
A1420-1100	Assistant Town Attorney	3,418
A1420-1100	Assistant Town Attorney	6,544
A1420-1100	Assistant Town Attorney	2,310
A1420-1100	Town Intergovernmental Relations	15,000
A1490-1100	Confidential Secretary	8,962
A7620-1100	Deputy Director	4,613

**Adjust the following appropriations:**

A1990-1100	Contingency	(150,680)
B1990-1100	Contingency	(41,505)
DB1990-1100	Contingency	(138,288)

2014-63

RESOLUTION AUTHORIZING THE COMPTROLLER TO RE-ALLOCATE FUNDS FROM THE TOWN'S AFFORDABLE HOUSING TRUST AND AGENCY ACCOUNT TO THE TAKE BACK THE BLOCKS COLUMBIA TERRACE PROJECT

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, in recognition of the need to increase the stock of affordable housing in the Town of Huntington, on December 12, 2000 via Resolution #2000-903 the Huntington Town Board enacted Local Law #37-2000 amending the Code to create legislative mechanisms to stimulate affordable housing; and

WHEREAS, the Huntington Community Development Agency acquired property at Railroad Street and Lowndes Avenue for the purpose of constructing an affordable housing development known as Columbia Terrace; and

WHEREAS, the Huntington Community Development Agency is in the process of designing and developing the site as fourteen equity residential units on the Columbia Terrace property that will have a preference for income eligible United States veterans in accordance with the Town of Huntington Affordable Housing Code; and

WHEREAS, the Affordable Housing Advisory Board has recommended that the Town Board establish a separate and distinct fund to be used by the Huntington Community Development Agency to complete the construction of Columbia Terrace; and

WHEREAS, the source of funds allocated for the Columbia Terrace Project will be the Affordable Housing Trust Fund and the funds will established in a designated account from which monies may be distributed to the Huntington Community Development Agency for construction expenses; and

WHEREAS, the Policies and Procedures for the use of said funds is set forth in Schedule "A" attached hereto,

WHEREAS, the establishment of a municipal housing development fund and the transfer of funds to that account is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1) and (c)(4) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the recommendation of the Affordable Housing Advisory Board to establish a Municipal Housing Development Allocation to provide monies to fund the construction of the Take Back the Blocks Columbia Terrace Program; and

HEREBY ADOPTS the Policies and Procedures for the Affordable Housing Trust Funds allocation to the Take Back the Blocks Columbia Terrace Program as set forth in Schedule "A", attached hereto and made a part of this resolution; and

HEREBY DIRECTS the Comptroller to re-allocate the following funds in the Affordable Housing and Trust Fund Account as follows: \$400,000.00 earmarked pursuant to Resolution number 2009-355, \$250,000.00 earmarked pursuant to Resolution number 2011-552, and \$350,000.00 earmarked pursuant to Resolution number 2010-613.

HEREBY DIRECTS the Comptroller to allocate from the Affordable Housing and Trust Fund Account the total sum of Two Million Dollars (\$2,000,000.00) to an account designated as the Columbia Terrace Development Fund; and

HEREBY DIRECTS that the Huntington Community Development Agency shall administer the fund pursuant to the Policies and Procedures approved herein.

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.

**Schedule "A"**  
**Policies and Procedures**  
**Affordable Housing Trust Funds**  
**Allocated to the Huntington Community**  
**Development Agency's Columbia Terrace Project**

1. This allocation is being approved to advance money to the Huntington Community Development Agency for the construction of Veterans Affordable Housing on the Columbia Terrace site. It is estimated that the construction project will cost in excess of \$3.5 million dollars of which \$2,000,000.00 will be funded from the Affordable Housing Trust Fund.
2. The funding will be administered by the Town of Huntington and funded from the Affordable Housing Trust Fund upon recommendation from Affordable Housing Advisory Board as approved by the Town Board.
3. In order to qualify for the funding earmarked under this program, the Huntington Community Development Agency must provide proof that the remaining funds necessary for the construction to be completed has been raised by the Huntington Community Development Agency or that they have received a commitment for said funds from either an institutional lender or other acceptable source of financing within one year from the date the Town Board approves the Resolution approving this allocation of funds.
4. Huntington Community Development Agency shall employ best efforts to reimburse Affordable Housing Trust Fund funds used for the construction of the Columbia Terrace Project upon the sale of the units to be constructed. These funds shall be subordinate and subject to any construction financing agreements entered into by the Huntington Community Development Agency.
5. To insure the continued affordability of the property developed under this program the Huntington Community Development Agency shall execute at closing and cause to be recorded, covenants and restrictions in the standard form established by the Huntington Community Development Agency and approved the Town Attorney in which the agency agrees to enroll the property in the Town of Huntington Affordable Housing program as described in Town Code Section 198-13(I).

RESOLUTION AUTHORIZING THE EXTENSION/RETENTION OF OUTSIDE LEGAL COUNSEL

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington desires to enter into an amended agreement for legal consulting services with Barry D. Lites, 233 Southdown Road, Huntington, New York 11743, by increasing his retainer agreement to FIFTY THOUSAND AND NO/100 (\$50,000.0) DOLLARS, to better serve the needs of the Town Board and the Town Attorney, so that, he may be retained on additional matters; and

WHEREAS, it is the intention of the Town Board to amend its Resolution No. 2014-30, dated January 7, 2014, to increase Mr. Lites's retainer from THIRTY THOUSAND (\$30,000.00) DOLLARS to FIFTY THOUSAND (\$50,000.00) DOLLARS *nunc pro tunc* to January 1, 2014; and

WHEREAS, the above action 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 retainer of Barry D. Lites, 233 Southdown Road, Huntington, New York 11743, in the amount of FIFTY THOUSAND (\$50,000.00) DOLLARS per year for legal services for the term January 1, 2014 through December 31, 2015, to be charged to Operating Budget Line Item No. A-1420-4551 (Outside Professional-Legal) in accordance with such terms and conditions as may be acceptable to the Town Attorney, and Resolution No. 2014-30, dated January 7, 2014, is hereby amended in accordance herewith, *nunc pro tunc* to January 1, 2014.

VOTE:                    AYES: 4                    NOES: 1                    ABSENTIONS: 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.

2014-65

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN AN EXPERT  
IN PLAYGROUND SAFETY  
(Margaret A. Payne, CPSI)

Resolution for Town Board Meeting Dated: February 4, 2014

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town has the need to solicit professional expertise in the matter of Pelaez v Town of Huntington; and

WHEREAS, Margaret A. Payne, CPSI is a nationally recognized Certified Playground Safety Inspector and possesses the expertise necessary to provide analysis and testimony on behalf of the Town; and

WHEREAS, defense counsel for the Town of Huntington has indicated that the use of such expert services is required in preparation of the defense of this matter and may be required at the trial of this matter; and

WHEREAS, the retention of a professional for expert services 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 Town Attorney to retain Margaret A. Payne CPSI, Certified Playground Safety Inspector, located at 146 Broadway, Hawthorne, NY 10532 for an amount not to exceed FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS to be charged to A-1420-4550 (Outside Professional) and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

Resolution for Town Board Meeting Dated: February 4, 2014

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

And seconded by: **COUNCILMAN COOK, SUPERVISOR PETRONE, COUNCILWOMAN EDWARDS**

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 Tracy A. Edwards			<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-66

Schedule A

Chapter 87, Section 81 of the Code of the Town of Huntington  
Authorizing the Securing of a Pool Fence and Gate

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>SUMMONS</u>	<u>MAILING ADDRESS</u>
100 Sweet Hollow Rd. Huntington, NY 11743	0400-231.00-01.00-008.000	Jackson Ackerson (L/E) Donna DeRosa (L/E)	12/12/2013	N/A

Chapter 133, Section 2 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>
569 Broad Hollow Rd. Melville, NY 11747	0400-267.00-01.00-056.000	IBC Sales Corp.	01/22/2014	PO Box 419627 Kansas City, MO 64141-6627
30 Sheffield Ln. Northport, NY 11768	0400-059.00-01.00-091.000	Cynthia Doerler Powers	01/24/2014	N/A
6 Winoka Dr. Huntington Sta., NY 11746	0400-149.00-02.00-024.000	James B. Finnegan Elizabeth C. Finnegan	01/15/2014	N/A

2014-66

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
569 Broad Hollow Rd. Melville, NY 11747	0400-267.00-01.00-056.000	IBC Sales Corp.	01/22/2014	PO Box 419627 Kansas City, MO 64141-6627
30 Sheffield Ln. Northport, NY 11768	0400-059.00-01.00-091.000	Cynthia Doerler Powers	01/24/2014	N/A
6 Winoka Dr. Huntington Sta., NY 11746	0400-149.00-02.00-024.000	James B. Finnegan Elizabeth C. Finnegan	01/15/2014	N/A

Chapter 191, Section 3A of the Code of the Town of Huntington  
Authorizing the Securing of a Dwelling

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
569 Broad Hollow Rd. Melville, NY 11747	0400-267.00-01.00-056.000	IBC Sales Corp.	01/27/2014	PO Box 419627 Kansas City, MO 64141-6627
30 Sheffield Ln. Northport, NY 11768	0400-059.00-01.00-091.000	Cynthia Doerler Powers	01/24/2014	N/A
6 Winoka Dr. Huntington Sta., NY 11746	0400-149.00-02.00-024.000	James B. Finnegan Elizabeth C. Finnegan	01/15/2014	N/A

2014-67

RESOLUTION ACCEPTING A DONATION OF THREE HP M551N COLOR  
LASERJET PRINTERS FROM SPENCER & ASSOCIATES PUBLISHING, LTD. OF  
MELVILLE, NEW YORK, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: February 4, 2014

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

And seconded by: **COUNCILMAN COOK**

WHEREAS, Spencer & Associates Publishing is a private firm in Melville, New York which provides product research and testing services to the color printing industry; and

WHEREAS, Spencer & Associates Publishing, in the course of pursuing their business acquires color printers for evaluation and in order to be environmentally responsible is authorized to donate or recycle these products upon completion of evaluation; and

WHEREAS, the printers being donated are in working condition and are consistent with the technology and sustainability standards of the Town; and

WHEREAS, the acceptance of this donation is a Type II action pursuant to 6 N.Y.C.R.R. 617.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donation of three color Laserjet printers to be installed and used where needed within Huntington Town Hall.

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

RESOLUTION ADOPTING THE MARINA CONTRACT FOR SPRING, SUMMER,  
AND AUTUMN WET STORAGE AT TOWN MARINAS

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the marina contract for 2013-14 Spring, Summer, and Autumn Wet Storage requires approval; and

WHEREAS, the Harbors and Boating Advisory Council has recommended that Spring, Summer, and Autumn wet storage fees be increased for the 2014-15 storage season; and

WHEREAS, adoption of the Marina Contract for Spring, Summer, and Autumn Wet Storage at Town Marinas is a Type II action pursuant to 6 NYCRR §617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Department of Maritime Services and the Harbors and Boating Advisory Council,

HEREBY ADOPTS, the Marina Contract for Spring, Summer, and Autumn Wet Storage at Town Marinas for the 2014-15 season, as amended, attached hereto and made 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 Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.



