

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 AUGUST 11, 2015

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 3:56 P.M. Recessed: 4:11 P.M. Resumed: 4:58 P.M. Closed: 4:59 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 4:59 P.M. Closed: 4:59 P.M.

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 5:00 P.M. Closed: 5:01 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:08 P.M. Recessed: 3:40 P.M. Resumed: 3:47 P.M.
Recessed: 3:56 P.M. Resumed: 4:11 P.M. Closed: 4:58 P.M.

(Resolutions #2015-346 to 2015-395)

HEARINGS:

ACTION

1. 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: 0400-126.00-02.00-016.000; 0400-201.00-02.00-026.000;
0400-025.00-02.00-045.000; 0400-183.00-03.00-041.000;
0400-192.00-01.00-073.000; 0400-144.00-01.00-054.000;
0400-239.00-02.00-083.000; 0400-122.00-01.00-045.000;
0400-061.00-03.00-060.000; 0400-143.00-01.00-031.002;
0400-162.00-03.00-049.000; 0400-114.00-03.00-087.000

(2015-M-37)

Scheduled as per Resolution 2015-336 at 7-14-2015 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2015-386**

HEARINGS (Continued):

ACTION

2. Consider a license agreement with Huntington Hospital Association to utilize a portion of the Town of Huntington parking facility at Mill Dam Park as a Helipad. (Period: 8/2015-7/31/2017)
(2015-M-38)
Scheduled as per Resolution 2015-344 at 7-14-2015 Town Board Meeting

**ENACTMENT
RESOLUTION 2015-387**

3. Consider acquiring Farmland Development Rights for Greenlawn Property (Tilden). (SCTM # 0400-107-03.006.001, 006.010 and 0400-107-04-002.000; Owner: Tilden Realty LLC)
(2015-M-39)
Scheduled as per Resolution 2015-345 at 7-14-2015 Town Board Meeting

DECISION RESERVED

4. Consider adopting Local Law Introductory No. 24-2015, amending the Code of the Town of Huntington, Chapter 109 (Firearms).
(Local Law Introductory No. 24-2015)
Scheduled as per Resolution 2015-340 at 7-14-2015 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 25-2015, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II: Use Regulations and Restrictions.
(Local Law Introductory No. 25-2015)
Scheduled as per Resolution 2015-341 at 7-14-2015 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 26-2015, amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article II: Vacant Building Registration.
(Local Law Introductory No. 26-2015)
Scheduled as per Resolution 2015-342 at 7-14-2015 Town Board Meeting

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 27-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVI (Zoning Board of Appeals) and Article XIX (Zoning Chapter and Map Amendments).
(Local Law Introductory No. 27-2015)
Scheduled as per Resolution 2015-343 at 7-14-2015 Town Board Meeting

DECISION RESERVED

BOARD OF TRUSTEES' HEARINGS:

1. Consider the granting of a variance and issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly.
**Applicant: Land Use Ecological Service Inc. on behalf of:
John Rittenhouse – Location: 285 Asharoken Avenue,
Asharoken, NY, SCTM #0401-005.00-02.00-007.001 & 005.000)**
(2015-BT-3)
Scheduled as per Resolution 2015-BT-3 at 7-14-2015 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

BOARD OF TRUSTEES' HEARINGS (Continued):

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

Applicant: Land Use Ecological Service Inc. on behalf of:

John Rittenhouse – Location: 285 Asharoken Avenue,

Asharoken, NY, SCTM #0401-005.00-02.00-007.001 & 005.000)

(2015-BT-4)

