

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

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

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

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED JULY 15, 2014

2:00 P.M. – TOWN HALL

Opened: 2:06 P.M. Closed: 4:08 P.M.

(Resolutions #2014-344 to 2014-385)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 26-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Loret Lane, East Northport – Parking Restrictions.

(Local Law Introductory No. 26-2014)

Scheduled as per Resolution 2014-338 at 6-17-2014 Town Board Meeting

DECISION RESERVED

2. Consider adopting Local Law Introductory No. 27-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Holdsworth Drive, Huntington – Parking Restrictions.

(Local Law Introductory No. 27-2014)

Scheduled as per Resolution 2014-340 at 6-17-2014 Town Board Meeting

DECISION RESERVED

3. Consider adopting Local Law Introductory No. 28-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A. Re: Daly Road at Blacksmith Lane, Commack, Daly Road at Wicks Road and at Phyllis Drive/Willoughby Path, East Northport – Traffic Signal.

(Local Law Introductory No. 28-2014)

Scheduled as per Resolution 2014-341 at 6-17-2014 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider adopting Local Law Introductory No. 29-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Buhl Lane, Darrell Street, East Northport – Stop Signs.

(Local Law Introductory No. 29-2014)

Scheduled as per Resolution 2014-342 at 6-17-2014 Town Board Meeting

DECISION RESERVED

5. Consider a license agreement with North Shore-Long Island Jewish Health System Huntington Hospital to utilize a portion of a Town of Huntington parking facility at Mill Dam Park. **(Term: Three years beginning August 1, 2014)**

(2014-M-33)

Scheduled as per Resolution 2014-336 at 6-17-2014 Town Board Meeting

**ENACTMENT
RESOLUTION 2014-376**

6. Consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). **(SCTM #'S: 0400-126.00-02.00-005.000, 0400-232.00-04.00-037.000, 0400-140.00-03.00-086.000, 0400-169.00-02.00-121.000)**

(2014-M-34)

Scheduled as per Resolution 2014-337 at 6-17-2014 Town Board Meeting

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 30-2014, amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article IV (Operational Permits).

(Local Law Introductory No. 30-2014)

Scheduled as per Resolution 2014-343 at 6-17-2014 Town Board Meeting

**ENACTMENT
RESOLUTION 2014-374**

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

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

- | | | | | |
|------------------|---|--------------------------------|--------------------------------|---|
| 2014- 344 | AUTHORIZE the Supervisor to execute an agreement with H2M Architects + Engineers to provide engineering services for the installation of water main and appurtenances at the Golf Estates subdivision for the Dix Hills Water District. (SCTM# 0400-261-02-008 [8.1-8.23]) | <u>SB</u> | <u>FP</u>
<u>EC</u> | <u>5</u> |
| 2014-345 | AUTHORIZE the Supervisor to execute a contract for the administration of worker’s compensation services for the Town of Huntington with PMA Management Corp. (Period: Three years commencing not before 8/16/2014) | <u>SB</u> | <u>FP</u> | <u>5</u> |
| 2014-346 | AUTHORIZE the Supervisor to execute a contract for professional services with Liro Engineers, Inc. for hazardous material abatement project design, project monitoring and air sampling, for the James D. Conte Center. | <u>FP</u>
<u>MC</u> | <u>SB</u> | <u>5</u> |
| 2014-347 | REMOVED FROM THE AGENDA AT THE WORKSHOP. | | | |
| 2014-348 | AUTHORIZE the Supervisor to execute a contract with Toshiba Financial Services, for the lease of 64 multifunction copy/print/scan machines for various Town departments under Suffolk County Contract. (Re: Suffolk County Contract # PE 062714) | <u>TE</u> | <u>SB</u> | <u>5</u> |
| 2014-349 | AUTHORIZE the Supervisor to execute an extension to the requirements contract with each of the lowest responsible bidders for the storm debris removal equipment services contract for bid items one through ten. (Re: Looks Great Services, Inc., Posillico Civil, Inc., Primetime Trucking & Transportation Inc. and The Landtek Group, Inc.) | <u>SB</u> | <u>EC</u> | <u>SB-AYE</u>
<u>EC-AYE</u>
<u>FP-AYE</u>
<u>TE-AYE</u>
<u>MC-ABST</u> |
| 2014-350 | AUTHORIZE the Supervisor to execute an extension to the contracts for website design and development services and a web-based Citizen Relationship Management System (CRMS) with QScend Technologies, Inc. (Re: Extension period one year) | <u>EC</u> | <u>TE</u> | <u>5</u> |
| 2014-351 | AUTHORIZE the Supervisor to execute a license agreement with the East Northport Chamber of Commerce for the use of John Walsh Park for its annual festival and further granting permission for a sidewalk sales event. (Dates/Times for John Walsh Park: 9/2/2014 at 9:00 AM through 9/7/2014 until 11:00 PM; Sidewalk Sale Event 9/5/2014-9/7/2014) | <u>FP</u>
<u>EC</u> | <u>SB</u> | <u>5</u> |
| 2014-352 | AUTHORIZE the Supervisor to execute a license agreement with the Family Service League, Inc. (FSL) on behalf of Long Island Community | | | |

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>Agriculture Network (LI-CAN) in connection with the Community Garden at Gateway Park. (Period: Until 12/31/2014)</p>	<u>FP</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2014-353 AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts – various departments.	<u>TE</u>	<u>SB</u>	<u>5</u>
2014-354 AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (James D. Conte Community Center).	<u>FP</u> <u>MC</u>	<u>SB</u>	<u>5</u>
2014-355 AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Claire T. O’Keefe, 42 Lovers Lane, Huntington, SCTM#0400-025.00-02.00-069.000, Chapters 87, 156; Christof Pasterak, 57 Caldwell Street, Huntington Station, SCTM#0400-149.00-03.00-100.000, Chapters 119, 133, 156, 191; Dorothy Wolos, 11 Cecil Court, Melville, SCTM# 0400-242.00-02.00-012.000, Chapters 133, 156; Jung Don/Kyoung Mi Kim, 20 Kenmore Street, Dix Hills, SCTM# 0400-280.00-07.00-021.000, Chapters 133, 156, 191; James/Lorraine Vollmer, 47 Lebkamp Avenue, Huntington, SCTM# 0400-211.00-01.00-050.000, Chapters 133, 156; Marilyn Skerrett, 5 Otsego Avenue, Dix Hills, 0400-283.00-02.00-103.000, Chapters 133, 156, 191; Barry/Colette Blake, 43 Talisman Drive, Dix Hills, SCTM# 0400-262.00-02.00-145.000, Chapters 133, 156 [45A &46]; Steven/Patricia Calder, 40 Trescott Street, Dix Hills, SCTM# 0400-275.00-02.00-087.000, Chapters 133, 156; Philip/Deborah McLaughlin, 1 Denton Court, Huntington, SCTM# 0400-206.00-01.00-055.000, Chapter 156; Verizon New York, Inc., Keeler Street, 0400-211.00-01.00-081.000, Chapter 156; Cave Hawk Corp., 28 Kenneth Avenue, Huntington, SCTM# 0400-169.00-01.00-069.001, Chapter 156; Teofil Kolodziejczyk, 650 Washington Drive, Centerport, SCTM# 0400-039.00-01.00-023.000, Chapter 156)	<u>SB</u>	<u>EC</u>	<u>SB-AYE</u> <u>EC-AYE</u> <u>FP-AYE</u> <u>MC-AYE</u> <u>TE-ABST</u>
2014-356 AUTHORIZE a pilot program for the harvesting of oysters in Town waters by Town of Huntington commercial shellfish permit holders. (Increase the daily oyster harvest that commercial shellfish permit holders may take from 500 to 1000 per day through 8/31/2014; a follow-up oyster population survey between TOH Maritime Services and Cornell University to take place in 3/2015)	<u>FP</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2014-357 AUTHORIZE settlement of a lawsuit (24 Elkland Road, Melville, New York). (Re: Dr. Jeffrey Wenig Memorial Park)	<u>EC</u>	<u>TE</u>	<u>EC-AYE</u> <u>TE-AYE</u> <u>FP-AYE</u> <u>MC-AYE</u> <u>SB-ABST</u>
2014-358 AUTHORIZE settlement of a lawsuit (Jessica Goldman and Tracy Goldman v Town of Huntington, Index No.: 44608/2009).	<u>EC</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
2014-359 AUTHORIZE the Town Attorney to continue the retention of an expert in Engineering (Conrad F. Pohlmann, P.E.). (Re: Modica v. Town of Huntington)	<u>SB</u>	<u>MC</u>	<u>5</u>
2014-360 AUTHORIZE the Town Attorney to enter into a Compensation Agreement for the payment of compensation and expenses of Robert Avallone, Esq. as Temporary Receiver, pursuant to the Order of District Court Judge, Honorable C. Stephen Hackeling, in the matter of the Town of Huntington v. JCRL Development Corp., Index Number HUTO 409-13, Re: code violations at 195 West Hills Road, Huntington Station, New York (SCTM No.: 0400-192.00-01.00-039.000)	<u>FP</u>	<u>SB</u>	<u>5</u>
2014-361 ACCEPT \$1,000.00 in sponsorship money from various businesses for the 2014 Clean Beaches Day, nunc pro tunc. (Re: The Paramount, Northport Chamber of Commerce, Huntington Lighthouse Preservation Society, Harbor Boating Club and Cold Spring Harbor Seafarers)	<u>SB</u>	<u>TE</u>	<u>5</u>
2014-362 ACCEPT a donation from Jayette Lansbury, daughter of Phyllis Ungurath of one tree to be planted at the Centerport Senior Beach House with Memorial Plaque in memory of Phyllis Ungurath.	<u>SB</u>	<u>FP</u>	<u>5</u>
2014-363 ADOPT the Marina Contract for winter wet storage at Town Marinas.	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-364 APPOINT a member to the Town of Huntington Board of Assessment Review. (Re: Joshua Price)	<u>EC</u>	<u>No Second Resolution Fails</u>	
2014-365 APPOINT a member to the Town of Huntington Board of Ethics and Financial Disclosure. (Re: Richard B. Ward)	<u>EC</u>	<u>No Second Resolution Fails</u>	
2014-366 EXEMPT New Cingular Wireless PCS, LLC pursuant to §198-68.1 (P) of the Huntington Town Code for work at the Colby Drive Water Tank of the Dix Hills Water District, SCTM #0400-252-02-004.	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>EC-AYE</u> <u>SB-NO</u> <u>TE-ABST</u>
2014-367 EXEMPT T-Mobile Northeast, LLC pursuant to §198-68.1 (P) of the Huntington Town Code for work at the Colby Drive Water Tank of the Dix Hills Water District, SCTM #0400-252-02-004.	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>EC-AYE</u> <u>SB-NO</u> <u>TE-ABST</u>
2014-368 EXEMPT Verizon Wireless pursuant to §198-68.1 (P) of the Huntington Town Code for work at the Colby Drive Water Tank of the Dix Hills Water District, SCTM #0400-252-02-004.	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>EC-AYE</u> <u>SB-NO</u> <u>TE-ABST</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2014-369 AUTHORIZE appropriate action in accordance with Huntington Town Code Chapter 156 Property Maintenance, Nuisances, Article VII, Blighted Property, §156 – 67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & B – Frederick /Matilda Appawu, 372 Old Bridge Road, East Northport, SCTM# 0400-126.00-02.00-005.000; Angelo/Marie Bermudez, 5 Somerset Street, Huntington Station, SCTM# 0400-232.00-04.00-037.000; Paul/Paulette Magny, 92 Columbia Street, Huntington Station, SCTM# 0400-140.00-03.00-086.000) (Re: Schedule D – John Gerardi, 2C West 11th Street, Huntington Station, SCTM# 0400-142.00-03.00-032.000; Nicholas/Linda D’Onofrio, 4 Carriage Court, Dix Hills, SCTM# 0400-262.00-01.00-145.000; Willard/Laura Lanham, 5 Laura, East Northport, SCTM# 0400-185.00-02.00-024.003; Mohammed Sabur, 24 Lorraine Court, Northport, SCTM# 0400-055.00-01.00-048.003; Subbarao/Sathyavath Gutti, 32 Lakeside Drive, Centerport, SCTM# 0400-043.00-05.00-014.000)</p>	<u>SB</u>	<u>EC</u>	<u>5</u>
<p>2014-370 ENACTMENT: ADOPT Local Law Introductory Number 14 – 2014, considering Zone Change Application #2013-ZM-395, Halil Akkaya-Xtra Fuel, to change the zoning from C-6 General Business District and R-5 Residence District to C-11 Automotive Service Station District for property located on the southwest corner of Depot Road and East 13th Street, Huntington Station, SCTM# 0400-145-03-030. (Re: Subject to covenants and restrictions)</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2014-371 ENACTMENT: ADOPT Local Law Introductory Number 21 – 2014, amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article IV (Rules and Regulations).</p>	<u>FP</u> <u>EC</u>	<u>SB</u>	<u>5</u>
<p>2014-372 ENACTMENT: ADOPT Local Law Introductory Number 22 – 2014 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities); Article I (Definitions) and Article III (Permit for use of Park Facilities).</p>	<u>MC</u> <u>FP</u>	<u>EC</u> <u>TE</u>	<u>5</u>
<p>2014-373 ENACTMENT: ADOPT Local Law Introductory Number 24 – 2014, considering Zone Change Application #2012-ZM-393, 110 Prime Inc., to change the Zoning from I-4 Light Industry District to C-11 Automotive Service Station District for property located on the north corner of New York Ave. and Prime Ave., Huntington, SCTM# 0400-071-02-084. (Re: Subject to covenants and restrictions)</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2014-374 ENACTMENT: ADOPT Local Law Introductory No. 30-2014, amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article IV (Operational Permits). (Re: Carbon Monoxide Detectors)</p>	<u>FP</u> <u>MC</u> <u>TE</u>	<u>SB</u>	<u>5</u>
<p>2014-375 ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 86 West Neck Road, Huntington – Conklin-Swanson House. (Applicant: Sandra Landaas) (SCTM# 0400-070.00-04.00-036.000)</p>	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
2014-376 ENACTMENT: AUTHORIZE the Supervisor to enter into a license agreement with North Shore-Long Island Jewish Health System Huntington Hospital to utilize a portion of the Town of Huntington parking facility at Mill Dam Park. (Period: Three years beginning 8/1/2014)	<u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2014-377 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider adopting Local Law Introductory Number 31-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions)	<u>MC</u> <u>FP</u>	<u>SB</u>	<u>5</u>
2014-378 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider adopting Local Law Introductory No. 32-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Pine Drive, Cold Spring Harbor – Parking Restrictions.	<u>TE</u>	<u>MC</u>	<u>5</u>
2014-379 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider adopting Local Law Introductory No. 33-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an Historic Landmark of the building and property known as The Cobb House, 17 Cherry Lane, Huntington, located at 19 Cherry Lane, Huntington, SCTM# 400-077.00-02.00-026.002.	<u>FP</u>	<u>MC</u>	<u>5</u>
2014-380 BLANK			
2014-381 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider adopting Local Law Introductory No. 34-2014, amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article I (Title and Findings; Definitions), Article II (Taker's Permit Requirements), Article V (Refusal, Recission and Appeals Procedures).	<u>FP</u>	<u>SB</u>	<u>5</u>
2014-382 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, § 156 – 60 (Blighted Property). (Re: Schedule A - Teofil Kolodziejczk, 650 Washington Drive, Centerport, SCTM# 0400-039.00-01.00-023.000; Joseph Cinquemani, 41 Hearthstone Drive, Dix Hills, SCTM# 0400-250.00-02.00-068.000)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-383 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 501 Sweet Hollow Road, Melville – Sweet Hollow Historic District. (Applicant: Ramin Rasuli) (SCTM# 0400-256.00-01.00-013.000)	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 15, 2014**

