

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
Town Clerk	Jo-Ann Raia
Town Attorney	John J. Leo

AGENDA FOR TOWN BOARD MEETING DATED NOVEMBER 7, 2012

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 7:25 P.M. Closed: 7:26 P.M.

7:00 P.M. – TOWN HALL

Opened: 7:03 P.M. Recessed: 7:25 P.M. Resumed: 7:26 P.M. Closed: 7:58 P.M.

(Resolutions #2012-481 to 2012-506)

HEARINGS:

ACTION

1. Consider issuing a Certificate of Approval in an Historic District
Re: 108 Old Country Road, Melville – Sweet Hollow Historic District).
(Applicant: Kazuko Santinelli) (SCTM #0400-256.00-02.00-004.000)
(2012-ZC-7-Ch. 198)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

2. Consider issuing a Certificate of Approval in an Historic District
Re: 269 Park Avenue, Huntington – Old Huntington Green Historic District.
(Applicant: Rita Lee) (SCTM #0400-071.00-03.00-029.000)
(2012-ZC-8-Ch. 198)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

3. Consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137.
Applicant: Land Use Ecological Services on behalf of Thomas Wolf
Location: 7 Woodland Drive, Huntington, NY 11743
SCTM #0402-002.00-01.00-039.000
(2012-M-42-Ch. 137)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

HEARINGS (Continued):

ACTION

4. Consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137.

Applicant: Jeff A. Zahn-R.A. on behalf of James Halfpenny
Location: 156 West Waterview Street, Northport, NY 11768
SCTM #0400-008.00-01.00-009.000
(2012-M-43-Ch. 137)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

5. Consider exempting the Eaton's Neck Fire District from site plan review and the Town of Huntington Zoning Code as is necessary to expand District Facilities (Suffolk County Tax Map No. 0400-002-02-030.001).
(2012-M-44)

**HEARING TO REMAIN
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6. Consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property).
(Re: SCTM #S 0400-206-03-071.000, 0400-143-01-066.002, 0400-126.00-02.00-016.000, 0400-150-1-23, 0400-45-1-21, 0400-168.00-02.00-013.000)
(2012-M-41)

**HEARING TO REMAIN
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PUBLIC COMMENT**

7. Consider adopting Local Law Introductory No. 19-2012, adding Chapter 156A to the Code of the Town of Huntington (Bamboo).
(Local Law Introductory No. 19-2012)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain comments on the Huntington Community Development Agency's Proposed Consolidated Plan for fiscal year 2013.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2012**

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

- | | | | | |
|------------------|---|--|------------------------|-----------------|
| 2012-481. | AUTHORIZE the Supervisor of the Town of Huntington to apply to the State of New York Office of General Services for transfer and conveyance of a parcel of State land known as the “Huntington Station Armory” located in the Town of Huntington, County of Suffolk.
(Location: 100 East 5th Street) | FP
MC
SB
MM | EC | <u>5</u> |
| 2012-482. | AUTHORIZE named financial institutions as depositories for tax receipts and authorizing the Receiver of Taxes to execute collateral agreements for tax receipt accounts on behalf of the Town of Huntington. (Re: JP Morgan Chase Bank, Valley National Bank, HSBC Bank USA, Wells Fargo Bank and TD Bank) | MM | SB | <u>5</u> |
| 2012-483. | AUTHORIZE the Supervisor to execute contracts for the provision of professional ice skating instruction at the Dix Hills Park Ice Rink Facility. (Re: Linda Beach, Daniel Bivona, Montana Browne, Charlotte Caruso, Rosemarie Coyle, Andy Cozzi, Barbara DeLuca, Lou DeLuca, Jack Greig, Benoit Hogue, Adam Leib, Melissa Levine, Kristie Lynch, Stars & Skates (Tara Maceiko), Melinda Maidel, Nicole Maltese, Kathy Martinelli, Lee Meadows, David Pensa, Corinne Raile Heilbrun, Amy Rivers, Dawn Sikorski, Chris Slavik, Matt Thomas, Jaime Wendt and Barbara Williams) | SB | MM | <u>5</u> |
| 2012-484. | AUTHORIZE the execution of a contract for the improvements to secondary digester at the Huntington Sewer District with R.J. Industries, Inc. (Period: 120 days from the execution of the contract) | MM | EC | <u>5</u> |
| 2012-485. | AUTHORIZE the Supervisor to execute a change to the existing contract for the reconstruction of Clinton Avenue parking lot with J. Anthony Enterprises, Inc. | MC | EC | <u>5</u> |
| 2012-486. | AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special districts. | FP | MC
MM | <u>5</u> |
| 2012-487. | AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its special districts-various departments. | MM | FP | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-488. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended park improvements (Heckscher Park). (Re: Enhance amphitheater and viewing area accessibility)	<u>SB</u>	<u>FP</u>	<u>5</u>
2012-489. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Re: Huseyin Toozlu, 4 Grange Street, Huntington, SCTM# 0400-161.00-02.00-012.000, Chapter 156)	<u>SB</u> <u>MM</u>	<u>FP</u>	<u>5</u>
2012-490. ACCEPT the donation and installation of a Memorial Garden in Memory of Vincent J. Candurra. (Re: Dix Hills Water District Office)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-491. ACCEPT donation of a plaque regarding the December 1962 Gwendoline Steers Tragedy. (Re: Hobart Beach Pavilion)	<u>MC</u>	<u>EC</u>	<u>5</u>
2012-492. ADOPT commercial boat hauler ramp fee rates for year 2013 at Town boat ramps.	<u>FP</u>	<u>MC</u>	3-AYES 2-NOES (EC) <u>(MM)</u>
2012-493. ADOPT marina storage fees for year 2013 spring, summer, and autumn marina storage at Town marinas.	<u>MC</u>	<u>FP</u>	3-AYES 2-NOES (EC) <u>(MM)</u>
2012-494. WAIVE parking meter fees in the downtown shopping area known as Huntington Village and authorizing the installation of holiday type lights and decorations during the holiday season in various areas. (Re: Huntington Village waive parking meter fees for the period 11/22/2012 – 12/31/2012; Huntington Township Chamber of Commerce, Huntington Village Business Improvement District Association, Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights in their business areas for the period 11/22/2012 – 12/31/2012 [subject to rules, regulations, charges and/or permits required by LIPA]; East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town Property located at the Northport Railroad Station for the period 11/22/2012 – 12/31/2012)	<u>FP</u>	<u>MC</u>	<u>5</u>
2012-495. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Shaftsbury Lane, Melville – Stop Signs.	<u>SB</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-496. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Hart Place, Dix Hills – Stop Signs.	<u>SB</u> <u>MM</u>	<u>EC</u>	<u>5</u>
2012-497. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A Re: Traffic Signal – Park Avenue at Cliftwood Drive, Huntington.	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-498. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District. Re: 209 Main Street, Huntington – Old Town Hall Historic District. (SCTM# 0400-072.00-02.00-020.000) (Applicant: Huntington Historical Society)	<u>FP</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2012-499. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District. Re: 334 Main Street, Cold Spring Harbor – Cold Spring Harbor Historic District. (SCTM# 0400.00-066.00-01.00-025.000) (Applicant: Cold Spring Harbor Laboratory)	<u>MM</u>	<u>EC</u>	<u>5</u>
2012-500. SCHEDULE A PUBLIC HEARING: December 18, 2012 at 7:00 PM To consider adopting Local Law Introductory No. 21 - 2012 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G.	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-501. SCHEDULE A PUBLIC HEARING: December 18, 2012 at 7:00 PM To consider adopting Local Law Introductory No. 22 - 2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts) and Article XIV (Signs and Advertising Devices).	<u>MC</u>	<u>FP</u>	<u>5</u>
2012-502. REMOVED FROM AGENDA AT WORKSHOP.			
2012-503. SCHEDULE A PUBLIC HEARING: December 18, 2012 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 55 Main Street, Cold Spring Harbor – Cold Spring Harbor Historic District. (SCTM#0400-063.00-02.00-006.000)(Applicant: Oyster Bay Management, LLC)	<u>MM</u>	<u>EC</u>	<u>5</u>
2012-504. SCHEDULE regular meetings of the Town Board of the Town of Huntington for the Year 2013. (1/8/2013- 2:00 PM, 2/5/2013 – 7:00 PM, 3/5/2013 – 2:00 PM, 4/9/2013 – 7:00 PM, 5/7/2013 – 2:00 PM, 6/11/2013 – 7:00 PM, 7/9/2013 – 2:00 PM, 8/6/2013 – 7:00 PM, 9/17/2012 – 2:00 PM, 10/15/2013 – 6:00 PM, 11/7/2013 – 2:00 PM and 12/10/2013 – 7:00 PM)	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-505. URGE the New York State Legislature and Governor to draft and enact legislation that will require gas stations in the State of New York to have generators to provide a backup source of electricity in the event a power outage occurs, ensuring that they are able to serve customers in the storm's aftermath.	<u>MM</u>	<u>EC</u> <u>FP</u>	<u>5</u>
MOTION TO ADD RESOLUTION #2012-506 TO THE AGENDA	<u>FP</u>	<u>SB</u>	<u>5</u>
2012-506. AUTHORIZE an extension of time to pay taxes for those persons granted a senior citizen tax exemption and enhanced star exemption pursuant to Chapter 178 of the Code of the Town of Huntington. (Extended to 6/5/2013)	<u>FP</u>	<u>SB</u> <u>MM</u>	<u>5</u>