**TOWN OF HUNTINGTON**  
*Department of Maritime Services*  
**Inter-Office Memorandum**

To: Pat Del Col, Deputy Supervisor

From: Edward Carr, Director, Maritime Services

Date: January 28, 2014

Re: Marina Summer Rates for 2014

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At the September 6, 2013 meeting of the Boating Advisory Council (BAC), it was voted to recommend to the Town Board that marina rates for the 2014 year be increased by the cost of living for 2013 (and rounded up to the nearest dollar).

The cost of living for 2013 was reported as 1.5%, and the current marina rates are \$80 per foot for vessels up to 20' in length, and \$90 per foot for vessels 20' in length and over.

Applying the recommendations of the BAC, this would equate to an increase of \$2 per foot over the current 2013 rates.

Maritime Services concurs with the BAC's recommendation that the Town Board approve rates of \$82 per foot for vessels up to 20' in length, and \$92 per foot for vessels 20' in length and over for the coming 2014 season.

cc: Jonathan Heidelberger  
Ryan Sammis  
Teresa Gress  
Trudy Shannon

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

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

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

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

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD

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

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO THE TOWN OF HUNTINGTON PLANNING BOARD, ZONING BOARD OF APPEALS, AND THE BOARD OF ASSESSMENT REVIEW

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **SUPERVISOR PETRONE**

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS Paul Mandelik, 35 Gull Hill Drive, Northport, New York 11768 as Chairman and Jane R. Devine, 145 Nassau Road, Huntington, New York 11743, Vice Chairman of the Town of Huntington Planning Board, effective January 1, 2014 through December 31, 2014, NUNC PRO TUNC, AND

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

Dave Pennetta Oxford & Simpson Realty, Inc. Two Jericho Plaza, Suite 301 Jericho, NY 11753	12/31/20
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Kathleen A. Casey 76 Bayview Drive Huntington, NY 11743	12/31/18
---	----------

HEREBY APPOINTS the following individual to the Town of Huntington Zoning Board of Appeals:

Peter E. Tonna 32 Sanford Street Huntington Station, New York 11746	12/31/20
---	----------

HEREBY REAPPOINTS Christopher Modelewski 18 Mar Kan Drive, Northport, New York 11768, Chairman and APPOINTS Peter E. Tonna, 32 Sanford Street, Huntington Station, New York 11746, Vice Chairman of the Town of Huntington Zoning Board of Appeals, effective January 1, 2014 through December 31, 2014, NUNC PRO TUNC, AND

HEREBY REAPPOINTS/APPOINTS the following individuals to the Town of Huntington Board of Assessment Review for an unexpired term through 9/30/ 14, and for one additional 5 year term to expire as indicated:

Thomas Jerideau 260B Lowndes Avenue Huntington Station, New York 11746	9/30/19
Jeffrey Stark 25 Hillside Avenue Huntington, New York 11743	9/30/17
Gary V. Hamilton 35 Danville Drive Greenlawn, New York 11740	9/30/16
Jairo Sanin 1 Cherokee Court Huntington Station, New York 11746	9/30/15

HEREBY REAPPOINTS Thomas Jerideau, 260B Lowndes Avenue, Huntington Station, New York, Chairman and Jeffrey Stark, 25 Hillside Avenue, Huntington, New York, 11743 Vice Chairman to the Town of Huntington Board of Assessment Review, effective January 1, 2104 through December 31, 2014, NUNC PRO TUNC.

VOTE:                    AYES: 4                    NOES: 1                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

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

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.

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

SURPLUS INVENTORY ITEMS  
2/4/2014

HIGHWAY DEPARTMENT					
ITEM	VIN #	MODEL	MAKE	YEAR	TOWN ASSET #
1	1A9A24GB7JR059092	2TE4 SWEEPER	MOBIL	1988	4097
2	1GDM7C1CX2J515040	CENTURION	TENN	2002	4707

RESOLUTION DESIGNATING EAST SPRING HOLLOW ROAD AND COUNTRY MEADOW COURT TOWN HIGHWAYS BY USAGE PURSUANT TO HIGHWAY LAW §189.

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by **COUNCILMAN COOK**

WHEREAS, East Spring Hollow Road and Country Meadow Court are streets that have been opened to the public and maintained by the Town of Huntington for over 10 years; and

WHEREAS, pursuant to Highway Law §189, "All lands which shall have been used by the public as a highway for the period of ten years or more, shall be a highway, with the same force and effect as if it had been duly laid out and recorded as a highway, and the Town Superintendent shall open all such highways..."; and

WHEREAS, the Superintendent of Highways consents to the designation of East Spring Hollow Road and Country Meadow Court as Town highways by Usage and agrees that such streets should be a part of the Town Highway System; and

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

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY DESIGNATES East Spring Hollow Road and Country Meadow Court as Town Highways by Usage pursuant to Highway Law §189.

VOTE:                    AYES: 4    NOES: 0    ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION GRANTING AN EASEMENT TO THE HUNTINGTON HISTORICAL SOCIETY

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Huntington Historical Society seeks to construct a one-story addition on the western side of its Huntington Trade School building at 209 Main Street, Huntington, as part of its multi-phased Trade School Expansion Project; and

WHEREAS, the Huntington Historical Society requires an easement over a Town-owned 764-square foot parcel of land on the northern side of its property to construct a drywell for proper drainage of the addition as well as to install footings for an elevator to be built in a later phase of its Expansion Project; and

WHEREAS, the Huntington Historical Society has agreed that it will install and maintain the drywell and footings at its own expense and pay the costs of filing the easement with the Clerk of Suffolk County; and

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

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY GRANTS an easement to the Huntington Historical Society on condition that the Huntington Historical Society will install and maintain the drywell and footings at its own expense and pay the costs of filing the easement with the Clerk of Suffolk County and the Huntington Historical Society will execute a hold harmless agreement and insurance in favor of the Town;

HEREBY AUTHORIZES the Supervisor to execute any and all necessary documents in connection therewith, 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.

RESOLUTION GRANTING AN AQUATIC PERMIT TO CAMP SUNSHINE FOR ITS ANNUAL FREEZIN' FOR A REASON POLAR DIP FUNDRAISER EVENT AT CRAB MEADOW BEACH AND AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT IN CONJUNCTION WITH SUCH EVENT

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Camp Sunshine, a not-for-profit organization that provides respite, support and hope to children with life-threatening illnesses, sponsors an annual Freezin' for a Reason Polar Dip event to raise funds to support its mission; and

WHEREAS, Camp Sunshine has requested permission from the Town of Huntington to utilize Crab Meadow Beach on March 1, 2014 for its annual Freezin' for a Reason Polar Dip fundraising event, with all funds generated from such event to be used to send ill children and their families from Long Island to Camp Sunshine in Maine, free of charge; and

WHEREAS, such permission to utilize said Town property is contingent upon the execution of a License Agreement, which includes provisions requiring the Camp Sunshine to hold harmless and indemnify the Town of Huntington; the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, the execution of a License Agreement for the use of Town property for this purpose and the granting of an Aquatic Permit pursuant to §120-15 of the Huntington Town Code constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Camp Sunshine for its annual Freezin' for a Reason Polar Dip fundraising event at the Town of Huntington Crab Meadow Beach on March 1, 2014; and

FURTHER AUTHORIZES the Supervisor to execute a License Agreement with Camp Sunshine, 35 Acadia Road, Casco, Maine 04015 for its annual Freezin' for a Reason Polar Dip fundraising event at the Town of Huntington Crab Meadow Beach on March 1, 2014. Permission for such event is subject to: 1) the execution of a License Agreement

which includes provisions requiring Camp Sunshine to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of Camp Sunshine; 2) the submission of appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance of a valid Special Event Permit by the Town of Huntington Department of Parks and Recreation; 4) the granting of an aquatic permit pursuant to §120-15 of the Huntington Town Code; 5) and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction 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	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.

RESOLUTION GRANTING A PERMIT FOR AN AQUATIC EVENT TO METROPOLITAN SWIMMING, INC. FOR THEIR OPEN WATER SWIMMING CHAMPIONSHIPS

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, Metropolitan Swimming, Inc., 19 Mt. Rainer Avenue, Farmingville, New York 11738, has requested a permit for an aquatic event to hold their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships on Sunday, July 13, 2014; and

WHEREAS, Metropolitan Swimming, Inc. has applied to the U.S. Coast Guard (USCG) for a Marine Event Permit and assistance; the Halesite Fire Department to provide ambulance coverage; and the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau to provide assistance in patrolling the waters and to provide rescue craft; and

WHEREAS, the Town Board has previously approved similar swimming events and wishes to continue to promote and encourage the Metropolitan Open Water Swimming Championships; and

WHEREAS, the granting of a permit for an aquatic event 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 GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Metropolitan Swimming, Inc., for their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships, on Sunday, July 13, 2014, subject to: 1) the submission of a hold harmless agreement and appropriate insurance in a form satisfactory to the Town Attorney; 2) the provision of a Marine Event Permit by the USCG; 3) the provision of ambulance coverage by the Halesite Fire Department; and 4) the provision of patrol boats by the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau for swimmer safety; and on such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Department of Parks and Recreation and the Harbor Master's Office to take such steps as are necessary to facilitate said event.

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VOTE:                    AYES:5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION REAPPOINTING MEMBERS TO THE AUDIT COMMITTEE

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Town Board Resolution 2009-615 created an Audit Committee, adopted guidelines and appointed members thereto and designated a Chairperson; and

WHEREAS, pursuant to the Audit Committee Guidelines, the Town Board shall appoint committee members upon the end of their term; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS the following individuals to the Audit Committee to serve without compensation for the terms specified below:

	<u>Term</u>
Mark Cuthbertson 75 Salem Ridge Drive Huntington, NY 11743	January 1, 2014-December 31, 2017
Brian Orange 365 West Hills Road Huntington, NY 11743	January 1, 2014-December 31, 2016
James Kelly 16 Homestead Path Huntington, NY 11743	January 1, 2014-December 31, 2015

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.

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: February 4, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, on December 10, 2013 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 January 7, 2013; and

WHEREAS, pursuant to it's 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 "C" as having corrected previously blighted conditions or entered into a Restoration Agreement and as such are currently in compliance.

