

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

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

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

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilman	Mark Mayoka
Deputy Town Clerk	Luann Eldridge
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 5, 2013

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 10:57 P.M. Closed: 10:58 P.M.

7:00 P.M. – TOWN HALL

Opened: 7:11 P.M. Closed: 10:57 P.M.

(Resolutions #2013-38 to 2013-87)

HEARINGS:

ACTION

1. Solicit input about the Town's response to Hurricane Sandy.
(2012-M-58)

HEARING CONCLUDED

2. Consider awarding a franchise agreement to conduct 2013 youth sports programs for the Town of Huntington Department of Parks and Recreation.
(Re: US Sports Institute, Inc. for a period of two years)
(2013-M-2)

DECISION RESERVED

3. Consider awarding a franchise agreement to conduct science camps and programs for the Town of Huntington Department of Parks and Recreation.
(Re: Sciensational Workshop for Kids, Inc. for a period of two years)
(2013-M-3)

DECISION RESERVED

4. Reconsider the application of Seamus Coyle for a Certificate of Approval in a Historic District; Re: 114 Prime Avenue, Huntington – Mill Lane Historic District. (SCTM# 0400-071.00-02.00-083.000)
(2013-ZC-1-Ch. 198)

**APPLICATION DENIED
RESOLUTION #2013-70**

HEARINGS (Continued):

5. Consider adopting Local Law Introductory No. 1-2013, amending the Code of the Town of Huntington, declaring a ninety-day moratorium on the issuance of approvals, grants and/or conditional use permits by Town agencies
Re: construction or installation of wind turbines and related facilities.
(Local Law Introductory No. 1-2013)

ACTION

ENACTMENT
RESOLUTION # 2013-87

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - FP
Councilwoman Susan A. Berland - SB
Councilman Eugene Cook - EC
Councilman Mark A. Cuthbertson - MC
Councilman Mark Mayoka - MM

- | | | | | |
|-----------------|---|------------------|------------------|------------------|
| 2013-38. | AUTHORIZE the Supervisor to enter into an agreement with Maxim Healthcare Services, Inc. D/B/A Maxim Staffing Solutions to provide a substitute Licensed Practical Nurse for Camp Bright Star.
(Period: Execution through 12/31/2014) | <u>SB</u> | <u>MM</u> | <u>5</u> |
| 2013-39. | AUTHORIZE the Supervisor to execute an agreement with Suffolk County Department of Health Services for the provision of Drug Treatment and Prevention Services and Alternatives for Youth Services.
(Period: 1/1/2013 - 12/31/2013) | <u>MM</u> | <u>SB</u> | <u>EC</u> |
| 2013-40. | AUTHORIZE the Supervisor to execute a Memorandum of Understanding with the Suffolk County Department of Labor for the Summer Youth Employment Program and Out of School Work Experience Program. (Re: Project EXCEL; Period: 7/1/2013 -6/30/2017) | <u>SB</u> | <u>MM</u> | <u>5</u> |
| 2013-41. | AUTHORIZE the Supervisor to apply for and receive financial assistance from the New York State Department of Environmental Conservation from the Household Hazardous Waste (HHW) State Assistance Program. | <u>FP</u> | <u>MM</u> | <u>EC</u> |
| 2013-42. | AUTHORIZE the Supervisor to execute an agreement with Labor Educational and Community Services Agency, Inc. (LESCA), for an employee assistance program. (Period: 7/1/12 – 6/30/2014) | <u>FP</u> | <u>SB</u> | <u>5</u> |
| 2013-43. | AUTHORIZE the Supervisor to execute a contract for the Crab Meadow Watershed Hydrology Study and Stewardship Plan with GEI Consultants, Inc. (Period: Upon execution for a 12 month period) | <u>MC</u> | <u>MM</u> | <u>5</u> |
| 2013-44. | AUTHORIZE the Supervisor to execute a requirements contract for the repair of gasoline and diesel pumps and leak detection systems with Henrich Equipment Co., Inc. (Period: not prior to 3/13/2013 for 1 year) | <u>MM</u> | <u>EC</u> | <u>5</u> |
| 2013-45. | AUTHORIZE the Supervisor to execute a requirements contract for the bus services for various recreation programs with Huntington Coach Corporation and Coastal Charter Service Corp.
(Period: not prior to 3/13/2013 for 1 year) | <u>SB</u> | <u>MM</u> | <u>FP</u> |
| | | | | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-46. AUTHORIZE the Supervisor to execute a requirements contract for International truck repairs and parts with Syosset Truck Sales, Inc. and Komatsu heavy equipment repairs and parts with Edward Ehrbar, Inc. (Period: 1 year)	<u>MC</u>	<u>EC</u>	<u>5</u>
2013-47. AUTHORIZE the Supervisor to execute an extension to the requirements contract for heating, ventilation and air conditioning (HVAC) service, installation and maintenance, with Absolute Control HVAC Corp. (Re: Extension 1 year commencing 4/7/2013)	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-48. AUTHORIZE the Supervisor to execute an extension to the Townwide requirements contract for tree planting with Louis Barbato Landscaping, Inc. (Re: Extension effective 4/18/2013 for 1 year)	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-49. AUTHORIZE the Supervisor to execute an extension to the contract with David R. Maltz & Co., Inc. for the public auction of surplus items. (Re: Extension effective 4/21/2013 for 1 year)	<u>MM</u> <u>MC</u>	<u>SB</u>	<u>5</u>
2013-50. AUTHORIZE the Supervisor to execute an extension to the requirements contract for light and heavy duty manual transmission and rear differential, rebuild and repair with Drive Train Truck Parts, Inc. (Re: Extension effective 4/9/2013 for 1 year)	<u>MM</u> <u>MC</u>	<u>EC</u>	<u>5</u>
2013-51. AUTHORIZE the Supervisor to execute a service contract for video content management with Granicus, Inc. (Re: Period 1 year)	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-52. AUTHORIZE the Supervisor to execute a contract for engineering design services for necessary lighting upgrades at the South Parking Garage with Holzmacher, McLendon & Murrell, P.C.	<u>SB</u> <u>MC</u>	<u>MM</u>	<u>5</u>
2013-53. AUTHORIZE the Comptroller to amend the 2013 Operating and Capital Budget for the Town of Huntington and its Special Districts. (Re: Dix Hills Ice Rink and Soundview Marina)	<u>SB</u> <u>MC</u>	<u>MM</u>	<u>5</u>
2013-54. AUTHORIZE the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts- various departments.	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-55. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Raymond/Kathleen Battistoni, 28 Lorijean Lane, East Northport, SCTM# 0400-174.00-02.00-015.000, Chapter 87; Fernando Yard, 63 10 th Avenue, Huntington Station, SCTM# 0400-136.00-04.00-069.000, Chapters 133, 191; Ivy/Justin Grona, 60 West 10 th Street, Huntington Station, SCTM#0400-142.00-03.00-004.000, Chapters 133, 191; Jonathan/Jacqueline Scott, 1 Lemington Court, Northport, SCTM# 0400-003.00-02.00-002.000, Chapters 133, 156, 191)	<u>SB</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-56. AUTHORIZE the creation of a curbside E-Waste Recycling Program. (Re: Administered by the Department of Environmental Waste Management)	<u>FP</u> <u>SB</u>	<u>EC</u> <u>MM</u>	<u>5</u>
2013-57. ADOPT the recommendations of the Administrative Hearing Officer in the matter of the appeal of Eric F. Hecker d/b/a RBJ Foods, Inc. (Re: Application for Peddler’s or Solicitor’s License application). (Re: Approval recommended)	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-58. AMEND Town Board Resolution 2012-536 to correct a Scrivener’s Error. (Re: Holzmacher, McLendon, & Murrell P.C. –Huntington and Centerport Sewer Districts)	<u>MM</u>	<u>MC</u> <u>SB</u>	<u>5</u>
2013-59. AMEND Town Board Resolution 2012-504 scheduling regular meetings of the Town Board of the Town of Huntington for the Year 2013. (Re: Change June 2013 meeting from June 11, 2013 to June 4, 2013)	<u>FP</u>	<u>MC</u>	<u>5</u>
2013-60. APPOINT an Acting Assessor for the Town of Huntington. (Re: Roger Ramme)	<u>FP</u>	<u>SB</u>	<u>5</u>
2013-61. APPROVE the creation of a Melville Plan Advisory Committee (MPAC) to oversee both the issuance of an RFP to select a project consultant to prepare a Melville Employment Center Integrated Land Use, Circulation and Infrastructure Plan and the development of the plan. (Re: David Pennetta to serve as chairman and Mark Hamer, James T. Coschignano, Michael Deluise, Alissa Sue Taff, Mitchell Pally, Frank Pusinelli, Geoffrey Rick, Michael Pascucci, Paul Tonna, Seymour Liebman and Anthony Manetta as members)	<u>MC</u>	<u>MM</u> <u>SB</u>	<u>5</u>
2013-62. DECLARE May 18 through May 24, 2013 Town of Huntington Safe Boating Week.	<u>SB</u> <u>EC</u>	<u>FP</u>	<u>5</u>
2013-63. DIRECT the Public Information Officer to provide accurate and complete financial information on a timely basis for use by the citizens and the press.	<u>MM</u>	<u>EC</u>	Resolution Defeated 2-AYES (MM) (EC) 3-NOES (FP) (MC) <u>(SB)</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2013-64. ESTABLISH the Hurricane Sandy Emergency Review Task Force. (Members shall include: Each Town Board member shall designate a not-for-profit entity involved in emergency response operations and procedures; the Supervisor shall appoint Towns' Chief Fire Marshal, Emergency Preparedness Coordinators, Special Assistant to the Supervisor/Emergency Manager, Senior Harbor Master, Director of Public Safety, Director of General Services, Director of Human Services, a representative of the Highway Department Superintendent of the South Huntington School District, representative of the Family Service League and a representative of the YMCA; findings to be reported back to Supervisor Petrone by 5/1/2013)</p>	<p>FP MM MC <u>EC</u></p>	<p><u>SB</u></p>	<p><u>5</u></p>
<p>2013-65. EXTEND pilot use for on-leash dog walking at Frazer Drive Park as a component of a neighborhood watch effort and directing drafting of a potential Town Code amendment enabling designation of dog trails in Town parks. (Re: Draft to be completed by April 1, 2013)</p>	<p>MC <u>EC</u></p>	<p>MM <u>SB</u></p>	<p><u>5</u></p>
<p>2013-66. GRANT permission to Renaissance Downtowns, LLC for use of Huntington Station Commuter Parking Lot 22 in connection with its Saturday, March 23, 2013 Community Fest. (Time: 10:00 AM to 4:00 PM)</p>	<p><u>FP</u></p>	<p>EC <u>MM</u></p>	<p><u>5</u></p>
<p>2013-67. REAPPOINT and APPOINT members to the Affordable Housing Advisory Board. (Appoint: Elizabeth Hubbard; Reappoint: Kenneth Christensen, Richard Koubeck, and Trudy Fitzsimons)</p>	<p><u>FP</u></p>	<p>SB <u>MC</u></p>	<p>4-AYES (FP) (SB) (MC) (MM) 1-NO <u>(EC)</u></p>
<p>2013-68. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Robert/Leila Kea, 10 Keeler Street, Huntington, SCTM# 0400-114.00-04.00-012.000, Chapter 156 A; Bank of America, 51 East 13th Street, Huntington Station, SCTM# 0400-145-03-021.000, Chapter 156 A; Gerard/Patricia Teschmacher, 38 North Woodhull Road, Huntington, SCTM# 0400-73-3-15.004, Chapter 156 A & B; Charles McMorro, 4 Colby Court, Dix Hills, SCTM# 0400-252.00-02.00-045.000, Chapter 156 A & B; K2 LLC, 688-690 Deer Park Avenue, Dix Hills, SCTM# 0400-278.00-02.00-170.00, Chapter 156 A & B; Dix Hills Villas LLC, 686 Deer Park Avenue, Dix Hills, SCTM# 0400-278.00-02.00-171.000, Chapter 156 A & B; Theresa Muzio, 296 Main Street, Cold Spring Harbor, SCTM# 0400-066.00-01.00-023.000, Chapter 156 A & B; Peter/Ludmilla Kornfeld, 51 Longley Place, Huntington Station, SCTM# 0400-194-04-018.000, Chapter 156 B)</p>	<p><u>SB</u></p>	<p><u>MM</u></p>	<p><u>5</u></p>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-69. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 125 Main Street, Huntington – Old Huntington Green Historic District. (Applicant: The Old First Presbyterian Church) (SCTM# 0400-072.00-06.00-052.000)	<u>MM</u>	MC <u>EC</u>	4-AYES (MM) (MC) (EC) (FP) 1-ABST <u>(SB)</u>
MOTION TO ADD RESOLUTION #2013-70 AS A DENIAL.	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-70. ENACTMENT: DENY the issuance of a Certificate of Approval in a Historic District Re: 114 Prime Avenue, Huntington– Mill Lane Historic District. (Applicant: Seamus Coyle) (SCTM# 0400-071.00-02.00-083.000)	MC MM <u>SB</u>	FP <u>EC</u>	<u>5</u>
2013-71. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 2-2013, adding Chapter 156A to the Code of the Town of Huntington (Bamboo).	<u>SB</u>	<u>FP</u>	4-AYES (SB) (FP) (MC) (MM) 1-NO <u>(EC)</u>
2013-72. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM 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: Huntview Estates, LTD, 58 East 12th Street, Huntington Station, SCTM# 0400-145.00-01.00-085.001, Chapter 156 A; Elias Moragiemos, 43 West 22nd Street, Huntington Station, SCTM# 0400-194.00-03.00-052.00, Chapter 156 A; Diego Gutierrez/Laura Gomez, 54 Vondran Street, Huntington Station, SCTM# 0400-150.00-01.00-088.000, Chapter 156 A)	<u>SB</u>	<u>MM</u>	<u>5</u>
2013-73. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider adopting Local Law Introductory Number 3 - 2013, so as to revoke all of the Covenants and Restrictions previously recorded as part of the Zone Change Application #1970-ZM-012 of Long Island National Bank, and reestablishing Covenants and Restrictions for property located on the northwest corner of Pulaski Road and Cuba Hill Road, Greenlawn, SCTM #0400-105-02-027.	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-74. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider adopting Local Law Introductory No. 4 - 2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A.	<u>MC</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2013-75. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider adopting Local Law Introductory No. 5 - 2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G.</p>	<p>SB MC</p>	<p>MM FP</p>	<p>5</p>
<p>2013-76. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 6 - 2013 amending the Code of the Town of Huntington, Chapter 13 (Public Officials).</p>	<p>Resolution Defeated</p>		<p>2-AYES (EC) (MM) 3-NOES (FP) (MC) (SB)</p>
<p>2013-77. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider exempting the Dix Hills Fire District from Site Plan Review and the Town of Huntington Zoning Code as is necessary to build a Fire Training Building (SCTM #0400-278-02-181.001).</p>	<p>SB MM</p>	<p>EC</p>	<p>5</p>
<p>2013-78. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 6 Country Meadow Court, Melville – Sweet Hollow Historic District. (Applicant: Charles McGuffog) (SCTM# 0400-256.00-01.00-019.008)</p>	<p>SB</p>	<p>MM</p>	<p>5</p>
<p>2013-79. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 247 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: John Haight) (SCTM# 0400-027.00-03.00-016.000)</p>	<p>SB MC</p>	<p>MM</p>	<p>5</p>
<p>2013-80. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 356 West Hills Road, Huntington – Whitman Historic District. (Applicant: Charles Sherman) (SCTM# 0400-191.00-05.00-013.000)</p>	<p>MM</p>	<p>SB</p>	<p>5</p>
<p>2013-81. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider issuing a Certificate of Approval for an individually designated historic site Re: 389 West Hills Road, Melville –The Valentine House. (Applicant: Linda Kosefsky) (SCTM# 0400-232.00-05.00-011.000)</p>	<p>MC SB</p>	<p>MM</p>	<p>5</p>
<p>2013-82. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 478 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: Sunny Pond Farm, LLC) (SCTM# 0400-073.00-03.00-021.000)</p>	<p>SB MM</p>	<p>FP</p>	<p>5</p>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2013-83. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider authorizing the Town Board to execute a license agreement between the Dix Hills Water District and New Cingular Wireless PCS, LLC, successor in interest to Cellular Telephone Company, to maintain existing cellular antennas and equipment at the water tower located at Colby Drive, Dix Hills, New York.</p>	<u>MC</u>	<u>FP</u>	3-AYES (MC) (FP) (EC) 2-NOES (SB) <u>(MM)</u>
<p>2013-84. SCHEDULE A PUBLIC HEARING: April 9, 2013 at 7:00 PM To consider authorizing the Town Board to execute a license agreement between the Dix Hills Water District and New Cingular Wireless PCS, LLC, successor in interest to cellular telephone company, to maintain existing cellular antennas and equipment at the water tower located at Wolf Hill Road, Dix Hills, New York.</p>	<u>MC</u>	<u>FP</u>	3-AYES (MC) (FP) (EC) 2-NOES (SB) <u>(MM)</u>
<p>2013- 85. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider adopting Local Law Introductory No. 7 - 2013 amending the Code of the Town of Huntington, Chapter 64 (Town Attorney's Office, Department of) Section 64-4 (Powers and Duties).</p>	<u>MM</u>	<u>EC</u>	<u>5</u>
<p>2013-86. SCHEDULE A PUBLIC HEARING: March 5, 2013 at 2:00 PM To consider executing a license agreement with Developmental Disabilities Institute for the use of a Town of Huntington Parking Facility. (Re: Greenlawn Park; Monday through Friday from 7:30 AM until 4:30 PM; commencing on the date of the license agreement and ending 6/30/2013; also, an additional 30 parking spaces in the Broadway parking lot at Greenlawn Park, Monday through Friday from 7:30 AM until 4:30 PM, commencing on the date of the license agreement and ending on 3/31/2013)</p>	<u>SB</u>	<u>MM</u>	<u>5</u>
<p>2013-87. ENACTMENT: ADOPT Local Law Introductory No. 1-2013 amending the Code of the Town of Huntington declaring a one hundred and twenty-eight (128) day moratorium on the processing of applications, holding of public hearings, and issuance of approvals, grants and/or conditional use permits by Town agencies, departments and boards, Re: construction or installation of wind turbines and related facilities.</p>	<u>MC</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: FEBRUARY 5, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