Scheduled as per Resolution 2015-BT-4 at 7-14-2015 Town Board Meeting

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-355. AUTHORIZE the Supervisor to execute an amendment to the agreement with Gibbons, Esposito & Boyce Engineers P.C. Hirise Engineering, P.C. regarding traffic calming study and development of recommendations for Woodbury Road.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-356. AUTHORIZE the Supervisor to execute an amendment to the contract with the New York State Office for People with Developmental Disabilities for funding the Young Teen Program for the Developmentally Disabled, nunc pro tunc. (Amending Resolution #2014-277; period 1/1/2015-12/31/2015)	<u>FP</u> <u>SB</u>	<u>TE</u>	<u>5</u>
2015-357. AUTHORIZE the Supervisor to execute an amendment to the contract with the New York State Office for people with Developmental Disabilities for funding the Summer Recreation Program for the Developmentally Disabled, nunc pro tunc. (Amending Resolution #2014-276; period 1/1/2015-12/31/2015)	<u>FP</u> <u>SB</u>	<u>TE</u> <u>EC</u>	<u>5</u>
2015-358. AUTHORIZE the Supervisor to accept a donation from the Junior Welfare League of Huntington to the Department of Parks and Recreation for various 2015 summer programs.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-359. AUTHORIZE the use of Dix Hills Park Pool by the children of Whitman Village Housing Development Fund Corporation upon payment of a flat fee for the Summer of 2015 nunc pro tunc.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-360. AUTHORIZE the use of Dix Hills Golf Course by the Special Olympics Long Island Region to conduct a golf program for athletes with special needs nunc pro tunc. (Re: Tuesday evenings from 5:30 PM until closing for the period 7/28/2015-10/13/2015)	<u>EC</u>	<u>SB</u>	<u>5</u>
2015-361. AUTHORIZE the Huntington Township Chamber of Commerce to hold the Long Island Fall Festival at Huntington events and authorizing the Supervisor to execute a license agreement in conjunction with same. (Dates/Times: 10/9/2015 3:00 PM – 11:00 PM; 10/10/2015 11:00 AM – 11:00 PM; 10/11/2015 11:00 AM – 11:00 PM; 10/12/2015 11:00 AM – 5:00 PM)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-362. AUTHORIZE the execution of a consent order with the Suffolk County Department of Health Services Re: Article 12 of the Suffolk County Sanitary Code nunc pro tunc.	<u>TE</u>	<u>MC</u>	<u>5</u>
2015-363. AUTHORIZE settlement of a claim (Dish Realty, LLC v. Town of Huntington; Dish Realty, LLC v. Huntington Planning Board).	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-364. AUTHORIZE settlement of a Lawsuit (Vito Reciniello vs. Town of Huntington). (Supreme Court Index 13768/08)	<u>TE</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-372. ACCEPT a .21-Acre extension of Mowbray Lane North for the subdivision known as Deforest Williams Estates. (SCTM#0400-16-02-13.5)	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-373. ACCEPT donations from various merchants and businesses to the Town of Huntington Senior Center, nunc pro tunc. (Re: Whales Tale, South Down Supermarket, Stop and Shop [Northport] and Car Brite Group)	<u>TE</u>	<u>EC</u> <u>SB</u> <u>FP</u>	<u>5</u>
2015-374. ADOPT the Marina Contract for Winter Wet Storage at Town Marinas.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-375. AMEND the Town’s Manual of Policy and Procedure to add a “Civil Rights Title VI Plan” in accordance with requirements of Title VI of the Civil Rights Act of 1964 and subsequent laws, regulations and executive orders and authorizing the Supervisor to sign any documents with respect thereto.	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-376. APPOINT a Deputy Director of the Department of Engineering Services for the Town of Huntington. (Re: Jacob Turner)	<u>FP</u>	<u>MC</u> <u>EC</u>	<u>5</u>
2015-377. DECLARE certain equipment as surplus and authorizing donation of same to Huntington Community Development Agency for the benefit of Huntington Opportunity Resource Center.	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-378. DESIGNATE qualified proposers to conduct debt collection services for the Town of Huntington. (Re: Silverman Acampora, LLP and Smith Carroad Levy & Wan, P.C.; Period 3 years commencing upon execution of the contract)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-379. EXEMPT Sprint Spectrum Realty Company, L.P. pursuant to §198-68.1 (P) of the Huntington Town Code for work at 7 Boxer Court, Huntington, New York, SCTM No.: 0400-95.00-01.00-050.001.	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>SB-AYE</u> <u>EC-AYE</u> <u>TE-RECUSE</u>
2015-380. EXTEND the time to make a determination regarding the adoption of Local Law Introductory Number 14-2015, considering zone change application #2014-ZM-404, Platt’s Park Avenue LLC, to change the zoning from R-15 Residence District to C-1 Office Residence District for property located on the east corner of East Main Street and Park Avenue, Huntington, SCTM #0400-073-02-(001,003.002, 003.003). (Time extended to December 6, 2015)	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-381. ENACTMENT: ADOPT Local Law Introductory Number 15-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Phyllis Drive, Commack; Blacksmith Lane, Willoughby Path, Dix Hills; Wicks Road, East Northport – Stop Signs.	<u>TE</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-382. ENACTMENT: ADOPT Local Law Introductory Number 16-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Little Plains Road, Huntington – School Speed Limit.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-383. ENACTMENT: ADOPT Local Law Introductory Number 17-2015 amending the Code of the Town of Huntington, Chapter 73 (Advertising; Distribution of Circulars).	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-384. ENACTMENT: ADOPT Local Law Introductory Number 19-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning) Article XII (Excavations; Topsoil Removal).	<u>TE</u>	<u>MC</u>	<u>5</u>
2015-385. ENACTMENT: ADOPT Local Law Introductory Number 20-2015 amending the Code of the Town of Huntington, Chapter A202 (Subdivision and Site Plan Regulations), Section 7 (Construction Operations).	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-386. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Schedule A & B: Marcia Bahamonde/Barbara McDougald, 5 Gerri Road, E. Npt, SCTM# 0400-126.00-02.00-016.000; Robert Waldinger, 7 Cherry Place, Huntington, SCTM# 0400-025.00-02.00-045.000; Aileen Carson(L/E)/Dwight Carson (Estate of), 7 Metcale Lane, E. Npt, SCTM# 0400-183.00-03.00-041.000; Keith Wehrheim, 14 Woodoak Lane, Huntington, SCTM# 0400-192.00-01.00-073.000; Lam Tong/Stephanie Lee, 20 Miller Place, Huntington Station, SCTM# 0400-144.00-01.00-054.000; Maxine Mera(Estate of)/Cheryl Mera(Administrator), 21 Deepdale Drive, Huntington, SCTM# 0400-239.00-02.00-083.000; David Schwartz, 23 Cordell Place, E. Npt, SCTM# 0400-122.00-01.00-045.000; Bruce/Wayne Linko, 47 Bayberry Lane, Npt, SCTM# 0400-061.00-03.00-060.000; Angela Mata, 49 9 th Avenue, Huntington Station, SCTM# 0400-143.00-01.00-031.002; Angel/Francis Soto/Yasanka Batsikas, 75 Alton Avenue, Greenlawn, SCTM# 0400-162.00-03.00-049.000; Katherine Madison, 87 Wells Road, Npt, SCTM# 0400-114.00-03.00-087.000; Schedule D: Arnold/Irma Jacinto, 4 Knox Place, Dix Hills, SCTM# 0400-252.00-03.00-085.000; Walter/Joann Hergenhan, 185 W. Pulaski Road, Huntington Station, SCTM# 0400-138.00-03.00-023.000; Frederick/Matilda Appawu, 372 Old Bridge Road, E. Npt, SCTM# 0400-126.00-02.00-005.000)	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-387. ENACTMENT: AUTHORIZE the Supervisor to enter into a license agreement with Huntington Hospital to utilize a portion of the Town of Huntington parking facility adjoining Mill Dam Park as a helipad. (Term: 8/2015-7/31/2017)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-388. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A: Monique Baillergeau, 8 Silver Avenue, Huntington Station, SCTM# 0400-205.00-03.00-041.000; LSC1 Management Corp., 29 Thornwood Drive, Dix Hills, SCTM# 0400-263.00-03.00-123.000; Raghav Sharma, 190 W. 21 st Street, Huntington Station, SCTM# 0400-193.00-02.00-068.000; Joseph Rafael, LLC, 391 Jericho Tpke, Huntington, SCTM# 0400-190.00-02.00-132.001; Gary Field, 425 New York Avenue, Huntington, SCTM# 0400-096.00-01.00-009.000; Realty 26 LLC, 449-455 E. Jericho Tpke, Huntington Station, SCTM# 0400-200.00-03.00-170.000; William/Eva Cunningham, 862 Larkfield Road, E. Npt., SCTM# 0400-250.00-01.00-016.000)	<u>SB</u>	<u>TE</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-389. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 28-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Printer Court, Huntington Station – Parking Restrictions.</p>	<u>TE</u>	<u>MC</u>	<u>5</u>
<p>2015-390. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 29-2015 amending the Code of the Town of Huntington, Chapter 55 (Public Safety, Department of).</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2015-391. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 30-2015 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits).</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2015-392. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 31-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations).</p>	<u>TE</u>	<u>MC</u>	<u>5</u>
<p>2015-393. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory Number 32-2015, amending the Zoning Map on the Town Board’s own motion to change the zoning from C-6 Huntington Station Overlay District to C-1 Office-Residence District for the property located on the northeast corner of Depot Road and East Ninth Street, Huntington Station, SCTM#0400-146-03-106.</p>	<u>FP</u> <u>TE</u>	<u>SB</u> <u>EC</u>	<u>5</u>
<p>2015-394. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory Number 33-2015, considering zone change application #2015-ZM-408, Stone Ridge III, to change the zoning from R-40 Residence District to R-3M Garden Apartment Special District for property located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills, SCTM #0400-278-02-170 & 171.</p>	<u>SB</u>	<u>FP</u>	<u>MC-RECUSE</u> SB-AYE FP-AYE EC-AYE TE-AYE
<p>2015-395. SCHEDULE A PUBLIC HEARING: September 16, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 34-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development).</p>	<u>FP</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-BT5. AUTHORIZE the President to execute an extension of the license agreement with the Cold Spring Harbor Laboratory for the use of a portion of underwater lands. (Period: 9/20/2015-9/19/2020)

SB EC 5

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-CD6. ACCEPT donations to the Huntington Opportunity Resource Center, 1264 New York Avenue, Huntington Station, NY. (Re: Computer Equipment from St. Joseph's College and Town of Huntington)

MC
TE SB 5

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: AUGUST 11, 2015**

RESOLUTIONS:

	OFF.	SEC.	VOTE
2015-LDC-2 ESTABLISH 2015 fee schedule for bond financing transactions.	<u>FP</u>	<u>SB</u>	<u>5</u>