RESOLUTIONS:

	OFF.	SEC.	VOTE
2014-384 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider a Land and Tower License Agreement between Dix Hills Water District and New Cingular Wireless PCS, LLC for the installation, maintenance and use of cellular communications equipment at the Dix Hills Water District facility on Colby Drive.	<u>FP</u>	<u>EC</u>	FP-AYE EC-AYE MC-AYE SB-NO <u>TE-ABST</u>
2014-385 SCHEDULE A PUBLIC HEARING: August 19, 2014 at 7:00 PM To consider a Land and Tower License Agreement between Dix Hills Water District and New Cingular Wireless PCS, LLC for the installation, maintenance and use of cellular communications equipment at the Dix Hills Water District facility on Wolf Hill Road.	<u>FP</u>	<u>EC</u>	FP-AYE EC-AYE MC-AYE SB-NO <u>TE-ABST</u>

AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED:

RESOLUTIONS:

OFF. SEC. VOTE

2014-BT

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED:

RESOLUTIONS:

OFF. SEC. VOTE

2014-CD

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: July 15, 2014**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: John Springer for Akebono Fusion Sushi (252 Broadway, Greenlawn);
From: Yoonhee Kim for Kurofune Japanese Restaurant (77 Commack Road, Commack);
From: Patrick DeLuca for name to be determined (169 Commack Road, Commack);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Joseph Agnone for Anthony's Pizza Ristorante & Bar;
From: Arthur Bloom for Jackson's; From: William Conrad for Healy's Inn;
From: Mark Carney for MDC Tavern Corporation d/b/a Carousel Lounge;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility

3. Marilyn McDermott's On line petition, "Jo-Ann Raia: Fund a Road Study for Woodbury Road, Town of Huntington" was signed and submitted by email from: Salvatore Trazzera, Bill Rosenthal, John Mulvey, Brenda Foster, Robert Harms, Dora Szafran, Linda Thaanum, Peter Lenihan, Marie Lopez, Jason Thomas, Julia McLaughlin, Glossie Towner, Ann K, Joan Mayo, Jennifer Barretto, Nancy Haycraft, Mike Lanzalotti, Philip Brockman, Rebecca Barela, Diane Anderson, Shannon Bledsoe, Kimberly Micohn, Kevin Rice, Neil Stecker, Keishla Santiago Ortiz, Dianne King, Lisa Rossignol, Dennis Lowe, LaVerne Smith, Afau Owusu, Darren Mitton, Colin Parker, Kari Dyr Dahl, Jacqueline Acevedo, Craig Charleston, Nicole Hamm, Sophie Kyriacou, Lynda Gramlich, Charlotte Twyford, and Bonnie Passy.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Traffic & Transportation

4. Email received from Paul Besmertnik, PE regarding the Seasons at Elwood. The writer spoke at the June 17th meeting but did not have time to finish his speech. Attached was a copy of his presentation opposing this development.

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

5. Email received from James Cameron, of Preserving Elwood Now (PEN). Attached was a follow up letter to the Public Hearing held on the Oak Tree Dairy property. The letter references the following topics which were discussed by experts presented on the builders behalf: Traffic, Economist, Public Opinion Polls, Marketing to the Community, Environmental Impact Study and Water and Environment. The writer expresses his view (in opposition) on these points.

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

6. Emails/letters submitted in opposition to the rezoning of the Oak Tree Dairy property (the Seasons at Elwood/Engel Burman project) from the following: Becky Marcus, Teresa Wukich, Agnes Musi, Christina Schelin, Kate Flore, Elizabeth Dagostino, John Hecht*, Carmela Lewis*, Nora Markarian, Thomas Berger, Margo Conklin McKee, Joe Alicata, Lynn Johnston, Patrick McKee and Stephanie Rubino/Gianakas (emails included in 6/17/2014 informational sheet and distributed), (*multiple correspondence)

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
7. Email received from Heather Mammolito thanking the Town Board for their time and patience in allowing the Elwood residents to express their opposition to the Oak Tree proposal at the June 17, 2014 Town Board meeting.

Supervisor
Town Board
cc: Town Attorney
8. Email received regarding opposition to the Brightview Company's proposed plan to build a senior living facility at 482 Deer Park Avenue, Dix Hills, next to Bissett Nursery from: Claire/Robert Gottlieb and Ana/Ron Rosenthal.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
9. Letters received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning regarding A) Resolution 2014-260 and B) Resolution 2014-264 – both are concerned matters of local determination which should not be construed as either an approval or disapproval C) Resolution 2014-265 – due to the changes in the application, they are requesting copies of the application, SEQRA materials and Planning/Zoning etc. reports.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Two letters emailed and hand delivered by Richard B. Ward regarding the Engel Burman project on Elwood Road at the Oak Tree Dairy site. The first letter was regarding Zone Change Application #2012-ZM-393 hearing and the failure to conduct due diligence and unwarranted preferential considerations for the applicant. The writer indicates that no placard was displayed on the property all placards were fastened on the utility poles. He also states that the notification to the Elwood Board of Education was technically deficient. The writer indicates that the developer was given reserved seating for his speakers and that the speakers received positions 1-9 in the numbered speaking positions. Mr. Ward advises that the Oak Tree Dairy ceased operations on March 15, 2013. His second letter is regarding Zone Change Application #2012-ZM-393 Hearing – Unsupported “not to worry” statements by applicants presenters. The writer indicates that based on certain reports, teenagers and older people are the riskiest drivers. The Oak Tree Dairy project is near the Elwood High School campus thus placing the two population of highest risk of an automobile crash in immediate proximity of each other. The writer wants the application denied.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
11. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning, regarding Zone Change 2012-ZM-389 (BK Elwood LLC-The Seasons). This matter will be reviewed at the July 2, 2014 meeting which will be held at 725 Veterans Memorial Highway, Smithtown at 2:00 PM.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Email from Wendi Stranieri regarding the Meadows at West Hempstead. The writer indicates that this is an Engel Burman project and would like this single family housing to be considered for the Elwood Road – Oak Tree Dairy site. She also indicates that the owners of the Mediavilla property should be approached regarding the senior housing. The writer indicates that 90 days is too soon for a vote as there are many unknowns. B) A second email was submitted by the writer indicating that ranch style houses should be built for the seniors with no clubhouse, no gates and maybe waste treatment plant will not be needed (same email resubmitted with a link).

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

13. Letters/emails received in Support of the Benchmark Senior Living facility proposed for 25A in Huntington from: John DeLillo, Ellen Boccio, Bruce Breitstein, Anita/Nicholas Sudano, Laurette DeCabia, John Dornheim, Sherri Bennett, Elisa Slamm, Diane Fitzgerald Monique Carter and Heidi Hamilton. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
14. Emails/letters received in support of the Seasons at Elwood (Oak Tree Dairy Site, Engel Burman project) from: Ann Marie Scileppi, Barry Knepper, Linda Mincone, Maria Sinatora, Jeff Scharpf, Elysa Goldman, Karen Adler, Geraldine Walford, Robert Walford, Colleen Valerio, John Dornheim, Charles Buscaglia, Joan Tomasello, Ellen Mazzeo, Lenore Barraco, Evamarie Cinque, Susan Cundari, Joseph Barone, Guan hiok Yu, Marion Guilfooy, Domenica Spellman, Debra McAleese, Carole Knoth, Ross Pakula, Douglas McNally, Marie Seliger, Joyce Ann Bard, Ben Bletsch, Mark/Janice Carmel, Julian Herskowitz, Estelle Kamsler, Kurt Grobert, Janice Matuza, Shelia Wexler, Lyn Tabachnick and Heidi Nelson. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Emails/letters received in opposition to the Benchmark Corporation proposal for Old Northport Road from: Dino Cimetta, Gil Battistin/Jane Carter (attached was copy of letter sent to the editors of Newsday and the Long Islander) and Joseph/Jacqueline Inzerillo. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
16. Email received in support of preserving Pickle Park from John Clifford. Supervisor
Town Board
Town Attorney
Parks & Recreation
cc: Planning & Environment
17. Email correspondence received from Babette Eckstein to Councilman Cook regarding his vote on the Engel Burman project The Seasons at Elwood. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Letter received from Susan Mullen, Clerk to the Smithtown Board of Zoning Appeals, regarding an application submitted for property located at the north side of Marion's Lane and east of Lister Circle, Fort Salonga (property is within 500 feet of the Town of Huntington boarder). Attached were copy of application, rider, Environmental Assessment Form, copies of a memoranda from the Smithtown Building Directors and maps. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
19. Letter received from Tom Hogan, of the Cold Spring Harbor Business Improvement Assocaition, LTD., attached was a copy of the budget for the 2015 contract year. Supervisor
Town Board
Town Attorney
cc: Comptroller
20. Letter received from Pam Schiel regarding the following: The Bristol Assisted Living in East Northport and various issues with this project, the writer would like the charges against Dan Karpen dropped and she would like the Town Board to reject the Seasons at Elwood application. There were various attachments. Supervisor
Town Board
Town Attorney
Engineering Services
Public Safety
cc: Planning & Environment

21. Email from Jerome Minerva, forwarded to Town Clerk's Office from Councilman Cook's office. The writer indicates he is against the Villadom project proposed by Syndicated Ventures. The property involved is 56 acres located at Jericho Turnpike and Manor Road (*multiple emails received).
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
22. Letter received from Beth Nystrom, District Clerk for the Northport-East Northport Union Free School District, indicating the updated list of officials for the 2014-2015 school year.
- Supervisor
Town Board
cc: Town Attorney
23. Petition in opposition to the downzoning of the Wall/Applegate property (boarded by Old Northport Road on the south and East Main Street on the north at the intersection of Washington Drive). There are 112 signatures.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
24. Memoranda received from Gail Devol, Village Administrator for Huntington Bay regarding the following: A) Site Plan Review Board Hearing on July 14, 2014 at 7:30 PM – property located at 38 Bay Crest – construct additions and alterations. B) Zoning Board of Appeals Hearing on July 17, 2014 at 7:30 PM – property located at 345 Bay Avenue-21 Highview Drive- 305 Bay Avenue all properties require variances, steep slope permit and site plan review.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
25. Petition, in support of "The Seasons at Elwood", hand delivered by Cheryl Silberman, Director of Public Affairs for Engel Burman. There were 60 petition letters submitted.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Emails received opposing the scheduling of a public hearing for the Elwood Orchard/Mediavilla/Villadom project from: Carmela Lewis, Wendi Stranieri, Alison Mitola and Lori/Flavian Cresci.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
27. Email received from Peter/Barbara Hermanns regarding the Oak Tree Dairy. They are residents of Old Chester Hills and do not agree with the letter of approval written by the Old Chester Hills Civic Association for the Seasons at Elwood Project. They are opposed to this project and the Mediavilla project.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
28. Letter received from Sharon Whelan, District Clerk for the Harborfields Central School District, with a list of members and officials for the 2014/2015 school year.
- Supervisor
Town Board
cc: Town Attorney

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH H2M ARCHITECTS + ENGINEERS TO PROVIDE ENGINEERING SERVICES FOR THE INSTALLATION OF WATER MAIN AND APPURTENANCES AT THE GOLF ESTATES SUBDIVISION FOR THE DIX HILLS WATER DISTRICT.