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: NOVEMBER 7, 2012

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From:
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: Liying Qiao for Hiduko Asian Bistro and Sushi; From: Tami Reichet for Larkfield IGA;
Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Emails forwarded by Councilman Cook’s office, regarding opposition to the Commuter Parking fee increases. The following sent emails: Martin Feinberg, James Dixon, Stephanie Schmitt, Kathleen O’Malley, Sara & Michael Baliber, Ginny Rossetti, Steven Hachikian, Jean Wolschlager, Veronica Yandolino, Joel Friedman , Matthew DePace, Nancy McKenna, David Bobker,
Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
4. Emails forwarded by Mark Lowen, Senior Transportation Planner at HART Bus, expressing opposition to increasing HART fares from Carol Sherman, Meredith Hurley,
Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
5. Emails received from John Granger, Michael Clark, Rudolf Sobina, Scott Magee, and Donna Rollo, opposing the increase in Commuter Parking fees.
Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
6. Emails forwarded by Councilman Mayoka’s Office, regarding opposition to the Commuter Parking fee increases. The following sent emails: Amy Plachta, R. Schiavone, Amy Daly
Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
7. Email forwarded by Councilman Mayoka’s office, regarding HART Bus System. Emails received from Tim Edden, Chris Homer, Patricia & Andrew Mahder, Marc Hazan, MD, Alan Schuller, Randi & Alan Schuller, Erica Waterman, Jay Steinberg, MD, Tom Hogan, Randi Schuller, James Iverson, Debra Silverman, that the LIRR feeder routes on the HARTSystem not be eliminated.
Supervisor
Town Board
Town Attorney
Traffic & Transportation
cc: Mark Lowen, HART Bus
8. Email received from Eric Bell, opposing the increase in fares on the HART Bus System.
Supervisor
Town Board
Town Attorney
Traffic & Transportation
cc: Mark Lowen, HART Bus

9. Letter hand delivered by Catherine Franznick regarding the flooding that occurs on her property. Attached was a copy of an analysis that was done by Nelson & Pope of her property. She is requesting a meeting with Nelson & Pope, Engineering Department and the Highway Department to resolve this issue.
- Supervisor
Town Board
Town Attorney
Highway
Engineering Services
cc: Planning & Environment
10. Hand delivered letter received from Nancy Mc Fadzen, Secretary for the Commack Fire District. Included were Certification of Budget, Final Budget for 2013 and a copy of Resolution # 96 adopting the Final Budget for 2013.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
11. Letter received from Joyce Logan, Secretary-Deputy Treasurer of the Huntington Fire District. Included was a Certification of Public Record and Budget Summary for 2013.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
12. Hand delivered letter received from Leigh Ann Varese, District Secretary-Treasurer for the Centerport Fire District. The letter advises that the budget was passed and adopted for 2013.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
13. Hand delivered letter received from Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District. Included were two Certifications of Budget, Budget Summary and 2013 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
14. Hand delivered letter received from Liz Beach, District Secretary/Treasurer for the Cold Spring Harbor Fire District. Included was the copy of the budget and a certification.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
15. Hand delivered letter received from Constance Beatty objecting to the elimination of public bus service to Cold Spring Harbor.
- Supervisor
Town Board
Town Attorney
Mark Lowen, HART Bus
cc: Traffic & Transportation
16. Memorandum received from Frank DeRubeis, Director of Planning for Smithtown regarding a Site Plan for the proposed Lowe's Home Center to be located at AW/c Henry Street & Crooked Hill Road, Commack. The application is for the construction of a proposed 166,000 square foot retail building.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Letter hand delivered by Constance Beatty regarding proposed changes to the HART Bus System. Writer opposes the elimination of bus service for Cold Spring Harbor.
- Supervisor
Town Board
Town Attorney
Mark Lowen, HART Bus
cc: Traffic & Transportation
18. Letter received from Bonnie Sammis, Secretary-Treasurer for the Halesite Fire District. Included was a 2013 Budget Summary.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

19. Letter hand delivered from Edward Flynn, District Treasurer, for the Melville Fire District. Included was a copy of the 2013 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
20. Letter hand delivered from Todd Cohen, District Secretary for the Dix Hills Fire District. Included was a copy of the 2013 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
21. Letter received from Candice Thomson, District Treasurer for the Huntington Manor Fire District. Included was a copy of the 2013 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
22. Letter received from John Olsen in favor of Kensington Estates.
- Supervisor
Town Board
cc: Town Attorney
23. Letter received from Marilyn Zanelli with her comments on the proposed 440 units on Elwood Road, by the Engel Burman Group. The writer indicates that Elwood Road is already over loaded with traffic.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Traffic & Transportation
24. Letter received from Sheila Smith regarding the application to convert R-40 designation from Oak Tree Dairy to allow 444 condos. The writer indicates adding 444 dwellings with the probability of adding 400-800 cars is incomprehensible. She would like to see the property purchased by the town as Open Space.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Traffic & Transportation
25. Letter received from Anthony S. Guardino, Partner at Farrell Fritz, P.C., regarding Town Board Resolution # 2012-474, application by Thomas Wolf for a Marine Conservation Permit. The writer serves as counsel for the Incorporated Village of Huntington Bay. The letter indicates that the applicant has not applied for the necessary permits from the Village of Huntington Bay, therefore, they are requesting that the Town refrain from holding the Public Hearing for this matter.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Received Notice of Public Hearings for the Incorporated Village of Laurel Hollow from Paul Bregman, Chairman of the Planning Board. The following hearings are on the agenda: P3-2012 – Map entitled “1218 Moores Hill Road Subdivision Map” to receive approval for subdivision of land consisting of one 5.0002 acre parcel into two parcels. PB S1-2010 – Permit to construct two homes which will result in the disturbance of a bluff, buffer area, greenbelt, steep slope, very steep slope, severely steep slope (Section 14 Block A Lot 1088) PB F2-2010 – permit required for the removal of earth and excavation to construct two new homes. P5-2005 – Final approval to partition 6.37 acre parcel of land located at 428 Harbor Road into three lots (Section 14, Block A, Lot 1088).
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
27. Letter received from Anne Marie Marrone Caliendo, Assistant Superintendent for Finance and Facilities, for the Half Hollow Hills Central School District, with a copy of the 2012/13 budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