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: AUGUST 11, 2015**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: John Springer for FH Riley’s (400 New York Ave, Huntington);
From: Patrick DeLuca for Aegean Grill (354 Larkfield Rd, East Npt);
From: Patrick DeLuca for Speakeasy Management Inc name TBD (30 New Street,
Huntington); From: Patrick DeLuca for Commack Group Corp. name TBD
(118 Commack Road, Commack); From: Patrick DeLuca for The Whales Tale
(81A Fort Salonga Road, Npt); From: Irwin Kruger for Smashburger (4097 Jericho
Tpke, ENpt); From: David Tunney for T/B/A (330 New York Ave, Huntington);
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: Branford Honigfeld for Zinburger Wine & Burger Bar (160 Walt Whitman
Road, Huntington); From: Nader Gebrin for Bravo Nader (9 Union Place, Huntington);
From: Dhanit Choladda for Thai USA;
Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Letter received from Vincent Puleo, Town Clerk for the Town of Smithtown,
regarding an amendment to Chapter 322 (Building Zone Ordinance). A copy of
the Public Notice was included.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
4. Public Notice received from Gail Devol, Village Administrator for the Board of
Trustees for the Incorporated Village of Huntington Bay, regarding a Public
Hearing to be held on July 20, 2015 at 7:30 PM for property located at 10 Beach
Drive.
Supervisor
Town Board
Town Attorney
cc: Planning & Environment
5. Letters received in opposition to the rezoning of the property located at the corner
of East Main Street and Park Avenue from: Joseph Gallienne, Alice Gallienne,
Susannah Meinersman (ccd Supervisor/Town Board),
Supervisor
Town Board
Town Attorney
cc: Planning & Environment
6. Letter received from C.J. Bisignanao, Supervisory Bridge Management Specialist
for the United States Coast Guard, US Department of Homeland Security, regarding
a proposed replacement of the US Route 1 Bridge across the Niantic River.
Supervisor
Town Board
Town Attorney
cc: Maritime Services
7. Email received from Huntington CALM Group, advising that Sonoma City Council in
California banned all gas and electric leaf blowers. They are requesting that the
Huntington Town Board restrict leaf blowers in the summer months. An additional
email was submitted regarding a study of kids exposure to air toxics at home.
Town Attorney
cc: Planning & Environment
8. Notice of Public Hearing received from Paul Bregman, Chairman of the Laurel
Hollow Planning Board, regarding a hearing to be held on August 19, 2015 at
8:00 PM for property located at 1500 Laurel Hollow Road.
Supervisor
Town Board
Town Attorney
cc: Planning & Environment

9. Letter received from Denise Rossi, Controller for the Commack Volunteer Ambulance Corps, attached was a copy of the Official 2016 Budget. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
10. Letter received from Michael Kane, Chairman for the Zoning Board of Appeals for the Town of Babylon, regarding a hearing to be held on August 6, 2015 at 6:00 PM for the following property located within 500 feet of the Town of Huntington property line. The property is 715 Carl's Path in Deer Park and applicant is applying for permission to diminish various property lot lines. Various forms were submitted. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
11. Letter received regarding opposition to the Benchmark Senior Living facility on property located at 25A/Washington Drive/Old Northport Road from Phyllis Cadden. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
12. Letter received from Carol Albano, Director of the Harborfields Public Library, advising that the oath of office was administered to the Harborfields Board of Trustees and other designees for the 2015-2016 year (oaths included). Supervisor
Town Board
cc: Town Attorney
13. Letter received from Shaik Saad, Civil Engineer for the NYS Department of Transportation, requesting to review the plans for the new installations and improvements to existing facilities in various water districts in Huntington. (cc'd Director of Planning) Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
14. Letter received from Liz Giordano, Chief Executive Officer of the Head Injury Association, regarding a proposed Community Residence for six individuals at 3 Foxmeadow Drive in Dix Hills. (cc'd Supervisor/Town Board) Town Attorney
cc: Engineering Services
15. BLANK
16. Email sent to Jo-Ann Raia, Town Clerk, from Jane MacVicar and Harris Flug, regarding the condition of a home located at 7 Cherry Place. Supervisor
Town Board
Town Attorney
cc: Public Safety
17. Email addressed to Councilman Cook and forwarded to Jo-Ann Raia, Town Clerk, from Nick DiVico regarding the rezoning of property located at the corner of Main Street and Park Avenue in Huntington. The writer advises that a movement has started with hundreds of signatures and this coalition suggests that the property remain residential. Supervisor
Councilwoman Berland
Councilman Cuthbertson
Councilwoman Edwards
Town Attorney
cc: Planning & Environment
18. Email sent to Town Clerk, Jo-Ann Raia, from Bruce Tilden of Tilden Lane Farm, requesting that everyone view the farms website at Tilden Lane Farm. The email indicates if anyone has questions or would like to visit the farm they may contact him. Supervisor
Town Board
cc: Town Attorney
19. Email sent to Councilwoman Edwards and Town Clerk, Jo-Ann Raia, from Clorraine Saint Cyr regarding the program "Long Island Speaks-Building Bridges Across the Communities." The event is scheduled for August 29, 2015 from 2:00 PM to 6:00 PM at the South Cafeteria at the Walt Whitman High School. The event is free and open to the public. Supervisor
Councilwoman Berland
Councilman Cook
Councilman Cuthbertson
cc: Town Attorney

20. Notice of Hearing received from Kerri O'Brien, CEO of NYS Liquor Authority, regarding Rincon Criollo Long Island Inc. located at 16 W Jericho Tpke in Huntington Station. The hearing will be held on August 20, 2015 at 11:00 AM at 317 Lenox Avenue. This premises is located within a 500 foot radius of at least 3 other licensed and operating on premises liquor establishments.
- Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Sewage Treatment Facility
cc: Planning & Environment
21. Letter received from Cecilia Thomas of the Loans and Grants Department of the New York State Empire State Development Corporation regarding a Public Hearing to be held on August 12, 2015 at 1:30 PM at the Clerks Conference Room at the W.H. Legislative Building. The meeting is regarding the Karp Capital Project.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
22. Email received from Nick DiVico regarding an online petition he submitted with 634 electronic signatures opposing any commercial development of the Platt's Tavern site located at the corner of Park Avenue and East Main Street. The writer also indicates the reasons he is against the development of the property for commercial use. (cc'd Supervisor, Town Board members)
- Town Attorney
cc: Planning & Environment

2015- 346

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS WITH THE SUFFOLK COUNTY YOUTH BUREAU FOR THE PROVISION OF VARIOUS YOUTH SERVICES THROUGH THE YOUTH BUREAU'S COMPREHENSIVE YOUTH SERVICE PLAN FOR 2015 NUNC PRO TUNC

Resolution for the Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington provides youth and family services for Town residents such as counseling services, runaway youth services, parenting workshops, homework help, recreational programs, employment and career planning, college prep and conflict resolution training within the Town's school districts; and

WHEREAS, the Suffolk County Youth Bureau desires to fund various components of the Town of Huntington Youth Bureau Comprehensive Youth Service Plan. These include: REACH CYA, Sanctuary's STILS and Family Social Worker, Tri-Community and Youth Agency, Project EXCEL, Contract Management, and FACILE Project; and

WHEREAS, the Town of Huntington Youth Bureau is eligible to receive funding from Suffolk County Youth Bureau for programs covered under the Comprehensive Youth Services Plan in the amount of ONE HUNDRED SEVENTY FOUR THOUSAND SEVEN HUNDRED THIRTY-FIVE AND NO/100 (\$174,735.00) DOLLARS for the period commencing January 1, 2015 and ending December 31, 2015; and

WHEREAS, this funding will allow the Town of Huntington Youth Bureau to continue to provide services through various youth programs; 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 execution of this agreement is not an action as defined 6 N.Y.C.R.R., Section 617.2(b) and therefore no further SEQRA review is required.