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: SUPERVISOR PETRONE, COUNCILMAN COOK

WHEREAS, the proposed development includes twenty-three (23) residential lots which will be serviced by the District's high pressure zone requiring the installation of approximately 3,000 linear feet of new water main and appurtenances, including the appropriate valves and fire hydrants; and

WHEREAS, the developer will provide the funding for the cost of the installation of the water main and appurtenances; and

WHEREAS, H2M Architects + Engineers has submitted a proposal for engineering services that include the coordination of meetings, easement review, topographical survey, design & bidding services, contract administration, construction observation and map/GIS updates & valve sketches; and

WHEREAS, installation of water mains and appurtenances is a Type II action, pursuant to SEQRA, 6NYCRR, §617.5(c)(11), therefore, no further review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with H2M Architects + Engineers, 538 Broad Hollow Road, Melville, New York 11747 to provide engineering services for the installation of water main and appurtenances at the Golf Estates subdivision for the Dix Hills Water District; for an amount not to exceed the sum of THIRTY-NINE THOUSAND SEVEN HUNDRED TEN AND NO/100 (\$39,710.00) DOLLARS, to be charged to Capital Budget Item No. EG8397-2778-DV320, upon such terms and conditions acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-345

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE ADMINISTRATION OF WORKER'S COMPENSATION SERVICES FOR THE TOWN OF HUNTINGTON WITH PMA MANAGEMENT CORP.

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: SUPERVISOR PETRONE

WHEREAS, The Town of Huntington issued a request for proposal for services requiring claims administration and claims management, including third party claims administration, for all workers' compensation claims incurred by employees of the Town of Huntington; and

WHEREAS, sealed proposals were received on April 25, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for administration of worker's compensation services for the Town of Huntington, RFP No. 2014-04-002 and the same were opened and read aloud; and

WHEREAS, PMA Management Corp., 5789 Widewaters Parkway, DeWitt, New York 13214 is the successful responsive, responsible proposer; and

WHEREAS, a contract for the administration of Worker's Compensation is not an action as set forth in 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with PMA Management Corp. for the administration of worker's compensation services for the Town of Huntington. The contract period shall be effective for three (3) years commencing upon execution but not before August 16, 2014 with an option to renew for three (3) additional one (1) periods at the same or reduced prices, under the same terms and conditions, upon mutual agreement between the Town and the vendor, for an annual amount not to exceed the sum of SIXTY-TWO THOUSAND FIVE HUNDRED AND NO/100 (\$62,500.00) DOLLARS to be charged to Operating Budget Item A 9040-8030, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES WITH LIRO ENGINEERS, INC FOR HAZARDOUS MATERIAL ABATEMENT PROJECT DESIGN, PROJECT MONITORING AND AIR SAMPLING, FOR THE JAMES D. CONTE CENTER .

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, asbestos, lead and mold remediation are needed prior to starting the improvements to this former military site and make it safe for public use. In addition to rehabilitating and repurposing this significant community resource, the project will transform a compromised property with potential to become a nuisance into an important and scenic community asset; and

WHEREAS, the Town of Huntington requires the services of a professional engineering or environmental firm to assist in the design, preparation of contract documents, project monitoring and site air monitoring; and

WHEREAS, the Department of Engineering solicited proposals from nine (9) local firms; and

WHEREAS, On July 10, 2014 Four (4) proposals were received and reviewed by the Director of Engineering Services for the aforementioned services; and

WHEREAS, LiRo Engineers, Inc. submitted the most cost effective proposal to complete the required services for the Town; and

WHEREAS, the professional services for hazardous material abatement project design, monitoring and air sampling for the James D. Conte Center is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (2) and (c) (21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Liro Engineers Inc., Three Aerial Way, Syosset, NY 11791 to provide professional services for hazardous material abatement design, project monitoring, and air sampling for the James D. Conte Center, 100 East 5th St, Huntington Station NY 11746 for an amount not to exceed the sum of FORTY-TWO THOUSAND NINE HUNDRED FIFTY SIX dollars (\$42,956.00), to be charged to Capital Budget Item No. EG7197-2102-NE017, and authorizes the Director of Engineering to execute contract changes with an aggregate value up to 10% of the professional services contract, upon such other terms and conditions as may be acceptable to the Town Attorney.

2014-346

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-348

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH TOSHIBA FINANCIAL SERVICES, FOR THE LEASE OF 64 MULTIFUNCTION COPY/PRINT/SCAN MACHINES FOR VARIOUS TOWN DEPARTMENTS UNDER SUFFOLK COUNTY CONTRACT.

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town's five year lease for forty-one copiers in various departments is expiring in August 2014 and must be replaced; and

WHEREAS, the Town's additional leases for twenty-three copiers in various departments expire at different times and this resolution brings all leases onto one payment schedule; and

WHEREAS, it was determined that it is cost beneficial to the Town to combine all leases at a budget savings of approximately \$21,882.36 per year for a total of \$65,647.08 over a three year period; and

WHEREAS, the copiers will be leased from Toshiba Financial Services under Suffolk County Contract # PE 062714 (black and white) and Suffolk County Contract # PEC 052114 (color); and

WHEREAS, execution of this agreement is a Type II action under SEQRA, pursuant to N.Y.C.R.R. 617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with Toshiba Financial Services, PO Box 41602, Philadelphia, PA 19101-1602, under Suffolk County Contract # PE 062714 at a monthly rate not to exceed SIXTEEN THOUSAND EIGHT HUNDRED TWO AND FIFTY-FOUR CENTS (\$16,802.54) DOLLARS for thirty-six (36) months to be charged to Operating Budget A1670-2316, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT WITH EACH OF THE LOWEST RESPONSIBLE BIDDERS FOR THE STORM DEBRIS REMOVAL EQUIPMENT SERVICES CONTRACT FOR BID ITEMS ONE THROUGH TEN.

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is in need of hiring contractors with specialized equipment to assist the Town with storm debris removal services; and

WHEREAS, sealed bids were received on September 5, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the storm debris removal equipment services, Bid No. TOH 13-09R-052 and the same were opened publicly and read aloud; and

WHEREAS, Town Board Resolution 2013-423 and 2013-542 authorized the execution of a contract with the lowest responsive, responsible bidder for each of the ten (10) bid items as detailed in Schedule A for the storm debris removal equipment services, Bid No. TOH 13-09R-052; and

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

WHEREAS, with the lowest responsive, responsible bidder for each of the ten (10) bid items as detailed in Schedule A has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with the lowest responsive, responsible bidder for each of the ten (10) bid items as detailed in Schedule A for the storm debris removal equipment services, Bid No. TOH 13-09R-052. The extension period shall be effective for one (1) year commencing on October 1, 2014 to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014- 349

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE A

Bid No. TOH 13-09R-052

Awardees:

<u>Bid Item No.</u>	<u>Description</u>	<u>Company Name and Address</u>	<u>Hourly Rate Per Unit (Includes Equipment and Operator)</u>
1	Knuckle Boom Truck with rotating grapple attachment, suitable for loading dump trucks and trailers, no holding capacity required, and additional group support worker.	Looks Great Services, Inc. 7 Lawrence Hill Road Huntington, NY 11743	\$ 800.00/hr
2	Self-Loading Knuckle Boom Truck with rotating grapple attachment 50+ cubic yard capacity, Pup Trailer 40+ cubic yard capacity and additional group support worker.	Looks Great Services, Inc. 7 Lawrence Hill Road Huntington, NY 11743	\$ 800.00/hr
3	Brush Grinder with throughout capacity in excess of 125 tons/hour and additional group support worker.	The Landtek Group, Inc. 235 County Line Road Amityville, NY 11701	\$ 540.00/hr

<u>Bid Item No.</u>	<u>Description</u>	<u>Company Name and Address</u>	<u>Hourly Rate Per Unit (Includes Equipment and Operator)</u>
4	Excavator/Material Handler with Rotating Grapple attachment suitable to feed Item: 3	Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11701	\$ 280.00/hr
5	Wheel Loader with 4 way bucket with spec. weight in excess of 15,000 Lbs.	Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11701	\$ 235.00/hr
6	Wheel Loader with spec. weight in excess of 50,000 Lbs., hinge pin height above thirteen feet six inches and bucket capacity in excess of five cubic yards.	Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11701	\$ 275.00/hr
7	Fifty Foot Bucket Truck with additional bucket operator/climber and 2 twenty-five inch or greater bar length chain saws.	Looks Great Services, Inc. 7 Lawrence Hill Road Huntington, NY 11743	\$ 800.00/hr
8	Ten Wheel Truck with dump body in excess of sixteen cubic yards, and swing/demolition gate.	Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11701	\$ 165.00/hr
9	Tractor/Trailer Truck with dump body in excess of thirty cubic yards and swing/demolition gate.	Posillico Civil, Inc. 1750 New Highway Farmingdale, NY 11701	\$ 200.00/hr

<u>Bid Item No.</u>	<u>Description</u>	<u>Company Name and Address</u>	<u>Hourly Rate Per Unit (Includes Equipment and Operator)</u>
10	Tractor/Trailer Truck with dump body in excess of sixty cubic yards and swing/demolition gate. Walking floor not acceptable.	PrimeTime Trucking & Transportation Inc. 39A Park Lane Place Massapequa, NY 11758	\$ 235.00/hr

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACTS FOR WEBSITE DESIGN AND DEVELOPMENT SERVICES AND A WEB-BASED CITIZEN RELATIONSHIP MANAGEMENT SYSTEM (CRMS) WITH QSCEND TECHNOLOGIES, INC.

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town of Huntington seeks to contract for professional services for the redesign and hosting of a Town website that offers residents increased ease of use and functionality and, additionally, provide a system for the web-based system to manage and respond to citizen inquiries (CRMS); and

WHEREAS, the residents of the Town of Huntington expect the Town to keep pace with technological advances that allow them to access Town Government through the Internet using home computers, laptop computers and hand-held mobile devices; and

WHEREAS, the Town's new website will provide residents with better access to the Town's knowledge base, Town personnel and on-line Town services, as well as permit the Town to continue to expand the number of services it is able to offer on-line; and

WHEREAS, the CRMS will, in addition to making it easier for Town employees to input and/or access resident queries, permit residents to directly input their questions and comments and have those comments directed to the appropriate elected officials and Town departments using their home computers, laptops and mobile devices; and

WHEREAS, the website upgrades and the CRMS ability to accept, track and help manage resident requests will greatly increase the efficiency of the Town workforce and provide for increased responsiveness with respect to provision of citizen services;

WHEREAS, Town Board Resolution 2011-375 authorized the execution of a contracts with QScend Technologies, Inc., for the Citizen Relationship Management Solution (CRMS), RFP No. 2011-06-006 and for the website design and development services for the Town of Huntington Suffolk County, New York, RFP No. 2011-06-004; and

WHEREAS, said contracts provides for two (2) - one (1) year extensions with an agreed 5% price increase and no change in the terms and conditions; and

WHEREAS, QScend Technologies, Inc., 231 Bank Street, Waterbury Connecticut 06702 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

2014-350

HEREBY AUTHORIZES the Supervisor to execute an extension to the contracts, and any documents in connection and related therewith, with QScend Technologies, Inc. for the Citizen Relationship Management Solution (CRMS) and for the website design and development services for the Town of Huntington Suffolk County, New York. The extension period shall be effective for one (1) year commencing on September 6, 2014 to be charged to Operating Budget Item A1680-4570, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE EAST NORTHPORT CHAMBER OF COMMERCE FOR THE USE OF JOHN WALSH PARK FOR ITS ANNUAL FESTIVAL AND FURTHER GRANTING PERMISSION FOR A SIDEWALK SALES EVENT

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone
COUNCILMAN COOK

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the East Northport Chamber of Commerce will be holding its annual festival and sidewalk sales event from Friday, September 5, 2014 through Sunday, September 7, 2014; and