28. Letter received from Susan Racine, Secretary-Treasurer for the East Northport Fire District. Included was a copy of the 2013 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
29. Letter received from Darrel Aubertine, Commissioner of the State of New York Department of Agriculture and Markets, regarding the copy of resolution #2012-437 that was sent to him. They will take the recommendation into consideration as they move through the rulemaking process. Supervisor
Town Board
cc: Town Attorney
30. Email received from Howard de Cesare, addressed to Jo-Ann Raia, Town Clerk, requesting that his letter regarding Ellen Schaffer be distributed to the Town Board. A copy of the letter was attached. The writer praised Ms. Schaffer for her handling of a case. Supervisor
Town Board
cc: Town Attorney
31. Hand delivered letter received from Kristi Cartolano, District Secretary for Eaton's Neck Fire District. Included was a copy of the 2013 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
32. Letters and emails received from Councilwoman Berland's Office in support of the proposed bamboo ordinance. Sharon Sacks, James Skura, Gary Rocco Kathy Zimmerman, Patricia Paratore, Mary Jarrett, Joanne Walsh and John Walsh are in support of the bamboo ordinance. Supervisor
Town Board
cc: Town Attorney
33. Letter received return receipt requested, to Jo-Ann Raia, Town Clerk, from Jacob Goldstein, regarding a situation in his neighborhood. Mr. Goldstein indicates that there is a dangerous situation at Sump #67 located 600 feet west of Wolf Hill Road on Old Country Road. There are trees in this sump that have the potential to fall onto his home. Supervisor
Town Board
Town Attorney
cc: Highway

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(Resolutions #2012-481 to 2012-506)

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(Applicant: Kazuko Santinelli) (SCTM #0400-256.00-02.00-004.000)
(2012-ZC-7-Ch. 198)

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Re: 269 Park Avenue, Huntington – Old Huntington Green Historic District.
(Applicant: Rita Lee) (SCTM #0400-071.00-03.00-029.000)
(2012-ZC-8-Ch. 198)

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3. Consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137.
Applicant: Land Use Ecological Services on behalf of Thomas Wolf
Location: 7 Woodland Drive, Huntington, NY 11743
SCTM #0402-002.00-01.00-039.000
(2012-M-42-Ch. 137)

**HEARING TO REMAIN
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PUBLIC COMMENT**

HEARINGS (Continued):

ACTION

4. Consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137.

Applicant: Jeff A. Zahn-R.A. on behalf of James Halfpenny
Location: 156 West Waterview Street, Northport, NY 11768
SCTM #0400-008.00-01.00-009.000
(2012-M-43-Ch. 137)

**HEARING TO REMAIN
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5. Consider exempting the Eaton's Neck Fire District from site plan review and the Town of Huntington Zoning Code as is necessary to expand District Facilities (Suffolk County Tax Map No. 0400-002-02-030.001).
(2012-M-44)

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(Re: SCTM #S 0400-206-03-071.000, 0400-143-01-066.002, 0400-126.00-02.00-016.000, 0400-150-1-23, 0400-45-1-21, 0400-168.00-02.00-013.000)
(2012-M-41)

**HEARING TO REMAIN
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7. Consider adopting Local Law Introductory No. 19-2012, adding Chapter 156A to the Code of the Town of Huntington (Bamboo).
(Local Law Introductory No. 19-2012)

**HEARING TO REMAIN
OPEN FOR 1 WEEK FOR
PUBLIC COMMENT**

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain comments on the Huntington Community Development Agency's Proposed Consolidated Plan for fiscal year 2013.

HEARING CONCLUDED

2012-481

RESOLUTION AUTHORIZING THE SUPERVISOR OF THE TOWN OF HUNTINGTON TO APPLY TO THE STATE OF NEW YORK OFFICE OF GENERAL SERVICES FOR TRANSFER AND CONVEYANCE OF A PARCEL OF STATE LAND KNOWN AS THE "HUNTINGTON STATION ARMORY" LOCATED IN THE TOWN OF HUNTINGTON, COUNTY OF SUFFOLK

Resolution for Town Board Meeting Dated: November 7, 2012

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

WHEREAS, the State of New York ("State") is the owner of a parcel of property located at 100 East 5th Street in the Town of Huntington, County of Suffolk consisting of approximately 3.4 acres, formerly the site of a State Armory and hereinafter referred to as the "Armory Property"; and

WHEREAS, the State is authorized to convey its right, title and interest in the Armory Property to the Town of Huntington pursuant to Chapter 243 of the Laws of 2012 for the purpose set forth in the chapter; and

WHEREAS, it is the desire of the Town of Huntington to apply for a transfer and conveyance of the Armory Property for purposes set forth in said chapter, inclusive of use or uses by the municipal departments of park and recreation, engineering, general services, public safety, human and youth service in connection with park and recreational, community and civic programs appropriate to the location and structures; and

WHEREAS, the consideration for the transfer and conveyance of the Armory Property as set forth in Chapter 243 of the Laws of 2012 is One Dollar (\$1.00).

WHEREAS, the authorization herein granted is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply to the State of New York, Office of General Services for the transfer and conveyance of a parcel of state land known as the Huntington Station Armory, as described in Chapter 243 of the Laws of 2012, and for the purposes set forth in said chapter; and upon such terms and conditions that may be acceptable to the Town Attorney, authorizes the Supervisor to execute all documents necessary to effectuate said transfer, conveyance and use of same.

2012-481

VOTE: AYES: 5 NOES: 0

ABSTENTIONS: 0

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

AYE
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AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING NAMED FINANCIAL INSTITUTIONS AS DEPOSITORIES FOR TAX RECEIPTS AND AUTHORIZING THE RECEIVER OF TAXES TO EXECUTE COLLATERAL AGREEMENTS FOR TAX RECEIPT ACCOUNTS ON BEHALF OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, in accordance with Town Law §64(1), the Town Board must designate by resolution, the financial institutions in which Town funds are on deposit; and

WHEREAS, the Receiver of Taxes deposits tax revenue received in the normal course of business with various financial institutions designated by the Town Board; and

WHEREAS, banks doing business with the Town must collateralize all held amounts above the federal depository insured balances with acceptable instruments as defined in General Municipal Law §10 as outlined in the Town's Investment Policy; and

WHEREAS, authorizing financial institutions as depositories and authorizing the execution of collateral agreements is a Type II 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,

THE TOWN BOARD

HEREBY AUTHORIZES the following financial institutions as depositories for tax receipts, JPMorgan Chase Bank, 395 North Service Road, Suite 302, Melville, New York; Valley National Bank, Two Jericho Plaza, Jericho, New York; HSBC Bank USA, 534 Broadhollow Road, Melville, New York; Wells Fargo Bank, 58 South Service Road, Melville; and TD Bank, 45 Melville Park Road, Melville, New York pursuant to Town Law 64 (1); and

HEREBY AUTHORIZES the Receiver of Taxes to execute collateral agreements for tax receipt accounts with said banks on behalf of the Town of Huntington.

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 CONTRACTS FOR THE PROVISION OF PROFESSIONAL ICE SKATING INSTRUCTION AT THE DIX HILLS PARK ICE RINK FACILITY

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington Department of Parks and Recreation offers professional ice skating lessons and instructional programs at the Dix Hills Ice Rink facility; and

WHEREAS, services by ice skating professionals are utilized to provide such lessons and programs; and

WHEREAS, current contracts with the skating professionals will expire on December 31, 2011; and

WHEREAS, the execution of contracts with Ice Skating Professionals is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute contracts with the following Ice Skating Professionals for the provision of ice skating lessons and instructional programs at the Dix Hills Park Ice Rink facility for the period commencing on January 1, 2013 and ending on December 31, 2013:

Linda Beach, 935 Harrison Drive, Centerport, NY 11721
Daniel Bivona, 88 Parkside Drive, North Babylon, NY 11703
Montana Browne, 55 Clover Ave., Farmingville, NY 11738
Charlotte Caruso, 1046 Baldwin Road, Dix Hills, NY 11746
Rosemarie Coyle, P.O. Box 256, Greenlawn, NY 11740
Andy Cozzi, 24 Burns Court, Greenlawn, NY 11743
Barbara DeLuca, 6 Perri Place, Dix Hills, NY 11746
Lou DeLuca, 6 Perri Place, Dix Hills, NY 11746
Jack Greig, 77 Madison Circle, Middle Island, NY 11953
Benoit Hogue, 488 Village Oaks Lane, Babylon, NY 11702
Adam Leib, 10 St. John Place, Port Washington, NY 11050
Melissa Levine, 31 Kinsella Street, Dix Hills, NY 11746

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Kristie Lynch, 102-20 67th Drive #306, Forest Hills, NY 11375
Stars & Skates (Tara Maceiko), 15 New Foundland Ave., Huntington, NY 11743
Melinda Maidel, 37 Spinner Lane, Commack, NY 11725
Nicole Maltese, 363 Twilight Lane, Smithtown, NY 11787
Kathy Martinelli, 124 Lone Oak Drive, Smithtown, NY 11787
Lee Meadows, 502 Pulaski Road, Greenlawn, NY 11740
David Pensa, 15 Sherman Street, Huntington, NY 11743
Corinne Raile Heilbrun, 52 Ridge Drive, Plainview, NY 11803
Amy Rivers, 9 Leonard Street, Nesconset, NY 11767
Dawn Sikorski, 22 Sugarwood Lane, Commack, NY 11725
Chris Slavik, 77 Osceola Ave., Deer Park, NY 11729
Matt Thomas, 488 Central Ave., Apt #2, Brooklyn, NY 11221
Jaime Wendt, 189 Burlington Ave., Deer Park, NY 11729
Barbara Williams, 26 Primrose Ave., Kings Park, NY 11754

AND FURTHER AUTHORIZES the Supervisor to execute all necessary documents in connection therewith 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 Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-484

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE IMPROVEMENTS TO SECONDARY DIGESTER AT THE HUNTINGTON SEWER DISTRICT WITH R. J. INDUSTRIES, INC.