2015-346

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute agreements and any documents in connection and related therewith with the Suffolk County Youth Bureau to obtain funds for various programs under the Town of Huntington Youth Bureau in an amount not to exceed the total sum of ONE HUNDRED SEVENTY-FOUR THOUSAND SEVEN HUNDRED THIRTY-FIVE AND NO/100 (\$174,735.00) DOLLARS for the period commencing January 1, 2015 and ending December 31, 2015 to be recorded in Operating Budget Revenue Item A383 nunc pro tunc; 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 Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 347

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE VARIOUS AGREEMENTS FOR THE CONTINUATION OF A YOUTH COURT PROGRAM FOR THE 2015-2016 ACADEMIC YEAR

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Councilman Cuthbertson,
SUPERVISOR PETRONE

And seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington and Harborfields High School, Huntington High School, Walt Whitman High School, and Northport High School desire to continue a Youth Court Program through the Youth Bureau for the academic year commencing September 2015 and continuing through August 2016; and

WHEREAS, the Town, by its lawfully constituted Town Board, hereby agrees to allocate staffing and necessary resources for the Town's Youth Court Program; and

WHEREAS, the continuation of the Youth Court Program is contingent upon each participating school district entering into an agreement with the Town of Huntington; and

WHEREAS, due to the unique nature of the Youth Court Program, the Town of Huntington waives the requirement of insurance; and

WHEREAS, the execution of an agreement is not an action pursuant to 6 N.Y.C.R.R. §617.2 (B) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute agreements with the following school districts:

Harborfields Central School District
2 Oldfield Road
Greenlawn, New York 11740

Huntington Union Free School District
50 Tower Street
Huntington Station, New York 11746

South Huntington Union Free School District
60 Weston Street
Huntington Station, New York 11746

2015-347

Northport-East Northport Union Free School District
110 Elwood Road
Northport, New York 11768

for the continuation of a Youth Court Program for the academic year commencing September 2015 and continuing through August 2016, 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.

2015-348

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FINANCIAL ASSISTANCE FROM THE SUFFOLK COUNTY WATER QUALITY PROTECTION AND RESTORATION PROGRAM (SPARTINA CORDGRASS)

Resolution for Town Board Meeting Dated: August 11, 2015

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Suffolk County is currently accepting applications from municipalities and not-for-profit organizations for financial assistance pursuant to the Suffolk County Water Quality Protection and Restoration Program (WQPRP) to enhance water quality; and

WHEREAS, the Town has identified a qualifying water quality project located in the 18th Legislative District represented by the Honorable William Spencer, for habitat restoration of spartina cordgrass in the inter-tidal zone near Gold Star Beach; and

WHEREAS, the Town estimates a total project cost of thirty thousand dollars (\$30,000) for which it proposes to provide a fifty percent (50%) match in funds and/or in-kind services; and

WHEREAS, submitting a grant application for maintenance of landscaping or natural growth is a Type II action pursuant to 6 NYCRR § 617.5(c)(21), therefore no further SEQRA review is required at this time;

NOW, THEREFORE, BE IT RESOLVED,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive financial assistance from the Suffolk County Water Quality Protection and Restoration Program for a spartina chord grass project and to execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney, and

HEREBY FURTHER AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets, as necessary, upon execution of all required documentation, not to exceed the amount awarded and the Town's share of funding required.

2015-348

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

A RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH TRACKER ARCHAEOLOGY SERVICES INC. FOR PROFESSIONAL SERVICES RELATED TO AN ARCHAEOLOGY STUDY AT THE COLONIAL ARSENAL

Resolution for Town Board Meeting Dated: August 11, 2015

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

And seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS the Town of Huntington, pursuant to Town Board Resolution # 2001-474, applied for and received, a Historic Preservation Grant from the New York State Office of Parks, Recreation and Historic Preservation under the Clean Water/Clean Air Bond Act to restore the Colonial Arsenal and conduct an archaeology study at that site; and

WHEREAS such an archaeology study was completed in September 2006, but did not include a study of the area on which a detached garage stood; and

WHEREAS the detached garage has now been removed from the property and a certificate of approval has been issued for the construction of a shelter to display the Town's replica Revolutionary War era whaleboat; and

WHEREAS the New York State Office of Parks, Recreation and Historic Preservation by letter dated January 18, 2007 required further archaeological study in the case of any project involving ground disturbance; and

WHEREAS the construction of the whaleboat shelter will involve ground disturbance; and

WHEREAS the Town Historian issued a Request for Proposals from certified archaeologist; and

WHEREAS, Tracker Archaeology Services, Inc., 62 Pickerel Road, Monroe, NY 10950, submitted an acceptable proposal; and

WHEREAS funding for such an archaeology study has previously been allocated pursuant to Town Board resolution # 2015-176; and

WHEREAS the authorization to retain a specialist is classified as a Type II action under pursuant to 6 NYCRR § 617.5 (C)(18) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the agreement with Tracker Archaeology Services, Inc. to conduct a Phase IB archaeology study at the Colonial Arsenal for an amount not to exceed TWO THOUSAND, and NO/100 DOLLARS (\$2,000.00), to be charged to Capital Account TH1997-2103-NE023, and upon such other terms and conditions as negotiated by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-351

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE CATCH BASIN AND DRAINAGE STRUCTURE CLEANING SERVICES FOR BID ITEMS ONE THROUGH SEVEN.

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **SUPERVISOR PETRONE**

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

WHEREAS, Town Board Resolution 2014-441 authorized the execution of a contract with each of the lowest responsive, responsible bidders for each of the seven (7) bid items as detailed in Schedule A for the catch basin and drainage structure cleaning services, Bid No. TOH 14-07R-046; and

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

WHEREAS, E-Z Trucking Inc., PO Box 361 , Greenlawn, New York 11740 and Magnum Cesspool Service Inc. , 52 Ontario Street, Huntington, New York 11743 have both requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with E-Z Trucking Inc. and Magnum Cesspool Service Inc. for the catch basin and drainage structure cleaning services. The extension period shall be effective for one (1) year commencing on October 21, 2015 to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE A

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

Awardees:

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

2015-352

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE TRAFFIC SIGNAL MAINTENANCE AND REQUIREMENTS CONTRACT WITH JOHNSON ELECTRICAL CONSTRUCTION CORP.

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington utilizes an outside contractor to provide maintenance for the town's traffic signals. The traffic signal maintenance and requirements contract is for all traffic signals which includes all electrically operated traffic control devices and associated equipment under the jurisdiction of the Town of Huntington. The Contractor shall furnish all transportation, labor, materials, supplies, equipment, tools and appurtenances necessary to ensure that the Town's traffic signals are maintained in good working order; and

WHEREAS, Town Board Resolution 2014-483 authorized the execution of a contract with Johnson Electrical Construction Corp. for traffic signal maintenance and requirements contract for the Town of Huntington, New York, Contract No. TTTS 2014-01; and

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

WHEREAS, Johnson Electrical Construction Corp., 263 Caleb's Path, Hauppauge, New York 11788 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Johnson Electrical Construction Corp. for traffic signal maintenance and requirements contract for the Town of Huntington, New York. The extension period shall be effective for one (1) year commencing on November 1, 2015 to be charged to those budgets required to implement the work, 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.