WHEREAS, the East Northport Chamber of Commerce has requested permission from the Town of Huntington to utilize the Town of Huntington John Walsh Park for such festival from 9:00 a.m. on September 2, 2014 through 11:00 p.m. on September 7, 2014, and to have a sidewalk sales event along Larkfield Road between Brightside and Pulaski Roads from September 5, 2014 through September 7, 2014; and

WHEREAS, such permission to utilize said property is contingent upon the execution of a license agreement, which includes provisions requiring the East Northport Chamber of Commerce to hold harmless and indemnify the Town of Huntington; the issuance, by the Town Clerk, of a permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); the issuance, by the Department of Parks and Recreation of any and all required permits; the issuance, by the Town of Huntington Highway Department, of any and all required permits; and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

WHEREAS, the execution of a license agreement for this purpose constitutes a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(15), (20), (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute a license agreement with the East Northport Chamber of Commerce, 24 Larkfield Road, East Northport, New York 11731, to utilize the Town of Huntington John Walsh Park for its annual Festival from 9:00 a.m. on September 2, 2014 through 11:00 p.m. on September 7, 2014, and further grants permission for its Sidewalk Sale Event from Friday, September 5, 2014 through Sunday, September 7, 2014. Such authorization and permission is subject to: 1) the execution of a license agreement which includes provisions requiring the East Northport Chamber of

Commerce to hold harmless and indemnify the Town of Huntington; 2) appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance, by the Huntington Town Clerk, of a valid permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); 4) the issuance, by the Department of Parks and Recreation of any and all required permits; 5) the issuance, by the Town of Huntington Highway Department, of any and all required permits; and 6) the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE FAMILY SERVICE LEAGUE, INC. (FSL) ON BEHALF OF LONG ISLAND COMMUNITY AGRICULTURE NETWORK (LI-CAN) IN CONNECTION WITH THE COMMUNITY GARDEN AT GATEWAY PARK

Resolution for Town Board Meeting Dated: January 15, 2014

The following resolution was offered by: Supervisor Petrone
COUNCILMAN COOK

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, via Town Board Resolution 2010-85, the Town Board authorized the Supervisor to, among other things, execute a two-year license agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by Starflower Experiences, Inc., in connection with the development of a pilot community garden at Gateway Park; and

WHEREAS, via Town Board Resolution 2012-61, the Town Board authorized the Supervisor to, among other things, execute a two-year license agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by Open Space Institute, for continued assistance in the ongoing development and management of the community garden at Gateway Park; and

WHEREAS, the Long Island Community Agriculture Network (LI-CAN) is now sponsored by the Family Service League, Inc. (FSL), 790 Park Avenue, Huntington, New York 11743, and would like to continue assisting the Town of Huntington in the development and management of the community garden at Gateway Park; and

WHEREAS, it will be necessary to execute a new license agreement with Family Service League, Inc. (FSL) on behalf of Long Island Community Agriculture Network (LI-CAN), to continue the garden activities described above; and

WHEREAS, the Town Board wishes to exercise a license agreement for Gateway Park, for a term lasting until December 31, 2014; and

WHEREAS, in consideration of LI-CAN's contribution of expertise and the services enumerated above, the Town will continue to support its community gardening efforts through assistance with the identification of grant sources and general support of its community gardening activities; and

WHEREAS, the proposed execution of a community garden use agreement may be classified Type II pursuant to 6 NYCRR 617.5(c)(20) and (27) and as it is consistent with and supports the intent of Chapter 95 (Community Garden Program) of Town Code; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE

THE TOWN BOARD, hereby authorizes the Supervisor to execute a license agreement with the Family Service League, Inc. (FSL), 790 Park Avenue, Huntington, New York 11743, for a term lasting until December 31, 2014 for Long Island Community Agriculture Network's (LI-CAN) continued community gardening activities at Gateway Park, and on any other terms and conditions as are acceptable to the Town Attorney;

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

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

Reinstate the following positions:

A-7182-1100	Laborer	\$14,528
A-7183-1100	Automotive Mechanic III	32,911
B-1620-1100	Building Permit Examiner	19,238
B-8020-1100	Planning Aide	21,020

Create the following positions:

A-1315-1100	Accountant	\$41,866
A-1355-1100	Clerk Typist	16,675
A-1621-1100	Custodial Worker I	14,017
A-1621-1100	Automotive Equipment Operator	30,541
A-5630-1100	Automotive Mechanic II	19,045
B-3620-1100	Fire Marshall I	27,688

Abolish the following positions:

A-1220-1100	Senior Neighborhood Aide	(\$41,866)
A-1621-1100	Laborer	(16,990)
A-1621-1100	Laborer	(14,528)
A-5630-1100	Automotive Mechanic III	(35,629)

Adjust the following Appropriations:

A-1990-1100	Contingency	(\$60,570)
B-1990-1100	Contingency	(67,946)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (JAMES D. CONTE COMMUNITY CENTER)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, on November 3, 1998 the voters of the Town of Huntington approved the establishment of the \$15 million Environmental Open Space and Park Fund; on November 4, 2003 Huntington voters extended the program by an additional \$30 million; and on November 4, 2008 voters extended the initial \$15 million program by an overwhelming 75% margin, and

WHEREAS, the EOSPA Committee reviewed and voted to support a neighborhood enhancement nomination from the Director of General Services to fund remedial work that was identified by Phase II environmental site assessment at the James D. Conte Community Center, and

WHEREAS, the Town Board recognizes the great potential of the James D. Conte Community Center and the need to move forward with building renovation, and

WHEREAS, the proposed action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2 and 20) as it involves rehabilitation and upgrading of an existing structure;

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, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the neighborhood enhancement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENTS OF GENERAL AND ENGINEERING SERVICES

James D. Conte Community Center, not to exceed \$800,000

Provide remedial services as necessary to mitigate conditions identified in Phase II environmental site assessment,

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
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**
And seconded by: **COUNCILMAN COOK**

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: 4	NOES: 0	ABSTENTIONS: 1
Supervisor Frank P. Petrone			AYE
Councilwoman Susan A. Berland			AYE
Councilman Eugene Cook			AYE
Councilman Mark A. Cuthbertson			AYE
Councilwoman Tracey A. Edwards			ABSTAINED

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
42 Lovers Ln. Huntington, NY 11743	0400-025.00-02.00-069.000	Claire T. O'Keefe	06/17/2014	N/A

Chapter 119, Section 5 of the Code of the Town of Huntington
Authorizing the Removal of Graffiti

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
57 Caldwell St. Huntington Station, NY 11746	0400-149.00-03.00-100.000	Christof Pasterak	07/07/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
57 Caldwell St. Huntington Station, NY 11746	0400-149.00-03.00-100.000	Christopher Pasterak	07/07/2014	N/A
11 Cecil Ct. Melville, NY 11747	0400-242.00-02.00-012.000	Dorothy Wolos	06/13/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	07/07/2014	N/A
47 Lebkamp Ave. Huntington, NY 11743	0400-211.00-01.00-050.000	James J. Volmer Lorraine Volmer	05/21/2014	N/A
5 Otsego Ave. Dix Hills, NY 11746	0400-283.00-02.00-103.000	Marilyn D. Skerrett	07/03/2014	N/A
43 Talisman Dr. Dix Hills, NY 11746	0400-262.00-02.00-145.000	Barry Blake Colette Blake	06/25/2014	N/A
40 Trescott St. Dix Hills, NY 11746	0400-275.00-02.00-087.000	Steven Calder Patricia A. Calder	07/07/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
43 Talisman Dr. Dix Hills, NY 11746	0400-262.00-02.00-145.000	Barry Blake Colette Blake	06/25/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
57 Caldwell St. Huntington Station, NY 11746	0400-149.00-03.00-100.000	Christof Pasterak	07/07/2014	N/A
11 Cecil Ct. Melville, NY 11747	0400-242.00-02.00-012.000	Dorothy Wolos	06/13/2014	N/A
1 Denton Ct. Huntington, NY 11743	0400-206.00-01.00-055.000	Philip T. Mc Lauchlin Deborah A. Mc Lauchlin	06/17/2014	N/A
Keeler St. Huntington, NY 11743	0400-211.00-01.00-081.000	Verizon New York, Inc.	06/06/2014	1095 Avenue of the Americas Ste. 3137 New York, NY 10036
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	07/07/2014	N/A
28 Kenneth Ave. Huntington, NY 11743	0400-169.00-01.00-069.001	Cave Hawk Corp	06/30/2014	475 Main St. PO Drawer 180 Northport, NY 11768
47 Lebkamp Ave. Huntington, NY 11743	0400-211.00-01.00-050.000	James J. Volmer Lorraine Volmer	05/21/2014	N/A
42 Lovers Ln. Huntington, NY 11743	0400-025.00-02.00-069.000	Claire T. O'Keefe	06/17/2014	N/A
5 Otsego Ave. Dix Hills, NY 11746	0400-283.00-02.00-103.000	Marilyn D. Skerrett	07/03/2014	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
43 Talisman Dr. Dix Hills, NY 11746	0400-262.00-02.00-145.000	Barry Blake Colette Blake	06/25/2014	N/A
40 Trescott St. Dix Hills, NY 11746	0400-275.00-02.00-087.000	Steven Calder Patricia A. Calder	07/07/2014	N/A
650 Washington Dr, Centerport, NY 11721	0400-039.00-01.00-023.000	Teofil S. Kolodziejczyk	06/17/2014	N/A

Chapter 191, Section 3 of the Code of the Town of Huntington
Authorizing the Securing of an Unsafe Structure

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
57 Caldwell St. Huntington Station, NY 11746	0400-149.00-03.00-100.000	Christof Pasterak	07/07/2014	N/A
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	07/07/2014	N/A
5 Otsego Ave. Dix Hills, NY 11746	0400-283.00-02.00-103.000	Marilyn D. Skerrett	07/03/2014	N/A

RESOLUTION AUTHORIZING THE SETTLEMENT OF A LAWSUIT (24 ELKLAND ROAD, MELVILLE, NEW YORK)

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, by Resolution of December 18, 2012 the Huntington Town Board authorized the commencement of a lawsuit to remove encroachments upon a 29.1 acre parcel owned by the Town of Huntington and designated as Town parkland through the Strathmore Hills at Huntington subdivision; and

WHEREAS, the responsible parties have agreed to a settlement of all claims regarding the matter, subject to the consent and approval of the Huntington Town Board; and

WHEREAS, the Town Attorney has recommended approval of such settlement proposal as being in the best interests of the Town of Huntington; and

WHEREAS, the Town Board has determined that its action to settle the claim is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing such action that will involve work on Town parkland, and therefore has been established as lead agency, and

WHEREAS, the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action to facilitate completion of the necessary SEQRA evaluation prior to the Town Board authorizing any action;

NOW THEREFORE THE TOWN BOARD

HEREBY FINDS, on review of the short form EAF, there shall be no significant adverse impacts associated with encroachment removal and restoration of the property for passive park purposes and hereby issues a Negative Declaration pursuant to SEQRA, and

HEREBY AUTHORIZES the Supervisor to execute a stipulation of settlement or other documents deemed necessary by the Town Attorney to effectuate a settlement of the action, on the condition that all encroachments are removed from public lands; the affected area is restored to the satisfaction of the Town; compensation is received; and on such other and further terms and conditions deemed necessary by the Town Attorney, all without prejudice to enforce the property rights of the Town by all available legal and equitable means in the event of a breach.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(Jessica Goldman and Tracy Goldman v Town of Huntington, Index No.: 44608/2009)

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, on a lawsuit was filed against the Town of Huntington on behalf of Jessica Goldman (infant) and Tracy Goldman seeking to recover for personal injury sustained in an accident; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of forty-nine thousand dollars and no cents for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimants have agreed to accept in full settlement of their claim; and

WHEREAS, all parties have agreed to this settlement subject to the approval of the Town Board; and

WHEREAS, the settlement of this personal injury lawsuit is not an "action" as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller is hereby authorized to issue checks in settlement of this matter, not to exceed a total of forty-nine thousand dollars and no cents (\$49,000.00) pending receipt of closing papers therein, applied against Operating Budget Item No. A1930.4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO CONTINUE THE RETENTION OF AN EXPERT IN ENGINEERING (CONRAD F. POHLMANN, P.E.)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

And seconded by: COUNCILMAN CUTHBERTSON

WHEREAS, Conrad F. Pohlmann, P.E. was previously retained by Town Board Resolution 2013-444 as an expert in the construction of a road runoff drainage system related to the matter of Modica v. Town of Huntington; and

WHEREAS, it has become necessary, due to the complexity of the case, to continue the professional engineering services in this matter; and

WHEREAS, the Town Attorney has indicated that the use of such expert services may be required to re-design engineering plans in accordance with settlement agreement; and/or to adequately defend the claim at trial of this action; and/or for further settlement negotiations; and