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the purpose of the project is to clean, inspect, and perform routine maintenance on the secondary digester at the Huntington Sewer District sewage treatment facility. The work includes removal and disposal of the tank contents, replacement of valves, repairs to roller guides and painting of the digester cover and other miscellaneous items; and

WHEREAS, sealed bids were received on October 25, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the improvements to the secondary digester, Contract No. HNSD 12-02 and the same were opened publicly and read aloud; and

WHEREAS, R. J. Industries, Inc., 75 East Bethpage Road, PO Box 349, Plainview, New York, 11803 is lowest responsive, responsible bidder; and

WHEREAS, the improvements to the secondary digester is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), 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 R. J. Industries, Inc. for the improvements to the secondary digester. The contract period shall be effective upon the execution of the contract for 120 days, for an amount not to exceed the sum of ONE HUNDRED FIFTY-NINE THOUSAND FOUR HUNDRED EIGHTY-FIVE AND NO/100 (\$159,485.00) DOLLARS, and authorizes the Director of Environmental Waste Management to execute change orders up to 10% of the proposed amount to be charged to WM8197-2780-12804, 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.

2012-485

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CHANGE TO THE EXISTING CONTRACT FOR THE RECONSTRUCTION OF CLINTON AVENUE PARKING LOT WITH J. ANTHONY ENTERPRISES, INC.

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by **COUNCILMAN COOK**

WHEREAS, J. Anthony Enterprises, Inc. was awarded the Reconstruction of Clinton Avenue Parking Lot Contract as authorized by Town Board Resolution 2012-293;

WHEREAS, additional work was necessary due to actual field conditions encountered during construction;

WHEREAS, pursuant to SEQRA 6 NYCRR Section 617.5(c)(18), the execution of a contract change order is a Type II action, not subject to review.

NOW, THEREFORE, upon the recommendation of the Director of Engineering Services, to increase the contract amount follows:

Original Contract Amount: \$286,209.90
Change Order Number 1: \$9,318.22
Revised Contract Amount: \$295,628.12

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to increase the contract amount by \$9,318.22 from \$286,209.90 to \$295,528.12 to be charged to EG5997-2104-12312, 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.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2012 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town Board would like to increase the Department of General Services budget to fund vehicle repairs and copier leases. The funding has been identified with the Department of General Services; 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 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)(1), (c)(25) and (c)(4) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2012 Operating Budget as follows:

Increase the following appropriations:

A1670-2316	Copiers	\$ 19,000
A1621-4420	Subcontractors	\$ 5,000
A1621-4990	Refuse Disposal Cost	\$ 10,000
A1621-4660	Heating Oil	\$ 25,000
A1621-4510	Equipment Supplies	\$ 6,000

Decrease the following appropriations:

A1670-2210	Leased Equipment	\$ 19,000
A1621-4520	Vehicle Repairs	\$ 46,000

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman 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 2012 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: November 7, 2012

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

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 2012 Operating Budget as follows:

Reinstate the following position:

DB-5110-1100	Highway Construction Coordinator	\$11,865
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Adjust the following Appropriations:

DB-1990-1100	Contingency	(\$11,865)
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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.

2012-488

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND AND NEIGHBORHOOD PARKS FUND FOR RECOMMENDED PARK IMPROVEMENTS (HECKSCHER PARK)

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the EOSPA Committee reviewed and voted to support a nomination from the Director of Engineering Services that was presented initially at its meeting of June 12th, 2012 for funding from the Neighborhood Parks Fund and EOSPA Park Improvement Program for improvements to the Heckscher Park amphitheater and handicapped access of the viewing area, and

WHEREAS, existing capital program and Environmental Reserve funding that has already been appropriated toward the roof replacement and Heckscher Park improvements will cover part of the total cost, and

WHEREAS, the Town Board recognizes the amphitheater is a premier facility within Heckscher Park and the Huntington Arts Council reported that the 2011 Summer Arts Festival drew 52,000 attendees to its varied performances, and

WHEREAS, the proposed action is classified Type II pursuant to 6 NYCRR 617.5(c)(2 and 7) as it involves replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading of buildings to meet building or fire codes and minor site work at the facility, and

WHEREAS, the Huntington Historic Preservation Commission reviewed the project at its meeting on October 22, 2013 and recommended siding changes that are being incorporated into the project, and

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and from Neighborhood Parks TA-0037-A9301, in addition to funding that may have already been authorized, and charged to the appropriate capital budget account for the park improvement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF GENERAL SERVICES

Enhance Heckscher amphitheater and viewing area accessibility, not to exceed 310,000
Install new roof and siding; pour a new retaining wall and floor slab in the orchestra pit and create accessible viewing area; extend walkways; clean, repair and paint stucco; clean and stain wood poles, beams, steel doors; add new gutters and roll-up door weather stripping; conduct site work (drainage, manhole, soil stabilization, plantings, grass restoration); and other necessary enhancements at Heckscher Park amphitheater, Huntington. Funding is to be split as follows: not to exceed \$155,000 from the Neighborhood Parks Fund and \$155,000 from EOSPA Park Improvement Program.

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

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.

2012-489

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: November 7, 2012

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

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.

2012-489

Schedule A

Chapter 156, Section 45 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>
4 Grange St. Huntington, NY 11743	0400-161.00-02.00-012.000	Huseyin Toozlu	10/15/2012	77 S. Merrick Rd. Massapequa, NY 11758

2012-490

RESOLUTION ACCEPTING THE DONATION AND INSTALLATION OF A
MEMORIAL GARDEN IN MEMORY OF VINCENT J. CANDURRA

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Councilwoman Berland

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, in 2010, the Town of Huntington sadly lost one of its former employees,
Vincent J. Candurra; and

WHEREAS, in his memory, his wife, Colleen Candurra would like to construct a
memorial garden around the existing flagpole at the Dix Hills Water District Office to
honor the many years of service that her husband, Vincent J. Candurra provided to the
residents of the Dix Hills Water District; and

WHEREAS, the acceptance of a donation and the planting of a memorial garden 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 ACCEPTS the donation and installation of the granite bench, waterfall,
landscaping and the plaque in memory of Vincent J. Candurra, and thanks her for her
generosity.

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 ACCEPTING DONATION OF A PLAQUE REGARDING THE DECEMBER 1962 GWENDOLINE STEERS TRAGEDY

Resolution for Town Board Meeting dated: November 7, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, on December 30, 1962, the Gwendoline Steers tugboat, which was owned by the Steers Sand & Gravel Company of New York, sank in an ice storm in Long Island Sound, resulting in the death of all on board; and

WHEREAS, the wreckage of the Gwendoline Steers lies in thirty-eight feet of water at the mouth of Huntington Bay between Eaton's Neck and Lloyd Neck on the north shore of Long Island; and

WHEREAS, Steve Knox, son of one of the nine (9) crewman who perished in the Gwendoline Steers Tragedy, wishes to donate a plaque that he commissioned to be installed on the westerly of the Hobart Beach Pavilion on a date to be determined to commemorate the 50th anniversary of the tragedy; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY ACCEPTS a donation from Steve Knox who generously agrees to donate to the Town of Huntington a plaque to be installed at the Hobart Beach Pavilion commemorating the 50th anniversary of the Gwendoline Steers tragedy.