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington

Properties Previously Cited for Blight;  
Currently in Compliance or Party to Restoration Agreement

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	NOTIFICATION DATE(S)	DATE PUBLIC HEARING HELD
54	2 Glover Drive Dix Hills	0400-284.00-03.00-172.000	Heather Lazarides 2 Glover Drive Dix Hills, NY 11746	11/15/2013	11/7/2013
107	27 Tanyard Lane Huntington	0400-019.00-02.00-015.000	John H. Fay 23 Cider Mill Lane Huntington, NY 11743	10/31/2013	1/7/2014

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 34-2013, AMENDING THE ZONING MAP ON THE TOWN BOARD'S OWN MOTION TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-6 HUNTINGTON STATION OVERLAY DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF RAILROAD STREET, EAST OF LOWNDES AVENUE, HUNTINGTON STATION, SCTM# 0400-147-01-005.003.

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town's consultant for Huntington Station, Renaissance Downtowns at Huntington Station LLC, has examined the potential redevelopment of underutilized government-owned properties located in areas immediately surrounding the Huntington Train Station, and it has determined that the split zoning of the parking lot property located to the west of the train station (on the south side of Railroad Street, east of Lowndes Avenue) may hinder the potential redevelopment of that parcel (the "Parking Lot Property"); and

WHEREAS, the C-6 Huntington Station Overlay District was created specifically to address the needs of the overlay district neighborhood, and, while the C-6 Huntington Station Overlay District imposes requirements very similar to those of the C-6 General Business District, it does establish some additional restrictions on land use; and

WHEREAS, the eastern portion of the Parking Lot Property (SCTM #0400-147-01-003, which is owned by New York State) and the western portion (SCTM# 0400-147-01-005.005, which is owned by the Huntington Urban Renewal Agency) are both already zoned C-6 Huntington Station Overlay District; and

WHEREAS, the Town Board, 100 Main Street, Huntington, NY 11743 is the Lead Agency as it is the only agency authorized to amend the Huntington Town Code and Zoning Map; and

WHEREAS, this action is classified as Unlisted because it does not meet any of the Type I or Type II criteria pursuant to SEQRA §617.4 & §617.5;

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts I, II and III which analyzes the environmental impacts of the subject application as well as consistency with the Horizons 2020 Comprehensive Plan 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);

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby adopts the Environmental Assessment Form prepared by the Department of Planning and Environment and issues a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law on the proposed zoning map change; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 10th day of December, 2013, to consider adopting Local Law Introductory Number 34-2013 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-6 Huntington Station Overlay District the property designated on the Suffolk County Tax Map as 0400-147-01-005.003, and due deliberation having been had

HEREBY ADOPTS

Local Law Introductory No. 34-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows:

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

LOCAL LAW NO. 4 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)  
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

\* \* \*

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references, and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.



**\*Amended**

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 35-2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE IV (COMMERCIAL DISTRICTS), SECTION 198-27.1 (C-6 HUNTINGTON STATION OVERLAY DISTRICT), TO ADD A SPECIAL USE PERMIT FOR HOTELS.

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: Councilman Cook, Councilwoman Berland

WHEREAS, the Town's partner for Huntington Station revitalization, Renaissance Downtowns at Huntington Station LLC, has produced a Development Strategy that was approved by the Town Board on June 4, 2013, which identified a number of land uses that community residents would like to see in Huntington Station; and

WHEREAS, hotels are the only land use mentioned in the Development Strategy that are not currently permitted in the C-6 Huntington Station Overlay District, which covers a large portion of the area around the Huntington Train Station; and

WHEREAS, hotels were once common within Hamlet Centers throughout the Town of Huntington, but all such hotels closed during the years following World War II; and

WHEREAS, for many years several hotels operated within walking distance of the Huntington Train Station, including two which were demolished to make room for commuter parking lots; and

WHEREAS, over the past 25 years, with the exception of the unique Oheka property, all new hotel development within the Town of Huntington has occurred within Melville (in the southwest corner of the Town), which singular location cannot satisfy all potential demand for hotel accommodation -- particularly demand from visitors to the northern portions of the Town or those travelling by railroad; and

WHEREAS, the Town Board, 100 Main Street, Huntington, NY 11743 is the Lead Agency as it is the only agency authorized to amend the Huntington Town Code; and

WHEREAS, this action is classified as Type I under SEQRA, §617.4(b)(2) because it adds a permitted use to a zoning district that covers more than 25 acres of land; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts I, II and III which analyzes the environmental impacts of the zoning code change as well as consistency with the Horizons 2020 Comprehensive Plan 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);

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby adopts the Environmental Assessment Form prepared by the Department of Planning and Environment and issues a Negative Declaration in accordance with Article 8 of the Environmental Conservation Law on the proposed zoning code change; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 10th day of December, 2013, to consider adopting Local Law Introductory Number 35-2013 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-27.1 (C-6 Huntington Station Overlay District), and due deliberation having been had

HEREBY ADOPTS

Local Law Introductory No. 35-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-27.1 (C-6 Huntington Station Overlay District) as follows:

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

LOCAL LAW NO. 5 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE IV (COMMERCIAL DISTRICTS)

\* \* \*

§ 198-27.1. C-6 Huntington Station Overlay District.

Purpose. The purpose of adopting this overlay zone is to create a business district that will accommodate neighborhood shopping, encourage job creation, allow for a community where people can easily walk to acquire the day to day needs, and yield ratables commensurate with the uses permitted.

\* \* \*

C. Conditional uses. Unless otherwise specifically prohibited, the conditionally permitted uses provided in the C-6 General Business District shall be conditionally permitted in the C-6 Huntington Station Overlay District, subject to any restrictions or limitations contained in this section. In the event the provisions of § 198-27 conflict with the provisions of this section, this section shall be controlling. In addition to such conditional uses, the following conditionally permitted uses shall be permitted subject to the issuance of a special use permit. In no event shall a special use permit be issued or approved if any one of the conditions for the stated use is not met.

- \* \* \*
- \* (8) Hotels, as approved by the Town Board in accordance with the review standards found in §198-66, provided that:
    - (a) The hotel is connected to a public sewer district.
    - (b) The property is at least one (1) acre in size.
    - (c) The hotel shall be located close to the street sidewalk to promote interactions with other commercial businesses and access to mass transportation, and shall not be located in the center of the property, surrounded by parking lots.

\* \* \*

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].

**\*MOTION TO AMEND RESOLUTION WAS OFFERED BY SUPERVISOR PETRONE AND SECONDED BY COUNCILWOMAN BERLAND**

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

VOTE:                                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE AMENDED RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 39 - 2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4, §4-1, SCHEDULE "K", RE: COLD SPRING HARBOR HIGH SCHOOL - PRIVATE PARKING FIELDS

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK, COUNCILWMAN EDWARDS**

THE TOWN BOARD having held a public hearing on the 7<sup>th</sup> day of January, 2014 at 2:00 p.m. to consider adopting Local Law Introductory No. 39-2013, to consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, (Parking Fields); Section 4-1, (Private Parking Fields); Schedule "K"; and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 39-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, (Parking Fields); Section 4-1, (Private Parking Fields); Schedule "K", as follows:

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

LOCAL LAW NO. 6 - 2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 4 (PARKING FIELDS), SECTION 4-1 (PRIVATE PARKING FIELDS)

Section 1. Amendment to Chapter 4 (Parking Fields), Schedule K of the Uniform Traffic Code of the Town of Huntington; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

\* \* \*  
CHAPTER 4  
(PARKING FIELDS)  
\* \* \*

SECTION 4-1 (PRIVATE PARKING FIELDS)  
SCHEDULE "K"

PARKING FIELDS

SCTM MAP NO.

REGULATIONS

Cold Spring Harbor H.S.  
82 Turkey Lane  
Cold Spring Harbor, NY 11724

0400-064.00-02.00-030.001

Handicapped/Fire Zone

\* \* \*

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 2 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE XX (ACCESSORY APARTMENTS)

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: COUNCILMAN COOK

THE TOWN BOARD having held a public hearing on the 4<sup>th</sup> day of February, 2014 at 7:00 p.m. to consider adopting Local Law Introductory No. 2-2014, to consider amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments); and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 2-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XX (Accessory Apartments); as follows:

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

LOCAL LAW NO. 7 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE XX (ACCESSORY APARTMENTS)

Section 1. Chapter 198 (Zoning), Article XX (Accessory Apartments), is hereby amended as follows:

CHAPTER 198  
ZONING

\* \* \*

ARTICLE XX  
ACCESSORY APARTMENTS

\* \* \*

§198-133. Permit required; prohibitions; presumptions.

\* \* \*

(B) Prohibitions.

\* \* \*

(4) The property owner and/or person in charge of property having an accessory apartment permit shall maintain all vehicles attributable to the accessory apartment parked in the off-street parking spaces provided for such purpose when the vehicles are not in use. It shall be unlawful to fail, neglect or refuse to comply with the provisions of this section.

(5) It shall be unlawful for any property owner or person-in-charge to fail, neglect or refuse to fully comply with any condition, restriction or requirement of the accessory apartment permit.

§198-134. Accessory apartment permit; conditions.

A. An accessory apartment permit shall be issued only after a public hearing held pursuant to §198-137 and upon a finding by the Zoning Board of Appeals that the following conditions are satisfied.

(1) Unless otherwise provided in this Article, the single family dwelling is the principal residence (domicile) of the owner. The owner shall be a natural person, and shall include those holding a life estate interest.

v

\* \* \*

§198-136. Application for a permit, permit renewal and transfer of permit; fees.

(A) The owner(s) of a single-family dwelling, where authorized by this chapter, may apply to the Hearing Officer for a permit to maintain an accessory apartment. The application shall be in writing and in a form to be prescribed by said Hearing Officer and acknowledged by [the applicant] all owners of the property in the form of an affidavit verified under oath.

\* \* \*

(C) All applications shall be accompanied by:

\* \* \*

(5) A copy of the most recent recorded deed to the real property and a [complete] true copy of all covenants and restrictions imposed upon the property, whether or not the documents have been recorded in the Office of the Suffolk County Clerk . In the event ownership of the person residing at the property is in question, then a certified copy of the latest deed is required before the application will be deemed complete.

\* \* \*

(8) Proof of residency of the owner(s). All owners shall provide proof of domicile and ownership in the form acceptable to the Town. Where ownership of the person

alleged to be residing at the property is still in question, then in such event further inquiry shall be made by the Hearing Officer and/or Zoning Board of Appeals to establish

domicile and ownership in compliance with the provisions of this chapter. Additional documentation including but not limited to a last owner search from a licensed abstract company, income tax returns, homeowner's insurance policy or declaration sheet, updated utility bills, mortgage statements, and all leases entered into for the use and occupancy of all portions of the property shall be requested as deemed appropriate by the Town.