WHEREAS, the extension of a retainer for engineering services is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Town Attorney to continue the retention of Conrad F. Pohlmann, P.E., Consulting Engineer, located at 15 Highwood Drive, Northport, NY 11768, at an hourly rate of ONE HUNDRED FIFTY AND NO/100 (\$150.00) DOLLARS, for an amount not to exceed SEVEN THOUSAND AND NO/100 (\$7,000.00) DOLLARS to be charged to A-1420-4550 (Outside Professional) and on such other terms as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO ENTER INTO A COMPENSATION AGREEMENT FOR THE PAYMENT OF COMPENSATION AND EXPENSES OF ROBERT AVALLONE, ESQ. AS TEMPORARY RECEIVER, PURSUANT TO THE ORDER OF DISTRICT COURT JUDGE, HONORABLE C. STEPHEN HACKELING, IN THE MATER OF THE TOWN OF HUNTINGTON V. JCRL DEVELOPMENT CORP., INDEX NUMBER HUTO 409-13, RE: CODE VIOLATIONS AT 195 WEST HILLS ROAD, HUNTINGTON STATION, NEW YORK (SCTM NO: 0400-192.00-01.00-039.000)

Resolution for Town Board Meeting dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington commenced prosecution against JCRL Development Corp. in Suffolk County, Third District Court culminating in a trial before Honorable C. Stephen Hackeling, and a decision and Conditional Discharge of the Court, ordered June 30, 2014, appointing a Temporary Receiver over 195 West Hills Road, Huntington, New York (subject premises); and

WHEREAS, the Court authorized the Temporary Receiver to take action(s) necessary to bring the premises into compliance with the Huntington Town Zoning and Building Code; and

WHEREAS, Robert Avallone, Esq., One CA Plaza, Suite 225, Islandia, New York, 11749 was appointed temporary receiver by Honorable C. Stephen Hackeling; and

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

NOW, THEREFORE, BE IT RESOLVED

Resolved, that the Town Board hereby authorizes the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses Robert Avallone, Esq., One CA Plaza, Suite 225, Islandia, New York, 11749, as temporary receiver of the property known as 195 West Hills Road, Huntington, New York (SCTM No: 0400-192.00-01.00-039.000) and to seek recovery of said charges and expenses of the temporary receiver associated with compliance with the Conditional Discharge ordered June 30, 2014 by placing said charges on the Real Property Tax Bill of the subject premises as directed in the Conditional Discharge of Judge C. Stephen Hackeling, signed June 30, 2014.

2014-360

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING \$1,000 IN SPONSORSHIP MONEY FROM VARIOUS BUSINESSES FOR THE 2014 CLEAN BEACHES DAY, NUNC PRO TUNC

Resolution for Town Board Meeting dated: July 15, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: COUNCILWOMAN EDWARDS

WHEREAS, Councilwoman Susan A. Berland, Village of Northport Mayor George Doll and former Village of Northport Trustee Thomas Kehoe sponsored the 9th annual Clean Beaches Day on Saturday, June 14, 2014 and received \$1,000 in sponsorship funds; and

WHEREAS, five local businesses provided financial support for the 2014 Clean Beaches Day and those funds were used to purchase promotional t-shirts for the 2014 Clean Beaches Day and to provide food for all volunteers; and

WHEREAS, accepting sponsorships is not an action as defined by 6NYCRR §617.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY ACCEPTS \$1,000 in sponsorships from businesses listed on the attached Schedule "A" nunc pro tunc; and

HEREBY THANKS them for their 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
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-361

SCHEDULE "A"

**9TH ANNUAL CLEAN BEACHES DAY
SATURDAY, JUNE 14, 2014**

CONTRIBUTION ACKNOWLEDGEMENT LIST

The Paramount
344 New York Avenue
Huntington, New York 11743

Northport Chamber of Commerce
100 Main St
Northport, NY 11768

Huntington Lighthouse Preservation Society
PO Box 2454
Halesite, NY 11743

Harbor Boating Club
323 West Shore Road
P.O. Box 22
Huntington, NY 11743

Cold Spring Harbor Seafarers
P.O. Box 41
Cold Spring Harbor, NY 11724

2827

AMENDED BY RESOLUTION # 2015-423 WHICH WAS ADOPTED AT THE 9-16-2015 TOWN BOARD MEETING.

2014-362

RESOLUTION ACCEPTING A DONATION FROM JAYETTE LANSBURY DAUGHTER OF PHYLLIS UNGURATH OF ONE TREE TO BE PLANTED AT THE CENTERPORT SENIOR BEACH HOUSE WITH MEMORIAL PLAQUE IN MEMORY OF PHYLLIS UNGURATH

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Jayette Lansbury has offered to donate one (1) tree to the Town of Huntington to be planted at the Centerport Senior Beach House, Centerport, N.Y. with a memorial plaque in memory of Phyllis Ungurath.

WHEREAS, accepting a donation 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 a donation of one tree and memorial plaque from Jayette Lansbury to be planted at Centerport Senior Beach House 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
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-363

RESOLUTION ADOPTING THE MARINA CONTRACT FOR WINTER WET STORAGE AT TOWN MARINAS

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the marina contract for 2014-15 Winter Wet Storage requires approval; and

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

WHEREAS, the fees should be increased to \$19 per foot for residents signing up prior to September 1st, and \$20 per foot thereafter. Non-residents (who can only sign up after September 1st) should also pay \$20 per foot.

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

NOW, THEREFORE

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

HEREBY ADOPTS, the Marina Contract for Winter Wet Storage at Town Marinas for the 2014-15 season, as amended, attached hereto and made part of this resolution.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

TOWN OF HUNTINGTON**FRANK P. PETRONE, Supervisor****MARITIME SERVICES****HARBORS AND BOATING
ADVISORY COUNCIL****(631) 351-3192**

July 10, 2014

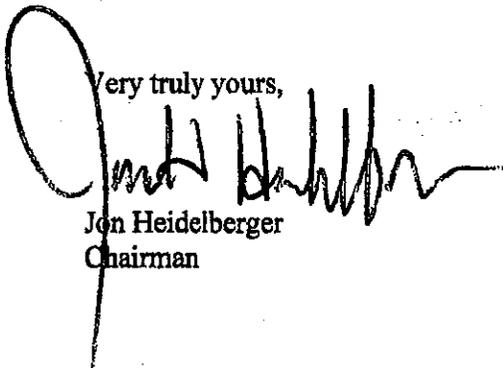
*(Via Electronic Transmission)*Edward Carr
Director of Maritime Services
100 Main Street, Room 307
Huntington, NY 11743

Re: 2014-15 Winter Marina Rates

Dear Ed:

Per your request I have polled the Members of the Council regarding a recommendation to the Town Board for Marina Storage Rates for next winter. Seven members agree that rates be increased from \$16 to \$19 per foot for Town of Huntington "residents only" who sign up before September 1st; and from \$19 to \$20 per foot for residents and non-residents who sign up after September 1st.

Very truly yours,


Jon Heidelberger
Chairman

**TOWN OF HUNTINGTON
DEPARTMENT OF MARITIME SERVICES
MARINA CONTRACT FOR WINTER WET STORAGE
PLEASURE BOATS ONLY**

Sign and return along with total due on or before November 1, 2014.
Photocopy will be sent to you when officially countersigned.

Marina and Berth Number:

FOR OFFICE USE ONLY	
Check # _____	
<input type="checkbox"/> Visa <input type="checkbox"/> Master Card <input type="checkbox"/> Am. Exp. <input type="checkbox"/> Discover:	
Amount _____	Date _____
Reviewed By: _____	Date: _____
Cashier: _____	Date: _____
<input type="checkbox"/> NEW <input type="checkbox"/> RENEWAL	
Ins. Exp. Date: _____	Boat Reg. Exp. Date: _____

Fee Per Foot (L.O.A.):

Deposit:

Bal. Due:

Owner's Name:

Home Address:

Business Address:

Home Phone:

Business / Emergency / Cell phone:

E-Mail Address:

Builder of Boat:

Type:

Reg. No.:

Marine Toilet:

Length Over All:

Beam:

Draft:

H.P.

Name of Boat:

Engines:

Have you completed a New York State approved Boater Safety Course: YES ___ NO ___

THIS AGREEMENT between the Town of Huntington, County of Suffolk, State of New York, and
residing at _____ as User

WITNESSETH: The Town of Huntington, hereby grants to the above named party, only, the right to use of the berth listed above, only for the boat described above, subject to the following conditions: User agrees to carry out and abide by the provision of Chapter 120 of the Code of the Town of Huntington, rules and regulations listed in Schedule "A", "Terms and Conditions", attached hereto and any other reasonable rules and regulations which may be adopted by the Department of Maritime Services from time to time for the comfort and safety of the Marina as a whole. User hereby acknowledges that he/she has read all of the rules and regulations listed in Schedule "A", "Terms and Conditions".

Applicant's Signature

Supervisor/Deputy Supervisor

Date

Date

**TOWN OF HUNTINGTON
DEPARTMENT OF MARITIME SERVICES
MARINA CONTRACT FOR WINTER WET STORAGE
PLEASURE BOATS ONLY**

SCHEDULE A

TERMS AND CONDITIONS

1. The granting of berthing hereunder is from November 15, 2014 to April 1, 2015. It is agreed between the Town and the User that the Town does not warranty nor guarantee the effectiveness of the devices used for such storage. No responsibility is assumed by the Town for injuries to any persons on Marina property, nor for the safety of any vessel in the Marina area, or fire, theft, or damage to vessel or equipment however arising. The Town reserves the right to assume control of any vessel for protection of life and property as deemed necessary by the Department of Maritime Services of the Town of Huntington. The Town of Huntington hereby expressly reserves the exclusive right to assign or reassign a berth other than the berth specified herein. User hereby agrees to abide by same.
2. All boats occupying berths shall comply with the Federal, State, Town and Board of Underwriters regulations. Filling of gas tanks shall not be permitted at any Town Marina. The Department of Maritime Services shall have the exclusive right to determine if a vessel is seaworthy and suitable for winter storage. Users are responsible for winterizing their own boat.
3. Berthing spaces are assigned to the User for a specified boat and are non-transferable. No other boat other than the one under contract may use the assigned berth. User shall be prohibited from subleasing or otherwise renting of berth. No boat occupying a Town Marina berth shall be used for chartering or for commercial purposes. Adequate lines for berthing shall be provided by boat owner and shall be replaced if, in the opinion of the Department of Maritime Services, such lines are inadequate or unsafe. Spring lines shall be a minimum of 3/8 inch nylon or equivalent. The bow and stern lines shall be of sufficient size as to safely berth boat.
4. (a) User warrants that he/she owns the boat and has marine insurance coverage. User shall be responsible for damage that he/she or their boat or equipment may cause to other boats in the Marina or to the structures or facilities thereof. The Town assumes no responsibility for the safety of any vessel in the Marina, while afloat or otherwise, and the Town shall not be liable for fire, flood, abnormal high or low tides, theft, explosion, or water, snow or ice, freezing, wind, vandalism, leakage, sinking, acts of Gods, or other damage to said vessel, its equipment, or any property in or on said vessel, howsoever arising. The User shall save the Town harmless from any such loss or damage and the Town shall be under no obligation to insure the User's boat, equipment or other property against any such loss or damage. No boats shall be stored or left on any float, bulkhead, parking field or in any of the Marina waters except as assigned.
(b) The granting of berthing hereunder is from November 15, 2014 to April 1, 2015. User agrees to secure and maintain liability insurance in the amount of THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00), combined single limit for property damage and bodily injury. Prior to the execution of this agreement, User shall furnish to the Town of Huntington Department of Maritime Services, a certificate of insurance evidencing the aforesaid insurance requirements. It is agreed between the Town and the User that no responsibility is assumed by the Town for injuries to any persons on Marina property, nor for the safety of any boat in the Marina area, or fire, theft, or damage to boat or equipment howsoever arising. The User shall save the Town and the Board of Trustees harmless from any such loss or damage and the Town of Huntington and the Board of Trustees shall be under no obligation to insure the User's boat, equipment or other property against any such loss or damage. The Town reserves the right to assume control of any vessel for protection of life and property as deemed necessary by the Department of Maritime Services of the Town of Huntington. The Town of Huntington hereby expressly reserves the exclusive right to assign or reassign a berth other than the berth specified herein. User hereby agrees to abide by same.
5. (a) No one shall, at anytime during the term hereof, live aboard while the boat is in winter storage.
(b) Water service will not be provided.
(c) Power plug-ins other than for the de-icers, heat tape and emergency lighting situations are strictly forbidden for winter wet storage.
Notification of such emergency must be immediately reported to the Department of Maritime Services.
6. (a) Any boat in the area, which shall become a menace to navigation or unseaworthy or sinks, grounds, or otherwise becomes disabled or incapable of navigation, the determination of which shall be made exclusively by the Town of Huntington, shall be removed or restored to navigable condition by the User herein upon notice by the Town or its designated agent, which notice shall be either by personal service or certified mail addressed to the User's last known address as given by him in this contract. (120.5)*