013-CD3.	AUTHORIZE the Chairman to execute an extension to the contract with Israeloff, Trattner & Co. P.C., Certified Public Accountants, to conduct an independent audit for the fiscal year ending December 31, 2012. (Period: 1/1/2013 – 12/31/2013)			4-AYES (SB) (MM) (FP) (MC) 1-NO <u>(EC)</u>
		<u>SB</u>	<u>MM</u>	<u>(EC)</u>

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: FEBRUARY 5, 2013

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Xiong You Lin for Yokohama Asian Restaurant Inc. d/b/a/ to be determined (3082 E. Jericho Tpke, East Northport); From: Scott Bass for Scotty’s Bar (345 Main Street, Huntington); From: Xiao Fei Zheng for New Precious Chinese Cuisine Corp/ d/b/a to be determined (504 Larkfield Road, East Northport); From: Tina Golden for Galloping Friar (200 Larkfield Road, East Northport); From: David Peskin for Katasumi Sushi (1197 Walt Whitman Rd, Melville);

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: Jeffrey Beis for The Clubhouse; From: Andy Arvans for Sweet Hollow Diner; From: Lawrence Goodman for Huntington Village Tavern; From: Nery Menendez for El Triunfo Taverna; From: Gregory Black for Nag’s Head Ale House; From: Gary Shea for Loyal Order of Moose Huntington Lodge 318; From: Joyce Calor for Kickstart Saloon; From: Shing Yu for RJT Holding Co. LTD.; From: Charles O’Keefe for Pine Tree Inn; From: Danforth Knapp for Cold Spring Harbor Beach Club, Inc.; From: Andrew Barnikel for Father Thomas A. Judge Knights of Columbus;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Emails received in support of the acquisition of the two Gateway properties from: Nancy Berg and James Oszlak.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
4. Email received from Vincent Polese regarding the development of the Oak Tree Dairy property. The writer is opposed to the density of the current project.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Letter received from James Cameron, Founder of Preserving Elwood Now, attached were form letters opposed to the Engel Burman Group application for a zone change for the Oak Tree Dairy property located on Elwood Road in East Northport. The letters were from: L Hamann, Sal Santino, JoAnne Santino, Margaret Besen, Theresa Milana, Shannon Napolitano, Paul Napolitano, Nan Ricci, Jill Finkelstein Peter Vidulich, Albert Santuro, Robert Galati, C. Brian Wilson, Frederick Torns, Dorothy Redmond, Mary Mackenzie, William Mackenzie, William Young, George Putromutue, Dolores Albuquerque, Barbara Donovan, Timothy Baxley, Megan Franchi, Jeannine Iomo, Thomas/Therese Milana, Elizabeth Koerner, Alan Skawinski, Michael Pinto, Peter Daly, Christine Justincic, Denise Villemure, Kimberly Cameron, Carmine Marchese, Bette Berman, Adele Pagano, Camille Cesare, Barbara Stillway, Gene Mascari, Elizabeth Myers, Bart Muscal, Louis Grimaldi, Carolyn Sciarrino,

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

6. Post card received “strongly opposing the down zoning and over development of the Oak Tree Farms on Elwood Road, Elwood” from: Nicholas Ramerz, Frank/Concetta Tassone, Shirley Jung, Robert/Maureen Scarcello, Many/Frank Genovas, Lynda/David Hoffman, Paul/Shannon Napolitano, Philip Phelan, John Johnsen, Kay/Joe Massa, Gary/Celeste Russ, Bruce/Tracy/Amber Marx, Donna/Eric Vorrath, Gregory McDowell, Corinne Burdett, Adrienne Cotter, Martin Janchesan, John Chichester, Angelo/Wendi Stronieri, Vincent/Phyllis DePaola, Henry/Dolores McCormick, James Tate, Agnes/Gennaro Musi, Donald/Joan Donop, Richard McGrath, Henry/Linda DeMartino, Louis/Claire Sorg, Lynda/Joseph Romano, Gilbert/Anna Lorenz, Marie/Carl Tellarico, Theodore/Donna Diamond, Vincent Pecoraro, Catherine Curran, Deirdre /Frank Berenato, Ken Mady, Jennifer/Gian Marchesi, Jason/Lisa Benedetto, Caren/Barry Becker, Beatrice Minor, Elizabeth/Michael Savitsky, Richard/Donna Hardesty, Jean Nolin, Holly St. Pierre-Johns, Greg Johns, Joseph/Eileen Tarantino, David/Beverly Figelman, Joseph Anziano, Laura Daddona, Barry/Arlene Millman, Quenton/Anastazia Spencer, Robert/Stephanie Ferrari, Robert/Marion Schuler, Peter/Georgia Vrankovic, Janet Sharlun, Florence Sihksne, Joanne Schottnocki. Barbara/Tim Sheehan, Christine/Joseph Princiotta, Barbara Hermanns, Steve/Christine Mourelatos, Robert Mourelatos, Steven/Jennifer DeSousa, Maureen Maldonado, Nicholas/Jeanette Salmonese, David/Lori Prestipino, Michele/Carmine Marchese, Edward/Diane Wells, Stephanie/Ryan Raybuck, Eugene Maldonado, Nicholas/Mary Manas, Karen O’Donnell, John Fox, John Gembinski, Eric/Shannon Squires, Charles/Carolyn Angell, Patricia/Maurice Braver, Jose Badillo, Elaine/Terence Winter, Steven/Rachelle/Meredith Olster; Jane Schubert, Barbara Frederick, Mary Mosca, Noreen/William Miller, Angela/Jim Casano, Patricia/Jeffrey Matos, Jenine Saccente, Chris Fischer, Marie/Carl Tellarico, Joseph/Theresa Cama, Rocco Cassano Eileen Denn, Andrew/Michael Norton, Mary Norton, Patricia Barone, Susan/Andrew Whitcomb, Rosa Kazandjian, Patricia/Ronald VanTassell, Vasken Kazandjian, Angela Patelli, Nicole Conza, Rocco Labbato, A. Gierbolini, Richard Gierbolini, Gary Fierro, J. Keith Keck, Judith Ann Keck, Susan/Guilio Cianci, J/T. Murgolo. Helen Gorski and Theodore & G. Gosman.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
7. Letter received from Dr. Richard Koubek,, President of the Huntington Township Housing Coalition, regarding the draft 2012 Annual Action Plan. The Coalition supports the portion of the plan which emphasizes the pressing affordable housing needs for families with children.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
8. Letter received from Vincent Puleo, Smithtown Town Clerk, regarding a Public Hearing to be held on February 5, 2013 at 2:00 PM in Smithtown Town Hall, regarding amending certain Covenants and Restrictions for the Memorial Sloan Kettering Cancer Center, Inc. located in Commack.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
9. Letters received via hand delivery from Marie Rendely. A) Letter requesting the release of the Building Permit as per the decisions of the Supreme and Appellate Courts. B) Letter requesting the reasons why Mr. & Mrs. Rendely are escorted by Public Safety whenever they are in Town Hall. C) Letter address to Cindy-Elan Mangano, Esq. congratulating her on her appointment as Town Attorney and requesting her to issue the Building Permits that were authorized by the Supreme and Appellate Courts.
- Supervisor
Town Board
Town Attorney
Public Safety (B&C)
cc: Engineering Services (A&C)
10. Email received from Nancy Berg regarding Heckscher Park Tennis Courts. The writer indicates that the courts are in poor condition and difficult to use. She is inquiring as to whether repairs will be made prior to spring.
- Supervisor
Town Board
Town Attorney
General Services
cc: Parks & Recreation

11. Letter received from Susan Mullen, Clerk to the Smithtown Board of Zoning Appeals, regarding a hearing to be held on February 12, for property located at 8 Rockland Court, which is within 500' of the Town of Huntington property line. Copy of the application, memo from the Building Director, Short Environmental Assessment Form and copy of a map.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Letter from Dianne Rapczyk, Office Manager for the South Huntington Water District, was hand delivered. Enclosed were statement of collections, expenditures paid, cash balances and outstanding debt for the year ending December 31, 2012.

Supervisor
Town Board
Town Attorney
cc: Comptroller
13. Form letter received in opposition to the Engel Burman proposal for the Oak Tree Dairy site from Dr. & Mrs. David Figelman, Angela/Jim Casano, Steven Olster, Tom/Doreen McNiff, James Keck, Theresa Cama, Susan/Guilio Cianci.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
14. Form letter "Petition in Favor of: The Seasons at Elwood" expressing support of the proposed project for the Oak Tree Dairy site was submitted by: Lynda Tabachnick, and Mr. & Mrs. Arthur Glad.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Letter received from Jacob Goldstein regarding sump 67 which is near his home in Melville. The letter indicates that there are still two trees in the sump, which are over 100 feet tall that need to be removed. Writer indicates that if these trees fall during another storm, they will land on his home.

Supervisor
Town Board
Town Attorney
cc: Highway
16. Letter received from Eleanor and Louis Marinaccio in support of the Seasons at Elwood Engel Burman Group Project for the Oak Tree Dairy site.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Emails received from James Cameron, Co-Founder of Preserving Elwood Now, attached to each email was an individual letter to Supervisor Petrone, Councilman Cuthbertson, Councilman Berland, Councilman Mayoka and Councilman Cook thanking them for meeting with their group regarding the Engel Burman Project. The letter also invited them to the January 23, 2013group meeting.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Email received from Frank Knoll, advising that he is resigning from the Town of Huntington Harbors and Boating Advisory Council, effective December 2012.