1 Ext traffic signal maint and requirements contract

PURCH/LF/

7/29/2015,10:06 AM

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR SPORTS COURTS RESURFACING AND AMENITIES WITH THE LANDTEK GROUP, INC.

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: COUNCILWOMAN BERLAND,
COUNCILMAN COOK

and seconded by: SUPERVISOR PETRONE

WHEREAS, the intent of this contract is to rehabilitate and/or construct new sports courts throughout the Town of Huntington including installation of goals and colorized resilient surfaces; and

WHEREAS, Town Board Resolution 2013-422 authorized the execution of a contract with The LandTek Group, Inc. for the requirements contract for sports courts resurfacing and amenities, Contract No. GS 2013-02/O-E; and

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

WHEREAS, The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with The LandTek Group, Inc for sports courts resurfacing and amenities. The extension period shall be effective for one (1) year commencing on October 10, 2015 to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 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.

2015-354

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR STREETLIGHTING AND ELECTRICAL WORK WITH ANKER'S ELECTRIC SERVICE, INC.

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is in need of hiring a qualified contractor to perform various electrical work and streetscaping projects which may include the installation and service of decorative lights, conduit, service risers, sidewalk, bricks, curbs, detectable warning units, and driveway aprons. Additionally, this contract may be utilized to provide new 600 Amp and 800 Amp services to public parks and various electrical amenities, providing power to comfort stations, decorative lighting, parking lot lighting, primary power, switchgear with transformers, and sports lighting. This contract is also utilized by the Town for small power connections to various facilities and new power connections to new or existing buildings; and

WHEREAS, Town Board Resolution 2013-421 authorized the execution of a contract with Anker's Electric Service, Inc. for the 2013 requirements contract for streetlighting and electrical work, Contract No. ES 2013-02/O-E; and

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

WHEREAS, Anker's Electric Service, Inc., 10 South 5th Street, Locust Valley, New York 11560 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Anker's Electric Service, Inc. for the requirements contract for streetlighting and electrical work. The extension period shall be effective for one (1) year commencing on November 1, 2015 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.

2015-354

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 AMENDMENT TO THE AGREEMENT WITH GIBBONS, ESPOSITO & BOYCE ENGINEERS P.C HIRISE ENGINEERING, P.C. REGARDING TRAFFIC CALMING STUDY AND DEVELOPMENT OF RECOMMENDATIONS FOR WOODBURY ROAD

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, Town Board Resolution 2014-392 authorized the Supervisor to execute an agreement with Gibbons, Esposito & Boyce Engineers P.C. HiRise Engineering, P.C. to provide a traffic calming study on Woodbury Road, make recommendations for improvements, prepare conceptual plans and preliminary cost estimates for discussion; and

WHEREAS, the Director of Transportation and Traffic Safety has determined that it is necessary for the Town to expand the scope of work of the contract to utilize Gibbons, Esposito & Boyce Engineers P.C. HiRise Engineering, P.C. for additional services pertaining to the Traffic Calming Study and recommendations in the report; and

WHEREAS, the original contract did not include any contingency monies for additional engineering services; and

WHEREAS, performing traffic calming assessments, preparing recommendations and design is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18) and (c)(21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an amendment to the agreement with Gibbons, Esposito & Boyce Engineers P.C. HiRise Engineering, P.C. to perform additional work for an amount not to exceed the sum of SIXTEEN THOUSAND SIX HUNDRED TWENTY-FIVE (\$16,625.00) DOLLARS, and authorizes the Director of Transportation and Traffic Safety to execute change orders with an aggregate value up to 10% of the engineering service costs to be charged to Operating Budget Item No. B3310-4550, and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

2015 -355

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 AMENDMENT TO THE CONTRACT WITH THE NEW YORK STATE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES FOR FUNDING THE YOUNG TEEN PROGRAM FOR THE DEVELOPMENTALLY DISABLED, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone,
COUNCILWOMAN BERLAND
and seconded by: COUNCILWOMAN EDWARDS

WHEREAS, the Town of Huntington Department of Parks and Recreation offers a Young Teen Program for the Developmentally Disabled; and

WHEREAS, pursuant to Town Board Resolution 2014-277, the Town entered into a contract with the New York State Office for People with Developmental Disabilities (NYSOPWDD) for a term of five years commencing on January 1, 2014 and ending on December 31, 2018, for funding the Young Teen Program for the Developmentally Disabled in the amount of THIRTEEN THOUSAND SIX HUNDRED SEVENTY-FIVE AND NO/100 (\$13,675.00) DOLLARS for 2014 budget period; and

WHEREAS, NYSOPWDD has made additional funding available for such program in the amount of THIRTEEN THOUSAND SIX HUNDRED SEVENTY-FIVE AND NO/100 (\$13,675.00) DOLLARS for the period January 1, 2015 through December 31, 2015; and

WHEREAS, an amendment to this contract is required to incorporate the calendar year 2015 funding of \$13,675.00; and

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

NOW, THEREFORE, THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute an amendment to the 2014-2018 contract with the New York State Office for People with Developmental Disabilities to obtain additional funding for the Young Teen Program for the Developmentally Disabled in the amount of THIRTEEN THOUSAND SIX HUNDRED SEVENTY-FIVE AND NO/100 (\$13,675.00) DOLLARS for the period January 1, 2015 to December 31, 2015, and to execute all necessary documents in connection therewith, and upon such other terms and conditions as may be acceptable to the Town Attorney, nunc pro tunc.

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.

2015-357

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH THE NEW YORK STATE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES FOR FUNDING THE SUMMER RECREATION PROGRAM FOR THE DEVELOPMENTALLY DISABLED, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: COUNCILWOMAN EDWARDS, COUNCILMAN COOK

WHEREAS, the Town of Huntington Department of Parks and Recreation offers a Summer Recreation Program for the Developmentally Disabled; and

WHEREAS, pursuant to Town Board Resolution 2014-276, the Town entered into a contract with the New York State Office for People with Developmental Disabilities (NYSOPWDD) for a term of five years commencing on January 1, 2014 and ending on December 31, 2018, for funding the Summer Recreation Program for the Developmentally Disabled in the amount of THIRTY FOUR THOUSAND NINE HUNDRED NINETY-NINE (\$34,999.00) DOLLARS for 2014 budget period; and

WHEREAS, NYSOPWDD has made additional funding available for such program in the amount of THIRTY FOUR THOUSAND NINE HUNDRED NINETY-NINE (\$34,999.00) DOLLARS for the period January 1, 2015 through December 31, 2015; and

WHEREAS, an amendment to this contract is required to incorporate the calendar year 2015 funding of \$34,999.00;

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

NOW THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute an amendment to the 2014-2018 contract with the New York State Office for People with Developmental Disabilities to obtain additional funding for the Summer Recreation Program for the Developmentally Disabled in the amount of THIRTY FOUR THOUSAND NINE HUNDRED NINETY-NINE (\$34,999.00) for the period January 1, 2015 to December 31, 2015, and to execute all necessary documents in connection therewith, and upon such other terms and conditions as may be acceptable to the Town Attorney, nunc pro tunc.