- (b) If such boat is not removed or restored to navigable condition by the said User within one (1) week after the mailing of said notice, the contract shall terminate without any refund of fee and the Town, or its designated agent, may direct the removal of the boat, and the cost of said removal, including any and all charges as a result thereof, shall attach to, and shall become a lien upon, said boat, and said boat may be sold upon direction of the court at public auction to defray said expenses, with any surplus therefrom being returned to the User of record. The Town shall not be liable for any damage done to said boat during its removal, storage and sale.
 - (c) Owners of vessels which are not removed from the Town's marinas by April 1, 2015, except those vessels having a contract with the Town for the same (identical) berth, in the same marina for the immediately following spring-summer season may:
1) be subject to a \$25.00 daily fee after April 1, 2015. 2) have their vessel removed from the marina by the Town, and its designated agent may direct removal of the boat, and the cost of said removal, including any and all charges as a result thereof, shall attach to, and shall become a lien upon, said boat, and said boat may be sold upon direction of the court at a public auction to defray said expenses with any surplus therefrom being returned to the User of record. The Town shall not be liable for any damage done to said boat during its removal, storage and sale; and 3) thereafter, being prohibited from participating in winter storage in future years, as well as from subsequently participating in the Town's spring-summer storage program.
 - (d) Notification of such emergency must be immediately reported to the Department of Maritime Services Marine Division at 631 351-3255.
7. The failure of the Town to insist upon a strict performance of any of the terms and conditions herein, shall not be deemed a waiver of any rights or remedies that the Town may have and shall not be deemed a waiver of any subsequent breach or default of the terms and conditions herein. This instrument may not be changed, modified, or altered orally.
 8. Winter storage fees are based upon the length of the boat at a rate set forth by the Town Board. Fees shall be payable on or before November 1, 2014. No refunds.
 9. The Town has no duty or obligation to keep the User's boat under surveillance at any time and the failure to maintain a guard or watchman shall not be deemed to constitute negligence on the Town's part. User acknowledges that the Town of Huntington shall not provide any guard or watchman service during the term hereof. Nor shall the employment of such guard and watchman be deemed to create any obligation on the part of the Town for the care and safety of the User's vessel or the equipment thereon.
 10. Any violation of this agreement may result in the revocation of berthing privileges and the forfeiture of any fees paid.
 11. Users who have their principal residence in the Town of Huntington will have preference over non-residents up to September 1. Afterward, non-residents will be permitted to make application for a Marina Berth. For residents, proof of residency will consist of a New York State Driver's license and a New York State Boat Registration listing their principal residence in the Town of Huntington.
 12. (a) The User shall be the owner of a boat which is registered in New York State, which boat shall be the boat described in this contract; or
(b) If the boat is owned jointly, or by a partnership, association or corporation, all owners or members or partners shall be residents of the Town of Huntington.
 13. The Town may cancel this agreement at any time for any reason upon five (5) days written notice to the User at the address listed herein.
 14. Boat owner warrants that his/her vessel will meet all Federal, State, and Town laws with regards to marine toilet, and complies with all requirements of the NO DISCHARGE ZONE where applicable.

RESOLUTION FAILS NO SECOND

2014-364

RESOLUTION APPOINTING A MEMBER TO THE TOWN OF HUNTINGTON
BOARD OF ASSESSMENT REVIEW

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Councilman Cook

and seconded by

WHEREAS, the appointment of an individual to the Town of Huntington Board of Assessment Review is not an action as defined in SEQRA in 6 NYCRR 617.2 (b) and therefore no SEQRA review is required.

THE TOWN BOARD, in accordance with the provisions of Real Property Tax Law §523 and Chapter 5, Article II of the Code of the Town of Huntington,

HEREBY APPOINTS the following individual to the Town of Huntington Board of Assessment Review to fill an unexpired term to expire September 30, 2019:

Joshua C. Price
9 Olga Lane
Commack, NY 11725

VOTE: AYES: NOES: ABSTENTIONS:

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

THE RESOLUTION **FAILED.**

RESOLUTION FAILS NO SECOND

2014-365

RESOLUTION APPOINTING A MEMBER TO THE TOWN OF HUNTINGTON
BOARD OF ETHICS AND FINANCIAL DISCLOSURE.

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Councilman Cook

and seconded by

WHEREAS, the appointment of an individual to the Town of Huntington Board of Ethics and Financial Disclosure is not an action as defined in SEQRA in 6 NYCRR 617.2 (b) and therefore no SEQRA review is required.

THE TOWN BOARD, pursuant to Chapter 29 of the Code of the Town of Huntington,

HEREBY APPOINTS the following individual to the Town of Huntington Board of Ethics and Financial Disclosure to fill a vacancy for a term to expire December 31, 2019:

Richard B. Ward
53 Lorijean Lane
East Northport, NY 11731

VOTE: AYES: NOES: ABSTENTIONS:

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

THE RESOLUTION **FAILED.**

RESOLUTION EXEMPTING NEW CINGULAR WIRELESS PCS, LLC PURSUANT TO §198-68.1(P) OF THE HUNTINGTON TOWN CODE FOR WORK AT THE COLBY DRIVE WATER TANK OF THE DIX HILLS WATER DISTRICT, SCTM #0400-252-02-004.

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, pursuant to §198-68.1(P) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities; and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1(P) from New Cingular Wireless PCS, LLC (AT&T) in connection with the planned repainting of the Colby Drive Water Tank by the Dix Hills Water District, upon which New Cingular Wireless antennas are located, at SCTM #0400-252-02-004; and

WHEREAS, for the duration of the repainting Verizon will construct a temporary monopole on the water tank property to hold some of its antennas, and New Cingular Wireless is seeking permission to collocate its antennas on the Verizon temporary pole; and

WHEREAS, in accordance with §198-68.1(P), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application; and

WHEREAS, the subject proposal has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5(c)(1 & 15) of the State Environmental Quality Review Act (SEQRA), and therefore no further review is required pursuant to SEQRA;

NOW THEREFORE BE IT

RESOLVED, that the application of New Cingular Wireless PCS, LLC to collocate its antennas on a temporary monopole constructed by Verizon for the duration of the repainting of the Colby Drive Water Tank at SCTM #0400-252-02-004 is hereby exempted from further Town Board review as long as the antennas and equipment on the property are not changed and the antennas and associated equipment are returned to the water tank and the monopole is removed from the property following the completion of

the tank repainting, and all work is in compliance with the specifications filed as part of this application or as otherwise may be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with §198-68.1(S) and obtain building permits for the work.

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION EXEMPTING T-MOBILE NORTHEAST, LLC PURSUANT TO §198-68.1(P) OF THE HUNTINGTON TOWN CODE FOR WORK AT THE COLBY DRIVE WATER TANK OF THE DIX HILLS WATER DISTRICT, SCTM #0400-252-02-004.

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, pursuant to §198-68.1(P) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities; and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1(P) from T-Mobile Northeast, LLC in connection with the planned repainting of the Colby Drive Water Tank by the Dix Hills Water District, upon which T-Mobile antennas are located, at SCTM #0400-252-02-004; and

WHEREAS, for the duration of the repainting Verizon will construct a temporary monopole on the water tank property to hold some of its antennas, and T-Mobile is seeking permission to collocate its antennas on the Verizon temporary pole; and

WHEREAS, in accordance with §198-68.1(P), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application; and

WHEREAS, the subject proposal has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5(c)(1 & 15) of the State Environmental Quality Review Act (SEQRA), and therefore no further review is required pursuant to SEQRA;

NOW THEREFORE BE IT

RESOLVED, that the application of T-Mobile Northeast, LLC to collocate its antennas on a temporary monopole constructed by Verizon for the duration of the repainting of the Colby Drive Water Tank at SCTM #0400-252-02-004 is hereby exempted from further Town Board review as long as the antennas and equipment on the property are not changed and the antennas and associated equipment are returned to the water tank and the monopole is removed from the property following the completion of the tank repainting, and all work is in compliance with the specifications filed as part of this application or as otherwise may be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with §198-68.1(S) and obtain building permits for the work.

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION EXEMPTING VERIZON WIRELESS PURSUANT TO §198-68.1(P) OF THE HUNTINGTON TOWN CODE FOR WORK AT THE COLBY DRIVE WATER TANK OF THE DIX HILLS WATER DISTRICT, SCTM #0400-252-02-004.

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, pursuant to §198-68.1(P) of the Huntington Town Code, the Town Board is authorized to exempt applications for proposed work or modifications to existing wireless telecommunications facilities in cases where the proposed work is determined to be routine maintenance and repair in like form and height, which does not substantially change, extend or expand the facilities; and

WHEREAS, no public hearing is required if the application for exemption is granted; and

WHEREAS, the Town Board has received a request for exemption pursuant to §198-68.1(P) from Verizon Wireless in connection with the planned repainting of the Colby Drive Water Tank by the Dix Hills Water District, upon which the Verizon antennas are located, at SCTM #0400-252-02-004; and

WHEREAS, for the duration of the repainting Verizon will construct a temporary monopole on the water tank property to hold some of its antennas; and

WHEREAS, in accordance with §198-68.1(P), the Director of Engineering Services has reviewed the proposed documents and drawings submitted with this proposal and recommended that the Town Board exempt this application; and

WHEREAS, the subject proposal has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5(c)(1 & 15) of the State Environmental Quality Review Act (SEQRA), and therefore no further review is required pursuant to SEQRA;

NOW THEREFORE BE IT

RESOLVED, that the application of Verizon Wireless LLC to construct a temporary monopole for the duration of the repainting of the Colby Drive Water Tank at SCTM #0400-252-02-004 is hereby exempted from further Town Board review as long as the antennas and equipment on the property are not changed and the antennas and associated equipment are returned to the water tank and the monopole is removed from the property following the completion of the tank repainting, and all work is in compliance with the specifications filed as part of this application or as otherwise may be approved by the Director of Engineering; and

BE IT FURTHER RESOLVED, that the applicant is directed to proceed in accordance with §198-68.1(S) and obtain building permits for the work.

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting dated: July 15, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, on April 8, 2014 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties have been evaluated and considered for further action(s) to be taken at a public hearing held on May 6, 2014; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

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

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

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

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

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

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
123	372 Old Bridge Road E. Northport	0400-126.00-02.00-005.000	Frederick Appawu Matilda Appawu 372 Old Bridge Road E. Northport, NY 11731	4/25/2014	\$2,500.00
124	5 Somerset Street Huntington Station	0400-232.00-04.00-037.000	Angelo Bermudez Marie Bermudez 2 Ridge Drive Melville, NY 11747	5/14/2014	\$2,500.00
125	92 Columbia Street Huntington Station	0400-140.00-03.00-086.000	Paul Magny Paulette Magny 89 Columbia Street Huntington Sta., NY 11746	6/5/2014	\$2,500.00

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
123	372 Old Bridge Road E. Northport	0400-126.00-02.00-005.000	Frederick Appawu Matilda Appawu 372 Old Bridge Road E. Northport, NY 11731	4/25/2014	6/17/2014
124	5 Somerset Street Huntington Station	0400-232.00-04.00-037.000	Angelo Bermudez Marie Bermudez 2 Ridge Drive Melville, NY 11747	5/14/2014	6/17/2014
125	92 Columbia Street Huntington Station	0400-140.00-03.00-086.000	Paul Magny Paulette Magny 89 Columbia Street Huntington Sta., NY 11746	6/5/2014	6/17/2014

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	NOTIFICATION DATE
28	285 Broadway-Greenlawn Huntington	0400-160.00-01.00-085.000	Joseph Pacifico 285 Broadway-Greenlawn Huntington, NY 11743	3/19/2012
126	64 Kenneth Avenue Huntington	0400-169.00-02.00-121.000	Robert J. Eggers, Jr. 64 Kenneth Avenue Huntington, NY 11743-4929	6/5/2014

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
35	2C West 11th Street Huntington Station	0400-142.00-03.00-032.000	John M Gerardi 74 1st Avenue Hunt. Station, NY 11746	3/22/2012	\$2,500.00
103	4 Carriage Court, Dix Hills	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio 194 Smith Street Deer Park, NY 11729	9/25/2013	\$2,500.00
10	5 Laura East Northport	0400-185.00-02.00-024.003	Willard R. Lanham Laura Lanham 5 Laura East Northport, NY 11731	10/7/2011	\$2,500.00
102	24 Lorraine Court Northport	0400-055.00-01.00-048.003	Mohammed Sabur 24 Lorraine Court Northport, NY 11768	9/19/2013	\$2,500.00
104	32 Lakeside Drive Centerport	0400-043.00-05.00-014.000	Subbarao Gutti Sathyavath Gutti 32 Lakeside Drive Centerport, NY 11721	9/27/2013	\$2,500.00

**-SCHEDULE D-
PERSISTENT BLIGHT**

2014-370

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 14-2014, CONSIDERING ZONE CHANGE APPLICATION #2013-ZM-395, HALIL AKKAYA – XTRA FUEL, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT AND R-5 RESIDENCE DISTRICT TO C-11AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF DEPOT ROAD AND EAST 13TH STREET, HUNTINGTON STATION, SCTM# 0400-145-03-030.