\* \* \*

E. Renewals.

(1) Any permit issued under this article may be renewed for an additional term by application as in the event of an original application including proof of residency, the most recent recorded deed establishing ownership of the property, and all leases entered into for the use and occupancy of all portions of the property. Where ownership of the person alleged to be residing at the property is still in question, then in such event further inquiry shall be made by the Hearing Officer and/or Zoning Board of Appeals to establish domicile and ownership in compliance with the provisions of this chapter. Additional documentation including but not limited to a last owner search from a licensed abstract company, income tax returns, homeowner's insurance policy or declaration sheet, updated utility bills, and mortgage statements shall be requested as deemed appropriate by the Town. The notice and/or hearing requirements of § 198-137 shall not apply to applications for renewal, except that the Hearing Officer shall have the authority to require a hearing on notice when, in his/her discretion, special circumstances exist which would require public input and in such event the requirements of § 198-137 are applicable. Thereafter, whether or not a hearing is held, the matter shall proceed in accordance with the provisions of § 198-140.

\* \* \*

§198-141. Revocation, modification or amendment of permit.

[(A)] [All permits shall be subject to revocation by the Zoning Board upon a finding by the Board, after a public hearing held on notice, that the permit holder and/or occupant has not complied with one or more conditions of the accessory apartment permit as approved by the Zoning Board.]

(A) [(B)] The Department of Public Safety shall notify the Hearing Officer if there has been a violation of the Huntington Town Code, the Residential Code of New York State, the Fire and Property Maintenance Code of the State of New York, the rules of any agency having jurisdiction, or of any condition, restriction or requirement of the

accessory apartment permit. The Hearing Officer may recommend that the permit be revoked, amended or modified upon a finding, after a [public] preliminary hearing[,] that the permit holder or any occupant of the building is in violation thereof.

(B) [(C)] [Public hearing.] Preliminary Hearing. [The public hearing] A preliminary hearing to determine whether there is cause to revoke an accessory apartment permit shall be held on fifteen (15) days prior written notice to the permit holder by mailing notice to the address shown on the application, and to the occupant(s) of the building, if known, by mailing notice to the property address[, and] At the discretion of the Hearing Officer, notice may be mailed to the owners of all properties located within five hundred (500) feet of the property line of the subject premises if the Hearing Officer deems it necessary. If the name(s) of the occupant(s) are not known then the notice shall be addressed to "occupant(s)." The Accessory Apartment Bureau shall mail notices of the [public] preliminary hearing by regular mail and shall file a certificate of mailing with the Hearing Officer no later than five (5) days before the scheduled hearing date, or service may be by certified mail, return receipt requested. Said notice shall state the nature of the alleged violation(s), the date, time and place of the preliminary hearing before the hearing officer.

(C) [(D)] Administrative proceedings. At the preliminary hearing [The] the Hearing Officer shall review the report of the Department of Public Safety, any complaints received concerning the property, the evidence submitted by the permit holder, [consider the matter,] and shall, within sixty-two (62) days of the close of the preliminary hearing, submit his or her written findings and recommendations to the Zoning Board of Appeals for ultimate determination. A copy of the Hearing Officer's recommendations shall be filed with the Huntington Town Clerk for public inspection and served upon the permit holder by regular mail and/or certified mail, return receipt requested to the address shown on the application, and to the occupants of the building by mailing the report to the property address in the same manner as set forth in (B). The matter shall then proceed before the Zoning Board of Appeals for a public hearing and ultimate determination.

[(1)] [The permit holder and any person aggrieved by the recommendation of the Hearing Officer may, within twenty (20) days from the date of filing of the report with the Town Clerk file written objections, if any, to the findings and recommendations. A copy of the zoning board application shall be enclosed for use by the permit holder when the report is mailed. A copy of the Hearing Officer's Report; a complete zoning board application with all required attachments, and any other evidence deemed necessary by the ZBA applicant shall be provided with the objections. The Zoning Board may require additional information or documentation before the application is deemed complete and scheduled for a hearing. All applications to the Zoning Board shall be accompanied by an application fee in an amount set forth in Chapter A204 of the

Huntington Town Code, and shall be filed within the prescribed twenty (20) day period. Failure to file a complete application within such period shall be deemed a waiver of the permit holder or aggrieved party's rights to a public hearing before the Zoning Board of Appeals unless the Zoning Board, for good cause shown, approves an extension of time. The Zoning Board is authorized to waive the

public hearing where there has been no written request for one within the required time period.]

[(2)] [If no objection to the report is filed, the Zoning Board of Appeals shall consider the Hearing Officer's recommendation, the notice of the Director of Public Safety, and other relevant evidence, and may adopt or reject, in whole or in part, any portion thereof as the Board deems advisable or necessary under the circumstances. No public hearing shall be required unless specifically requested by the Zoning Board, and then in such event, the hearing shall be on such notice as set forth in (C) herein. The Zoning Board's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the permit holder at the address shown on the application and to the occupants of the building at the property address by regular and/or certified mail, return receipt requested.]

(D) [(E)] Zoning Board of Appeals. Any hearing held before the Zoning Board of Appeals shall be on such notice and on such terms as established for [revocation, modification, or amendment of special use permits] applications before the Board. The Zoning Board of Appeals shall consider the [objections and the] report of the Department of Public Safety, any complaints received concerning the property, the evidence submitted by the permit holder or his designee, and the Hearing Officer's report, together with such other evidence deemed necessary by the Board, and may adopt or reject, in whole or in part, with or without conditions, any portion thereof as the Board deems advisable or necessary under the circumstances. The Zoning Board's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the permit holder and ZBA applicant, if they are not the same, at the address shown on the application by regular and/or certified mail, return receipt requested and to the occupants of the building at the property address.

(E) [(F)] Conduct of hearings. At the hearing before the Hearing Officer or Zoning Board of Appeals, the permit holder and occupants of the building shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. They may present the testimony of witnesses, experts and other evidence in their own behalf as they deem necessary or relevant to the subject matter of the hearing. All hearings shall be recorded.

(F) [(G)] Revocation; prohibition. If the Zoning Board revokes the special use permit, no application for the same apartment shall be accepted for filing sooner than three (3) years of the date the revocation is filed with the Huntington Town Clerk. If an accessory apartment permit for a non-owner occupied parcel is revoked, the permit shall not be renewed, restored or reissued. It shall be unlawful to operate, maintain, rent, lease, advertise or occupy an accessory apartment if the accessory apartment permit has been

revoked, and any person who commits an offense against this section shall be deemed to be in violation of this article.

(G) [(H)] Modification and amendment of permit; prohibition. If the Zoning Board of Appeals modifies or amends a permit, it shall be unlawful to operate, occupy or maintain an accessory apartment in a manner that deviates from the modification or amendment, and any person who commits an offense against this section shall be deemed in violation of this article.

\* \* \*

§98-148. Penalties for Offenses.

The Town Board intends to exercise its authority under §10(1)(i) and (ii) (a)(6), (a)(11) and (a)(12); §10(1)(ii)(d)(3); and §10(4)(b) of the Municipal Home Rule Law, §268(1) of the Town Law and any other applicable provision of law now or hereinafter enacted, to supersede and/or expand upon the applicable provisions of §268(1) of the Town Law, and any other applicable or successor law pertaining to the enforcement of local laws and ordinances in order to impose a penalty and fine structure that best reflects the needs of the community.

\* \* \*

(E) In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to five hundred (\$500) dollars per day, or part thereof; an action to compel compliance with or to restrain by injunction the violation of this article; and other remedies which in the opinion of the Town Attorney may seem necessary and proper. Such civil and equitable relief may be sought in a court of competent jurisdiction. Any civil monetary penalty awarded may be added to the tax bill of the property where the violation has occurred and shall be collected in the same manner.

(F) In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation and without limitation, a violation of this article may subject the permit holder to the revocation, suspension, modification or amendment of an accessory apartment permit, as provided in this article.

\* \* \*

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 3-2014, AMENDING TOWN BOARD RESOLUTION 1995-137, LOCAL LAW NO. 47-1998, LOCAL LAW NO. 3-2001, AND LOCAL LAW NO. 4-2012 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AGAINST THE PROPERTY BEARING SCTM# 0400-257-03-009.005, AND IN LIEU THEREOF, ESTABLISHING CERTAIN NEW COVENANTS AND RESTRICTIONS UPON THE PROPERTY, LOCATED ON THE EAST SIDE OF BROADHOLLOW ROAD, NORTH OF PINELAWN ROAD, MELVILLE.

Resolution for Town Board Meeting Dated: February 4, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, F&W Schmitt Brothers Farm, 26 Pinelawn Road, Melville, NY 11747, applicant and licensee, has submitted an application, which shall be known as the Chemical Bank - Amended 2 zone change, to modify the Declaration of Covenants and Restrictions for a portion of the property that was part of the zone change application of Chemical Bank, LLC, #94-ZM-274, which changed the zoning from C-2 Office Building District to C-6 General Business District on property located on the northeast corner of Broadhollow Road and Pinelawn Road, Melville, currently designated as 0400-257-03-(009.003, 009.004, 009.005) on the Suffolk County Tax Map; and

WHEREAS, the original zone change application was approved on March 7, 1995, and the approval was later amended under Local Law 47-1998, Local Law 3-2001, and Local Law 4-2012; and

WHEREAS, the original Declaration of Covenants and Restrictions was filed with the Suffolk County Clerk on July 11, 2001 in Liber 12128 Page 943, and the covenants were required as a condition of the zone change approval and its amendments; and

WHEREAS, the most recent version of the Declaration of Covenants and Restrictions was filed with the Suffolk County Clerk on December 13, 2011 in Liber 12679 Page 243; and

WHEREAS, the specific covenant that the applicant has requested to modify reads: "The five (5) acre portion of the parcel designated as SCTM# 0400-257-03-009.005 which is zoned R-40 Residence District shall not be developed in the future in any way, and shall remain as a landscaped and/or naturalized buffer area.", and the purpose of this restriction was to limit the size of the office/commercial buildings that could be built on the subject and adjacent properties, as well as provide a buffer between commercial and residential land uses; and

WHEREAS, the applicant is requesting that the covenants be modified solely on this tax map parcel in order to allow the use of the R-40 zoned area for parking for the Fall Festival at the

adjacent Schmitt Farm for the last two weeks of September and the month of October, subject to certain requirements and restrictions; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Declaration of Covenants and Restrictions filed as a condition of a zone change application approval is not an action, so no SEQRA review is required at this time;

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 8th day of April, 2014 at 7:00 PM at Huntington Town Hall, New York, to consider adopting Local Law Introductory Number 3-2014, amending Town Board Resolution 1995-137, Local Law No. 47-1998, Local Law No. 3-2001, and Local Law No. 4-2012 so as to revoke all of the covenants and restrictions previously recorded against the property bearing SCTM# 0400-257-03-009.005, and in lieu thereof, establishing new covenants and restrictions, as follows:

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

AMENDING TOWN BOARD RESOLUTION 1995-137, LOCAL LAW NO. 47-1998, LOCAL LAW NO. 3-2001, AND LOCAL LAW NO. 4-2012 SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AGAINST PROPERTY BEARING SCTM NO. 0400-257-03-009.005 AND, IN LIEU THEREOF, ESTABLISHING CERTAIN COVENANTS AND RESTRICTIONS UPON THE PROPERTY AS FOLLOWS:

Section 1. Amendment to Town Board Resolution 1995-137, Local Law No. 47-1998, Local Law No. 3-2001, and Local Law No. 4-2012. Deleting all existing Covenants and Restrictions and adopting new Covenants and Restrictions, as follows:

- (1) All prior restrictive covenants and restrictions are hereby revoked.
- (2) The use of the commercially zoned portion of the parcel shall be limited to banking, general office, and day care uses. Any and all other retail use of the subject property shall be strictly prohibited.
- (3) Building setbacks for the existing facility and any extension thereto shall be at least 75 feet from New York State Route 110.
- (4) The five (5) acre portion of the parcel designated as SCTM# 0400-257-03-009.005 which is zoned R-40 Residence District shall not be developed in the future in any way, and shall remain as a landscaped and/or naturalized buffer area, except as provided for below. At the discretion of the Planning Board at the time of any future site plan review a portion of the buffer area described herein may be set aside and dedicated to the Town of Huntington as an addition

to the Deanna Moon (a.k.a Snyder Street) Park, presently designated as 0400-257-03-008.002 on the Suffolk County Tax Map.