2015-357

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 ACCEPT A DONATION FROM THE JUNIOR WELFARE LEAGUE OF HUNTINGTON TO THE DEPARTMENT OF PARKS AND RECREATION FOR VARIOUS 2015 SUMMER PROGRAMS

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Junior Welfare league of Huntington, P.O. Box 107 Huntington, New York 11743 has made a donation in the amount of THIRTEEN THOUSAND THREE HUNDRED AND TWENTY EIGHT DOLLARS (\$13,328) to the Department of Parks and Recreation for various Town summer programs in 2015; and

WHEREAS, the donation is to be used to provide a camp experience for as many needy children as possible in the Town; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS a donation from the Junior Welfare League of Huntington in the amount of \$13,328 to be deposited as follows: \$1,079 into Revenue Account A2001; \$752 into Revenue Account A2006; \$10,757 into Revenue Account A2008; \$740 into Revenue Account A2007, and 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.

RESOLUTION AUTHORIZING THE USE OF DIX HILLS PARK POOL BY THE CHILDREN OF WHITMAN VILLAGE HOUSING DEVELOPMENT FUND CORPORATION UPON PAYMENT OF A FLAT FEE FOR THE SUMMER OF 2015 NUNC PRO TUNC

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Whitman Village Housing Development Fund Corporation has expressed a desire to provide an additional recreational outlet for the children in their community during the summer of 2015; and

WHEREAS, they have requested that the children in their organization be allowed the use of Dix Hills Park Pool upon the presentation of proper identification for a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS; and

WHEREAS, the use of Dix Hills Park Pool for this purpose is a Type II action, pursuant to 6 N.Y.C.R.R. Section 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the use of Dix Hills Park Pool by the children of Whitman Village Housing Development Fund Corporation upon payment of a flat fee of ONE HUNDRED AND NO/100 (\$100) DOLLARS for the summer of 2015.

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 USE OF DIX HILLS GOLF COURSE BY THE SPECIAL OLYMPICS LONG ISLAND REGION TO CONDUCT A GOLF PROGRAM FOR ATHLETES WITH SPECIAL NEEDS NUNC PRO TUNC

Resolution for Town Board Meeting Dated: August 14, 2015

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Special Olympics Long Island Region has requested permission to use Dix Hills Golf Course and have fees waived for their Special Olympic Golf Program Monday evenings from June 13 to October 12, 2015 from 5:30pm until closing; and

WHEREAS, the Special Olympics will be allowed the weekly use of Dix Hills Golf Course with the understanding that they may have to limit their schedule if conflicts arise or course crowding issues develop with the general public during peak usage periods; and

WHEREAS, Athletes will use the driving range and practice putting on the green, and those with proper skill level will play on the course during this time; and

WHEREAS, the Department of Parks and Recreation in cooperation with Integrity Golf, LLC is desirous of accommodating their request; and

WHEREAS, the use of Dix Hills Golf Course for the purpose stated above 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 APPROVES the use of Dix Hills Golf Course by the Special Olympics Long Island Region, 819 Grand Blvd., Suite 3, Deer Park, New York 11729, to conduct a golf program for athletes with special needs and waives all fees, exclusive of golf cart fees, on Monday evenings from June 13 to October 12, 2015 from 5:30pm until closing, nunc pro tunc.

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.

RESOLUTION AUTHORIZING THE HUNTINGTON TOWNSHIP CHAMBER OF COMMERCE TO HOLD THE LONG ISLAND FALL FESTIVAL AT HUNTINGTON EVENTS AND AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT IN CONJUNCTION WITH SAME

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Huntington Township Chamber of Commerce (the "Chamber") has requested permission to hold The Long Island Fall Festival at Huntington events on Friday, October 9, 2015, between the hours of 3pm and 11:00 pm; Saturday, October 10, 2015 between the hours of 11:00 a.m. and 11:00 p.m.; Sunday, October 11, 2015, between the hours of 11:00 a.m. and 11:00 p.m.; and Monday, October 12, 2015 between the hours of 11:00am and 5 pm; and

WHEREAS, the Chamber has requested permission to open the festival with a carnival, live band entertainment, Corporate Sponsors, Food Court, and a Beer & Wine Tasting on Friday, October 9, 2015, with the use of the Harry Chapin Rainbow Stage for live performances through Monday, October 12, 2015 for the Festival live band entertainment; and

WHEREAS, in conjunction with the festival events and carnival, the Chamber has requested permission to use certain town facilities; and

WHEREAS, the Chamber has also requested an extension of all tent permits to allow for extra time; and

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

WHEREAS, the authorization of the Long Island Fall Festival at Huntington events and execution of a license agreement in conjunction with same 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, BE IT

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Huntington Township Chamber of Commerce to hold The Long Island Fall Festival at Huntington events on Friday, October 9, 2015, between the hours of 3:00 pm and 11:00 pm; Saturday, October 10, 2015 between the hours of 11:00 a.m. and 11:00 p.m.; Sunday, October 11, 2015, between the hours of 11:00 a.m. and 11:00 p.m.; and Monday, October 12, 2015 between the hours of 11:00am and 5:00pm; and be it further

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Chamber to open the festival with a carnival, live band entertainment, Corporate Sponsors, Food Court, and a Beer and Wine Tasting on Friday, October 9, 2015, with the use of the Harry Chapin Rainbow Stage for live performances through Monday, October 12, 2015 for the Festival live band entertainment; and be it further

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the following actions in order to facilitate the Chamber in relation to these events:

1. Authorizes the use of the Harry Chapin Rainbow Stage in conjunction with the Huntington Arts Council on Friday, October 9, 2015, beginning at 3 pm and ending at 11:00 p.m.; Saturday, October 10, 2015, beginning at 11:00 a.m. and ending at 11:00 p.m.; Sunday, October 11, 2015, beginning at 11:00 a.m. and ending at 11:00 p.m.; and Monday, October 12, 2015;

2. Authorizes the use of the cottage at Heckscher Park as a command center and the exterior grounds thereof as a first aid station, beginning at 2:00 p.m. on Friday, October 9, 2015 through Sunday, October 11, 2015 at 10:00 p.m., inclusive; and
3. Grants permission for restricted parking by special pass for the disabled issued by the Chamber for Saturday, October 10, 2015 and Sunday, October 11, 2015, beginning at 11:00 a.m. and ending at 11:00 p.m., at the following Town parking fields:
 - A. 150 parking spaces in the lot of the John J. Flanagan Center (Village Green Parking Lot).
 - B. Town Hall Lot.
 - C. Lot west of the Elks Club.
4. Madison Street and Prime Avenue will be closed to vehicular traffic on Saturday, October 12, 2015, and Sunday, October 11, 2015, beginning at 8:00 a.m. and ending at 7:00 p.m. The Chamber will coordinate with the Department of Engineering Services and the Department of Highways, and abide by all applicable Town, County and State laws and regulations. All necessary permits and approvals shall be acquired and provided to the Huntington Town Clerk prior to October 2, 2015; and
5. Extends all permits for tents by 48 hours to a total of 120 hours, beginning on Thursday, October 8, 2015 at 11:00 am and ending on Tuesday, October 13, 2015 at 11:00 a.m. All tents erected or maintained shall be in compliance with Chapter 111, Article 29 of the Town of Huntington Fire Prevention Code and all permits shall be acquired and provided to the Huntington Town Clerk prior to October 2, 2015; and