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, HALIL AKKAYA, 201 Depot Rd., Huntington Station, NY 11746, lessee, submitted application #2013-ZM-395 for a change of zone from C-6 General Business District & R-5 Residence District to C-11 Automotive Service Station District for property located on the southwest corner of Depot Road and East 13th Street, Huntington Station, designated as 0400-145-03-030 on the Suffolk County Tax Map; and

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

WHEREAS, the applicant submitted an Environmental Assessment Form (EAF) Part I in connection with the application, and the Department of Planning and Environment reviewed the information provided with the EAF Part I, duly classified the action Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and coordinated the EAF Part I with involved and interested agencies, none of which requested Lead Agency status; and

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 established itself as Lead Agency on April 8, 2014; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III dated November 7, 2013 which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated November 20, 2013 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a

Negative Declaration under SEQRA, and approve the application subject to the following conditions:

- (1) A 10-foot wide buffer, consisting of a double row of evergreens, shall be planted along the western property line, and
- (2) The vehicle storage area that will no longer be used for parking shall be landscaped with both ground cover and trees;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that the action will not have a significant effect upon the environment because the rezoning action incorporates measures and conditions of approval to effectively mitigate impacts; and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts; and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information or revisions to the concept plans, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 17th day of June, 2014, to consider adopting Local Law Introductory Number 14-2014 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District & R-5 Residence District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-145-03-030, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and

any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 14-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. 1 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

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

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

* * *

§ 198-7 Zoning Map

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

The premises located on the southwest corner of Depot Road and East 13th Street, Huntington Station, designated on the Suffolk County Tax Map as 0400-145-03-030, to be rezoned from C-6 General Business District and R-5 Residence District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT at the intersection of the westerly side of Depot Road with the southerly side of East 13th Street,

THENCE from said POINT OF BEGINNING South 15 degrees 5 minutes 20 seconds East, 27.37 feet,

THENCE South 40 degrees 51 minutes 40 seconds East, 118.42 feet,

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THENCE South 76 degrees 39 minute 50 seconds West, 189.84 feet,

THENCE North 10 degrees 20 minutes 20 seconds West, 139.23 feet,

THENCE North 79 degrees 39 minutes 40 seconds East, 127.19 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions, to run with the land, in a form acceptable to the Town Attorney. Such deed and Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk. Proof of such filing shall be provided by the applicant to the Town Attorney, Director of Planning, and Huntington Town Clerk. All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

- (1) The property shall not be occupied simultaneously by a convenience store and automotive repair shop; and
- (2) Pavement, sidewalks, and curbs shall be repaired, replaced, or added as required by the Planning Board during site plan review, and site drainage shall be provided in accordance with current Town standards.
- (3) A 10-foot wide buffer, consisting of a double row of evergreens, shall be planted along the western property line; and
- (4) The vehicle storage area that will no longer be used for parking shall be landscaped with ground cover, shrubs, and/or trees.

*

*

*

Section 2. Severability

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

Section 3. Effective Date

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

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

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 21-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 166 (SHELLFISH MANAGEMENT), ARTICLE IV (RULES AND REGULATIONS)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone
COUNCILMAN COOK

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, this amendment to the Huntington Town Code is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)27) and therefore no further SEQRA review is required; and

THE TOWN BOARD having held a public hearing on the 17th day of June, 2014 at 7:00 p.m. to consider adopting Local Law Introductory No. 21-2014, amending Chapter 166 (Shellfish Management), Article IV (Rules and Regulations), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 21-2014, amending Chapter 166 (Shellfish Management), Article IV (Rules and Regulations) as follows:

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

LOCAL LAW No.24 -2014
AMENDING CODE OF THE TOWN OF HUNTINGTON
CHAPTER 166 (SHELLFISH MANAGEMENT)
ARTICLE IV (RULES AND REGULATIONS)

Section 1. Amendment to Chapter 166 of the Code of the Town of Huntington, Article IV (Rules and Regulations) as follows:

CHAPTER 166
* * *
ARTICLE IV
Rules and Regulations
* * *

§ 166-13. Means of taking and handling shellfish.
A. Permitted means.

* * *

(4) Notwithstanding the foregoing, to the extent allowed by the New York State Environmental Conservation Law, § 13-0309(3)(g), in the taking of hard clams (Mercenaria mercenaria), a pot hauler may be used onboard a vessel to assist in hauling or retrieving a clam rake from the water, provided that the basket attached to the clam rake shall not exceed twenty-six inches in width. For the purposes of this section, "pot hauler" shall mean a mechanically operated device, including but not limited to a winch, reel, windlass or capstan, which is used to haul or retrieve a clam rake from the water and return it to the harvest vessel.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 22-2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES); ARTICLE I (DEFINITIONS) AND ARTICLE III (PERMIT FOR USE OF PARK FACILITIES)

Resolution for Town Board Meeting dated: July 15, 2014

The following resolution was offered by: Councilman Cuthbertson
SUPERVISOR PETRONE

and seconded by: COUNCILMAN COOK, COUNCILWOMAN EDWARDS

THE TOWN BOARD having held a public hearing on the 17th day of June, 2014 at 7:00 p.m. to consider adopting Local Law Introductory No. 22-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions) and Article III (Permit for Use of Park Facilities); and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 22-2014 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions) and Article III (Permit for Use of Park Facilities); as follows:

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

LOCAL LAW NO. 25-2014

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

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

CHAPTER 159
(RECREATIONAL FACILITIES)

ARTICLE I
(DEFINITIONS)

§159-1. Definitions.

As used in this [article] chapter, the following words shall have the meanings indicated:

* * *

COMMUNITY-BASED ORGANIZATION – A public or private group or congregation whether or not incorporated, an incorporated not-for-profit, or a collaboration of groups and/or not-for- profits acting collectively or as a coalition that is representative of the local community or a significant segment of the local community, and is engaged in meeting the humanitarian, cultural, historical, educational, environmental or public safety needs of the community it serves.

CULTURAL – A system of rules, standards, values, customs, morals and/or beliefs of a segment of the population or a group.

EDUCATIONAL – Activities which are integral, immediate and proximate to the training, schooling, teaching and instruction of a group or segment of society.

ENVIRONMENTAL -- The preservation, stabilization and/or protection of actual physical conditions or surroundings in which plants, animals and/or the population live.

HISTORICAL – The advancement, enhancement and/or preservation of a place, site or structure, whether natural or manmade, which possess a special character or an aesthetic interest or value as part of the broad cultural, political, economic or social history of the Town, region, state or nation.

HUMANITARIAN – Activities which are integral, immediate and proximate to the promotion, enhancement, or preservation of human welfare or social reform.

PUBLIC SAFETY – The enhancement and preservation of the welfare and protection of the general public or a certain segment of the population from dangers such as crimes or disasters through educational or other means.

* * *

ARTICLE III
(PERMIT FOR USE OF PARK FACILITIES)

§159-31. Permit; application and issuance.

* * *

(C) Except in the case of picnics, no permit will be issued until an insurance policy naming the Town of Huntington, the Huntington Town Board and Huntington Board of Trustees as insured parties, and a hold harmless agreement in the form approved by the Town Attorney and signed by the applicant is produced and accepted by the Director.

(1) Special Events. In the case of a community-based organization who demonstrates and attests to the satisfaction of the Town that it can not afford to purchase insurance in the required amount for a special event, or that procuring insurance would create a severe and undue economic hardship, then in the Town's sole discretion, insurance may be reduced or waived provided the event meets the criteria set forth in

section (3). In no event shall the insurance requirements be waived in connection with any other application for use of Town parks and beaches.

(2) Procedure for waiver. The Director of Parks and Recreation or his Deputy, the Town's Risk Management Consultant, and the Deputy Town Attorney shall together determine whether insurance requirements for a special event can be reduced or waived on a case by case basis. Such reduction or waiver shall be based on (a) a determination that the applicant qualifies as a community-based organization; (b) that the organization can not afford to purchase insurance in the required amount or that requiring insurance to be purchased would create a severe or undue financial hardship; and (c) none of the activities set forth in the following section are occurring at the event. Where there is insufficient time prior to a scheduled event for the committee to assemble and make a determination on the waiver or reduction, the Town Attorney shall determine the issue in the committee's place and stead. In no event shall the execution of a hold harmless agreement or compliance with any other town or county requirement be waived. The decision of the Town shall be final and binding upon the applicant.

(3) A waiver or reduction of the required insurance shall not be granted for any special event which includes any of the following activities:

- (a) Alcoholic beverages are being sold or served; and
- (b) High risk or inherently dangerous activities are being held; and
- (c) Carnival rides (whether mechanical or otherwise) are being used;
and
- (d) Food and/or other goods are being offered for sale for profit; and
- (e) Admission is being charged; and
- (f) Fireworks are being ignited; and
- (g) Games of chance are being sold; and
- (h) Fundraising activities are being held; and
- (i) Animal rides are being offered and/or animals are being displayed.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 24-2014, CONSIDERING ZONE CHANGE APPLICATION #2012-ZM-393, 110 PRIME INC., TO CHANGE THE ZONING FROM I-4 LIGHT INDUSTRY DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON THE NORTH CORNER OF NEW YORK AVE. AND PRIME AVE., HUNTINGTON, SCTM# 0400-071-02-084.

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, 110 PRIME INC., 2 Frances Dr., Muttontown, NY 11791, property owner, submitted application #2012-ZM-393 for a change of zone from I-4 Light Industry District to C-11 Automotive Service Station District for property located on the north corner of New York Avenue (NYS 110) and Prime Avenue, Huntington, designated as 0400-071-02-084 on the Suffolk County Tax Map; and

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

WHEREAS, the applicant submitted an Environmental Assessment Form (EAF) Part I in connection with the application, and the Department of Planning and Environment reviewed the information provided with the EAF Part I, duly classified the action Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and coordinated the EAF Part I with involved and interested agencies, none of which requested Lead Agency status; and

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 established itself as Lead Agency on May 6, 2014; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III dated April 8, 2014 which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated April 6, 2014 the Planning Board recommended to the Town Board that the Town Board schedule a public hearing on the application, issue a

Negative Declaration under SEQRA, and approve the application subject to the following conditions:

- (1) The property shall not be occupied simultaneously by a convenience store and automotive repair shop, and
- (2) Pavement, sidewalks, and curbs shall be repaired, replaced, or added as required by the Planning Board during site plan review, and site drainage shall be provided in accordance with current Town standards;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that the action will not have a significant effect upon the environment because the rezoning action incorporates measures and conditions of approval to effectively mitigate impacts; and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals and is unlikely to pose significant adverse environmental impacts; and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information or revisions to the concept plans, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 17th day of June, 2014, to consider adopting Local Law Introductory Number 24-2014 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from I-4 Light Industry District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-071-02-084, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and

any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 24-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. 45 - 2014
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

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

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

* * *

§ 198-7 Zoning Map

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

The premises located on the north corner of New York Avenue and Prime Avenue, Huntington, designated on the Suffolk County Tax Map as 0400-071-02-084, to be rezoned from I-4 Light Industry District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT formed by the intersection of the east side of Prime Avenue with the west side of New York Avenue,

THENCE from said POINT OF BEGINNING North 15 degrees 24 minutes 00 seconds West, 183.29 feet,

THENCE North 74 degrees 32 minutes 00 seconds East, 114.11 feet,

THENCE North 00 degrees 59 minutes 14 seconds West, 26.80 feet,

THENCE South 59 degrees 35 minutes 30 seconds East, 86.90 feet,

THENCE South 35 degrees 34 minutes 00 seconds West, 233.44 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions, to run with the land, in a form acceptable to the Town Attorney. Such deed and Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk. Proof of such filing shall be provided by the applicant to the Town Attorney, Director of Planning, and Huntington Town Clerk. All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

(1) The property shall not be occupied simultaneously by a convenience store and automotive repair shop; and

(2) Pavement, sidewalks, and curbs shall be repaired, replaced, or added as required by the Planning Board during site plan review, and site drainage shall be provided in accordance with current Town standards.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 30-2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 111 (FIRE PREVENTION), ARTICLE IV (OPERATIONAL PERMITS)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: **SUPERVISOR PETRONE, COUNCILMAN CUTHBERTSON, COUNCILWOMAN EDWARDS**

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD having held a public hearing on the 15th day of July, 2014 at 2:00 p.m. to consider adopting Local Law Introductory No. 30-2014 amending the code of the Town of Huntington Chapter 111 (Fire Prevention), Article IV (Operational Permits) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 30-2014, amending the code of the Town of Huntington Chapter 111 (Fire Prevention), Article IV (Operational Permits); as follows:

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

LOCAL LAW NO. 26 – 2014
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 111 (FIRE PREVENTION),
ARTICLE VI (OPERATIONAL PERMITS)

Section 1. Chapter 111 (Fire Prevention), Article VI (Operational Permits) is hereby amended to read as follows:

CHAPTER 111
FIRE PREVENTION

ARTICLE I
GENERAL PROVISIONS

* * *

§111-5 Definitions

* * *

PLACE OF ASSEMBLY

The use of a building or structure, or a portion thereof, for the gathering of less than fifty (50) people [together of persons] for purposes including but not limited to civic, social or religious functions, recreation, food or drink consumption or awaiting transportation.