Supervisor
Town Board
Town Attorney
cc: Maritime Services
19. Letter received from Joseph Fusaro, President of the Elwood Public Schools, regarding Change of Zone Application #2012-ZM-389, submitted by Engel Burman. The letter is addressed to Anthony Aloisio, the Director of Planning & Environment. The letter is requesting a response to various comments and questions as to how this change will affect the Elwood School District.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Form letters received in support of affordable housing. The letter refers to attendance at the Martin Luther King, Jr. interfaith service at the Suffolk Y-JCC. It urges the Town to amend the Accessory Apartment law to permit accessory apartment on a lot size five thousand square feet and with a frontage of at least fifty (50)linear feet. Letters received from: Marcia Specht, Deb Stevens, Kyle Weaving, Keenan Weaving, Roger Weaving, Jr., Diana Weaving, Alicia Lawrence, William Eriksen, Richard/Kathryn Koubek, Anabel Coner, Henry Whittelsey and Frances Whittelsey. Margaret D'Ambrosio,

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

21. Post card received in favor of the proposed development at the Oak Tree Farms site from Stephen and Barton Tannenbaum.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
22. Four letters received, via email, from Paula Zonin addressed to a) Supervisor Petrone, b) Councilpersons: Mark Cuthbertson, Susan Berland, Mark Mayoka, Eugene Cook c) Tax Receiver, Ester Bivona and d) Highway Superintendent, William Naughton. The letters are in opposition to the Engel Burman Group application for the Oak Tree Dairy site.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
23. Email received from Kevin J. O'Brien, Esq, of Murphy, Bartol & O'Brien, LLP the firm representing, AP Commack Road Service Station Corp. , located at 230 Commack Road, Commack. An application was filed for a Zone Change from a C-6 to C-11, they are requesting that a Public Hearing be scheduled.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
24. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning, regarding Town of Huntington Resolution #2013-35 (Wind Turbines, 90 Day Moratorium). The letter requests a representative of the Town of Huntington attend a meeting to be held on February 6, 2013 at the H. Lee Dennison Building where this matter will be discussed.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
25. Email received from James Oszlak regarding expanding Huntington's Sewer System. Included was an excerpt from Vision Long Island and Newsday regarding sewer systems.
- Supervisor
Town Board
Town Attorney
Planning & Environment
cc: Environmental Waste Management
26. Email forwarded by Councilman Cuthbertson's Office, from Susan Porzio, regarding the response to the recent storm. The writer is suggesting that there be a designated radio station in Suffolk that could broadcast information about all the towns, to provide residents with information when there is no power, no cell phone or internet access.
- Supervisor
Town Board
Town Attorney
cc: Highway
27. Email from Michael Gordon, resigning from the Harbor and Boating Committee.
- Supervisor
Town Board
Town Attorney
cc: Maritime Services
28. Emails received from a) Angela Patelli and b) Claire Stein supporting planned Public Hearing for term limits for Town Board members.
- Supervisor
Town Board
cc: Town Attorney
29. Letter received from Susan Racine, Secretary/Treasurer for the East Northport Fire District. Enclosed was a copy of the 2013 Certificate of Insurance on Treasurer's Bond for the Treasurer and Deputy Treasurer.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MAXIM HEALTHCARE SERVICES, INC. D/B/A MAXIM STAFFING SOLUTIONS TO PROVIDE A SUBSTITUTE LICENSED PRACTICAL NURSE FOR CAMP BRIGHT STAR

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, The Town is required to provide a Licensed Practical Nurse for Camp Bright Star as required by the New York State Sanitary Code Subpart 7-2 for Children's Camps; and

WHEREAS, Maxim Staffing Solutions can provide Licensed Practical Nurses on an emergency basis; and

WHEREAS, the Town of Huntington Parks and Recreation Department occasionally needs the services of a substitute Licensed Practical Nurse; and

WHEREAS, the Licensed Practical Nurses provided by Maxim Healthcare Services, INC. D/B/A Maxim Staffing Solutions can meet all the requirements of the New York State Sanitary Code subpart 7-2 for Children's Camps; and

WHEREAS, the Town agrees to pay Maxim Healthcare Services, INC. D/B/A Maxim Staffing Solutions \$46 (FORTY SIX DOLLARS) per hour when a Licensed Practical Nurse is needed for Camp Bright Star; and

WHEREAS, the execution of an agreement is not an action as defined by 6 N.Y.C.R.R. 671.2 (b), and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into an agreement with Maxim Healthcare Services D/B/A Maxim Staffing Solutions, 700 Veterans Memorial Highway, Suite 212, Hauppauge, NY 11788 to provide Licensed Practical Nurses for Camp Bright Star. The contract period shall be effective upon execution of the contract through December 31, 2014 with two 1 (one) year options to renew at the discretion of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-39

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN 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 5, 2013

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

and Seconded by: **COUNCILMAN COOK**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the County of Suffolk Department of Health Services setting forth the terms and conditions for the provision of Drug Treatment and Prevention Services and Alternatives for Youth Program Services for the period commencing January 1, 2013 and terminating December 31, 2013 in an amount not to exceed the sum of SIX HUNDRED FIFTY SEVEN THOUSAND THREE HUNDRED EIGHTY TWO AND NO/100 (\$657,382.00) to be charged to Operating Budget Item A3831 for budget period 2013 and upon such terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE SUFFOLK COUNTY DEPARTMENT OF LABOR FOR THE SUMMER YOUTH EMPLOYMENT PROGRAM AND OUT OF SCHOOL WORK EXPERIENCE PROGRAM

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Suffolk County Department of Labor desires to enter into a Memorandum of Understanding with the Town of Huntington for the purpose of placing young people in summer work experience sites and provide economically disadvantaged youth with paid work experience employment through the Youth Bureau's Project EXCEL, at no cost to the Town of Huntington; and

WHEREAS, the execution of such a memorandum of understanding is not an action as defined 6 N.Y.C.R.R., §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a Memorandum of Understanding with the Suffolk County Department of Labor for the purpose of placing young people in summer work experience sites and provide economically disadvantaged youth with paid work experience employment through the Youth Bureau's Project EXCEL, at no cost to the Town of Huntington for the term July 1, 2013 to June 30, 2017, and such upon such other terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-41

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA, COUNCILMAN COOK, COUNCILWOMAN BERLAND**

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, the Town maintains a permanent household hazardous waste disposal facility at the Town's Recycling Center that allows residents to safely dispose of their household hazardous wastes thereby protecting the health and safety of our drinking water and the environment, and

WHEREAS, the operation of this facility qualifies the Town to apply for this aid from the state which will potentially reimburse fifty percent of the costs incurred with the disposal of items collected at the Town's facility, and

WHEREAS, submitting this application 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 apply for and receive financial assistance from the New York State Department of Environmental Conservation for the Household Hazardous Waste Program and to execute any documents in connection therewith upon such terms and conditions as are acceptable to the Town Attorney

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH LABOR EDUCATIONAL AND COMMUNITY SERVICES AGENCY, INC. (LESCA), FOR AN EMPLOYEE ASSISTANCE PROGRAM

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, an employee assistance program gives the Town and its employees a means of handling and treating personal problems of employees which are adversely affecting their job performance; and

WHEREAS, by addressing and treating employees problems which cause poor productivity and excessive absenteeism, the program will save the Town expensive overtime costs, health insurance expense and workers compensation expenses; and

WHEREAS, this service has been provided by Labor Educational and Community Services Agency, Inc., pursuant to an agreement since 1987; and

WHEREAS, a service agreement for an employees assistance program is not an action as defined by 6NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Labor Educational and Community Services Agency, Inc., 390 Rabro Drive, Hauppauge, New York 11788 to provide an employee assistance program for the period July 1, 2012 through June 30, 2014, for a sum of FIFTY THOUSAND AND NO/100 (\$50,00.00) DOLLARS to be charged to budget items A1989.4180, B1989.4180, DB1989.4180, SR1989.4180, SS11989.4180 & SW11989.4180.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-43

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE CRAB MEADOW WATERSHED HYDROLOGY STUDY AND STEWARDSHIP PLAN WITH GEI CONSULTANTS, INC.

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington is desirous of contracting with a qualified consultant to conduct a comprehensive Crab Meadow Watershed Hydrology Study and draft a Stewardship Plan to guide future actions therein to maintain and enhance the environmental quality of the system, and to help mitigate non-point pollution impacts; and

WHEREAS, a Hydrology Study will provide the basis for a Stewardship Plan to derive water quality, wildlife habitat, and storm water remediation projects designed to lessen nonpoint source pollution impacts on the Long Island Sound and a Watershed Conditions Report shall characterize the system and identify important natural and manmade features that may require enhancements to best support this effort; and

WHEREAS, a Stewardship Plan will be derived with public input and working in association with the Town Board appointed Crab Meadow Watershed Citizens Advisory Committee; and

WHEREAS, sealed proposals were received on January 18, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Crab Meadow Watershed Hydrology Study and Stewardship Plan, RFP 2013-01-001 and the same were opened and read aloud; and

WHEREAS, GEI Consultants, Inc., 110 Walt Whitman Road, Suite 204, Huntington Station, New York 11746 is the successful, responsible proposer; and

WHEREAS, the Town Board authorized a Long Island Sound Futures Fund grant application to support the project, which was awarded a \$58,000.00 grant, and a grant agreement has been fully executed; and

WHEREAS, conducting studies and preliminary planning such as the Crab Meadow Watershed Hydrology Study and Stewardship Plan, is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(21), and therefore no further SEQRA review is required at this time.

NOW, THEREFORE

THE TOWN BOARD

2013-43

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with GEI Consultants, Inc. for the Crab Meadow Watershed Hydrology Study and Stewardship Plan. The contract period shall be effective upon the execution of the contract for a twelve (12) month period, for an amount not to exceed the sum of FIFTY-SEVEN THOUSAND NINE HUNDRED AND NO/100 (\$57,900.00) DOLLARS, to be charged to B 8020.4550, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 44

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE REPAIR OF GASOLINE AND DIESEL PUMPS AND LEAK DETECTION SYSTEMS WITH HENRICH EQUIPMENT CO., INC.

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, gasoline and diesel pumps and leak detections systems throughout the town require periodic maintenance and repair in order to comply with Suffolk County regulations. This annual requirements contract is for the repair and service of these systems, on an as needed basis, at various town facilities; and

WHEREAS, sealed bids were received on January 3, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the repair of gasoline and diesel pumps and leak detection systems, Bid No. TOH 13-01R-002 and the same were opened publicly and read aloud; and

WHEREAS, Henrich Equipment Co., Inc., 42 Field Street, West Babylon, New York 11704 is the lowest responsive, responsible bidder; and

WHEREAS the repair of gasoline and diesel pumps and leak detection systems is a Type II action under SEQRA, 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 Henrich Equipment Co., Inc. for the repair of gasoline and diesel pumps and leak detection systems. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not prior to March 13, 2013, and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various department operating budgets and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-45

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE BUS SERVICES FOR VARIOUS RECREATION PROGRAMS WITH HUNTINGTON COACH CORPORATION AND COASTAL CHARTER SERVICE CORP.

Resolution for Town Board Meeting Dated: February 5, 2013

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

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

WHEREAS, sealed bids were received on January 10, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the bus services for various recreation programs, Bid No. TOH 13-01-006 and the same were opened publicly and read aloud; and

WHEREAS, Huntington Coach Corporation, 1359 New York Avenue, Huntington Station, New York 11746 and Coastal Charter Service Corp., 14C Hawkins Avenue, Ronkonkoma, New York 11779 are the lowest responsive, responsible bidders; and

WHEREAS, bus service for recreation programs is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Huntington Coach Corporation and Coastal Charter Service Corp. for the bus services for various recreation programs. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before March 31, 2013 to be charged to A7140-4410, A7141-4410 and A7187-4410, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-46

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR INTERNATIONAL TRUCK REPAIRS AND PARTS WITH SYOSSET TRUCK SALES, INC. AND KOMATSU HEAVY EQUIPMENT REPAIRS AND PARTS WITH EDWARD EHRBAR, INC.

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the maintenance of Town trucks and heavy equipment is occasionally required in order to facilitate efficiency of services and prolong the life expectancy of the equipment and vehicles; and

WHEREAS, sealed bids were received on January 3, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the for the International Truck and Komatsu Heavy Equipment Parts and Repair, Bid No. TOH 13-01R-001 and the same were opened publicly and read aloud; and

WHEREAS, Syosset Truck Sales, Inc., 1561 Stewart Ave, Westbury, New York 11590 is the lowest responsive, responsible bidder for International truck repairs and parts and Edward Ehrbar, Inc., 4 Executive Plaza Suite 155, Yonkers New York 10701 is the lowest responsive, responsible bidder for Komatsu repairs and parts; and

WHEREAS, the purchase of International truck and Komatsu heavy equipment parts 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 Syosset Truck Sales, Inc. for the International truck parts and repairs and Edward Ehrbar, Inc for Komatsu heavy equipment parts and repair. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to be charged to various Operating Budgets of various departments of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-47

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 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

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 LIPA 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

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 second one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Absolute Control HVAC Corp. for HVAC service, installation and maintenance. The extension period shall be effective for one (1) year commencing on April 7, 2013 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.

2013-47

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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-48

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE TOWNWIDE REQUIREMENTS CONTRACT FOR TREE PLANTING WITH LOUIS BARBATO LANDSCAPING, INC.

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, under this contract, the Contractor shall furnish, plant and maintain trees and provide all necessary labor, equipment and materials; and

WHEREAS, Town Board Resolution 2011-87 authorized the execution of a contract with Louis Barbato Landscaping, Inc. for tree planting, Contract No. HWY 2011-01/O-E and Town Board Resolution 2012-102 authorized the first one (1) year extension; and

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

WHEREAS, Louis Barbato Landscaping, Inc., 1600 Railroad Avenue, Holbrook, New York 11741 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 an extension to the requirements contract, and any documents in connection and related therewith, with Louis Barbato Landscaping, Inc. for tree planting. The extension period shall be effective for one (1) year commencing on April 18, 2013, to be charged to Operating Budget Item No. DB 5140-2784, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-49

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT WITH DAVID R. MALTZ & CO., INC. FOR THE PUBLIC AUCTION OF SURPLUS ITEMS.