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.

2012-492

RESOLUTION ADOPTING COMMERCIAL BOAT HAULER RAMP FEE RATES FOR YEAR 2013 AT TOWN BOAT RAMPS

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Commercial Boat Hauler Ramp Fee rates has been amended and requires approval; and

WHEREAS, the Harbors and Boating Advisory Council has recommended that Commercial Boat Hauler Ramp Fee rates for 2013 be set at \$300 per year for the first vehicle and \$50 per year for each additional vehicle ; and

WHEREAS, the increase in the Commercial Boat Hauler Ramp Fee rates is a Type II action pursuant to 6 NYCRR §617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

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

HEREBY ADOPTS the Commercial Boat Hauler Ramp Fee rates for Town Boat Ramps.

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-493

RESOLUTION ADOPTING MARINA STORAGE FEES FOR YEAR 2013 SPRING,
SUMMER, AND AUTUMN MARINA STORAGE AT TOWN MARINAS

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the marina fees for 2013 Spring, Summer & Autumn Marina Storage have been amended and requires approval; and

WHEREAS, the Harbors and Boating Advisory Council has recommended that Spring, Summer and Autumn storage rates for 20 feet and under at \$80.00 per foot and that the rates for vessels greater than 20 feet at \$90.00 per foot; and

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

NOW, THEREFORE

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

HEREBY ADOPTS the Marina Contract for the year 2013 Spring, Summer & Autumn Marina Storage for Pleasure Boats at Town Marinas.

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION WAIVING PARKING METER FEES IN THE DOWNTOWN SHOPPING AREA KNOWN AS HUNTINGTON VILLAGE AND AUTHORIZING THE INSTALLATION OF HOLIDAY TYPE LIGHTS AND DECORATIONS DURING THE HOLIDAY SEASON IN VARIOUS AREAS

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, in an effort to stimulate business and encourage residents to shop locally during the holiday season, the Town Board is desirous of waiving parking meter fees in the downtown shopping area known as Huntington Village for the period beginning November 22, 2012 and ending December 31, 2012; and

WHEREAS, the Huntington Township Chamber of Commerce and Huntington Business Improvement District Association, the Huntington Station Business Improvement District Association, and the East Northport Chamber of Commerce have requested permission to install lights and other decorations in keeping with the holiday spirit within their business areas during the holiday season; and

WHEREAS, the following are the areas defined by each organization:

Huntington Township Chamber of Commerce/Huntington Business Improvement District Association – the business area known as Huntington Village;

Huntington Station Business Improvement District Association – the Huntington Station business area along New York Avenue

East Northport Chamber of Commerce – the business area along Larkfield Road; and

WHEREAS, the East Northport Chamber of Commerce has also requested permission to display a Menorah and Nativity Scene at the Northport Railroad Station; and

WHEREAS, the subjects of this resolution are 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 WAIVES parking meter fees in the downtown shopping area known as Huntington Village (as defined in the Business Improvement District) for the period beginning November 22, 2012 and ending December 31, 2012; and

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HEREBY AUTHORIZES the Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, the Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights in their business areas during the holiday season for the period beginning November 22, 2012 and ending December 31, 2012; subject to any rules, regulations, charges and/or permits required by the Long Island Power Authority (LIPA); and

HEREBY AUTHORIZES the East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town Property located at the Northport Railroad Station for the period beginning November 22, 2012 and ending December 31, 2012.

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.

2012-495

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

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD having held a public hearing on the 16th day of October, 2012, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
DELETE:	Shaftsbury Lane (MVL)	STOP	OF TRAVEL NORTH	INTERSECTION OF: Old Country Road

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-496

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: HART PLACE, DIX HILLS – STOP SIGNS

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 16th day of October, 2012, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
ADD:	Hart Place (DXL)	STOP	SOUTH	Half Hollow Road

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-497

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A
RE: TRAFFIC SIGNAL – PARK AVENUE AT CLIFTWOOD DRIVE,
HUNTINGTON

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD having held a public hearing on the 16th day of October, 2012, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article I, Traffic Control Signals; §2-1 Installation of Traffic Control Signals; Schedule A

	<u>LOCATION</u>	<u>DESCRIPTION OF SIGNAL</u>
DELETE:	Park Avenue at Cliftwood Drive (HUN)	Flashing signal Red; North/South and East/West

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-498

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 209 MAIN STREET, HUNTINGTON –OLD TOWN HALL HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 16th day of October, 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of the Huntington Historical Society, 209 Main Street, Huntington, NY 11743, for a Certificate of Approval to restore and expand the Trade School building located at 209 Main Street, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-072.00-02.00-020.000, and located in the Old Town Hall 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 Huntington Historical Society 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.

2012-499

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT

RE: 334 MAIN STREET, COLD SPRING HARBOR—COLD SPRING HARBOR
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 16th day of October, 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of the Cold Spring Harbor Laboratory, 1 Bungtown Road, Cold Spring Harbor, NY 11724, for a Certificate of Approval to upgrade and modify an existing public utility wireless telecommunications facility including the installation of additional wireless telecommunications antennae on the roof of the building located at 334 Main Street, Cold Spring Harbor, NY,, bearing Suffolk County Tax Map #0400.00-066.00-01.00-025.000, and located in the Cold Spring Harbor 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 Cold Spring Harbor Laboratory 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.

2012-500

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 21 -2012 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Resolution for Town Board Meeting dated: November 7, 2012

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 has been necessitated by the recent installation of traffic lights at the affected intersections; and

WHEREAS, pursuant to §617.5 (c)(20) and (7) 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 **18th** day of December, 2012 at p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **21** -2012 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. 21 -2012
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:

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

2012-500

<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
[Larkfield Road (East Service Road) (CMK)]	[STOP]	[NORTH]	[Burr Road]
[Larkfield Road (West Service Road) (CMK)]	[STOP]	[SOUTH]	[Burr Road]

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-501

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 22 -2012, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (COMMERCIAL DISTRICTS) AND ARTICLE XIV (SIGNS AND ADVERTISING DEVICES)

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Councilman Cuthbertson

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Town Board has long strived to achieve a balance between legislative initiatives which promote economic growth and stability, and those which safeguard, enhance and protect natural resources and the character of suburban communities; and

WHEREAS, this amendment to the sign ordinance of the Town updates existing provisions to incorporate recent court rulings and balances the interests of the business community against the need to maintain aesthetic resources and the quality of life; to protect the public investment in the streets and highways; and to protect the safety of public travel; and

WHEREAS, the changes to the Zoning Code involve the clarification of existing sign rules, interpretations and review processes, placing or decreasing size limits on certain signs, and adjusting the fees paid for signs, none of which result in impacts on the environment, the proposed legislation may be classified as a Type II action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(20, 27 & 31); and

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the 18th day of December, 2012 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 22 -2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts), and Article XIV (Signs and Advertising Devices); as follows:

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

LOCAL LAW INTRODUCTORY NO. 22 - 2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING),
ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (COMMERCIAL DISTRICTS) AND
ARTICLE XIV (SIGNS AND ADVERTISING DEVICES)

2012-561

Section 1. Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts) and Article XIV (Signs and Advertising Devices) are hereby amended as follows:

CHAPTER 198 (ZONING)

ARTICLE I
GENERAL PROVISIONS

* * *

§198-2. Definitions and word usage.

* * *

LIGHT ASSEMBLAGE – Any and all parts of a luminaire that function to produce light, including the bulb, assembly, ballast, carriage, mounting features and/or pole.

* * *

LUMINAIRE – The complete light assembly (including the bulb, housing, ballasts, photocells, housing, reflectors, lens and shields), less the support assembly (pole or mounting bracket).

* * *

PRINCIPAL FRONTAGE -- (1) For existing and proposed one- and two-family dwellings, the principal frontage for a corner lot or a through lot shall be the shorter of the street frontages. For all other development, the principal frontage for a corner lot or a through lot shall be determined by the Planning Board; and (2) for the purpose of signage, the term principal frontage shall mean the storefront of each individual business located within a lot, or the side of the building where the main entrance is located in the case of a single business (excludes structural elements that extend above the lowest point of the roof).