- (5) For so long as the abutting parcel designated as SCTM# 0400-255-01-012 & 014, presently known as Schmitt's Farm, is used in its current capacity as a farm, the five (5) acre undeveloped portion of the parcel designated as SCTM# 0400-257-03-009.005 referenced herein may be used for the last fourteen (14) days of September and the entire month of October during the daytime for the exclusive and strictly limited purpose of parking for an annual Fall Festival event. Any temporary or permanent physical changes to R-40 portion of the parcel, including but not limited to curb cuts, gates preventing use beyond that of the Fall Festival, and any necessary landscaping or buffering of the five (5) acre portion of the parcel, shall be subject to site plan review and approval by the Town of Huntington Planning Board. This parking allowance shall be subject to the following conditions:
- (a) School buses are not permitted to park upon the subject parcel on weekends, weekdays before 9:00 AM or after 3:00 PM, and within 100 feet of the property boundary of the Villages at Huntington HOA.
  - (b) Discharge of school buses shall take place at a location at least fifty-five (55) feet from the boundary of the Villages at Huntington HOA.
  - (c) No later than September 7th of each year that the parking lot is being used, the operators of Schmitt's Farm shall provide a cellular phone number to the managing agent for the Villages at Huntington HOA for use by no more than two Villages at Huntington HOA property owners to communicate with the Farm, if traffic or other adverse conditions exist daily between 9:00 AM and 6:00 PM.
  - (d) No additional cars are to be parked on the subject parcel after 5:00 PM.
  - (e) All parking within the subject parcel will cease and the lot will close at 6:00 PM.
  - (f) A buffer/no-use area at least twenty-five (25) feet wide along the Villages at Huntington HOA property boundary shall be established and the next 25 feet abutting the buffer/no-use area will be utilized solely for moving cars only, and shall not be used for parking.
  - (g) All parking will begin at the area farthest from the Villages at Huntington HOA property line.
  - (h) Four (4) uniformed parking attendants shall be on the property at all times to direct parking during Fall Festival hours of operation.
  - (i) When necessary, the ground of the subject parcel shall be irrigated by the Farm as needed to contain dust.
  - (j) Porta-potties shall only be located in the southwest corner of the subject parcel, and shall be regularly maintained and screened with sea grass.
  - (k) In the event the Farm is contacted by the HOA regarding Fall Festival traffic congestion along Pinelawn Road, the Farm will either pull one of the four guards off lot to control traffic and/or provide a fifth guard for traffic control at the entrance.



RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 4 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 1 (GENERAL PROVISIONS), CHAPTER 3 (PARKING REGULATIONS) AND CHAPTER 4 (PARKING FIELDS)

Resolution for Town Board Meeting dated: February 4, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Resolution No.: 2012-335 the Huntington Town Board authorized an agreement with the Huntington Village Consortium Group and with Nelson Nygaard for a parking study of Huntington Village; and

WHEREAS, the Huntington Town Board has received and reviewed the Huntington Village Parking Study and its recommendations, and wishes to implement certain features to better accommodate the needs of commuters and the community-at-large; 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 THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **4th** day of **March** 2014, at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **4** -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. 4 -2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 1 (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:

CHAPTER 1  
(GENERAL PROVISIONS)

ARTICLE I  
(DEFINITIONS; WORD USAGE)

§ TC1-1. 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:

\* \* \*

PARKING METER OR MULTI-SPACE PARKING PAY STATION SYSTEM - Any mechanical device or meter, not inconsistent with this Code, placed or erected for the regulation of parking by authority of this Code. Each ["parking meter"] meter installed shall indicate by proper legend the legal parking time established by this Town, and when operated, shall at all times indicate the balance of legal parking time and at the expiration of such period shall indicate illegal or overtime parking.

PARKING METER SPACE - Any space within a parking meter zone [adjacent to a parking meter] and which is duly designated for the parking of a single vehicle by lines painted or otherwise durably marked upon the curb or the surface of the street or parking field [adjacent to or adjoining a parking meter].

PARKING METER ZONE - Any street and/or any designated parking field or part thereof set aside under the provisions of this Code for [the installation of parking meters and upon which parking meters have been installed and are in operation] metered parking through the installation and maintenance of parking meters or multi-space parking pay station systems.

\* \* \*

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 - [Any gas-electric powered motor vehicle.] 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)

§1-6. Enforcement of parking provisions; authority of Director and other agencies.

\* \* \*

F. Parking rate adjustments. The Director of Public Safety shall review multi-space parking pay station system reports and submit his or her recommendations as to metered parking rate adjustments to the Town Board on a quarterly basis.

§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:

A. Zero dollars (\$0) for the first offense; twenty-five dollars (\$25) for the second offense; fifty dollars (\$50) for each and every offense thereafter: § TC3-6(A)[ and (D); §TC3-7].

B. Fifty dollars (\$50): §TC3-3(F), §TC3-6(C), §TC3-7, §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); [§3-6(C)(5);] §4-1(A)(1) and (C); §4-3(B), (C), (E), (F)(1), [and] (F)(7) and (F)(8); §4-12; §4-13; §4-14; §4-15, §4-24, §4-25 and §4-26.

\* \* \*

M. Misdemeanor punishable by a fine or penalty of not more than two thousand five hundred dollars (\$2,500), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment [§3-6(E) and (F)] §3-6(D) and (E).

\* \* \*

CHAPTER 3  
(PARKING REGULATIONS)

\* \* \*

ARTICLE II  
(PARKING, STANDING AND STOPPING RESTRICTIONS)

§3-3. Designation of areas and restrictions.

(A) The parking, standing or stopping of vehicles in the locations described in Schedule [J] "J" is hereby restricted as follows:

\* \* \*

(4) In locations designated [as "metered parking,"] for metered parking the parking of vehicles shall be subject to the provisions of Article III of this chapter, and parking is hereby prohibited for a longer period of time than that specified during the hours indicated in §3-7.

\* \* \*

F. It shall be unlawful to park, stand or leave idling a motor vehicle on a sidewalk, walkway, median divider or island, or at any location other than in designated parking spaces.

ARTICLE III  
(METERED PARKING)

§3-4. Designation of parking meter and pay station zones.

(A) On-street zones. On-street parking meter zones are hereby established upon those streets and highways or parts thereof designated and described [as provided in §3-3(A)(4) of this chapter] in Schedule "P" of this Code.

(B) Off-street zones. Off-street parking meter zones are hereby established in those [off-street] parking lots or parts thereof designated and described[ as provided in Chapter 4[,] (Parking Fields) [, §4-2] and Schedule "L" of this Code.

§3-5 Installation and operation of parking meters and multi-space parking pay station systems.

[A. Installation.] The Department of Public Safety shall be responsible for the installation, operation, maintenance, policing and supervision of [the] parking meters and multi-space parking pay stations [in the Town] in accordance with the following:

(A) Installation.

(1) Pavement markings shall be applied, where practicable, outlining parking meter spaces in [the] parking meter and pay station zones [established in this article].

(2) Parking meters shall be installed immediately adjacent to the parking spaces, except where multi-space parking pay station systems have been installed.

(B) Operation.

[(1)] Each parking meter and multi-space parking pay station shall operate so as to indicate that the appropriate fee has been deposited [in such meter] and shall indicate through a receipt or other means the time remaining for the space.

[(2)] [Each parking meter shall display a signal, indicating the expiration of the time period associated with the deposit of fees.]

§3-6. Use restrictions and regulations.

(A) Deposit of fee required. It shall be unlawful to [No person shall] park a vehicle in a metered parking [meter] space [of any parking meter zone adjacent to a parking meter] during the hours of parking meter or pay station operation unless the appropriate fee is [immediately] deposited in such meter or pay station. [or a valid hybrid or alternative fuel vehicle permit is properly displayed as provided in this article.]

(B) Persons with Disabilities. No fee shall be required to be deposited in a parking meter or pay station [as provided in this section] for the parking of any vehicle driven or occupied by a person with disabilities [handicapped person] and bearing a distinctive number plate issued by the State Department of Motor Vehicles or permit issued by the proper issuing agent in accordance with § 1203-a of the New York State Vehicle and Traffic Law, or for the parking of a vehicle displaying a Valid Metered Parking Waiver Permit issued by the proper issuing agent and a New York State permit for Persons with Severe Disabilities pursuant to §1203-h of the New York State Vehicle and Traffic Law when they are unaccompanied. No such permits shall entitle the vehicle to be parked longer than the time limit established for such space.

[C.] [No fee shall be required to be deposited in a parking meter 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;]

[(1)] [Such permits shall be issued at no fee to applicants and shall not be transferable to another vehicle; and]

[(2)] [All permits shall be valid from the date of issuance to 12:00 midnight on December 31<sup>st</sup> of the year next following the date of issue; and]

[(3)] [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]

[(4)] [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; and]

[(5)] [All 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 visible from the street; and]

[(6)] [Notwithstanding any provision of this Article to the contrary, all motorists shall obey the posted time limits for metered parking and all other parking regulations.]

(C) [(D)] Overtime parking.

[(1)] It shall be unlawful to [No person shall] park a vehicle in a parking meter space or a parking space for which a pay station has been installed during the hours of parking meter or pay station operation for a longer period of time than the parking time limit established for such space. [, and if the parking meter adjacent to such parking meter space shall display a signal indicating the expiration of the time limit associated with the deposit of fees, such] Such parking shall be deemed overtime parking and a violation of this Code.

[(2)] [No person shall deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.]

(D) [(E)] Legal currency required. It shall be unlawful to [No person shall] deposit or attempt to deposit in any parking meter or pay station any slug, button or any other device or [substance] item as a substitute[s] for [coins of] legal United States currency.