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, the Town wishes to expand the available audience of potential purchasers for the Town of Huntington's surplus and obsolete inventory items; and

WHEREAS, Town Board Resolution 2009-72 authorized the execution of a contract with David R. Maltz & Co., for the public auction of surplus items and the sale for scrap of vehicles not sold at auction after reasonable efforts; and

WHEREAS, said contract provides for three (3) one (1) year extension with no increase in the prices, or change in the terms and conditions. Town Board Resolution 2011-90 authorized the first one (1) year extension and Town Board Resolution 2012-103 authorized the second one (1) year extension; and

WHEREAS, David R. Maltz & Co., Inc., 155 Terminal Drive, Plainview, New York 11803 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 an extension to the contract, and any documents in connection and related therewith, with David R. Maltz & Co., Inc. for the public auction of surplus items and the sale for scrap of vehicles not sold at auction after reasonable efforts, for a term of one (1) year commencing on April 21, 2013, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-50

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

Resolution for Town Board Meeting Dated: February 5, 2013

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

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

WHEREAS, Town Board Resolution 2012-50 authorized the execution of a contract with Drive Train Truck Parts, Corp. for light and heavy duty manual transmission and rear differential, rebuild and repair , Bid No. TOH 12-01R-004; and

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

WHEREAS, Drive Train Truck Parts Corp., 763 Blue Point Road, Holtsville, New York 11742 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for light and heavy duty manual transmission and rear differential, rebuild and repair. The extension period shall be effective for one (1) year commencing on April 9, 2013 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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A SERVICE CONTRACT FOR VIDEO CONTENT MANAGEMENT WITH GRANICUS, INC

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: SUPERVISOR PETRONE

WHEREAS, public access to video and audio recordings of Town meetings and events is an increasingly important method of ensuring government transparency; and

WHEREAS, transmission of video content to a growing number of web-enabled devices as well as long-term storage, archiving, and retrieval of digital video recordings involves technical expertise and technology that can most effectively and economically be provided on a contractual basis under which video servers and related hardware is owned, managed, maintained and upgraded by the service provider; and

WHEREAS, an evaluation team consisting of the Town's Information Technology department and the Office of the Supervisor was assembled to solicit and evaluate proposals by qualified video content management service providers; and

WHEREAS, Granicus, Inc., 600 Harrison Street, Suite 120, San Francisco, CA, 94107, an acknowledged leader in the video content management service field, has been recommended by the evaluation team as the Town's preferred service provider; and

Whereas, the execution of this 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 contract, and any documents in connection and related therewith, with Granicus, Inc. for the provision of Video Content Management Services. The contract period shall be effective upon the execution of the contract for a period of one year with an option at the sole discretion of the Town of Huntington for two (2) one-year renewals, for an amount not to exceed the sum of Nine Thousand Five Hundred AND NO/100 (\$9,500) DOLLARS per year and upon such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Interim Comptroller to amend the 2013 Capital and Operating Budget and transfer \$4,750 from Trust & Agency Account TA0085-K0001 (Cablevision, Inc.) and \$4,750 from Trust & Agency Account TA0085-K0009 (Verizon New York, Inc.) as follows:

2013-51

Increase Revenue:

A2770-2770 Unclassified \$9,500

Increase Appropriation:

A1680-4570 Service Contracts \$9,500

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR ENGINEERING DESIGN SERVICES FOR NECESSARY LIGHTING UPGRADES AT THE SOUTH PARKING GARAGE WITH HOLZMACHER, MCLENDON & MURRELL, P.C.

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, The Town of Huntington South Parking Garage at the LIRR Huntington Station Terminal currently has a lighting system that is in disrepair. Necessary, ongoing structural concrete repairs on the parking lot decks have resulted in large areas with no lighting. Temporary emergency lighting has been provided. A permanent lighting solution is needed; and

WHEREAS, The Department of Engineering Services requires the services of a professional engineering firm to perform an analysis of the existing lighting system and prepare public bid documents to rehabilitate; and

WHEREAS, The Department of Engineering solicited proposals from six (6) local professional engineering firms; and

WHEREAS, On February 1, 2013 proposals from qualified engineering firms were received and reviewed by the Director of Engineering Services for the aforementioned design services; and

WHEREAS, Holzmacher, McLendon & Murrell, P.C. submitted the most cost effective proposal to complete the required services for the Town; and

WHEREAS, the electrical lighting design services for the Town of Huntington LIRR South Parking Garage is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Holzmacher, McLendon & Murrell, P.C. residing at 575 Broad Hollow Rd, Melville, to provide engineering design services for necessary lighting upgrades at the South Parking Garage for an amount not to exceed the sum of eighteen thousand six hundred and seventy five dollars (\$18,675.00), to be charged to Capital Budget Item No. EG5997 2104 12311, and authorizes the Director of Engineering to execute change orders with an aggregate value up to 5% of the design services fee, upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-52

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING & CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, the Town Board would like to appropriate funds for the installation of a new air conditioning compressor at Dix Hills Ice Rink that is energy efficient that will save on utility costs; and

WHEREAS, the Town Board would like to appropriate funds for the replace of floating docks at Soundview Marina that were approved in the 2013 Capital Budget; 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, funds would be appropriated from Fund Balance without incurring any additional debt service payments for principal and interest and therefore be cost beneficial to the Town of Huntington taxpayers; and

WHEREAS, the funding of these capital projects in lieu of bonding is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(2), (c)(20) and (c)(25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2013 Operating and Capital Budget as follows:

Increase the following revenue account:

A0599R	Appropriated Fund Balance	\$165,000
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Increase the following appropriations:

EG7197-2103	Building Improvements	\$ 100,000
MS7197-2103	Land Improvements	\$ 65,000

VOTE: AYES: 5 NOES:0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: February 5, 2013

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

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 6 N.Y.C.R.R. 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2013 Operating Budget as follows:

Reinstate the following positions:

A-1415-1100	Clerk Typist	\$31,908
A-3310-1100	Senior Clerk Typist	36,632
A-3510-1100	Animal Control Officer I	46,104
A-3510-1100	Kennel Attendant	31,615
A-7116-1100	Heavy Equipment Operator II	36,407
B-3620-1100	Fire Marshall I	52,980
B-8036-1100	Ordinance Enforcement Officer	60,922
DB-5110-1100	Heavy Equipment Operator II	62,231
DB-5110-1100	Highway Crew Leader III	74,965
DB-5110-1100	Labor Crew Leader I	68,812
DB-5110-1100	Tree Trimmer I	65,641
DB-5130-1100	Auto Mechanic III	49,919

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Create the following positions:

A-1680-1100	Media Development Specialist	\$36,632
A-7116-1100	Heavy Equipment Operator II	36,407
SR-8158-1100	Refuse Laborer	33,968

Abolish the following position:

SR-8158-1100	Heavy Equipment Operator II	(\$62,231)
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Adjust the following Appropriations:

A-1990-1100	Contingency	(\$219,073)
A-6410-1150	Permanent Part Time	(36,632)
B-1990-1100	Contingency	(113,902)
DB-1990-1100	Contingency	(321,568)
SR-1990-1100	Contingency	28,263

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: February 5, 2013

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

And seconded by: **SUPERVISOR PETRONE**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>SUMMONS</u>	<u>MAILING ADDRESS</u>
28 Lorjean Ln. E. Northport, NY 11731	0400-174.00-02.00-015.000	Raymond Battistoni Kathleen Battistoni	11/07/2012	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>
63 10 th Ave. Huntington Sta., NY	0400-136.00-04.00-069.000	Fernando Yard	01/16/2013	N/A
60 West 10 th St. Huntington Sta., NY	0400-142.00-03.00-004.000	Ivy Grona Justin Grona	01/23/2013	N/A
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott Jacqueline Scott	01/25/2013	N/A

Chapter 156, Section 45A of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott Jacqueline Scott	01/25/2013	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>
63 10th Ave. Huntington Sta., NY	0400-136.00-04.00-069.000	Fernando Yard	01/16/2013	N/A
60 West 10th St. Huntington Sta., NY	0400-142.00-03.00-004.000	Ivy Grona Justin Grona	01/23/2013	N/A
1 Lemington Ct. Northport, NY 11768	0400-003.00-02.00-002.000	Jonathan Scott Jacqueline Scott	01/25/2013	N/A

RESOLUTION AUTHORIZING THE CREATION OF A CURBSIDE E-WASTE RECYCLING PROGRAM

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone

COUNCILWOMAN BERLAND

and seconded by: **COUNCILMAN COOK, COUNCILMAN MAYOKA**

WHEREAS, e-waste is the term for any discarded electronic appliances such as computers, televisions, computer peripherals and certain small electronic equipment; and

WHEREAS, the New York State Electronic Equipment Recycling and Reuse Act will enact a disposal ban on January 1, 2015 that will prohibit any consumer from disposing of certain electronic equipment in landfills or waste-to-energy facilities; and

WHEREAS, the Town recognizes that removal of these covered electronics from the waste stream will protect the environment by removing toxins such as lead, mercury and cadmium; and

WHEREAS, the Town has successfully operated a drop-off site for e-waste recycling at the Town of Huntington Recycling Center since 2005 which removed over 153 tons of e-waste from the waste stream in 2012; and

WHEREAS, the Town believes that it will collect substantially more e-waste if, in addition to the drop-off site, it provides residents with the ability to have their electronic waste collected curbside by appointment and has existing staff, equipment and infrastructure to do so; and

WHEREAS, the creation of a curbside e-waste collection program for electronics covered by the New York State Electronic Equipment Recycling and Reuse Act satisfies the intent of the law twenty-two months before the state mandate; and

WHEREAS, creation of a curbside e-waste collection program 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 creation of a curbside e-waste collection program administered by the Department of Environmental Waste Management.

2013-56

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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE APPEAL OF ERIC F. HECKER d/b/a RBJ FOODS, INC. (RE: APPLICATION FOR PEDDLER'S OR SOLICITOR'S LICENSE APPLICATION)

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the appellant, Eric F. Hecker, d/b/a RBJ Foods, Inc., 7 Lavern Drive, Middle Island, New York 11953, requested an appeal hearing regarding the denial of their Town of Huntington Peddler's or Solicitor's License pursuant to Huntington Town Code Chapter 149-6.A (1) & (4); and

WHEREAS, pursuant to Huntington Town Code Section 149-13 (B), an appeal hearing was held on January 28, 2013, before an administrative hearing officer who has recommended, in a written decision dated January 28, 2013 that the application to obtain a Peddler's License be granted and in addition regarding the Peddler's License Application and for a period of five years, due to the aforementioned hearing, testimony and evidence proffered, a further hearing on this specific matter need not be repeated; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(20) and (29) and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ADOPTS the recommendations of the administrative hearing officer in the Matter of the Appeal of Eric F. Hecker, d/b/a RBJ Foods, Inc. 7 Lavern Drive, Middle Island, New York 11953, as per Exhibit "A" attached hereto 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
Councilman Mark Mayoka			AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-57



100 Main Street
Huntington, NY 11743

Phone: (631) 351-3042
Fax: (631) 351-3032
<http://HuntingtonNY.gov>

TOWN ATTORNEY

January 28, 2013

CINDY ELAN-MANGANO

Members of the Town Board
Town of Huntington
100 Main Street
Huntington, New York 11743

Re: ERIC F. HECKER d/b/a RBJ FOODS, INC.
Peddler's License Denial - Appeal Hearing

Members of the Board:

After hearing the testimony and reviewing the evidence presented by the Town Clerk's Office at the above referenced hearing, I find that the Town Clerk was justified in her denial of the appellant's application. The original denial of the application was based upon the appellant's disclosure in the license application of a prior criminal history. However, such denial should be overridden.

On or about 2003, Mr. Hecker entered a plea for a crime and was subsequently sentenced to a period of incarceration. While incarcerated, Mr. Hecker successfully completed drug and alcohol rehabilitation and continues to receive support to this day by attending Alcoholics Anonymous. Mr. Hecker has been clean and sober for over four (4) years. Furthermore, on or about 2007, Mr. Hecker received a Certificate of Relief from Civil Disabilities which was presented at the hearing.

Additionally, Mr. Hecker has attended all required classes from Suffolk County to receive his licenses for a food server as well as his son, who will be assisting him. His food truck has been inspected and licensed for food service as well. He has not been denied any license for food service and has satisfied me that he should be granted a Peddler's License in the Town of Huntington.

Based upon all the evidence presented at the hearing, it is my recommendation that the Town Board approve Eric F. Hecker's application.

It is further recommended that the Board make a provision that future applications for renewal of this Peddler's License be subject to the disclosure of this crime on its applications, the Town Clerk be empowered to grant such license extensions and applications to said Eric Hecker and RBJ Foods, Inc. without the need for future action as res judicata.

Very truly yours,

Eric Sachs / kls
ERIC SACHS
A.L.J.