* * *

PLACE OF PUBLIC ASSEMBLY

The use of a building or structure, or a portion thereof, for the gathering of fifty (50) or more people for purposes including but not limited to civic, social or religious functions, recreation, food or drink consumption or awaiting transportation.

* * *

ARTICLE VI
OPERATIONAL PERMITS

* * *

§111-73.1 Places of public assembly.

Carbon Monoxide Detectors. It shall be unlawful for a person, firm or corporation to fail to install operable carbon monoxide detection equipment in conformance with National Fire Protection Association (NFPA) Standard 720, or successor standard, in all places of public assembly by January 1, 2015.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		AYE	
Councilman Eugene Cook		AYE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Tracey A. Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 86 WEST NECK ROAD. HUNTINGTON—CONKLIN-SWANSON HOUSE

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 17th day of June, 2014, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application by Sandra Landaas, 86 West Neck, Huntington, NY 11743, for a Certificate of Approval to install a below ground swimming pool at a one family dwelling located at 86 West Neck Road, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-070.00-04.00-036.000, an individually designated historic landmark; 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 Sandra Landaas 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 Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-376

ENACTMENT: AUTHORIZE THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH NORTH SHORE-LONG ISLAND JEWISH HEALTH SYSTEM HUNTINGTON HOSPITAL TO UTILIZE A PORTION OF THE TOWN OF HUNTINGTON PARKING FACILITY AT MILL DAM PARK

Resolution for Town Board Meeting dated: July 15, 2014

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

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

WHEREAS, Huntington Hospital previously entered into a license agreement with the Town of Huntington dated as of December 18, 2002 and which expired on December 31, 2010, for the use of a portion of the Town of Huntington parking facility at Mill Dam Park for the purpose of parking by hospital employees, volunteers, and clinical students; and

WHEREAS, Huntington Hospital desires to again use a portion of said Town of Huntington parking facility for parking by hospital employees, volunteers, and clinical students on an as needed basis, and of commercial vehicles and by construction personnel; and

WHEREAS, such permission for use is contingent upon the execution of a license agreement which includes provisions requiring Huntington Hospital to hold harmless and indemnify the Town of Huntington; and

WHEREAS, the execution of a license agreement for this purpose is not an action as defined by 6 N.Y.C.R.R. §617.2, and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED THAT, the Town Board having held a public hearing on the 15th day of July, 2014, at 2:00 p.m. and due deliberation having been had,

HEREBY AUTHORIZES the Supervisor to enter into a license agreement with North Shore-Long Island Jewish Health System Huntington Hospital, 270 Park Avenue, Huntington, New York 11743, for the use of a portion of the Town of Huntington parking facility at Mill Dam Park for parking by hospital employees, volunteers, and clinical students, and of commercial vehicles and by construction personnel, for a term of three (3) years beginning August 1, 2014 and its payment of a license fee in the amount of TWENTY-FIVE THOUSAND & XX/100 (\$25,000.00) DOLLARS upon execution of the license agreement and TWENTY-FIVE THOUSAND & XX/100 (\$25,000.00) DOLLARS at the commencement of years two (2) and three (3) of the license term, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014-376

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-377

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 31 -2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES), ARTICLE II (USE REGULATIONS AND RESTRICTIONS)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Councilman Cuthbertson
SUPERVISOR PETRONE

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board recognizes that public health officials and medical researchers have published studies indicating that exposure to second-hand smoke can cause life threatening illnesses and increase the risks of respiratory ailments and other diseases to nonsmokers, including young children and the Town Board has a strong interest in promoting and protecting the health, safety and welfare of our residents, pursuant to the powers vested in it under Town law § 130 (15); and

WHEREAS, the Code of the Town of Huntington currently prohibits smoking in outdoor Town playgrounds; and

WHEREAS, the Town Board desires to protect the health and welfare of those that utilize the Town of Huntington beaches; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 19th of **August**, 2014 at 7:00 pm at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 31 - 2014, amending the code of the Town of Huntington Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions) as follows:

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

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

CHAPTER 159
RECREATIONAL FACILITIES

* * *

Article II. USE REGULATIONS AND RESTRICTIONS

* * *

Section 159-20. Behavior and Conduct.

* * *

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

* * *

Section 2 Severability.

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

Section 3 Effective Date.

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

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

2014- 377

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-378

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 32-2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: PINE DRIVE, COLD SPRING HARBOR - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to improve egress for the residents on Pine Drive, Cold Spring Harbor; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 19th day of August, 2014 at 7:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 32-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

2014-378

LOCAL LAW INTRODUCTORY NO. 32 -2014
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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

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

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD: Pine Drive/North From the eastern terminus of Pine Drive for 190 feet west (CSH)	No Parking	-----
Pine Drive/South From 190 feet west to the eastern terminus of Pine Drive (CSH)	No Parking	-----

Section 2. Severability.

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

2014- 378

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

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

Resolution for Town Board Meeting dated: July 15, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

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

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

WHEREAS, the Historic Preservation Commission has reviewed the request and submitted an advisory report with a recommendation to the Town Board; and

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

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 19th day of **August**, 2014 at **7:00** p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number **33** - 2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the buildings and property known as the Cobb House, 17 Cherry Lane, Huntington, located at 19 Cherry Lane, Huntington, SCTM #0400-077-02-026.002, described as follows:

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

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

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

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

* * *

§198-42. Designation of Sites and Buildings

* * *

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

* * *

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

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 34, 2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 166 (SHELLFISH MANAGEMENT), ARTICLE I (TITLE AND FINDINGS;DEFINITIONS). ARTICLE II (TAKER'S PERMIT REQUIREMENTS), ARTICLE V (REFUSAL, RESCISSION AND APPEALS PROCEDURES)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the North Shore Baymen's Association has requested that the Town impose a cap of 125 commercial shellfish licenses to be issued annually to maintain a sustainable shellfish population in Town waters, and to modify the senior commercial taker's license to allow older and less active baymen to remain a part of the industry; and

WHEREAS, reducing the number of commercial shellfish licenses will prevent over-harvesting, promote the sustainability of the shellfish industry in the Greater Huntington & Northport Bay Complex, ultimately allow the estuary's shellfish population to grow and improve at a steady rate benefiting both the viability of the industry, and aid in water quality efforts as bi-valves assist in removing noxious and contaminating substances from local waters through a natural filtering process.; and

WHEREAS, since the Town Board, in its capacity as the Board of Trustees, holds the lands underwater and the shellfish located thereon for the benefit of the residents and taxpayers of the Town of Huntington pursuant to colonial patents, it is appropriate to restrict the availability of these resources to Town residents and taxpayers pursuant to a six month residency requirement for commercial taker's permits; and

WHEREAS, this amendment to the Huntington Town Code is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD,

HEREBY SCHEDULES a public hearing, on the **19th** day of **August**, 2014, at **7:00** p.m., at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **34** - 2014, Amending the Code of the Town of Huntington, Chapter 166 (Shellfish Management), Article I (Title and Findings, Definitions), Article II (Taker's Permit Requirement), Article V (Rules and Regulations) as follows:

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

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

Section 1. Amendment to Chapter 166 of the Code of the Town of Huntington, Article I (Title and Findings, Definitions), Article II (Taker's Permit Requirement), Article V (Rules and Regulations) as follows:

CHAPTER 166

ARTICLE I
Title and Findings; Definitions

* * *

§ 166-2 Definitions and word usage.

* * *

RESIDENT

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

* * *

ARTICLE II
Taker's Permit Requirements

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

* * *

C. Restrictions.

* * *

(3) Commercial taker's permits.

* * *

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

* * *

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

* * *

B. Commercial taker's permits. A commercial taker's permit shall allow the person, business, firm, partnership or corporation to whom it is issued to take shellfish from certified town lands underwater for commercial purposes. There shall be [two (2)] three (3) types of commercial taker's permits issued:

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

* * *

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

* * *

(3) Senior commercial taker's permits.

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

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

* * *

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

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

* * *

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

B. Standard commercial taker's permits.

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

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

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

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

* * *

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

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

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

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

* * *

Article V
Refusal, Rescission and Appeals Procedures

* * *

§ 166-29 Fees.

* * *

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

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

* * *

C. Public hearings.

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

Section 2. Severability.

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

Section 3. Effective Date.

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

ADDITIONS ARE INDICATED BY UNDERLINE.
DELETIONS ARE INDICATED BY [BRACKETS].

*** INDICATES NO CHANGE IN PRESENT TEXT.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING VARIOUS ACTIONS BE TAKEN UPON CERTAIN PROPERTIES DESIGNATED AS BLIGHTED IN ACCORDANCE WITH CHAPTER 156, ARTICLE VII, § 156-60 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: July 15, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the **19th day of August, 2014 at 7:00 p.m.** at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2014-382

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

EXHIBIT NO.	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE(S)	ANNUAL REGISTRATION FEE
127	650 Washington Drive Centerport	0400-039.00-01.00-023.000	Teofil S. Kolodziejczyk 650 Washington Drive Centerport, NY 11721	6/23/2014	\$2,500.00
128	41 Hearthstone Drive Dix Hills	0400-250.00-02.00-068.000	Joseph Cinquemani 41 Hearthstone Drive Dix Hills, NY 11746-5032	6/9/2014	\$2,500.00

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 501 SWEET HOLLOW ROAD, MELVILLE—SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Ramin Rasuli, 501 Sweet Hollow Road, Melville, NY 11747, for a Certificate of Approval to install solar panels on the roof of a non-contributing single family dwelling located at 501 Sweet Hollow Road, Melville, NY 11747, in accordance with plans dated April 13, 2014, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-01.00-013.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **19th** day of **August**, 2014, 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 Ramin Rasuli.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A LAND AND TOWER LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC FOR THE INSTALLATION, MAINTENANCE, AND USE OF CELLULAR COMMUNICATIONS EQUIPMENT AT THE DIX HILLS WATER DISTRICT FACILITY ON COLBY DRIVE

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by **COUNCILMAN COOK**

WHEREAS, New Cingular Wireless, successor in interest to Cellular Telephone Company, currently has cellular antennas and equipment installed at the Dix Hills Water District facility on Colby Drive (the "Colby Drive Facility") pursuant to a license agreement dated April 1, 1991; and

WHEREAS, the aforementioned license agreement expired on or about March 31, 2014; and

WHEREAS, New Cingular Wireless is desirous of continuing its use of the Colby Drive Facility by licensing a portion thereof for the construction, installation, maintenance, repair, and operation of cellular communications equipment and for uses incidental thereto, by entering into a new land and tower license agreement with the Dix Hills Water District; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 19th day of August, 2014 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless, 575 Morosgo Drive NE, Suite 13-F, West Tower, Atlanta, Georgia, for the use of a portion of the Dix Hills Water District facility on Colby Drive for the construction, installation, maintenance, repair, and operation of cellular communications equipment and for uses incidental thereto, with an initial term of five (5) years beginning upon execution of the agreement and for an initial license fee due in the amount of THREE THOUSAND SIX HUNDRED ONE and 08/100 Dollars (\$3,601.08) per month, with an option to renew upon agreement of the parties for additional five (5) year terms at an increased monthly license fee of 115% of the amount due during the prior five (5) year term, and upon such other terms and conditions as may be acceptable to the Town Attorney's Office.

2014-384

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A LAND AND TOWER LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC FOR THE INSTALLATION, MAINTENANCE, AND USE OF CELLULAR COMMUNICATIONS EQUIPMENT AT THE DIX HILLS WATER DISTRICT FACILITY ON WOLF HILL ROAD

Resolution for Town Board Meeting Dated: July 15, 2014

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

and seconded by **COUNCILMAN COOK**

WHEREAS, New Cingular Wireless, successor in interest to Cellular Telephone Company, currently has cellular antennas and equipment installed at the Dix Hills Water District facility on Wolf Hill Road (the "Wolf Hill Road Facility") pursuant to a license agreement dated February 8, 1991; and

WHEREAS, the aforementioned license agreement expired on or about January 31, 2011; and

WHEREAS, New Cingular Wireless is desirous of continuing its use of the Wolf Hill Road Facility by licensing a portion thereof for the construction, installation, maintenance, repair, and operation of cellular communications equipment and for uses incidental thereto, by entering into a new land and tower license agreement with the Dix Hills Water District; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 19th day of August, 2014 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless, 575 Morosgo Drive NE, Suite 13-F, West Tower, Atlanta, Georgia, for the use of a portion of the Dix Hills Water District facility on Wolf Hill Road for the construction, installation, maintenance, repair, and operation of cellular communications equipment and for uses incidental thereto, with an initial term of five (5) years beginning upon execution of the agreement and for an initial license fee due in the amount of FOUR THOUSAND FIVE HUNDRED SIXTY-SIX and 92/100 Dollars (\$4,566.92) per month, with an option to renew upon agreement of the parties for additional five (5) year terms at an increased monthly license fee of 115% of the amount due during the prior five (5) year term, and upon such other terms and conditions as may be acceptable to the Town Attorney's Office.

2014-385

VOTE: AYES: 3 NOES: 1 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.