(E) [(F)] [Injury] Damage to parking meters and pay stations. It shall be unlawful for any person to deface, [injure,] tamper with, willfully break, destroy or impair the usefulness of or to open without lawful authority any parking meter or pay station system.

§3-7. Parking time limits; hours.

(A) It shall be unlawful to park [The parking of] a motor vehicle in the on-street metered parking spaces established in Schedules "P" [meter zones is hereby prohibited] for a longer period of time than [two (2)] three (3) hours between the hours of [9:00] 10:00 a.m. and [6:00] 8:00 p.m.,] Monday through Saturday; except Sundays, [and] holidays, and in spaces designated in Schedule "P" where up to twelve consecutive hours of LIRR parking is permitted. Such twelve-hour parking may be extended by no more than twelve additional hours, except that no motor vehicle shall remain in the same parking space for longer than twenty-four (24) consecutive hours.

(B) Spaces designated on Schedule "L" as "twelve-hour LIRR parking" may be extended for an additional twelve hour period, as long as no motor vehicle remains in the same parking space for longer than twenty-four (24) consecutive hours.

(C) Any person or business entity who fails or neglects to comply with the provisions of this section shall be deemed in violation of this chapter.

§3-8. Fees.

(A) On-street zones. The fees for use of on-street [parking meter zones established pursuant to this article] metered parking spaces shall be as established by Town Board Resolution from time to time. [follows: twenty-five cents (\$0.25) in the form of a quarter, for each unit of sixty (60) minutes, unless otherwise indicated on the meter, up to the maximum parking time permitted.]

(B) Off-street zones. The fees for the use of off-street [parking meter zones established pursuant to this article and Chapter TC4[, § TC4-2, of this Code] metered parking spaces shall be as established by Town Board Resolution from time to time. [follows: twenty-five cents (\$0.25) in the form of a quarter, for three (3) hours.]

\* \* \*  
CHAPTER 4  
(PARKING FIELDS)

ARTICLE I  
(USE REGULATIONS)

\* \* \*  
\* \* \*

§4-3. Town parking fields.

(B) [Town parking fields.] Commuter parking. Commuter parking in Town parking fields shall be allowed as follows:

(1) Resident commuter parking. In Town parking fields or parts thereof designated in Schedule L as “resident-commuter parking permit,” no vehicle shall be parked between the hours of 6.00 a.m. and 5:00 p.m. of every day, except Saturday, Sunday and holidays, unless properly displaying a valid resident-commuter parking permit [or valid permit for hybrid or alternative fuel vehicles].

(2) Non-resident commuter parking. In Town parking fields or parts thereof designated in Schedule L as “commuter parking permit” no vehicle shall be parked between the hours of 6.00 a.m. and 5:00 p.m. of every day, except Saturday, Sunday and holidays, unless properly displaying any valid parking permit issued by the Huntington Town Clerk [including a permit for hybrid or alternative fuel vehicles.]

[(3)] [Hybrid or alternative fuel vehicles.]

[(a)] [No application fee shall be required for the parking of any hybrid or alternative fuel vehicle which is registered or leased to a resident of

Town of Huntington. 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 by the Huntington Town Clerk. Such permits are not transferable to another vehicle and shall be valid from the date of issuance to 12:00 midnight on December 31<sup>st</sup> of the year next following the date of issue.]

[(b)] [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.]

[(c)] [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.]

\* \* \*

(D) Metered parking. Town parking fields or parts thereof designated in Schedule L as “metered parking” or “twelve-hour LIRR parking” shall be subject to the provisions of Chapter 3, Article III of this Code. Parking fees for metered parking in Town parking fields shall be as established by Town Board Resolution from time to time.

(E) [Daily] Twelve-hour LIRR parking. In those Town parking fields or parts thereof designated in Schedule L as [“daily parking,”] “twelve-hour LIRR parking”, no vehicle shall be parked unless the requisite non-refundable fee has been paid. Parking fees for “twelve-hour LIRR parking” in Town parking fields shall be as established by Town Board Resolution from time to time. [The fee for daily parking shall be ten (\$10) dollars for up to twenty-four (24) hours. A reduced fee of five (\$5) dollars shall be applicable in designated handicapped parking stalls for those properly displaying a valid handicapped parking permit bearing a distinctive number plate or permit issued in accordance with § 1203-a of the New York State Vehicle and Traffic Law, and for any vehicle properly displaying a valid Senior Citizen Identification Card issued by the Town of Huntington.]

[(1)] [Hybrid or alternative fuel vehicles.]

[(a)] [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. 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 by the Huntington Town Clerk. Such permits are not transferable to another vehicle and shall be valid from the date of issuance to 12:00 midnight on December 31<sup>st</sup> of the year next following the date of issue.]

[(b)] [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.]

[(c)] [All such 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.]

(F) In any Town parking field, it shall be unlawful to stop, leave standing or park a vehicle as follows: [no vehicle shall be stopped, left standing or parked:]

\* \* \*

(6) Hybrid and alternative fuel 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 [and is 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].

(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.

(7) In parking spaces designated as reserved for senior parking, whether or not the vehicle is occupied, unless a valid senior citizen ID card is properly and securely displayed on the inside of the vehicle's windshield.

(8) [(7)] In any manner other than in a "head-in" fashion or position.

\* \* \*

ARTICLE II  
(COMMUTER PARKING)

\* \* \*

§4-16. through §4-19. (Reserved)

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.

- (1) No application fee shall be required for the issuance of a permit; and
- (2) 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
- (3) 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 31<sup>st</sup> 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]

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 DULY ADOPTED.

**SCHEDULE J. PARKING, STOPPING AND STANDING RESTRICTIONS**

[ § J-1. Parking, stopping and stand restrictions. ]

**In accordance with the provisions of § TC3-3, the parking, stopping or standing of vehicles is restricted as indicated in the following locations.**

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
DELETE: Broadway/South From 130 ft. east of New York Ave. (Rt. 110) to 310 ft. east of New York Ave. (Rt. 110) (HUS	Metered parking	as posted
DELETE: Carver Street/North From 282 ft. east of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HUN)	Metered parking	-----
DELETE: Carver Street/North From New York Ave. (Rt. 110) to Green St. (HUN)	Metered parking	-----
DELETE: Carver Street/South From Green St. to New York Ave. (Rt. 110) (HUN)	Metered parking	-----
DELETE: Carver Street/South From New York Ave. (Rt. 110) east for 282 ft. (HUN)	Metered parking	-----
DELETE: Clinton Avenue/West From 165 ft. north of Main St. (Rt. 25A) to Main St. (Rt. 25A)	Metered parking	-----

(HUN)

DELETE: Elm Street/North From 325 ft. east of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HUN)	Metered parking	-----
DELETE: Elm Street/South From New York Ave. (Rt. 110) east for 304 ft. (HUN)	Metered parking	-----
DELETE: Gerard Street/North From 185 ft. east of Wall St. to 60 ft. east of Wall St. (HUN)	Metered parking	-----
DELETE: Gerard Street/North From Wall St. west for 170 ft. (HUN)	Metered parking	-----
DELETE: Gerard Street/North From 50 ft. east of Clinton Ave. to 26 ft. west of Clinton Ave. (HUN)	Metered parking	-----
DELETE: Gerard Street/South From Clinton Ave. to 100 ft. east of New York Ave. (Rt. 110) (HUN)	Metered parking	-----
DELETE: Green Street/East From 170 ft. north of Carver St. to Main St. (Rt. 25A) (HUN)	Metered parking	-----
DELETE: Green Street/West From Main St. (Rt. 25A) to Carver St. (HUN)	Metered parking	-----
DELETE: Main Street (Route 25A)/North From Nassau Rd. to Anderson Pl. (HUN)	Metered parking	-----
DELETE: Main Street (Route 25A)/South From Anderson Pl. to Nassau Rd. (HUN)	Metered parking	-----

DELETE: New Street/East From High St. to Main St. (Rt. 25A) (HUN)	Metered parking	-----
DELETE: New Street/West From Main St. (Rt. 25A) to High St. (HUN)	Metered parking	-----
DELETE: New York Avenue (Route 110)/East From Fourteenth St. to Olive St. (HUS)	Metered parking	-----
DELETE: New York Avenue (Route 110)/East From Dewey St. to 206 ft. south of Stewart Ave. (HUN)	Metered parking	-----
DELETE: New York Avenue (Route 110)/West From 206 ft. south of Stewart Ave. to Dewey St. (HUN)	Metered parking	-----
DELETE: New York Avenue (Route 110)/West From Olive St. to Fourteenth St. (HUS)	Metered parking	-----
DELETE: Wall Street/East From Main St. (Rt. 25A) to Gerard St. (HUN)	Metered parking	-----
DELETE: Wall Street/West From Gerard St. to Main St. (Rt. 25A) (HUN)	Metered parking	-----

**SCHEDULE L. TOWN PARKING FIELDS**

[ § L-1. Town parking fields. ]

In accordance with the provisions of § TC4-3, the areas described below are established as town parking fields and the parking, stopping and standing of vehicles in such lots shall be subject to the regulations and restrictions set forth in § TC4-3 and any additional regulations or restrictions indicated below.

<b>Lot No.</b>	<b>Location</b>	<b>Regulations/Time Limits</b>
15	Huntington Railroad Station North Plaza, between Broadway and the railroad tracks (HUS)	[daily parking fee] <u>12 hour LIRR parking</u> ; [time restrictions as posted] <u>As posted</u>
16	Huntington Railroad Station South Plaza, between East Second Street and the railroad tracks, excluding garage (HUS)	Commuter Parking Permit; [metered parking;] time restrictions as posted

**SCHEDULE P. ON-STREET METERED PARKING**

**In accordance with the provisions of § 3-4(A), on-street parking meter zones are established as indicated in the following locations.**