ES/lc

Litigation papers are NOT to be served by FAX except by express prior written permission

2013-58

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2012-536 TO CORRECT
A SCRIVENER'S ERROR

Resolution for Town Board Meeting Dated: February 5, 2013

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

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

WHEREAS, Resolution 2012-536 authorized the execution of an agreement with Holzmacher, McLendon & Murrell P.C. to provide annual engineering retainer services for 2013 for the Huntington and Centerport Sewer Districts; and

WHEREAS, an error was made in stating the combined total cost of the agreement in the original resolution; and

WHEREAS, correction of a scrivener's error 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 execution of an agreement with Holzmacher, McLendon, & Murrell P.C., 575 Broad Hollow Road, Melville, New York 11747 for annual engineering retainer services for 2013 for the Huntington and Centerport Sewer Districts for an amount not to exceed the sum of FORTYFIVE THOUSAND NINE HUNDRED AND NO/100 (\$45,900.00) DOLLARS to be charged to Operating Budget Items SS1-8131.4550 (\$13,420.00), WM8197-2780.SM001 (\$30,000.00) and SS2-8132.4550 (\$2,480.00) and upon such other terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-59

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2012-504
SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF
HUNTINGTON FOR THE YEAR 2013

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, scheduling regular meetings of the Town Board are not actions as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AMENDS Town Board Resolution 2012-504 scheduling regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2013, as follows:

7:00 PM

JUNE

[11th] 4th

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING AN ACTING ASSESSOR FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the appointment of personnel 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, pursuant to the New York State Real Property Law §310

HEREBY APPOINTS

Roger Ramme
32 Grove Place
Northport, NY 11768

as Acting Assessor until a permanent Assessor is appointed, at an hourly rate of \$100 and annual salary not to exceed the sum of THIRTY THOUSAND DOLLARS AND NO/XX (\$30,000.00) effective Monday, February 11, 2013; and

WHEREAS, the Supervisor is currently receiving resumes and interviewing for a permanent Assessor; and

WHEREAS, the Acting Assessor will administer the duties of the Assessor pursuant to the New York State Real Property Law §310

HEREBY AUTHORIZES the Comptroller to amend the 2013 Operating Budget as follows:

Reinstate the following position:

A-1355-1150	Acting Assessor	\$30,000
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Adjust the following Appropriations:

A-1990-1100	Contingency	\$30,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION TO APPROVE THE CREATION OF A MELVILLE PLAN
ADVISORY COMMITTEE (MPAC) TO OVERSEE BOTH THE ISSUANCE OF AN RFP TO
SELECT A PROJECT CONSULTANT TO PREPARE A MELVILLE EMPLOYMENT
CENTER INTEGRATED LAND USE, CIRCULATION AND INFRASTRUCTURE PLAN
AND THE DEVELOPMENT OF THE PLAN

Resolution for Town Board Meeting dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson

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

WHEREAS, the Town of Huntington's Comprehensive Plan Update, Horizons 2020 adopted in January 2009 offered a recommendation that the Town of Huntington commit to "Develop an integrated land use/infrastructure plan for Melville" within the range of 2-5 years from the date of plan adoption, and

WHEREAS, by resolution dated September 5, 2012 the Planning Board recommended to the Town Board that the Town Board:

- (1) Fund the preparation of a Melville Employment Center Integrated Land Use, Circulation and Infrastructure Plan, and
- (2) Establish a committee of Melville stakeholders including commercial and residential property owners, area developers and real estate brokers, government officials and community service providers to prepare and submit an RFP to solicit consultant proposals for the plan, and
- (3) Task the committee with the responsibility of overseeing the selected consultants in the development of the plan in conjunction with the Planning Department and the Town Board, and

WHEREAS, by resolution dated September 12, 2012, the Town Board authorized the Comptroller to establish a Capital Project Account to fund the proposed plan by transferring \$200,000 from TA-0085-K0025 to account PL1997-2103-02904, and

WHEREAS, the aforementioned resolution authorized the Supervisor to create a Melville Plan Advisory Committee (MPAC), subject to Town Board approval, to oversee both the issuance of an RFP to select a project consultant and the actual preparation of the plan, and

WHEREAS, the preparation of studies and plans to examine land use and traffic issues within a designated area is a Type II action in accordance with SEQRA, 6 NYCRR Part 617.5 (c) (18 & 21),

NOW THEREFORE BE IT RESOLVED, that the following individuals are hereby appointed to the MPAC: David Pennetta, Oxford & Simpson Realty; Mark Hamer, Harvest

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Real Estate Services; James T. Coschignano, Melville Fire District; Michael Deluise, Melville Chamber of Commerce; Alissa Sue Taff, Sweet Hollow Civic Association; Mitchell Pally, MTA; Frank Pusinelli, RXR Realty; Geoffrey Rick, NYS Department of Transportation; Michael Pascucci, WLNY-TV; Paul Tonna, Energeia Partnership; Seymour Liebman, Canon USA; Anthony Manetta, Suffolk County IDA

AND BE IT FURTHER RESOLVED, that David Pennetta is designated to serve as Chairman of the MPAC:

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-62

RESOLUTION TO DECLARE MAY 18 THROUGH MAY 24, 2013 TOWN OF HUNTINGTON SAFE BOATING WEEK.

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilwoman Berland
COUNCILMAN COOK

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, in a continuing effort to promote boating safety in the Town of Huntington the Greater Huntington Council of Yacht and Boating Clubs has proposed the first annual Town of Huntington Safe Boating Week; and

WHEREAS, the Town of Huntington Boating Safety Week will coincide with National Safe Boating week beginning on May 18th through May 24th 2013; and

WHEREAS, the proposed Town of Huntington Boating Safety week will be comprised of free courtesy boating safety equipment inspections, an 8-hour New York State Boating Safety Course and a nautical flea market, among other events; and

WHEREAS, it is the desire of the Huntington Town Board to continue to be proactive in supporting safe boating initiatives; and

WHEREAS, declaring a Boating Safety Week 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 DECLARES May 18th through May 24th 2013 Town of Huntington Safe Boating week; and

HEREBY DIRECTS the Department of Maritime Services and Harbor Master's office to assist the Greater Huntington Council of Yacht and Boating Clubs in coordinating a boating safety class and assisting with all boating safety initiatives.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

*Date: January 25, 2013
Subject: Safe Boating Week
Department of Maritime Services
EC/HVA/tg*

2013-63

RESOLUTION DEFEATED

RESOLUTION DIRECTING THE PUBLIC INFORMATION OFFICER TO PROVIDE ACCURATE AND COMPLETE FINANCIAL INFORMATION ON A TIMELY BASIS FOR USE BY THE CITIZENS AND THE PRESS

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilman Mayoka

and seconded by: **COUNCILMAN COOK**

WHEREAS, on August 6, 2002 the Town Board adopted Local Law No. 28-2002 entitled Fair, Open and Accountable Government; and

WHEREAS, the Town Board found that fair, open and accountable government greatly improves the quality of government activities, increases resident involvement and best serves the public interest; and

WHEREAS, Local Law No. 28-2002 does not require that the Public Information Officer for the Town of Huntington comply with both the letter and spirit of all applicable state and local laws that promote fair, open and accountable government; and

WHEREAS, the Public Information Officer for the Town of Huntington is a vital source of information to the general public which must be accurate and complete including but not limited to financial information about the Town; and

WHEREAS, in furtherance of the Town Board's stated desire to provide fair, open and accountable government it is necessary and proper to require that the Public Information Officer provide accurate and complete financial information, on a timely basis, for use by citizens and the press; and

WHEREAS, the Public Information Officer, who at times is considered the Town's spokesperson, must exercise due diligence before disseminating information concerning the Town's fiscal or financial matters by either consulting with an independent auditor(s) engaged by the town, the audit committee or an identifiable, independent third party CPA with expertise in governmental accounting to obtain assurance that the information to be released is accurate and complete; 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 BE IT RESOLVED

THE TOWN BOARD requires the Public Information Officer for the Town of Huntington exercise due diligence before disseminating information to the general public concerning the Town's fiscal or financial matters to insure that the information is accurate and complete.

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VOTE: AYES: 2 NOES: 3 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY DEFEATED.

RESOLUTION TO ESTABLISH THE HURRICANE SANDY EMERGENCY
REVIEW TASK FORCE

Resolution for Town Board Meeting dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson
Councilman Mayoka
Councilman Cook

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Hurricane Sandy wreaked havoc and devastated portions of the northeast, including Long Island, early on October 29, 2012. The storm came ashore as a post-tropical cyclone with hurricane-force winds. The storm became the largest Atlantic hurricane on record; and

WHEREAS, in anticipation of the storm, Supervisor Petrone ordered the immediate implementation and coordination of Towns' emergency preparedness procedures (Towns' All Hazard Emergency Operation Plan), opened the Emergency Operations Center and declared a State of Emergency for the Town of Huntington commencing October 27, 2012; and

WHEREAS, Supervisor Petrone, as the Town's Chief Coordinating Officer and Incident Commander established communications with our partners: local (villages), county (FRES), state, (Office of Emergency Management) and federal (FEMA) as well as our emergency response partners: all Town Fire Departments, Emergency Services and Police; and

WHEREAS, Supervisor Petrone is desirous to establish a Task Force to be charged with the review and critique of emergency operations, response and recovery operations by the Town in response to Hurricane Sandy; and

WHEREAS, amending the 2013 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. § 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board HEREBY AUTHORIZES the creation of the Hurricane Sandy Emergency Review Task Force, chaired by the Towns' Planning Department and comprised as follows: Each Town Board member shall designate a not-for-profit entity involved in emergency response operations and procedures. The Supervisor shall appoint the following positions to serve on the Task Force: Towns' Chief Fire Marshal, Emergency Preparedness Coordinators, Special Assistant to the Supervisor/Emergency Manager, Senior Harbor Master, Director of Public Safety, Director of General Services, Director of Human Services, a representative of the Towns' Highway Department, Superintendent of the South Huntington School District, representative from the Family Service League,

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representative from the YMCA. The Task Force shall report back to Supervisor Petrone by May 1, 2013 with its findings.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-65

RESOLUTION EXTENDING PILOT USE FOR ON-LEASH DOG WALKING AT FRAZER DRIVE PARK AS A COMPONENT OF A NEIGHBORHOOD WATCH EFFORT AND DIRECTING DRAFTING OF A POTENTIAL TOWN CODE AMENDMENT ENABLING DESIGNATION OF DOG TRAILS IN TOWN PARKS

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson, **COUNCILMAN COOK**

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

WHEREAS, on May 8, 2012 the Town Board authorized a pilot program of on leash dog walking on a designated pathway at Frazer Drive Park in Greenlawn, responding to petitions requesting such opportunity as a component of a community watch effort; and

WHEREAS, the program has been well received by community residents that walk their dogs at the site and there have been no further criminal incidents reported at Frazer Drive Park since the program inception, which allows adults to observe activities within the park to deter adverse activities; and

WHEREAS, a successful pilot program could potentially become permanent and be replicated in other Town parks if a Town Code amendment could enable specific designation of on leash dog trails as appropriate; and

WHEREAS, extension of the pilot on leash dog walking program appears warranted and is not an action pursuant to SEQRA as it involves no physical alteration of the park; and

NOW THEREFORE, BE IT RESOLVED,

THE TOWN BOARD hereby authorizes continuation of the pilot program of on leash dog walking on a designated pathway at Frazer Drive Park for an additional six (6) months to commence upon approval of this resolution; and

BE IT FURTHER

RESOLVED, that working with the Huntington Greenway Trails Committee and with the input of the Directors of General Services, Public Safety and Parks and Recreation, the

2013-65

Open Space Coordinator is assigned to draft a Town Code amendment for on leash dog trail designation in Town parks by April 1, 2013, which shall be the subject of further public review.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-66

RESOLUTION GRANTING PERMISSION TO RENAISSANCE DOWNTOWNS, LLC
FOR USE OF HUNTINGTON STATION COMMUTER PARKING LOT 22 IN
CONNECTION WITH ITS SATURDAY, MARCH 23, 2013 COMMUNITY FEST

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN COOK, COUNCILMAN MAYOKA**

WHEREAS, Renaissance Downtowns, LLC, 1266 New York Avenue, Huntington Station, NY, 11746 is organizing a Community Fest on Saturday, March 23, 2013 from 10:00 a.m. until 4:00 p.m.; and

WHEREAS; the purpose of the event is to raise further community awareness of Renaissance as Master Developer for Huntington Station and to encourage additional resident participation at its SourceTheStation.com website designed to engage public participation in Huntington Station's ongoing revitalization; and

WHEREAS, the event will include games, food and organizations that represent the very best that Huntington Station has to offer; and

WHEREAS, granting permission for use of a municipal parking lot 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.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to Renaissance Downtowns, LLC, 1266 New York Avenue, Huntington Station, NY 11746 for use of Huntington Station commuter parking lot 22 in connection with its Saturday, March 23, 2013 Community Fest from 10:00 a.m. until 4:00 p.m. and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION REAPPOINTING AND APPOINTING MEMBERS TO THE AFFORDABLE HOUSING ADVISORY BOARD

Resolution for the Town Board Meeting dated: February 5, 2013

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND, COUNCILMAN CUTHBERTSON**

WHEREAS, one vacancy exists on the Affordable Housing Trust Fund Advisory Board due to a resignation; and

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

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS the following individual to the Affordable Housing Advisory Board to fill one vacancy for the term to expire as indicated:

	<u>Term Expires</u>
Elizabeth Hubbard (HTHC) 27 Mallard Drive, Huntington, N.Y. 11743	12/31/13

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

	<u>Term Expires</u>
Kenneth Christensen (HTHC) 86 Cuba Hill Road, Greenlawn, N.Y. 11740	12/31/14
Richard Koubeck (HTHC) 10 Randolph Drive, Dix Hills, N.Y. 11740	12/31/14
Trudy Fitzsimons (HTHC) 2 Camlon Court, Huntington, N.Y. 11740	12/31/14

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VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 68

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 5, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, on December 18, 2012 by Town Board Resolution 2012-563 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight thereon; and

WHEREAS, those properties whose owners have 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 8, 2013; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule A to this Resolution; and

HEREBY DIRECTS the Director of General Services to maintain records of all costs and expenses in connection with the abatement of the blight conditions and to provide same reports to the Town Attorney for determination as to the amounts to be assessed against the properties listed on Schedule A to this Resolution; and

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

Actions by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 63	10 Keeler Street Huntington, NY 11743	0400-114.00-04.00-012.000	Robert & Lella M. Kea 10 Keeler Street Huntington, NY 11743	8-Aug-12	\$2,500.00
Exhibit 64	51 East 13th Street Hunt. Station NY 11746	0400-145-03-021.000	Bank of America 301 E. Vanderbilt Way, Suite 350 San Bernardino, CA 92408	17-Aug-12	\$2,500.00
Exhibit 73	38 North Woodhull Rd. Huntington, NY 11743	0400-73-3-15.004	Gerard & Patricia Teschmacher 38 North Woodhull Rd Huntington, NY 11743	10/19/2012	\$2,500.00
Exhibit 74	4 Colby Court Dix Hills, NY 11746	0400-252.00-02.00-045.000	Charles F. Mc Morrow 4 Colby Court Dix Hills, NY 11746	10/24/2012	\$2,500.00
Exhibit 75	688-690 Deer Park Ave. Dix Hills, NY 11746	0400-278.00-02.00-170.00	K2 LLC 640 Johnson Ave, Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 76	686 Deer Park Ave. Dix Hills, NY 11746	0400-278.00-02.00-171.000	Dix Hills Villas LLC 640 Johnson Ave. Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 77	296 Main Street Cold Spring Harbor, NY 11724	0400-066.00-01.00-023.000	Theresa Muzio 8 Sumter Avenue East Williston NY 11596	5/4/2012	\$2,500.00