6. Authorizes the Department of Engineering Services and the Department of General Services to run shuttle buses, at a cost of \$1.00 round trip per person to defray the cost of the service. Said shuttle schedule shall accommodate the needs of the participants and/or attendees for the duration of these events; and shall run Saturday, October 10, 2015 and Sunday, October 11, 2015 from 11:00 a.m. to 10:00 p.m.;
7. Waives the fees currently being charged by the Bureau of Fire Prevention for tents and propane gas; and
8. The Huntington Township Chamber of Commerce and any and all vendors and/or organizations participating in the Food Court shall obtain any and all permits required by the Suffolk County Department of Health and any and all other agencies having jurisdiction and shall present same to the Town Clerk prior to October 2, 2015. The Huntington Township Chamber of Commerce and any and all vendors and/or organizations participating in the Food Court shall defend, indemnify and hold the Town, its agents, servants and/or employees harmless from and against all claims, including defense costs, reasonable attorney fees, liability arising out of or in connection with the aforesaid Food Courts, and/or the failure to obtain said proper permits.
9. The Chamber shall obtain, or cause the appropriate organizations to obtain any and all necessary permits and licenses required to provide a beer and/or wine tasting area in Heckscher Park and shall present same to the Town Clerk prior to October 2, 2015. Such area shall be subject to strict rules and regulations. The Chamber, and any and all vendors and/or organizations participating in the beer/wine tasting area shall defend, indemnify and hold the Town, its agents, servants and/or employees harmless from and against all claims, including defense costs, reasonable attorney fees, liability arising out of or in connection with the aforesaid beer/wine tasting area, and/or the failure to obtain said proper permits.
10. The Chamber shall be restricted from using certain areas of Heckscher Park, as directed by the Town of Huntington for the purpose of maintaining the beauty and nature of the park. Prior to submitting the site plan as required by Huntington Town Code, said site plan shall be approved by the Director of the Town of Huntington Department of General Services or his designee.
12. The Huntington Township Chamber of Commerce shall be responsible for restoring Heckscher Park to its pre-festival condition, especially the area where the carnival takes place. They shall be required to accompany the Director of the Town of Huntington Department of General Services or his designee on an inspection of the park prior to and following the festival. Following the post festival inspection, the Director of General Services will notify the Chamber of restoration work required to be undertaken by the Chamber. Said restoration work shall be completed within a reasonable timeframe agreed upon between the Chamber and the Town. Any and all

costs associated with such restoration work shall be the sole responsibility of the Chamber.

13. The Town Board again reiterates that the use of Heckscher Park will continue to be subject to various restrictions and limitations to be determined by the Town of Huntington.

and be it further

RESOLVED, all costs incurred by the Town of Huntington for labor, services and materials in connection with or resulting from the festival events, excluding restoration work as outlined in item 13 above, shall be fully reimbursed by the Chamber, however, said amount shall not exceed the sum of \$12,500.00 and shall be paid to the Town of Huntington on or before November 1, 2015. All such labor, services and materials provided by the Town shall, to the best of the ability of the parties, be agreed upon in advance, by the Chamber and the Town; and be it further

RESOLVED, that the Town of Huntington shall be named as a festival sponsor; and be it further

RESOLVED, that the Chamber shall provide insurance coverage for property damage, personal injury, breach of agreement/contract and lost profit naming the Town of Huntington, its officers and employees as additional insured by endorsement and the insurance coverage must be provided prior to the commencement of the work or the use of the premises by providing the Town with a copy of the insurance policy including the endorsement naming the Town as additional insured. The insurance must be unrestricted and primary coverage. The Chamber shall be required to sign a license agreement, including the procurement of insurance, hold harmless and indemnity provisions to defend the Town regarding any personal injury, property damage, breach of contract, violation of civil rights and discrimination in a form and on terms acceptable to the Town Attorney.

The failure to procure insurance in accordance with the requirements of the above and the terms and conditions of an insurance procurement agreement acceptable to Town Attorney will constitute a breach of any agreement with the Town for use and operation at the premises and the entities may be held liable for such breach and will be held responsible for costs, expenses and attorney fees.

The policies of insurance shall be in a minimum of \$1,000,000 per occurrence for bodily injury and \$2,000,000 in aggregate and bodily injury including death and \$1,000,000 for property damage. The Town shall be named by endorsement as a beneficiary on any excess policies that any of the entities may have. The insurance which names the Town by endorsement shall be provided to the Huntington Town Clerk and the Town Attorney's Office by October 2, 2015. Any and all insurance agreements shall be entered that are acceptable in terms and conditions by the Town Attorney's Office; and be it further

2015-361

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a license agreement in conjunction with the festival events and carnival, 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.

2015-362

RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT ORDER WITH THE SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES RE: ARTICLE 12 OF THE SUFFOLK COUNTY SANITARY CODE NUNC PRO TUNC

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Suffolk County Department of Health Services (SCDHS) has determined that the Town of Huntington must comply with the Article 12 of the Suffolk County Sanitary Code as it pertains to: permitting requirements, bulk storage facilities; and maintenance; and

WHEREAS, the Town of Huntington has agreed to the imposition of a civil penalty in the amount of TWO HUNDRED AND FIFTY 00/100 (\$250.00) DOLLARS for the site at issue (the Town of Huntington Recycling Center at 641 New York Avenue, Huntington, New York 11743) in the form of a consent order/waiver of formal hearing/stipulated agreement, based upon the submission of documents by the Town that the violations alleged have been addressed in a manner satisfactory to SCDHS; and

WHEREAS, the execution of a consent order in this matter is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(29) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the execution of a Consent Order with the Suffolk County Department of Health Services pertaining to Article 12 of the Suffolk County Sanitary Code nunc pro tunc, and any documents in connection thereto.

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

RESOLUTION AUTHORIZING THE SETTLEMENT OF A CLAIM
(Dish Realty, LLC v. Town of Huntington; Dish Realty, LLC v. Huntington Planning Board)

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, there is currently pending three actions in various state courts involving certain land use interests of Dish Realty, LLC, and several appeals and motions that are yet undecided; and

~~WHEREAS, the Town Attorney has determined that it is in the best interests of the parties to settle these matters with no admission of liability on the part of any party to the settlement; and~~

WHEREAS, the claimant has agreed to the settlement subject to the approval of the Town Board; and

WHEREAS, the Town Board approved appropriated funds to be set aside for the purposes of the Judgments & Claims Reserve in accordance with General Municipal Law; and

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

NOW THEREFORE THE TOWN BOARD

HEREBY AUTHORIZES the Town Attorney and/or the Supervisor to execute all documents required to effectuate the settlement, on such terms and conditions as may be deemed necessary to the Town Attorney; and

FURTHER AUTHORIZES the Comptroller to issue checks in settlement of these matters not to exceed a total of ONE HUNDRED SEVENTY-FIVE THOUSAND (\$175,000.00) DOLLARS pending receipt of closing papers therein, applied against Budget Line Item No. A1930-4160; and