<u>Name of Street/Side</u>	<u>Location</u>	<u>Zone</u>
<u>Broadway/South</u>	<u>From 130 ft. east of New York Ave. (Rt. 110) to 310 ft. east of New York Ave. (Rt. 110) (HUS)</u>	<u>12 hour LIRR parking</u>
<u>Broadway/North</u>	<u>From 305 ft. west of Highview Ave. (HUS) to 165 ft. east of New York Ave. (RT. 110) (HUS)</u>	<u>12 hour LIRR parking</u>
<u>Carver Street/North</u>	<u>From 282 ft. east of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HUN)</u>	<u>Secondary</u>
	<u>From New York Ave. (Rt. 110) to Green St. (HUN)</u>	<u>Secondary</u>
<u>Carver Street/South</u>	<u>From Green St. to New York Ave. (Rt. 110) (HUN)</u>	<u>Secondary</u>
	<u>From New York Ave. (Rt. 110) east for 282 ft. (HUN)</u>	<u>Secondary</u>
<u>Clinton Avenue/West</u>	<u>From 32 ft. north of Main St. (Rt. 25A) to 45 ft. south of Gerard St. (HUN)</u>	<u>Secondary</u>
<u>Clinton Avenue/East</u>	<u>From 32 ft. north of Main St. (Rt. 25A) to 28 ft. south of Gerard St. (HUN)</u>	<u>Secondary</u>
<u>Elm Street/North</u>	<u>From 325 ft. east of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HUN)</u>	<u>Secondary</u>
<u>Elm Street/South</u>	<u>From New York Ave. (Rt. 110) east for 304 ft. (HUN)</u>	<u>Secondary</u>
<u>Gerard Street/North</u>	<u>From 185 ft. east of Wall St. to 60 ft. east of Wall St. (HUN)</u>	<u>Secondary</u>
	<u>From Wall St. west for 170 ft. (HUN)</u>	<u>Secondary</u>
	<u>From 50 ft. east of Clinton Ave. to 26 ft. west of Clinton Ave. (HUN)</u>	<u>Secondary</u>
<u>Gerard Street/South</u>	<u>From Clinton Ave. to 100 ft. east of New York Ave. (Rt. 110) (HUN)</u>	<u>Secondary</u>
<u>Green Street/East</u>	<u>From 170 ft. north of Carver St. to Main St. (Rt. 25A) (HUN)</u>	<u>Secondary</u>
<u>Green Street/West</u>	<u>From Main St. (Rt. 25A) to Carver St. (HUN)</u>	<u>Secondary</u>

<u>Main Street (Route 25A)/North</u>	<u>From Nassau Rd. to Anderson Pl. (HUN)</u>	<u>Prime</u>
<u>Main Street (Route 25A)/South</u>	<u>From Anderson Pl. to Nassau Rd. (HUN)]</u>	<u>Prime</u>
<u>New Street/East</u>	<u>From High St. to Main St. (Rt. 25A) (HU</u>	<u>Secondary</u>
<u>New Street/West</u>	<u>From Main St. (Rt. 25A) to High St. (HUN)</u>	<u>Secondary</u>
<u>New York Avenue (Route 110)/East</u>	<u>From Fourteenth St. to Olive St. (HUS)</u>	<u>Secondary</u>
	<u>From 26 ft. north of Fairview St. to 25 ft. south of Gerard St. (HUN)</u>	<u>Prime</u>
	<u>From 25 ft. north of Gerard St. to 206 ft. south of Stewart Ave. (HUN)</u>	<u>Secondary</u>
<u>New York Avenue (Route 110)/West</u>	<u>From Olive St. to Fourteenth St. (HUS)</u>	<u>Secondary</u>
	<u>From 206 ft. south of Stewart Ave. to 80 ft. north of Gerard St. (HUN)</u>	<u>Secondary</u>
	<u>From 175 ft. south of Gerard St. to 80 ft. north of High St. (HUN)</u>	<u>Prime</u>
<u>Railroad Street/North</u>	<u>From 60 ft. west of New York Ave. (Rt. 110) to 325 ft. west of New York Ave. (Rt. 110) (HUS)</u>	<u>12 Hour LIRR Parking</u>
<u>Railroad Street/South</u>	<u>From 335 ft. west of New York Ave. (Rt. 110) to 150 ft. west of New York Ave. (Rt. 110) (HUS)</u>	<u>12 Hour LIRR Parking</u>
<u>Wall Street/East</u>	<u>From Main St. (Rt. 25A) to Gerard St. (HUN)</u>	<u>Secondary</u>
<u>Wall Street/West</u>	<u>From Gerard St. to Main St. (Rt. 25A) (HUN)</u>	<u>Secondary</u>

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 5 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: FAIR OAKS COURT, EAST NORTHPORT – STOP SIGN

Resolution for Town Board Meeting dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to comply with the applicable traffic regulations published by the Federal Highway Administration in order to establish intersection control and right-of-way compliance;

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 4<sup>th</sup> day of March, 2014 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 5 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 5 -2014  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Fair Oaks Court (ENP)	STOP	EAST	Elwood Road

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.

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.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 6 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: SAMARA COURT, COMMACK – STOP SIGN

Resolution for Town Board Meeting dated: February 4, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to comply with the applicable traffic regulations published by the Federal Highway Administration in order to establish intersection control and right-of-way compliance;

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 4<sup>th</sup> day of March, 2014 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 6 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 6 -2014  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Samara Court (CMK)	STOP	NORTH	Burr Road

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.

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.

2014-89

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 7 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: WASHINGTON DRIVE, CENTERPORT – STOP SIGN

Resolution for Town Board Meeting dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to comply with the applicable traffic regulations published by the Federal Highway Administration in order to establish intersection control and right-of-way compliance;

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 4th day of March, 2014 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 7 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 7 -2014  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

2014-89

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Washington Drive	STOP	SOUTH/EAST	Fleet's Cove Road/ Mill Dam Road/ Lone Oak Drive (CPT)

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.

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- 90

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 8 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: WOODBURY ROAD, HUNTINGTON - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: February 4, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking restrictions that allow for the relieving of congestion and improvement of sight distance at an intersection that is traveled by residents and businesses for varying purposes; 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 4th day of March, 2014 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 8 -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:

2014-90

LOCAL LAW INTRODUCTORY NO. 8 -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>
DELETE: Woodbury Road/East From 150 ft. south of Carley Ave to 140 ft. north of High St. (HUN)	No Parking	-----
ADD: Woodbury Road/East From 30 ft. south of Carley Ave to 140 ft. north of High St. (HUN)	No Parking	-----
Woodbury Road/East From 70 ft. north of Innsbruck Ct. to Innsbruck Ct.. (HUN)	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.

2014-90

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.

2014-91

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL INTRODUCTORY NO. 9 - 2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4, §4-1, SCHEDULE K RE: CASPIAN GROUP, LLC, 560 BROAD HOLLOW ROAD, MELVILLE, NEW YORK – PRIVATE PARKING FIELDS

Resolution for Town Board Meeting Dated: February 4, 2014

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

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

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code of the Town of in order to authorize local enforcement agencies to enforce regulations concerning handicapped parking and vehicles illegally parked in designated fire zones at a private parking field within the Town of Huntington; and

WHEREAS, pursuant 6 N.Y.C.R.R. § 617.5 (c)(16), (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 for the **4th** day of March, 2014 at 2:00 PM, at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, (Parking Fields); Section 4-1, (Private Parking Fields); Schedule K as follows:

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

LOCAL LAW INTRODUCTORY NO. **9** - 2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 4 (PARKING FIELDS), SECTION 4-1 (PRIVATE PARKING FIELDS)

Section 1. Amendment to Chapter 4 (Parking Fields), Schedule K of the Uniform Traffic Code of the Town of Huntington; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

\* \* \*

CHAPTER 4  
(PARKING FIELDS)

\* \* \*

SECTION 4-1 (PRIVATE PARKING FIELDS)  
SCHEDULE K

PARKING FIELDS	SCTM MAP NO.	REGULATIONS
<u>Caspian Group, Inc.</u> <u>560 Broad Hollow Rd.</u> <u>Melville, NY 11747</u>	<u>0400-265.00-02.00-011.000</u>	<u>Handicapped Parking/</u> <u>Fire Zone</u>
	* * *	

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2014 - 92

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 10-2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES), ARTICLE II (USE REGULATIONS AND RESTRICTIONS), §159-20 (BEHAVIOR AND CONDUCT) AND ARTICLE III §159-31 (PERMIT; APPLICATION AND ISSUANCE)

Resolution for Town Board Meeting dated: February 4, 2014

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

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

WHEREAS, Chapter 159 of the Code of the Town of Huntington governs the regulations and restrictions of recreational facilities within the Town of Huntington; and

WHEREAS, the Town board is desirous of amending the Town Code with regard to allowing the possession and consumption of beer or wine on Town of Huntington property; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 4<sup>th</sup> day of March, 2014, at 2:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending Chapter 159, (Recreational Facilities), Article II (Use Regulations and Restrictions), §159-20 (Behavior and Conduct) and Article III §159-31 (Permit; application and issuance) as follows:

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

LOCAL LAW INTRODUCTORY NO. 10- 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 159 (RECREATIONAL FACILITIES), ARTICLE II (USE REGULATIONS AND RESTRICTIONS), §159-20 (BEHAVIOR AND CONDUCT) AND ARTICLE III §159-31 (PERMIT; APPLICATION AND ISSUANCE)

Section 1. Chapter 159, (Recreational Facilities), Article II (Use Regulations and Restrictions), §159-20 (Behavior and Conduct) and Article III §159-31 (Permit; application and issuance) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 159 (RECREATIONAL FACILITIES)

\* \* \*

ARTICLE II (USE REGULATIONS AND RESTRICTIONS)

\* \* \*

§ 159-20 (Behavior and Conduct)

\* \* \*

A (2) Beer and wine may be served in designated areas pursuant to [permit of the Director] properly issued New York State Liquor Authority permit and prior approval by the Town Board Resolution as provided in § 159-31(L).

\* \* \*

ARTICLE III. (PERMIT FOR USE OF PARK FACILITIES)

\* \* \*

§159-31 (Permit; application and issuance)

- A. Whenever any group, league or organization requires the use of recreation or park facilities for a particular purpose, such as picnics, gatherings, league sports, exhibitions, meetings or special events [; or wants to serve beer or wine at designated picnic area], a permit is required from the Director for the specific use desired in specifically designated areas.

\* \* \*

[(4) Beer and Wine Permit; issued only for private events held at designated picnic areas and authorizes only the service and consumption of beer and wine. All applications must be duly notarized.]

\* \* \*

- D. When applicable, no permit shall be issued unless the applicant has obtained the approval of all governmental agencies having jurisdiction, including but not limited



2014 - 93

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED ON THE NORTH SIDE OF NYS ROUTE 25A IN CENTERPORT, NEW YORK, PURSUANT TO SECTION 201 OF THE EMINENT DOMAIN PROCEDURE LAW

Resolution for Town Board Meeting Dated: February 4, 2014

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board has determined that it would be in the public interest to acquire property located on the north side of NYS Route 25A immediately adjacent to Phragmites Park, Centerport, New York, bearing Suffolk County Tax Map Number 0400-044.00-04.00-001.000, for the purpose of adding the subject parcel to the existing park; and

WHEREAS, Section 204 of the Eminent Domain Procedure Law requires that within ninety (90) days after the conclusion of said public hearing the Town Board shall adopt and publish its findings and determinations with regard to the effects and purposes of the proposed acquisition; and

WHEREAS, it is necessary for the Town Board to hold a public hearing to consider the acquisition of the subject real property by Eminent Domain; and

WHEREAS, the scheduling of a public hearing is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review of the scheduling of a public hearing is required

NOW, THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 4<sup>th</sup> day of **March**, 2014, at **2:00 p.m.** at Town Hall, 100 Main Street, Huntington, New York, in order to inform the public and to review the public use to be served by the proposed public project and the impact on the environment and residents of the locality in connection with the acquisition of certain real property located in Centerport, New York, at which time all interested persons shall be afforded the opportunity to make objections and recommendations with regard to said acquisition; and

HEREBY DIRECTS that the Town Clerk shall follow all lawful procedures in accordance with Section 202 of the Eminent Domain Procedure Law.