SCHEDULE A

2013-68

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

Actions by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 72	51 Longley Place Huntington Stat. NY 11746	0400-194-04-018.000	Peter & Ludmilla Kornfeld 5 Longley Place Huntington Station NY 11746	10/3/2012	\$2,500.00
Exhibit 73	38 North Woodhull Rd. Huntington, NY 11743	0400-73-3-15.004	Gerard & Patricia Teschmacher 38 North Woodhull Rd Huntington, NY 11743	10/19/2012	\$2,500.00
Exhibit 74	4 Colby Court Dix Hills, NY 11746	0400-252.00-02.00-045.000	Charles F. McMorrow 4 Colby Court Dix Hills, NY 11746	10/24/2012	\$2,500.00
Exhibit 75	688-690 Deer Park Ave. Dix Hills, NY 11746	0400-278.00-02.00-170.00	K2 LLC 640 Johnson Ave, Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 76	686 Deer Park Ave. Dix Hills, NY 11746	0400-278.00-02.00-171.000	Dix Hills Villas LLC 640 Johnson Ave. Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 77	296 Main Street Cold Spring Harbor, NY 11724	0400-066.00-01.00- 023.000	Theresa Muzio 8 Sumter Avenue East Williston NY 11596	5/4/2012	\$2,500.00

SCHEDULE B

2013-68

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
Exhibit 53	2370 New York Ave. Huntington NY 11743	0400-239.00-02.00-023.005	Tyrell A. Edwards 32 Amsterdam St. Huntington NY 11743	11-Jun-12
Exhibit 55	30 Pearwood Drive Hunt. Station NY 11746	0400-138.00-01.00-051.000	Charles & Francesca Bowen 26 Saxon Street Melville, New York 11747	11-Jun-12

SCHEDULE C

2013-69

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 125 MAIN STREET, HUNTINGTON—OLD HUNTINGTON GREEN HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN CUTHBERTSON, COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 8th day of January, 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of The Old First Presbyterian Church, 125 Main Street, Huntington, NY 11743, for a Certificate of Approval to install four (4) telecommunications antennae and eight (8) new louver panels in the steeple of the church building located at 125 Main Street, Huntington, NY, bearing Suffolk County Tax Map # 0400-072.00-06.00-052.000, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of The Old First Presbyterian Church for a Certificate of Approval.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-70

ENACTMENT: DENY THE ISSUANCE OF A CERTIFICATE OF APPROVAL IN A HISTORIC DISTRICT
RE: 114 PRIME AVENUE, HUNTINGTON – MILL LANE HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 5th day of February 2013, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Seamus Coyle, 155 New York Avenue, Huntington, NY 11743 for a Certificate of Approval to erect a 3-bay service station with unfinished second floor for storage on property in the Mill Lane Historic District located at 114 Prime Avenue, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-071.00-02.00-083.000, in accordance with plans dated November 15, 2010; and upon all the information presented on the application at the public hearings held January 10, 2012 and February 5, 2013 and due deliberation having been had, and

HAVING DETERMINED, based on the testimony given and documentation presented at the aforesaid public hearings, that the proposed building would have an adverse impact on the historic character of the Mill Lane Historic District because the proposed use of the building is not compatible with the historic residential character of the district, as set forth more fully forth in the Findings of Fact annexed and attached hereto and made a part hereof as Schedule "A,"

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"

FINDING OF FACT

The Town Board created the Mill Lane Historic District as a means of protecting a small enclave of old residential homes from the commercial development that surrounds them. At its widest point the residential neighborhood is less than 500 feet wide. The adjacent developed commercial properties have frontage on New York Avenue or Wall Street. The Town identifies in the Horizons 2020 Comprehensive Plan that appropriate transitional uses between commercial and residential development include higher-density residential uses and small-scale offices. The proposed auto repair use is not an appropriate transitional use, and it does not fit in with the historic character of the neighborhood. The potential impacts from auto repair uses, which include noise, odors, and parking lot overflow, are so significant that the Town only allows auto repair as a permitted use (without special use permit or use variance) in one zoning district, the C-11 Automotive Service Station District. This is a zone that has not been mapped by the Town except in response to zone change applications filed by applicants, and it has not been applied to properties that were not already occupied by gasoline service or auto repair service stations. All of the properties zoned C-11 are on arterial roads with commercial strip zoning. The subject property is a poor location for an auto repair station because of its location in a historic district where the other buildings are wood-framed structures built and occupied as residences. The residential existing buildings are close to the street, while the proposed auto repair garage is at the back of the property. The repair garage proposed the commercial storage of vehicles at the front portion of its property. The commercial parking area would be striped like any commercial parking lot. As such it would be the only commercial parking lot in the historic district. Inasmuch as there are no other commercial parking lots within the district, and the proposed lot is at the front of the property, highly visible to adjacent residents and the public, it not in keeping with the residential character of the historic district.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 2- 2013, ADDING CHAPTER 156A TO THE CODE OF THE TOWN OF HUNTINGTON (BAMBOO)

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE

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

WHEREAS, when invasive forms of bamboo migrate over a property line to adjoining property it can cause thousands of dollars of damage to the landscape design or natural habitat being maintained on adjacent properties; and

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

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

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 9th day of April, 2013, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adding to the Code of the Town of Huntington, Chapter 156A (Bamboo); as follows:

LOCAL LAW INTRODUCTORY NO. 2-2013 AMENDING THE CODE OF THE TOWN OF HUNTINGTON BY ADDING CHAPTER 156A (BAMBOO)

CHAPTER 156A (BAMBOO)

Section 1. Amendment to the Code of the Town of Huntington by adding a new Chapter 156A (BAMBOO) as follows:

CHAPTER 156A

BAMBOO

§156A-1. Purpose and Intent

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The purpose of this Chapter is to preserve and protect private and public property from the damaging spread of certain running bamboo grasses, protect indigenous plant materials from the invasive spread of running bamboo and maintain the general welfare of the residents of the Town of Huntington.

§156A-2. Definitions:

(A) Bamboo:

(1). "Running bamboo" hereinafter defined as any tropical or semi-tropical grasses with monopodial (leptomorph) rhizome (root) systems which typically send off rhizomes far away from the plant including, but not limited to, the following plant genera Arrow Bamboo, Arundinaria, Bambusa, Chimonobambusa, Common Bamboo, Golden Bamboo, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella, and Semiarundinaria.

(2). "Clumping bamboo" hereinafter defined as any tropical or semi-tropical or sympodial (pachymorph) grasses which typically send off rhizomes near the base of the plant, including, but not limited to, Bambusa, Chusquea, Dendrocalamus, Drepanostachyum, Fargesia, Himalayacalamus, Otatea, Thamnocalamus, Thyrostachys and Yushania.

(B). "Bamboo Owner". Any property owner or resident who has planted and/or grows Bamboo, or who maintains Bamboo on the property, or who permits Bamboo to grow or remain on the property even if the Bamboo has spread from an adjoining property. Any property owner or resident at whose property Bamboo is found will be considered a Bamboo Owner, except any property owner or resident who:

(1) Did not plant or grow or cause Bamboo to be planted or grown on his property, and

(2) Has provided satisfactory proof to the Town of Huntington that, within a reasonable period of time after discovering the encroachment of Bamboo onto the property from an adjoining or neighboring property, advised the owner of such property of an objection to the encroachment of the Bamboo, and

(3) Has initiated steps for the removal of the Bamboo from the property, including remedies at law.

§156A-3. Presumption. In the event Bamboo is found to have encroached, spread, invaded or intruded upon any other property or right of way, said species shall be presumed to be classified as "running bamboo." This presumption shall be rebuttable.

§156A-4. Applicability. For the purposes of this Section, Bamboo found growing upon a property shall constitute presumptive evidence that the Bamboo was planted and/or grown by and/or with the consent of the Bamboo Owner.

§156A-5. Prohibition. Upon the effective date of this provision the planting of "running bamboo" shall be prohibited within the Town of Huntington. Any person who thereafter plants or causes to be planted any such "running bamboo" within the Town of

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Huntington shall be deemed to be in violation of this Section and shall be subject to such penalties as are set forth hereunder.

§156A-6. Duty to confine bamboo. In the event any species of Bamboo is located upon any property within the Town of Huntington, the owner or occupant of said property shall confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other property or right of way.

§156A-7. Regulation. Any Bamboo that has been planted or otherwise permitted to grow on any property within the Town of Huntington prior to the effective date of this Section may remain on such property subject to compliance with this Section.

(A). Bamboo shall not be planted, maintained or otherwise be permitted to exist within 10 feet of the edge of the pavement or traveled portion of any public roadway in the Town of Huntington, and

(B). Any Bamboo Owner whose property contains Bamboo shall remove and abate the growth of the Bamboo within 10 feet of the edge of the pavement or traveled portion of a public road in the Town of Huntington, and

(C). Each Bamboo Owner shall be responsible to ensure that the Bamboo planted or growing on the property prior to the effective date of this Section does not encroach or grow upon any adjoining or neighboring property or properties, including all public property and Town of Huntington right-of-ways, and

(D). Each Bamboo Owner shall be required to take such measures as are reasonably expected to prevent such Bamboo from invading or growing onto adjoining or neighboring properties. Such measures shall include, but not be limited to, installation of sheathing impenetrable by Bamboo at a sufficient depth within the property line or lines where the running bamboo is planted or is growing to prevent the growth or encroachment upon adjoining or neighboring property by the Bamboo, and

(E). The Town Board may from time to time prescribe such rules and regulations as may be necessary to give effect to this Section.

§156A-8. Removal from Town Property.

(A). Notice. In the event that Bamboo growing on a Bamboo Owner's property invades or grows on an adjoining or neighboring property that is owned or held on behalf of the Town of Huntington or its Trustees, the Director of Public Safety on behalf of the Town of Huntington or its Trustees shall notify the Bamboo Owner in writing that the Bamboo has invaded the Town of Huntington property and that the Bamboo Owner is responsible for the removal of such bamboo from the Town of Huntington property within 30 days. Such period may be extended for good cause shown, as long as it can be demonstrated that remedial measures have been started and the delay is not under the control of or due to the actions of the person to whom the notice has been issued. The Bamboo Owner shall be liable and responsible to the Town of Huntington for all costs incurred in

removing the bamboo from the Town of Huntington property. Such costs may be assessed against the property of the Bamboo Owner.

(B). Service of the notice. The notice shall be served either personally in accordance with the CPLR or by registered or certified mail, return receipt requested, and addressed to the property owner at the last address shown on the most current assessment roll of the Town Assessor and/or Receiver of Taxes, or to the owner's agent at the last known address, or to the occupant of the property, or person having a vested or contingent interest in the property as shown on the most current assessment roll of the Town Assessor and/or Receiver of Taxes. A copy of the notice shall also be posted at the Bamboo Owner's property.

(C). Action upon noncompliance. Upon the failure, neglect or refusal of such owner, agent, or person or business entity occupying the premises to remove, remedy or abate the bamboo nuisance within the specified period of time; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, the Director of Public Safety may refer the matter to the Administrative Hearing Officer appointed by the Town Board for further action. The Administrative Hearing Officer shall conduct a hearing concerning the premises within fifteen (15) days of receipt of a referral from the Director of the Department of Public Safety.

(D). Administrative Hearing. Upon referral to the Administrative Hearing Officer, the Public Safety Department code enforcement officer shall present a report on the status of the property where the bamboo nuisance is alleged to exist; the owner and/or agent of the owner of the affected property shall have the opportunity to present relevant evidence to the Administrative Hearing Officer, with or without legal counsel. A record shall be kept of such hearing including without limitation all documentary evidence presented together with a record of the testimony offered by any witnesses, who shall be duly sworn by the Administrative Hearing Officer prior to offering testimony. The decision of the Administrative Hearing Officer shall be issued within fifteen (15) days of the last day of the hearing conducted, thereon, and, it shall be filed with the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original notice was served by regular mail and by registered or certified mail, return receipt requested, within five (5) days of the date of the decision.

(E). Action of the Administrative Hearing Officer. The Administrative Hearing Officer appointed by the Town Board, may direct the Bamboo Owner whose property has caused the bamboo nuisance to remove, remedy or abate the bamboo nuisance within thirty (30) days of receipt of a copy of the decision of the Administrative Hearing Officer, and upon the failure, neglect or refusal of such person or business entity to comply with the decision of the Administrative Hearing Officer, the Director of Public Safety may direct Town personnel, to remove, remedy or abate the nuisance, by whatever means deemed necessary or proper by the Town, at the expense of the property owner, or his agent and/or the occupier of land. A copy of the Public Safety Director's directive to Town personnel to proceed shall be mailed by certified or registered mail, return receipt requested, and addressed to the property owner at the last address shown on the most

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current assessment role on file in the Office of the Town Assessor and/or the Receiver of Taxes, or to the owner's agent at the last known address, and/or to the person or business entity occupying the land at the location of the property.

(F). Removal of the nuisance. Upon the failure, neglect or refusal of the owner, his agent, or person, or business entity occupying the premises to remove, remedy or abate such nuisance within the period provided by the decision of the Administrative Hearing Officer, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, Town personnel may enter the property, upon reasonable notice, and take all necessary action to remove or abate the nuisance at the expense of the property owner, his agent, or occupier of the land as set forth in this article.

(G). Any person or business entity who resists, obstructs or impedes the agents, servants, officers and/or employees of the Town of Huntington in the remediation or removal process shall be in violation of this article and shall be subject to the fines and penalties provided herein.

(H). Liability for the costs of removal and/or abatement. The property owner, or his agent, and/or person or business entity who occupies the land shall be liable for the direct and indirect costs of abating the nuisance and all expenses incidental thereto, including but not limited to, an administrative fee equal to twenty-five (25%) percent of the total cost of said removal, remediation and/or disposal process. Said administrative fee is intended to reimburse the Town for the monies and time expended by its employees in abating the nuisance and collecting the sums due, including but not limited to, notifying the appropriate party, certifying the amounts due to the Town, and/or charging same against the property.

(I). The costs incurred by the Town as set forth herein shall be certified by the Director of each Town department providing services and the Town Attorney shall mail written notice of such costs by certified or registered mail, return receipt requested, to the owner of the premises at the last address shown on the most current assessment role on file in the Office of the Town Assessor, or to the owner's agent at the last known address, and/or to the occupier of the premises at the location of the property. Said notice shall further state that upon the failure of the property owner, his agent, and/or occupier to pay such sums within ten (10) days of receipt of such written notice by cash, certified or bank check, or money order, shall be sufficient cause to add the amount due to the tax bill without further notice.