* * *

ROOFLINE – For the purpose of Article XIV (Signs and Advertising Devices), the term "roofline" shall mean the highest point of the coping on a flat roof, false mansard, or parapet wall; the deck line of a true mansard roof; the ridge line between the upper and lower slopes of a gambrel roof; or the mean point between the eaves and ridge of a gable or hip roof.

* * *

[SIGN -- Any structure or part thereof, or any device or group of letters attached to, painted on or represented on a building, fence or other structure on or in a window or temporarily or permanently on a vehicle or trailer, upon which is displayed or included any letter, symbol, trademark, model, banner, flag, pennant, insignia, decoration, device or representation used as or which is in the nature of an announcement, direction, advertisement or other attention-directing device. A "sign" does not include the flag (except if displayed in a pennant format) or insignia of any nation or association of nations or of any state, city or other political unit, or of any charitable, educational, philanthropic, civic or religious organization.]

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SIGN -- Any letter, symbol, icon, trademark, model, banner, flag, pennant, insignia, display, decoration, emblem, device, pictorial representation, or other attention-directing device, or combination of these, illuminated or not, which is intended to or can be seen from the outside of a building or structure, and which is designed to or does convey a message concerning the identification of the premises or advertise the interests of any private or public firm, person or organization. A "sign" does not include the flag (except if displayed in a pennant format) or insignia of any nation or association of nations or of any state, city or other governmental unit, or of any charitable, educational, philanthropic, civic or religious organization.

* * *

SIGN, ANIMATED -- Any sign which is designed to give a message through a sequence of progressive changes or movement of parts or lights or degree of lighting, accomplished by natural, manual, mechanical, electrical or other means. The term "animated sign" shall not include a sign located within a right-of-way and installed by or through a local, county, or state agency that functions as a traffic control device, or are temporary holiday displays.

* * *

SIGN, DIRECTORY -- A sign on which are listed the names of two (2) or more persons, businesses or agencies in a place or location common to all, and includes a freestanding or monument sign.

* * *

SIGN, MENU BOARD -- A sign erected in conjunction with a use that incorporates a drive-through or drive-in, and is generally used to provide service and/or product options or pricing to patrons who remain in their vehicles.

SIGN, MESSAGE BOARD -- A sign which is erected to announce events to be held on the same property, usually consisting of a track system to hold individual letters or text, but also by electronic or digital means.

* * *

SIGN PENNANT -- [Triangular-shaped or forked-shaped flag, or one in a series of] One or a series of triangular, forked, square, round or rectangular-shaped flags joined together or suspended by a string, cord, wire or other fastener, including a series of American Flags.

* * *

SIGN, ROOF -- A sign which is erected, constructed, or maintained on a flat or pitched roof.

* * *

ARTICLE IV
(COMMERCIAL DISTRICTS)

* * *

§198-28. C-7 Minor Commercial Corridor District.

2012-501

(H) Supplementary height, area and bulk regulations. See Article IX. [In addition, the following shall apply:]

[(1) [No freestanding sign shall exceed sixteen (16) feet in height or thirty-two (32) square feet in size.]

* * *

ARTICLE XIV
(SIGNS AND ADVERTISING DEVICES)

* * *

§198-92. Permitted signs. Except as otherwise set forth in this article:

(A) The following signs in all Districts shall be exempt from the requirement of a sign permit. Such signs shall not interfere with vehicular or pedestrian travel or cause a public hazard or nuisance.

* * *

(14) Bed and Breakfast. One non-illuminated sign advertising vacancies shall be permitted. The sign shall not exceed six (6) square feet in size.

(15) Drive-through. One menu board not exceeding thirty-two (32) square feet. Only one (1) menu board shall be permitted per business establishment regardless of the number of drive-through lanes in use. Each illuminated menu board shall comply with the provisions of Chapter 143.

* * *

(B) The following signs in all Districts shall not require a sign permit but shall be subject to an inspection and the payment of an inspection fee as provided in [§198-99(B)(3)] §198-97(A):

(1) Non-illuminated directional [or directory] signs not more than two (2) square feet in area.

(2) One (1) freestanding non-illuminated [directional or] directory sign not more than four (4) square feet in area nor more than eight (8) feet in height at each point of egress and ingress to a premises used for nonresidential purposes.

* * *

(6) One (1) changeable copy message board not exceeding twenty (20) square feet in size. An underwriter's certificate or electrical certification satisfactory to the town shall be provided before an inspection is scheduled. Only one (1) message board shall be permitted on any premises. All electronic message boards shall comply with the provisions of Chapter 143.

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(C) The following signs shall be permitted in the R-3M, R-HS and R-RM, Residence Districts, C-1 Office-Residence District and C-12 Professional District:

(1) One (1) [directly or] indirectly illuminated [facial] monument sign not more than ten (10) square feet in area, for multiple dwelling residential uses, which shall contain only the name, [and] address and contact number of the building [or the] management [thereof.] or other responsible party.

* * *

D. The following signs shall be permitted in the C-2 Single Purpose Office Building District and in the I-1, I-2, I-3 and I-4 Light Industry Districts:

(1) One (1) directly or indirectly illuminated facial or roof identification sign for the main building, provided that no such sign shall be more than four (4) feet in vertical dimension, nor more than sixty (60) square feet in area.

* * *

(3) In the case of buildings used for multiple tenancy, not more than three (3) facial or roof identification signs shall be permitted on the frontage of the building, provided that such signs shall not be more than four (4) feet in vertical dimension, nor more than sixty (60) square feet in aggregate area for each sign.

E. The following signs shall be permitted in the C-3, C-4, C-6 Huntington Station Overlay District, C-7, C-9, C-10 and C-11 Business Districts:

(1) Directly or indirectly illuminated facial or roof identification signs for each business establishment. The total area of all identification signs allowed for any permitted structure shall not exceed thirty (30) square feet for each business located on the property or fifteen (15%) percent of the area of the principal frontage of the building, whichever is greater. [The term "principal frontage" shall exclude parapet walls or other walls which do not enclose a portion of the building.] In no event shall more than three (3) facial identification signs or one (1) roof identification [signs] sign be permitted for each business establishment.

F. The following signs shall be permitted in the C-5, C-6 and C-8 Business Districts:

(1) Directly or indirectly illuminated facial or roof identification signs for each business establishment. The total area of all identification signs allowed for any permitted structure shall not exceed sixty (60) square feet for each business located on the property or fifteen (15%) percent of the area of the principal frontage of the building, whichever is greater. [The term "principal frontage" shall exclude parapet walls or other walls which do not enclose a portion of the building.] In no event shall more than three (3) facial identification signs or one (1) roof identification [signs] sign be permitted for each business establishment.

* * *

(I) The following signs shall be permitted in all commercial districts or commercially-utilized properties unless otherwise noted:

* * *

(2) One (1) freestanding identification or monument sign not larger than thirty-two (32) square feet may be erected. For each foot of setback [from the permitted location as provided in Subsection (I)(2)(d) of this section] provided in excess of the required setback, the sign area may be increased by two (2) square feet to a maximum sign area of ninety-six (96) square feet for a freestanding sign and sixty (60) square feet for a monument sign, subject to the limitations listed below. Any proposed freestanding or monument sign within a Historic District[, a] or Historic Overlay District [or a Historic Site or Landmark] shall be subject to the review and approval of the [Town of] Huntington Historic Preservation Commission, as well as the Director of Public Safety. In the C-7 Zoning District, freestanding and monument signs shall not exceed thirty-two (32) square feet

(a) The height of such freestanding or monument sign from grade to the top of the sign structure shall not exceed one-half (1/2) of the square footage of the sign area to a maximum of thirty (30) feet. In the C-7 Zoning District such signs shall not exceed sixteen (16) feet in height.

(b) No variance shall be granted so as to permit a sign larger in dimension than provided in this article for the particular district and any such [freestanding] sign shall be included in computing the total sign allowance.

* * *

(d) No [freestanding] sign shall be erected or maintained so that any portion of the sign or assemblage is located within ten (10) feet of a street right-of-way line.

(e) No more than one (1) facial or roof identification sign shall be permitted if the applicant elects to erect a [freestanding identification] sign pursuant to this section.

* * *

(g) When a freestanding or monument sign is included on a site plan requiring the approval of the Planning Board, the location of the freestanding or monument sign shall be at the discretion of the Planning Board. No freestanding or monument sign shall be relocated or repositioned from its approved location without the consent of the Planning Board.