TAO/GWD well 1 PH reso/1/15/2014

2014 - 93

VOTE                      AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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, § 156-60 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: February 04, 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 **4<sup>th</sup> day of March, 2014 at 2:00 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.

2014-94

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.

2014-94

**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(S)	ANNUAL REGISTRATION FEE
110	30 Essex Drive Northport	0400-002.00-01.00-002.000	Yusef Z. Yuceoglu Umur Yuceoglu 300 E. 33rd Street, Apt. 20A New York, NY 10016-9423	1/14/2014	\$2,500.00
111	1081 E. Jericho Tpke. Huntington	0400-210.00-01.00-081.003	1081 EJT LLC 1055 E. Jericho Tpke. Huntington, NY 11743	1/23/2014	\$2,500.00

2014-95

RESOLUTION APPROVING PUBLIC OFFICIAL BONDS NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the approval of public official bonds 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, pursuant to the provisions of §25 of Town Law and §11 Public Officers Law,

HEREBY APPROVES the official undertakings of:

Frank P. Petrone, Supervisor of the Town of Huntington  
Town of Huntington Blanket Insurance Policy;

Tracey A. Edwards, Councilwoman of the Town of Huntington  
Town of Huntington Blanket Insurance Policy;

Mark Cuthbertson, Councilman of the Town of Huntington  
Town of Huntington Blanket Insurance Policy;

Peter Gunther, Superintendent of Highways of the Town of Huntington  
Town of Huntington Blanket Insurance Policy;

HEREBY DIRECTS that said bonds be filed with the Clerk of the Town of Huntington nunc pro tunc.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING A DEPUTY TOWN ATTORNEY

Resolution for Town Board Meeting Dated: February 4, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

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:

THOMAS D. GLASCOCK  
15 Longview Court  
Huntington, New York 11743

As Deputy Town Attorney, effective March 1, 2014, for an annual salary not to exceed ONE HUNDRED AND FORTY THOUSAND DOLLARS (\$140,000).

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.

2014-97

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO CONTINUE TO RETAIN THE SERVICES OF LAPKOFF & GOBALET DEMOGRAPHIC RESEARCH, INC. AN EXPERT IN STATISTICAL ANALYSIS AND SOCIOLOGY

Resolution for Town Board Meeting Dated: February 4, 2014

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town has the need to solicit professional expertise in the matter of Fair Housing in Huntington Committee, et al v. Town of Huntington, et al; and

WHEREAS, Lapkoff & Gobalet Demographic Research, Inc. is a nationally recognized expert in statistical analysis and possesses the expertise necessary to provide statistical analysis and a report on behalf of the Town; and

WHEREAS, the Town has previously authorized the retention of Lapkoff & Gobalet Demographic Research, Inc. by Resolutions 2012-261 and 2010-187; and

WHEREAS, the Town Attorney for the Town of Huntington has indicated that the continued use of such expert services is required in the defense of this matter; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to continue to retain the expert services of:

LAPKOFF & GOBALET DEMOGRAPHIC RESEARCH, INC.  
2120 Sixth Street, #9  
Berkeley, California 94710-2204

As an expert for an amount not to exceed TWENTY THOUSAND DOLLARS AND NO/100 CENTS (\$20,000) from Operating Budget A-1420-4551 (Outside Professionals) and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS:      0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

**INFORMATIONAL SHEET FOR:  
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT  
MEETING DATED: FEBRUARY 4, 2014**

**COMMUNICATION**

**ACTION**

1. Letters received Certified Mail – Applying for Liquor Licenses:  
From: **NONE**

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
2. Letters received Certified Mail – Renewal for Liquor Licenses:  
From: Joseph Celano for La Casa Café;

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
3. Public Notice received from Incorporated Village of Laurel Hollow, Board of Zoning Appeals, Russell Mohr, Chairman for a Public Hearing on 1/28/2014 at 7:30 PM at Village Hall re: 1.) 416 Cold Spring Road – setback issues  
2.) 39 Woodvale Drive – disturb a slope 3.) 39 Woodvale Drive – setback issues.

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
  
4. Notification received from Kerri O'Brien, Deputy Commissioner of the New York State Liquor Authority regarding a hearing to be held on 1/23/2014, at 11:00 AM at 317 Lenox Avenue, NY, NY for Pancho Villas located at 311 New York Avenue Huntington. This establishment is located within a 500 foot radius of at least three other licensed and operating on-premises liquor establishments.

Supervisor  
Town Board  
Town Attorney  
Fire Inspector  
Public Safety  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
5. Letter received from Eastern Long Island Real Estate Brokers, signed by various brokers, regarding the water quality in our area. They are looking to work cooperatively with the TOWN to implement solutions to water quality challenges.

Supervisor  
Town Board  
Town Attorney  
Maritime Services  
Planning & Environment  
Community Development  
cc: Environmental Waste Mgmt
  
6. Notice of Public Hearing received from the Village of Northport Board of Zoning Appeals to be held on 1/29/2014 at 7:00 PM at Village Hall to consider the following:  
1) 240 Fort Salonga Road – variance to install generator 2) 40 Mariners Lane-variance 1<sup>st</sup> and 2<sup>nd</sup> story addition and porch 3) 50 Burr Avenue – variance to install generator 4) 505 Main Street- variance to install a generator 5) 23 Annetta Avenue-variance add a second story and legalize deck 6) 20 Mariners Lane – variance add dormer to garage and enclose existing deck.

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

7. Email received from Matthew Casamassima, neighbors of Ljiljana Mirjanic, expressing support of their application for a floating dock. The email was originally sent to the contractor who advised the writer to forward email to the Town.  
(Re: Board of Trustees')
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
8. Email sent from Richard B. Ward, Founding member of "PEN", Preserving Elwood Now. Attached was a letter, from "PEN", requesting the revocation of a Special Use Permit for Oak Tree Dairy in Elwood.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
9. Letter received from Andrew Freleng, Chief Planner for Suffolk County Planning, regarding Local File No: HU13-05 entitled "Freedoms Point Assisted Living Facility", Resolution No. ZSR-14-03 was adopted by the Commission at the 1/8/2014 meeting regarding this facility.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
10. Letter received from Kerri O'Brien, Deputy Commissioner of the New York State Liquor Authority, regarding an application from Blue Pacific Inc, d/b/a 110 Japan, located at 179 Walt Whitman Road, Huntington Station. There will be a Public Hearing held on January 30, 2014 at 11:00 am at 317 Lenox Avenue, NY, NY – 4<sup>th</sup> Floor. The hearing is being held because the premises is located within a 500 foot radius of at least three other licensed and operating on-premises liquor establishments.
- Supervisor  
Town Board  
Town Attorney  
Fire Inspector  
Public Safety  
Engineering Services  
Sewage Treatment Facility  
cc: Planning & Environment
11. Letter received from Thomas Brown, Chairman of the Huntington Fire District, attached were oaths of offices and proof of Surety Bond.
- Supervisor  
Town Board  
cc: Town Attorney
12. Email received from Loretta Guglielmino regarding the New York State Department of Environmental Conservation plan to eliminate the Mute Swan. Attached was a copy of the letter sent to the DEC regarding her opposition to this matter.
- Supervisor  
Town Board  
Town Attorney  
Maritime Services  
General Services  
cc: Planning & Environment
13. Emails received from Brian Hackett and Diane Todaro, Superintendent of Harborfields School District, regarding the sale of park property behind the Harborfields Public Library (re: Pickle Park).
- Supervisor  
Susan Berland, Councilperson  
Eugene Cook, Councilperson  
Town Attorney  
Parks & Recreation  
cc: Planning & Environment
14. Letter from Scott Frayler, Vice Chairman of the Zoning Board of Appeals, addressed to Supervisor Petrone, advising he is resigning his position effective 1/24/2014.
- Town Board  
Town Attorney  
cc: Planning & Environment
15. Legal Notice of Public Hearing to be held by the Board of Trustees for the Incorporated Village of Laurel Hollow, on February 11, 2014 at 7:30 PM regarding the following Introductory Local Laws  
1) A-2014 – Chapter 145 Zoning by adding Flag Poles  
2) B-2014 – Authorize the Board of Trustees to adopt a budget that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law section 3-C for the fiscal year commencing 6/1/2014.
- Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment

16. Email received from Tricia Otis regarding the dog park at the West Hills Park. The writer indicates that there is a vicious dog that attacks other dogs there. Ms. Otis indicates that no one is willing to help with this situation.
- Supervisor  
Town Board  
Town Attorney  
cc: Public Safety
17. Petition was hand delivered by Constance Scaglione. The petition submitted had 118 signatures. The petition is in opposition of any downzoning or change in zone for the R-10 zoned property known as the Wall/Appleridge property which is bordered by Old Northport Road on the south and East Main Street (25A) on the north at the intersection with Washington Drive.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
18. Emails received from Jane Irving regarding Pickle Park in Greenlawn behind the Harborfields Library. The writer would like this park to be preserved.
- Mark Cuthbertson, Town Council  
Town Attorney  
Parks & Recreation  
cc: Planning & Environment
19. Emails received from Katie Moore regarding Library Park in Greenlawn. The writer would like this park to be preserved.
- Town Attorney  
Parks & Recreation  
cc: Planning & Environment
20. Email received from Richard Koubek, PhD., President of the Huntington Township Housing Coalition, in support of accessory apartments that are legal, regulated and own occupied. The Coalition supports Councilwoman Berland's proposed amendment to the Town Code Chapter 198, Article 20 (Accessory Apartments).
- Supervisor  
Town Board  
Town Attorney  
Public Safety  
cc: Planning & Environment
21. Email received from Gloria Geluso Hannemann urging the Town of Huntington Open Space to purchase the community park behind the Harborfields Library.
- Supervisor  
Eugene Cook, Councilman  
Town Attorney  
Parks & Recreation  
cc: Planning & Environment
22. Memo received from Gail Devol, Village Administrator for Huntington Bay, regarding Board of Trustee Hearing to be held on 2/10/2014 at 7:30 PM at the Huntington Yacht Club for property located at 10 Crest Road – site plan review and steep slope. Copy of legal notice was attached.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
23. Email received from Loretta Guglielmino with a list of questions to be presented to the Town Board at the 2-4-2014. The questions are regarding the State of New York Department of Environmental Conservation's plan to remove Mute Swan from New York and especially Long Island.
- Supervisor  
Town Board  
cc: Town Attorney
24. Email received from Barry Sosnick regarding Pickle Park. The writer would like the Town to acquire the park. Attached were a map of Town of Huntington parks and copies of Resolution #'s 18 and 19 of the year 1992.
- Town Attorney  
cc: Parks & Recreation