(J). Recovery of costs and tax lien. In the event the property owner, his agent and/or the occupier of the land fails, refuses and/or neglects to pay the monies due and owing to the Town within said ten-day period, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, such certification of costs shall be provided to the Town of Huntington Tax Receiver who shall cause the costs as shown thereon to be charged against such lands without further notice. The amount so charged shall forthwith become a lien against such lands and shall be added to and become part of the taxes next to be

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assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.
§156A-9. Replanting Prohibited. Any Bamboo either planted or caused to be planted or existing on a property prior to the effective date of this Chapter may not be replanted or replaced in kind once such running bamboo is or has become, for any reason, dead, destroyed, uprooted or otherwise removed.

§156A-10. Penalties for offenses.

(A) Any person or corporation violating any provisions of Chapter 156A-5 and 156A-9, prohibiting the planting and/or replanting of running bamboo shall be deemed guilty of a violation and, upon conviction, by a fine of \$1,000.00. Each month's continued violation shall constitute a separate additional violation.

(B) Any person or corporation violating any provisions of Chapter 156A-6, 156A-7 and 156A-8 prohibiting the maintaining, growing or failure to remove running bamboo in violation of these regulations shall be deemed guilty of a violation and upon conviction, by a fine of \$250.00 to \$500.00. Each month's continued violation shall constitute a separate additional violation.

(C) The penalty provisions of this section shall not take effect for a 6 month period following the date this Local Law is filed in the Office of the Secretary of State of the State of New York.

Section 2. Severability.

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

Section 3. Authority.

The Town Board is vested with the authority to make these amendments by local law pursuant to Municipal Home Rule Law §20 and §130.

Section 4. Effective Date.

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

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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 5, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

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

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

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

WHEREAS, 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 **5th day of March, 2013 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.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 78	58 E. 12th Street Hunt. Station NY 11746	0400-145.00-01.00-085.001	HuntView Estates, LTD Donald & Joyce Rose P.O.BOX 2311 Halesite, NY 11743	4-Dec-12	\$2,500.00
Exhibit 79	43 West 22nd Street Hunt. Station NY 11746	0400-194.00-03.00-052.00	Elias Moragiemos 43 West 22nd Street Hunt. Station NY 11746	11-Dec-12	\$2,500.00
Exhibit 80	54 Vondran Street Hunt. Station, NY 11746	0400-150.00-01.00-088.000	Diego Gutierrez and Laura Gomez 54 Vondran Street Hunt. Station NY 11746	17-Dec-12	\$2,500.00

SCHEDULE A

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 3-2013, SO AS TO REVOKE ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION #1970-ZM-012 OF LONG ISLAND NATIONAL BANK, AND REESTABLISHING COVENANTS AND RESTRICTIONS FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF PULASKI ROAD AND CUBA HILL ROAD, GREENLAWN, SCTM# 0400-105-02-027.

Resolution for Town Board Meeting dated: February 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the zone change application of Long Island National Bank, #1970-ZM-012, was approved by the Town Board on July 28, 1970 subject to the filing of a Declaration of Covenants and Restrictions on the property; and

WHEREAS, the Declaration of Covenants and Restrictions was filed in the Suffolk County Clerk's Office in Liber 6833 Page 303 on November 4, 1970 in accordance with the Town Board Resolution; and

WHEREAS, the property owner would like to demolish the existing bank with two drive-through lanes and construct a new bank with four drive-through lanes, which requires relief from one of the covenants that requires stacking lanes for ten vehicles per drive-through window, since this requirement cannot be met on the property and it is in excess of current Town site plan requirements; and

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

WHEREAS, this action does not meet the criteria of any Type I or Type II actions in accordance with SEQRA, 6 NYCRR Parts 617.4 & 617.5, and therefore it is classified as an Unlisted action; and

WHEREAS, the Town Board has coordinated the EAF Part I submitted with the application with all involved and interested agencies, and since no objections have been received and thirty (30) days has elapsed, the Town Board has now been established as Lead Agency; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so the SEQRA review is not required to be completed at this time;

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NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 9th day of April, 2013, at 7:00 pm at Huntington Town Hall, New York, to consider adopting Local Law Introductory Number 3-2013, revoking all of the Covenants and Restrictions previously recorded as part of the zone change application #1970-ZM-012 of Long Island National Bank, and reestablishing Covenants and Restrictions for property bearing SCTM# 0400-105-02-027 as follows:

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

LOCAL LAW INTRODUCTORY NO. 3 -2013
REVOKING ALL OF THE COVENANTS AND RESTRICTIONS PREVIOUSLY
RECORDED AS PART OF THE ZONE CHANGE APPLICATION #1970-ZM-012
OF LONG ISLAND NATIONAL BANK,
AND REESTABLISHING COVENANTS AND RESTRICTIONS

Section 1. Deleting all existing Covenants and Restrictions for zone change application #1970-ZM-012 and reestablishing new Covenants and Restrictions on SCTM# 0400-105-02-027, as follows:

- (1) All prior Covenants and Restrictions are hereby revoked.
- (2) The use of the property shall be limited to the permitted uses for the zone as listed in Town Code Section 198-24(A).
- (3) The building coverage shall not exceed five percent (5%) of the lot area.
- (4) Building setbacks of not less than 45 feet from Pulaski Road and not less than 30 feet from Cuba Hill Road shall be maintained.
- (5) Parking shall be provided at the rate of one space for every 100 square feet of gross floor area, except that the Planning Board has the discretion to require landbanking of up to half of the required parking spaces if it determines that the required number of parking spaces is excessive.
- (6) Any new buildings shall be designed to resemble the original bank building which blends into the surrounding residential neighborhood.

These modifications are subject to the filing of revised Covenants and Restrictions as set forth herein. All such Covenants and Restrictions shall be submitted to the Town Attorney by the applicant for approval as to form and substance prior to filing, and upon such approval, to be filed in the Office of the Suffolk County Clerk at the owner or

applicant's sole cost and expense. Proof of such filing shall be provided by the applicant to the Town Attorney, Director of Planning, and Huntington Town Clerk.

All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-74

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 4 -2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

Resolution for Town Board Meeting dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: Councilman Mayoka

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 which is necessary to handle an increased capacity in traffic and provide the orderly movement of said traffic; 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 5th day of March, 2013 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 4 -2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE I, §2-1, SCHEDULE A.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 4 -2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

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

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

*Walt Whitman Rd, Canon Entrance, Melville – Traffic Signal - Public Hearing
Transportation & Traffic Safety/bt
2/6/2013 1:22 PM*

**TOWN OF HUNTINGTON
DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY
TRAFFIC REPORT**

DATE: January 23, 2013 ENTRY NO. 1233

SUBJECT: Traffic Signal

LOCATION: Walt Whitman Road at Canon Entrance, Melville

REQUEST: The Department of Transportation & Traffic Safety seeks to add a traffic signal at the intersection of Walt Whitman Road at the entrance to Canon America Headquarters in Melville.

GENERAL: In 2009, Greenman-Pedersen Inc. (GPI) conducted a traffic impact analysis on behalf of the Town of Huntington to determine whether the headquarters of Canon America located on Walt Whitman Road in Melville would have an effect on future road conditions. It was determined that the additional volume of traffic entering and exiting the new facility warranted the installation of a traffic signal to control the increased capacity in traffic.

RECOMMENDATION: The Town of Huntington Department of Transportation and Traffic Safety recommends that the Town Board schedule a public hearing to consider amending the Uniform Traffic Code as follows:

Under Chapter 2, Traffic Regulations; Article I, Traffic Control Signals; §2-1, Installation of Traffic Control Signals; Schedule A.

LOCATION

DESCRIPTION OF SIGNAL

Walt Whitman Road at
Canon Entrance (MVL)

Semi-traffic-actuated

APPROVED



Stephen F. McGloin
Director

2013-75

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 5 -2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Resolution for Town Board Meeting dated: February 5, 2013

The following resolution was offered by: Councilwoman Berland
Councilman Cuthbertson

and seconded by: Councilman Mayoka, 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 which has been necessitated by the recent installation of traffic lights at the affected intersections; 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 5th day of March, 2013 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 5 -2013 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 -2013
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:

*Highhold Dr., Huntington Station; Manetto Hill Rd., Melville - Stop Signs - Public Hearing
Transportation & Traffic Safety/bt
2/6/2013 1:19 PM*

**TOWN OF HUNTINGTON
DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY
TRAFFIC REPORT**

DATE: January 23, 2013 ENTRY NO. 1232

SUBJECT: Stop Signs

LOCATION: High-Hold Drive, Huntington Station and Manetto Hill Road, Melville

REQUEST: The Department of Transportation & Traffic Safety seeks to remove stop signs on High-Hold Drive and Manetto Hill Road at the intersection of Round Swamp Road.

GENERAL: On July 24, 2012, TBR 2012-357 was enacted to add a traffic signal at the intersection of Round Swamp Road at Highhold Drive and Manetto Hill Road in Huntington.

According to Section 2B.05 of the Manual on Uniform Traffic Control Devices published by the Federal Highway Administration, "STOP signs shall not be installed at intersections where traffic control signals are installed and operating.

RECOMMENDATION: The Town of Huntington Department of Transportation and Traffic Safety recommends that the Town Board schedule a public hearing to consider amending the Uniform Traffic Code as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
[High-Hold Drive (HUS)]	[STOP]	[WEST]	[Round Swamp Road]
[Manetto Hill Road (MVL)]	[STOP]	[EAST]	[Round Swamp Road]

APPROVED



Stephen F. McGloin
Director

RESOLUTION DEFEATED

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 6 -2013 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 13 (PUBLIC OFFICIALS)

Resolution for Town Board Meeting dated: February 5, 2013

The following resolution was offered by: Councilman Cook

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Huntington Town Board is empowered to enact local laws relating to the property, affairs and government of the Town of Huntington; and

WHEREAS, the Huntington Town Board wishes to exercise its statutory authority pursuant to Municipal Home Rule §10(1)(i), (ii)(a)(i) and (ii)(d)(3), the New York and Federal Constitutions, and other applicable statutory authority to limit the number of terms to be served by those elected to the positions of Town Supervisor and Town Council Members; and

WHEREAS, the adoption of a local law establishing term limits for Members of the Huntington Town Board 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 SCHEDULES a public hearing to be held on the **9th** day of **April**, 2013 at **7:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **6** -2013 amending the Code of the Town of Huntington, Chapter 13 (Public Officials); as follows:

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

LOCAL LAW INTRODUCTORY NO. 6 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 13 (PUBLIC OFFICIALS)

Section 1. Amendment to Chapter 13 (Public Officials) of the Code of the Town of Huntington; as follows:

CHAPTER 13
PUBLIC OFFICIALS

* * *

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER EXEMPTING THE DIX HILLS FIRE DISTRICT FROM SITE PLAN REVIEW AND THE TOWN OF HUNTINGTON ZONING CODE AS IS NECESSARY TO BUILD A FIRE TRAINING BUILDING (SCTM #0400-278-02-181.001)

Resolution for Town Board Meeting dated: February 5, 2013

The following Resolution was offered by: Councilwoman Berland
COUNCILMAN MAYOKA

and seconded by: COUNCILMAN COOK

WHEREAS, the Dix Hills Fire District submitted a site plan pre-application (#S-12-103-X) to the Department of Planning and Environment to build a 2,170 sq. ft. two-story fire training building, 2,500 sq. ft. concrete patio, and associated improvements for firefighter training purposes behind its fire station on the east side of Deer Park Avenue, south of MacNiece Place, Dix Hills, SCTM# 0400-278-02-181.001; and

WHEREAS, the Department of Planning and Environment identified the fact that the proposed construction would require an application to the Zoning Board of Appeals for continuing review of a property subject to a special use permit (ZBA Appl. #18985 & 19795 for the construction of a tower and antennas for cellular telephone service) under Town Code §198-109(I), for a height variance to allow a two-story, 27-foot tall accessory building where a one-story, 20-foot tall accessory building is the maximum allowed under §198-59(C)(1)(a), for an area variance to allow a 2,170 sq. ft. accessory building where a 1,200 sq. ft. accessory building is the maximum allowed under §198-59(C)(2)(a); and for an interpretation that the parking and loading is sufficient for the property because the fire station use is not specifically mentioned in §198-47 or §198-54; and

WHEREAS, scheduling a public hearing to consider exempting the Dix Hills Fire District from the aforesaid sections of the Huntington Town Code and waiving site plan approval is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review for this action is required;

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to be held on the 9th day of April, 2013 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider exempting the Dix Hills Fire District from site plan review by the Planning Board and further exempting the District from compliance with certain provisions of the Huntington Town Code pertaining to further Zoning Board of Appeals review, accessory building height, and accessory building area, and finding that the proposed parking is sufficient and no loading zones are required for the construction of a training building, concrete patio, and associated improvements on the property on the east side of Deer Park Avenue, south of MacNiece Place, Dix Hills, bearing SCTM# 0400-278-02-181.001, at which time all persons interested in the subject thereof may be heard.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-78

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 6 COUNTRY MEADOW COURT, MELVILLE—SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Charles McGuffog, 6 Country Meadow Court, Melville, NY 11747, for a Certificate of Approval to legalize a tennis court fence with lighting, a gazebo with bar area, a brick patio on a raised wall, and a cabana with roof over porch and attached shed at 6 Country Meadow Court, Melville, NY 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-01.00-019.008, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **5th** day of **March**, 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Charles McGuffog.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 247 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by John Haight, 247 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to legalize a conforming irregular shaped wood deck attached to the rear of the one family dwelling at 247 Park Avenue, Huntington, NY 11743, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map #0400-027.00-03.00-016.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **5th** day of **March**, 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of John Haight.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 356 WEST HILLS ROAD, HUNTINGTON—WHITMAN HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Charles Sherman, 356 West Hills Road, Huntington, NY 11743, for a Certificate of Approval to demolish a barn at 356 West Hills Road, Huntington, NY 11743, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Whitman Historic District and bears Suffolk County Tax Map #0400-191.00-05.00-013.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **5th** day of **March**, 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Charles Sherman.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL FOR AN INDIVIDUALLY DESIGNATED
HISTORIC SITE