[(h)] [Signs advertising the prices of gasoline at individual pumps in automotive service stations as provided in §151-1(A) shall be exempt from the provisions limiting the number and area of permitted signs. Advertising price signage required by §151-1(C) along street frontages shall also be exempt from the

number and area requirements, but shall comply with the height and setback requirements of this chapter.]

(h) If a freestanding or monument sign is erected in a triangular area bounded as provided in §198-93(R) no other sign shall be erected, placed or maintained along the street frontages forming the triangle.

(3) Directory or monument signs of two (2) or more businesses on the same lot shall be subject to the same restrictions as provided in (I)(2), and shall have sufficient space to identify each business located on the lot. It shall be the responsibility of the property owner to secure and maintain a sign permit for such signs.

(4) Illuminated directory or monument signs shall be equipped with appropriate timer controls so that the duration of the light complies with the provisions of §143-7 of the Huntington Town Code.

(5) Identification signs mounted on freestanding canopies used at motor vehicle fuel stations shall not exceed sixty (60) square feet in size per canopy. The square footage shall include all sides of the canopy. Such signs may be illuminated except if they face residentially-utilized property. All signs shall comply with the provisions of Chapter 143.

* * *

§198-93. Prohibited signs. The following types of signs are prohibited in all Districts:

* * *

~~[(H)]~~ [Changeable copy signs, except where the copy can be changed only by hand or is a marquee associated with a theater or hotel.]

(H) Animated signs shall be strictly prohibited.

* * *

(Q) Any facial or roof sign painted, erected or affixed so that any portion of the sign or sign assemblage extends above the [roof] roofline of a building.

(R) Any sign erected or maintained on a [corner] lot within the triangular area bounded by the lines connecting [the street] a corner [of the lot] formed by a street line and another street line or site driveway line and a point twenty-five (25) feet from such corner on each of the intersecting [street] lines, except that one (1) monument sign three (3) feet or less in height, or one (1) single or double pole freestanding sign may be permitted within such area provided that the bottom of the sign is at least fifteen (15) feet above grade, and in the opinion of the enforcement officer, does not cause a vision obstruction or create a public nuisance or hazard.

* * *

(W) Roof signs shall be prohibited on roofs that do not cover at least 50% of the footprint of the building.

(X) Roof signs shall be prohibited on properties where there is or will be a facial sign.

* * *

§198-93.1. Temporary signs. In all commercial and industrial districts, and in commercially-utilized or industrially-utilized properties, the following shall apply. Temporary signs shall not be placed or located so as to interfere with vehicular or pedestrian travel or cause a public hazard or nuisance.

(A) Permit application.

* * *

(2) The maximum number of temporary sign permits to be issued to a single business location shall be one (1) per [three-month] two-month period. The term of each permit shall not extend beyond [ten (10)] fifteen (15) consecutive days of the date of issuance, except that in the case of a new business enterprise, the term of the permit may extend up to [twenty-one (21)] thirty consecutive days. The expiration date of the permit shall be shown on the face of the permit. All permits shall expire at midnight of the date stated.

* * *

§198-94. Additional allowances on through and corner lots. The number and size restrictions of identification signs shall apply to each street frontage in the case of corner lots and through lots with the following exceptions:

* * *

(B) Where the applicant or property owner has installed a freestanding or monument sign in the triangular area bounded as provided [and restricted] in §198-93(R) no other sign shall be erected, placed or maintained along the street frontages forming the triangle.

(C) In buildings containing more than one (1) tenant, the additional facial sign allowance shall be limited to only those tenants that actually face the secondary street, unless the property owner and tenant facing the secondary street consent to the installation of facial signs for other tenants in the building by sworn and notarized affidavit, and with the combined size of all facial signs subject to the size limits of §198-94(D).

(D) No sign located on a secondary frontage shall exceed sixty (60) square feet or fifteen (15%) percent of the area of the secondary frontage of the building, whichever is less. The term "secondary frontage" shall exclude [parapet walls or other walls which do not enclose a portion of the building] structural elements that extend above the lowest point of the roof.

[§198-95.] [(Reserved)]

§198-95. [§198-97.] Additional specifications and restrictions.

* * *

§198-96. (Reserved)

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§198-97. Application for permit, permit renewal and replacement.

(A) Applications for sign permits shall be made on forms provided by the Department of Public Safety. Each applicant shall submit a signed certification that the installation of any illuminated sign or any sign requiring the use of electrical service has been performed or shall be performed by a licensed electrician. The following fees are non-refundable and shall be paid at the time of application:

- (1) For erecting or placing a new facial sign: three (\$3) dollars per square foot of sign area with a minimum fee of seventy-five (\$75) dollars.
- (2) For erecting or placing a new freestanding or monument sign: three (\$3) dollars per square foot of sign area with a minimum fee of seventy-five (\$75) dollars.
- (3) Inspection fee pursuant to §198-92(B) shall be thirty-five (\$35) dollars per sign with a maximum fee of one-hundred twenty-five (\$125) dollars per location.
- (4) Additional fees. The fee for erecting or placing a sign at any time prior to the issuance of a permit or an inspection having taken place shall be three (3) times the amount established above.

(B) Suffolk County License. A copy of Suffolk County Installers License is required to be produced with the application pursuant to Suffolk County Local Law No. 42-2008, which requires any person engaged in the business of building or hanging display signs to be licensed by the County of Suffolk. A display sign is defined in the Local Law as "any sign, sign screen, billboard or advertising device of any kind that exceeds 75 square feet in area or 25 pounds in weight."

(C) State parks or parkways. Any sign within five hundred (500) feet of a state park or parkway that requires approval from the New York State Office of Parks, Recreation and Historic Preservation must have such approval prior to the issuance of a town sign permit.

(D) Renewals. Sign permits shall be renewed every three (3) years upon the payment of a permit renewal fee of two (\$2) dollars per square foot of sign area with a minimum fee of seventy-five (\$75) dollars. Said fee shall be nonrefundable and paid at the time of application. An application for renewal of a permit shall be accompanied by a certification that the sign is properly installed, that the sign is being maintained in a safe manner, and the sign complies with all of the provisions of this chapter and other applicable law. The fee for the renewal of a sign permit after notice of renewal has been given and there has been a failure to renew within ninety (90) days of the date of such notice shall be two (2) times the amount established above. Notice shall be given by mailing an application for a renewal of a permit by regular mail to the name and address provided in the original sign permit application.

(E) Replacement of substantially damaged or missing signs. Any person or business entity who wishes to duplicate a substantially damaged or missing sign shall apply to the Department

of Public Safety. Authorization to replace or repair the sign shall be provided in writing at no cost as long as the applicant provides proof acceptable to the Department that the sign was legally in existence and that the term of the permit has not expired.

§198-98. [(Reserved)] Display of permit. The permit number shall be permanently shown in a conspicuous place on the face of the sign so as to be easily inspected and shall be no less than one (1) inch in height and three-fourths (3/4) inch in width. Failure to display the permit number on the sign shall be deemed an offense against this section and punishable as set forth in this chapter.

§198-99. [Sign permits.] Prohibitions.

* * *

[B.] [Application Fees. An application for a sign permit shall be made on forms provided by the Department of Public Safety. Each applicant shall submit a signed certification that the installation of any illuminated sign or any sign requiring the use of electrical service has been performed or shall be performed by a licensed electrician. The following fees are non-refundable and shall be paid at the time of application:]

- [(1)] [For erecting or placing a new facial sign: two (\$2) dollars per square foot of sign area with a minimum fee of fifty (\$50) dollars.]
- [(2)] [For erecting or placing a new freestanding sign: two (\$2) dollars per square foot of sign area with a minimum fee of fifty (\$50) dollars.]
- [(3)] [The inspection fee pursuant to § 198-92(B) shall be twenty-five (\$25) dollars per sign with a maximum fee of one-hundred (\$100) dollars per location.]
- [(4)] [Additional fees. The fee for erecting or placing a sign at any time prior to the issuance of a permit or an inspection having taken place shall be three (3) times the amount established above.]

[C.] [Display of permit. The permit number shall be permanently shown in a conspicuous place on the face of the sign so as to be easily inspected and shall be no less than one (1) inch in height and three-fourths (3/4) inch in width. Failure to display the permit number on the sign shall constitute a cause for revocation of the permit in addition to any other penalty provided by law.]

- (B) [D.] Alteration of permit. * * *
- (C) [E.] Non-transferability of permit. * * *
- (D) [F.] Relocation or change of size. * * *

[G.] [Substantially damaged or missing signs. Any person or business entity who wishes to duplicate a substantially damaged or missing sign shall apply to the Department of Public Safety. Authorization to replace or repair the sign shall be provided in writing at no cost as long as the

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applicant provides proof acceptable to the Department that the sign was legally in existence and that the term of the permit has not expired.]

[H.] [Renewals. Sign permits shall be renewed every three (3) years upon the payment of a permit renewal fee of one (\$1) dollar per square foot of sign area with a minimum fee of fifty (\$50) dollars. Said fee shall be nonrefundable and paid at the time of application. An application for renewal of a permit shall be accompanied by a certification that the sign is properly installed, that the sign is being maintained in a safe manner, and the sign complies with all of the provisions of this chapter and other applicable law. The fee for the renewal of a sign permit after notice of renewal has been given and there has been a failure to renew within ninety (90) days of the date of such notice shall be two (2) times the amount established above. Notice shall be given by mailing an application for a renewal of a permit by regular mail to the name and address provided in the original sign permit application.]

§198-100. Removal of certain signs; presumption.

* * *

(D) Trespass. Any person who causes or permits any sign to be placed, posted or maintained on, within, or encroaching upon or over any town owned or leased property, including any portion of a town right-of-way or on any appurtenance therein, other than in conformity with this chapter, shall be in violation of this chapter. Any such sign shall be subject to immediate removal and destruction, without notice, as authorized by the Director of Public Safety or the Director of Engineering Services. In any action for an alleged violation of this section, there shall be a rebuttable presumption that the person whose name, telephone number, or other identifying information appears on such sign has caused or permitted such sign to be posted or located at the site.

(E) [D.] Recovery of costs. * * *

[E.] [Authority of Enforcement Officer.]

[(1)] [A previously-issued permit may be revoked by the Director of Public Safety, on ten (10) days notice to the permittee, if the permittee fails or refuses to comply with the provisions of this Article or other applicable statute, rule or regulation; or fails to obey a reasonable order of an enforcement officer pertaining to such permit, sign or sign assemblage.]

[(2)] [Any person or business entity who resists, obstructs, or impedes an enforcement officer in the remediation or removal process shall be in violation of this Article and subject to the fines and penalties provided herein.]

[(3)] [No oversight or dereliction of duty on the part of town officers shall serve to legalize the maintenance, erection, installation, alteration, modification or construction of a sign for which no permit has been issued, or if issued has expired; or to legalize a sign

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which does not conform to the provisions of this article or other applicable local, state and/or federal law, rule, ordinance or regulation.]

[§198-101.] [Tobacco advertising.] **CURRENT TEXT DELETED IN ITS ENTIRETY**

§198-101. Authority of Enforcement Officer.

(1) A permit may be revoked by the Director of Public Safety in the same manner as set forth in Chapter 87 for building permits if there has been a material misrepresentation or falsehood in the application for a sign permit or at any time during the approval process; if the permit was issued in error; or as otherwise provided in this article.

(2) Any person or business entity who resists, obstructs, or impedes an enforcement officer in the remediation or removal process, or fails to obey a reasonable order of an enforcement officer pertaining to such permit, sign or sign assemblage shall be in violation of this Article and subject to the fines and penalties provided in this chapter.

(3) No oversight or dereliction of duty on the part of town officers shall serve to legalize the maintenance, erection, installation, alteration, modification or construction of a sign for which no permit has been issued, or if issued has expired or was in error; or to legalize a sign which does not conform to the provisions of this article or other applicable local, state or federal law, rule, ordinance or regulation.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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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.

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 55 MAIN STREET, COLD SPRING HARBOR—COLD SPRING HARBOR
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 7, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Oyster Bay Management, LLC, 9 Snake Hill Road, Cold Spring Harbor, NY 11724, for a Certificate of Approval to renovate an existing restaurant including construction of a 95 square foot addition, conversion of warehouse space to restaurant, office and storage use, and exterior alterations including a new façade and awning at the building located at 55 Main Street, Cold Spring Harbor, NY 11724, in accordance with plans dated October 8, 2012, 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 Cold Spring Harbor Historic District and bears Suffolk County Tax Map # 0400-063.00-02.00-006.000, 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 **18th** day of **December**, 2012, at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of the Oyster Bay Management, 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 REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF HUNTINGTON FOR THE YEAR 2013

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, scheduling regular meetings of the Town 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 schedules 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:

	<u>2:00 PM</u>	<u>6:00 PM</u>	<u>7:00 PM</u>
JANUARY	8 th		
FEBRUARY			5 th
MARCH	5 th		
APRIL			9 th
MAY	7 th		
JUNE			11 th
JULY	9 th		
AUGUST			6 th
SEPTEMBER	17 th		
OCTOBER		15 th	
NOVEMBER	7 th (Thursday)		
DECEMBER			10 th

All meetings will be held on Tuesday unless otherwise indicated above.

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 URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO DRAFT AND ENACT LEGISLATION THAT WILL REQUIRE GAS STATIONS IN THE STATE OF NEW YORK TO HAVE GENERATORS TO PROVIDE A BACKUP SOURCE OF ELECTRICITY IN THE EVENT A POWER OUTAGE OCCURS, ENSURING THAT THEY ARE ABLE TO SERVE CUSTOMERS IN THE STORM'S AFTERMATH

Resolution for Town Board Meeting Dated: November 7, 2012

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

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

WHEREAS, the Town Board believes that Hurricane Sandy has proved the need for a statewide plan, similar to those in place in Florida and elsewhere, when the grid loses power so that gas stations have the capacity to serve customers who require gasoline to take care of the daily necessities of life; and

WHEREAS, requiring gas stations to have a backup power supply that can mitigate the confusion and hazard Long Island is currently experiencing where only a limited number of stations can pump gas, leading to long lines, confusion and congested roads creating dangerous conditions for attendants, motorists and public safety officers; and

WHEREAS, requesting the State of New York to act on this recommendation is Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY URGES the New York State Legislature and Governor to draft and enact legislation that will require gas stations in the State of New York to have generators to provide a backup source of electricity in the event a power outage occurs, ensuring that they are able to serve customers in the storm's aftermath.

HEREBY DIRECTS the Town Clerk, Jo-Ann Raia, to forward certified copies of this resolution to Governor Andrew Cuomo, Dean G. Skelos, Senate Majority Leader, Assemblyman Sheldon Silver, Speaker of the Assembly; and to the members of Huntington's State Legislative delegation, Senator Carl Marcellino, Senator John Flanagan and Assemblyman Andrew Raia.

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 AN EXTENSION OF TIME TO PAY TAXES FOR THOSE PERSONS GRANTED A SENIOR CITIZEN TAX EXEMPTION AND ENHANCED STAR EXEMPTION PURSUANT TO CHAPTER 178 OF THE CODE OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: November 7, 2012

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, pursuant to §925-b of the Real Property Tax Laws of the State of New York, the Town Board, by Resolution 1997-589, adopted Local Law No. 20-1997 amending the Code of the Town of Huntington, Chapter 178 (Taxation), Article I (Senior Citizens Tax Exemption and Enhanced Star Exemption) allowing an extension of time to pay taxes of up to five (5) business days; and

WHEREAS, said amendment allows the Town Board to enact a resolution each year prior to the adoption of the final budget of the Town, extending the deadline for payment of taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions pursuant to the Code of the Town of Huntington, §178-3; and

WHEREAS, said extension of time to pay must comply with deadlines set forth in the Suffolk County Tax Act; and

WHEREAS, the extension of the time to pay taxes for persons granted a Senior Citizen tax exemption and Enhanced Star exemption is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, upon the recommendation of the Receiver of Taxes,

THE TOWN BOARD

HEREBY AUTHORIZES an extension of the time to pay taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions and Enhanced Star Exemptions pursuant to the Code of the Town of Huntington §178-3 to Wednesday, June 5, 2013.

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.