RE: 389 WEST HILLS ROAD, MELVILLE—THE VALENTINE HOUSE

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Linda Kosefsky, 389 West Hills Road, Melville, NY 11747, for a Certificate of Approval to legalize an in-ground swimming pool, and to demolish a detached shed at 389 West Hills Road, Melville, NY 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is an individually designated historic site and bears Suffolk County Tax Map #0400-232.00-05.00-011.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **5th** day of **March**, 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Linda Kosefsky.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 478 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: February 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Sunny Pond Farm, LLC, 108 Forest Avenue, Locust Valley, NY 11560, for a Certificate of Approval to erect an open roofed over porch to the rear of the dwelling; restore a detached garage; erect an addition to the rear of the detached garage; and restore two historic houses and erect a one story addition conjoining the two structures at 478 Park Avenue, Huntington, NY 11743, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map #0400-073.00-03.00-021.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **5th** day of **March** 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Sunny Pond Farm, LLC.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING THE TOWN BOARD TO EXECUTE A LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY, TO MAINTAIN EXISTING CELLULAR ANTENNAS AND EQUIPMENT AT THE WATER TOWER LOCATED AT COLBY DRIVE, DIX HILLS, NEW YORK

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY (hereinafter referred to as AT&T) is currently in the process of maintaining its system in order to provide its customers with cellular service; and

WHEREAS, AT&T currently has cellular antennas and equipment at the water tower located at Colby Drive; and

WHEREAS, AT&T is desirous of continuing to utilize a portion of the Colby Drive Facility to maintain the existing cellular antennas and related cellular equipment; and

WHEREAS, such permission is contingent upon the execution of a license agreement which includes provisions requiring AT&T to pay a monthly license fee of FOUR THOUSAND AND NO/100 DOLLARS (\$4,000.00) to the Dix Hills Water District and to hold harmless and indemnify the Town of Huntington and the Dix Hills Water District; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to be held on the 9th day of April, 2013, at 7:00 at Huntington Town Hall, 100 Main Street, Huntington, New York 11743, to consider entering into a license agreement with NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY, 340 Mt. Kemble Avenue, Morristown, New

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING THE TOWN BOARD TO EXECUTE A LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY, TO MAINTAIN EXISTING CELLULAR ANTENNAS AND EQUIPMENT AT THE WATER TOWER LOCATED AT WOLF HILL ROAD, DIX HILLS, NEW YORK

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY (hereinafter referred to as AT&T) is currently in the process of maintaining its system in order to provide its customers with cellular service; and

WHEREAS, AT&T currently has cellular antennas and equipment at the water tower located at Wolf Hill Road; and

WHEREAS, AT&T is desirous of continuing to utilize a portion of the Wolf Hill Road Facility to maintain the existing cellular antennas and related cellular equipment; and

WHEREAS, such permission is contingent upon the execution of a license agreement which includes provisions requiring AT&T to pay a monthly license fee of FOUR THOUSAND AND NO/100 DOLLARS (\$4,000.00) to the Dix Hills Water District and to hold harmless and indemnify the Town of Huntington and the Dix Hills Water District; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to be held on the 9th day of April, 2013, at 7:00 at Huntington Town Hall, 100 Main Street, Huntington, New York 11743, to consider entering into a license agreement with NEW CINGULAR WIRELESS PCS, LLC, SUCCESSOR IN INTEREST TO CELLULAR TELEPHONE COMPANY, 340 Mt. Kemble Avenue, Morristown, New

2013-84

Jersey 07960-6656, to maintain existing cellular antennas and cellular equipment at the Dix Hills Water District tower located at Wolf Hill Road, Dix Hills, New York.

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013- 85

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 7 -2013 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 64 (TOWN ATTORNEY'S OFFICE DEPARTMENT OF) SECTION 64-4 (POWERS AND DUTIES)

Resolution for Town Board Meeting Dated: February 5, 2013

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

And seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board desires to amend the Town Code regarding the Department of the Town Attorney's Office to increase the Town Attorney's authority, in his or her discretion, to settle any claim or proceeding instituted against the Town not to exceed twenty thousand dollars (\$20,000.00); and

WHEREAS, given the circumstances of hurricane Sandy and the onslaught of legal claims resulting there from and in preparation for future disasters and/or other unusual circumstances, increasing the Town Attorney's settlement authority will better serve the community; and

WHEREAS, pursuant to Sections 617.5 (c) 20 and 27 of SEQRA, regulation amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, polices, 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 5th day of March, 2013 at 2:00pm at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 7 -2013, amending the Code of the Town of Huntington, Chapter 64 (Town Attorney's Office, Department of), Section 64-4 (Powers and Duties); as follows:

LOCAL LAW INTRODUCTORY NO. 7 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 64 (TOWN ATTORNEY'S OFFICE, DEPARTMENT OF)
SECTION 64-4 POWERS AND DUTIES,

Section 1. Chapter 64 (Town Attorney's Office, Department of) is hereby amended to read as follows:

CHAPTER 64
TOWN ATTORNEY'S OFFICE, DEPARTMENT OF

* * *

Section 64-4. Powers and duties.

* * *

C. Litigation. The Town Attorney shall have the following powers and duties:

* * *

(4) Prepare, process and file all necessary pleadings, briefs, memorandum of law, etc., and investigate, examine, evaluate and process all evidentiary matters and witnesses in related legal proceedings.

* * *

(b) Settlement Authority. [The Town Authority is authorized, in his or her discretion, to settle any claim or proceeding instituted against the Town of Huntington, its boards, departments, special districts, agencies, officers and/or employees to recover damages for injury to person or property, upon investigation and the recommendation of the Town Liability Claims Supervisor. Such settlement authority shall apply to those claims or proceedings which do not exceed five thousand (\$5,000) dollars for injury to property; or five thousand (\$5,000) dollars for injury to person; or an aggregate not to exceed ten thousand (\$10,000) dollars for any claim or proceeding commenced to recover for both property damage and personal injury.] The Town Attorney is authorized, in his or her discretion, to settle any claim or proceeding instituted against the Town of Huntington, its boards, departments, special districts, agencies, officers and/or employees to recover damages for injury to persons and/or property which shall not exceed twenty thousand (\$20,000) dollars.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER EXECUTING A LICENSE AGREEMENT WITH DEVELOPMENTAL DISABILITIES INSTITUTE FOR THE USE OF A TOWN OF HUNTINGTON PARKING FACILITY

Resolution for Town Board Meeting Dated: February 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Developmental Disabilities Institute (DDI) is undertaking a major construction project at its facility located at 25 Little Plains Road, Huntington, New York; and

WHEREAS, a project of this magnitude will require that DDI's employees park off-site during the early phases of construction and DDI has requested to utilize the parking facilities at the Town of Huntington Greenlawn Park for such purpose; and

WHEREAS, The Town of Huntington is desirous of making the following parking available to DDI: 112 parking spaces in the Pulaski Road parking lot at Greenlawn Park, from 7:30 a.m. until 4:30 p.m., Monday through Friday, commencing on the date of execution of a license agreement and ending on June 30, 2013, and an additional 30 parking spaces in the Broadway parking lot at Greenlawn Park, from 7:30 a.m. until 4:30 p.m., Monday through Friday, commencing on the date of execution of a license agreement and ending on March 31, 2013; and

WHEREAS, DDI shall pay to the Town of Huntington a License Fee in the amount of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) per month for the term of the License Agreement; and

WHEREAS, scheduling a public hearing is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(20), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **5th** day of **March**, 2013 at **2:00** Huntington Town Hall, 100 Main Street, Huntington, New York 11743, to consider entering into an License Agreement with Developmental Disabilities Institute, 99 Hollywood Drive, Smithtown, New York 11787, for the use of the parking facilities at the Town of Huntington Greenlawn Park, for a term commencing on the date of execution of the License Agreement by both parties and terminating on June 30, 2013, for a license fee in the amount of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) per month, and on such other terms and conditions as may be acceptable to the Town Attorney.

2013-86

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-87

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 1-2013 AMENDING THE CODE OF THE TOWN OF HUNTINGTON DECLARING A ONE HUNDRED AND TWENTY-EIGHT (128) DAY MORATORIUM ON THE PROCESSING OF APPLICATIONS, HOLDING OF PUBLIC HEARINGS, AND ISSUANCE OF APPROVALS, GRANTS AND/OR CONDITIONAL USE PERMITS BY TOWN AGENICES, DEPARTMENTS AND BOARDS, RE: CONSTRUCTION OR INSTALLATION OF WIND TURBINES AND RELATED FACILITIES

Resolution for Town Board Meeting Dated: February 5, 2013

The following resolution was offered by: Councilman Cuthbertson

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Huntington Town Board has previously stated that the wind turbine industry is characterized by the rapid development of new technologies that in many instances may result in community impacts as they are installed at various locations throughout the Town; and

WHEREAS, it is the desire of the Board to allow sufficient time in which to develop meaningful legislation that will balance the benefit to the public against the need to maintain aesthetic resources and the quality of life of affected surrounding properties and the community at-large; and

THE TOWN BOARD, having held a public hearing on the 5th day of February, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 1-2013 amending the Code of the Town of Huntington, declaring a moratorium on the processing of applications, holding of public hearings, and issuance of approvals, grants, permits and conditional use permits by any Town agency, department and/or Board, for the construction or installation of wind turbines and related facilities; and due deliberation having been had,

NOW THEREFORE, THE TOWN BOARD

HEREBY ADOPTS Local Law Introductory No. 1-2013; as follows:

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

LOCAL LAW NUMBER **3** - 2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
DECLARING A ONE HUNDRED AND TWENTY-EIGHT (128) DAY MORATORIUM ON THE PROCESSING OF APPLICATIONS, HOLDING OF PUBLIC HEARINGS, ISSUANCE OF APPROVALS, GRANTS, PERMITS AND CONDITIONAL USE PERMITS BY TOWN AGENICES, DEPARTMENTS AND/OR BOARDS, RE: CONSTRUCTION OR INSTALLATION OF WIND TURBINES AND RELATED FACILITIES

2013-87

Section 1. Amendment to the Code of the Town of Huntington for the purpose of declaring a one hundred and twenty-eight (128) day moratorium on the processing of applications, holding of public hearings, issuance of approvals, grants, permits and conditional use permits by Town agencies, departments and/or Boards for the construction or installation of wind turbines and related facilities.

Section 2. Legislative Intent, Purpose and Findings:

- (1) The Code of the Town of Huntington does not currently contain specific regulations of the location, size, impacts and dimensions of wind turbines and related facilities.
- (2) As technology develops and green energy becomes an important component of the Town's effort to preserve natural resources and the environment, it has become necessary to update the zoning code of the Town of Huntington to include specific regulations concerning the use of wind turbines and related facilities due to the desire to locate such facilities within the areas which are exclusive of the incorporated villages, and subject to the zoning and police powers of the Huntington Town Board; there is a need to regulate the location, size, dimensions, aesthetics, and impacts of such facilities, and to balance the benefit to the property owners wishing to install them against the burdens of such structures upon nearby properties and the community-at-large.

Section 3. Declaration of Moratorium. A one hundred and twenty-eight (128) day moratorium on the processing of applications, holding of public hearings, issuance of approvals, grants, permits, and conditional use permits for the construction and installation of wind turbines and related facilities in order to provide the Town sufficient time to review the existing Code and implement new regulations which are clear and unambiguous is hereby declared. This declaration does not apply to properties owned, leased or otherwise controlled by the Town of Huntington or any subdivision thereof, provided that said uses are subject to a license or lease agreement approved by the Town Board.

Section 4. Hardship Exemption. Any property owner can apply to the Huntington Town Board, as the exclusive remedy, for an exemption from this moratorium due to hardship. To qualify for such exemption, an application with supporting documentation shall be submitted to the Town Board by filing with the Town Clerk. Such application and supporting proof shall demonstrate (a) that substantial economic loss will occur by reason of the delay in the application caused by this moratorium; and (b) that negative impacts to affected properties can be effectively mitigated by the design, location, aesthetics and other features of the proposed wind turbine and related facilities. The Town Board may designate the Town Attorney, Director of the Department of Planning

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and the Environment and/or the Director of the Department of Engineering Services or their representatives to review the hardship application, request additional materials if needed and to report to the Town Board.

Section 5. Area to be included in the Moratorium.

The areas to which this moratorium applies shall include all properties in any zoning district within the jurisdictional limits of the Town of Huntington, exclusive of incorporated areas.

Section 6. Severability. If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional, or invalid parts therein.

Section 7. Effective Date. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

ADDITIONS ARE INDICATED BY UNDERLINE.

DELETIONS ARE INDICATED BY [BRACKETS]

* * * INDICATES NO CHANGE TO PRESENT TEXT.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- CD 3

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH ISRAELOFF, TRATTNER & CO. P.C., CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012

Resolution for Community Development Agency Board meeting dated: February 5, 2013

The following resolution was offered by Agency Board Member: **MEMBER BERLAND**

and seconded by Agency Board Member: **MEMBER MAYOKA**

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

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

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

WHEREAS, Community Development Agency Board Resolution 2008-CD17 authorized the Chairman to execute a contract with Israeloff, Trattner & Co., P.C., Certified Public Accountants, to conduct an independent audit for the Community Development Agency; and

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

WHEREAS, Israeloff, Trattner & Co., P.C., Certified Public Accountants, has requested the Community Development Agency Board approval for the fourth one (1) year extension of the contract; and

WHEREAS, the execution of this contract 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 HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

2013- CD3

HEREBY AUTHORIZES the Chairman to execute the fifth extension to the contract with Israeloff, Trattner & Co., P.C., 1225 Franklin Avenue, Garden City, NY 11530, to conduct an audit for the fiscal year ending December 31, 2012, for an amount not to exceed the sum of SIX THOUSAND FIVE HUNDRED NO/100 (\$6,500.00) DOLLARS, for a term commencing January 1, 2013 and terminating December 31, 2013.

VOTE:	AYES: 4	NOES: 1	ABSTENTIONS: 0
Chairman Frank P. Petrone		AYE	
Member Susan A. Berland		AYE	
Member Eugene Cook		NO	
Member Mark A. Cuthbertson		AYE	
Member Mark Mayoka		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.