FURTHER AUTHORIZES the Comptroller to amend the 2015 Operating Budget as follows:

Reserves to be appropriated:

A-0876 Reserve for Judgments & Claims \$175,000

Increase the following appropriation:

A1930-4160 Judgments & Claims \$175,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 364

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(VITO RECINIELLO VS. TOWN OF HUNTINGTON)

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, litigation is presently pending as and between Vito Reciniello and the Town of Huntington in Suffolk County Supreme Court Index No.: 13768/08 and the parties are desirous to enter into settlement and resolution of the above matter: and

WHEREAS, the Town Attorney has determined it to be in the Town of Huntington's best interest to settle this matter for a total of THIRTY THOUSAND AND NO/100 (\$30,000.00) DOLLARS for strategic purposes; and

WHEREAS, Vito Reciniello has agreed to accept THIRTY THOUSAND AND NO/100 (\$30,000.00) DOLLARS in full settlement of the claim; and

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

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue a check in settlement of this matter, not to exceed a total of THIRTY THOUSAND AND NO/100 (\$30,000.00) pending receipt of closing papers therein , and upon such other terms and conditions as may be acceptable to the Town Attorney, to be 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
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-365

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(Faheem Chapman vs. Town of Huntington)

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, on a Notice of Claim was filed against the Town of Huntington on behalf of Faheem Chapman seeking to recover for personal injuries 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 strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept in full settlement of his 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 N.Y.C.R.R. §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 Thirty-Five Thousand (\$35,000.00) dollars pending receipt of closing papers approved by the Town Attorney, 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.

2015-366

RESOLUTION AUTHORIZING ATTENDANCE AT THE HUNTINGTON
TOWNSHIP CHAMBER FOUNDATION LEADERSHIP HUNTINGTON PROGRAM

Resolution for Town Board Meeting Dated: August 11, 2015

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

WHEREAS, Leadership Huntington is an educational program for community excellence administered by the Huntington Township Chamber Foundation; and

WHEREAS, tailored specifically to meet the needs of our community, this issue-oriented leadership program is designed to empower a diverse group of existing and emerging leaders with the knowledge and skills necessary to help transform the community; and

WHEREAS, as in the past, the Town Board is desirous of sponsoring one Town employee to attend this worthwhile program; and

WHEREAS, authorizing attendance at the program is a Type II action pursuant to 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the attendance at the Leadership Huntington Program by one Town employee, as follows:

Joseph Rose, Interim Director Public Safety

HEREBY AUTHORIZES payment of tuition in the amount of TWO THOUSAND FOUR HUNDRED AND NO/100 (\$2,400.00) DOLLARS per participant to be charged to Operating Budget Item A1989-4180.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: August 11, 2015

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 2015 Operating Budget

Reinstate the following position:

A-1420-1100	Assistant Town Attorney	\$42,489
B-1620-1100	Building Permit Examiner	18,120

Create the following position:

A-1440-1100	Deputy Director	\$43,789
A-7020-1100	Community Service Worker	16,773
B-8020-1100	Principal Planner	35,981
B-8020-1100	Senior Planner	38,828
DB-5110-1100	Assistant Civil Engineer	33,354
DB-5110-1100	Heavy Equipment Operator I	27,481

Abolish the following position:

A-7020-1100	Clerk Typist	(\$12,778)
A-7620-1100	Deputy Director	(42,489)
B-8020-1100	Environmental Planner	(38,828)
B-8020-1100	Planner	(34,222)
DB-5110-1100	Automotive Equipment Operator	(26,379)
DB-5110-1100	Principal Engineering Aide	(31,984)

Adjust the following appropriations:

A-1990-1100	Contingency	(\$47,784)
B-1990-1100	Contingency	(19,879)
DB-1990-1100	Contingency	(2,472)

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.

2015-368

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone,
COUNCILWOMAN EDWARDS
and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Highway Department has received additional funding from the State of New York Department of Transportation for the Consolidated Local Street and Highway Improvement Program; 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, this budget amendment is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(4) and (c)(20); and

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2015 Operating Budget as follows:

Increase the following appropriation:

DB5112-2000	CHIPS	\$252,667.02
-------------	-------	--------------

Increase the following revenue:

DB3501-3501	State Aid CHIPS	\$252,667.02
-------------	-----------------	--------------

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 APPROPRIATE FUNDS FROM THE PARKS AND RECREATION CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF FUNDING CAPITAL PROJECTS IN LIEU OF BONDING – DEPARTMENT OF MARITIME SERVICES

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by **COUNCILMAN CUTHBERTSON**

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

WHEREAS, the Town Board approved appropriated funds to be set aside for the purposes of Parks and Recreation Reserve in accordance with Section 6-c of General Municipal Law; and

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

WHEREAS, funds would be appropriated from the Parks and Recreation Capital Improvement Reserve Fund without incurring any additional debt service payments for principal and interest and therefore be cost beneficial to the Town of Huntington taxpayers; and

WHEREAS, the Department of Maritime Services is required to move and install heavy infrastructure each season at the beaches, such as life guard towers, picnic tables and benches, sanitation receptacles, and swim ropes with anchors; and

WHEREAS, these items must be hand carried by laborers from delivery trucks in the parking lots across long stretches of sandy beaches at the beach facilities since the current town fleet vehicles are not equipped to drive on sand ; and

WHEREAS, the purchase of a John Deere “ Gator” truck designed to operate on sand would streamline the installation and breakdown process at the start and conclusion of each season reducing labor hours, overtime and potential injury; and

WHEREAS, this resolution is adopted subject to permissive referendum as set forth in Town Law Section 90 and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and

2015-369

WHEREAS, the funding of a John Deere "Gator" truck in lieu of bonding and amending the 2015 Capital Budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2015 Capital Budget as follows:

Reserves to be appropriated:

A-0878 Parks and Recreation Capital Improvement Reserve \$12,000

Increase the following appropriations:

MS-3997-2600 John Deere Gator Truck \$12,000

BE IT FURTHER RESOLVED that this resolution is passed subject to a permissive referendum as set forth in Town Law, Section 90, and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and, the Town Clerk is hereby directed within 10 days of adoption of this resolution to post and publish a notice which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof and specifying that such resolution was adopted subject to a permissive referendum.

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 AND NEIGHBORHOOD PARKS FUND FOR RECOMMENDED IMPROVEMENTS (HOBART BEACH)

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, the Environmental Open Space and Park Fund Advisory (EOSPA) Committee reviewed and voted to support a nomination from the Director of Engineering Services at its meeting of July 14, 2015 for funding from the EOSPA Park Improvement Fund to reallocate funding appropriated for three beach playgrounds by resolution #2014-23 of January 7, 2014 to Hobart Beach and to provide additional funding to meet the budgeted cost to replace a playground that had to be removed for safety purposes with a new playground that meets federal accessibility guidelines, and

WHEREAS, the proposed playground project is classified an Unlisted action, and the Town Board is the only agency "involved" in authorizing expenditure of EOSPA funds, and therefore has been established as lead agency, and the Department of Maritime Services has drafted an Environmental Assessment Form to facilitate completion of the necessary SEQRA review and to secure any required permits; and

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the EAF, there shall be no significant adverse impacts associated with the installation of a new accessible playground at Hobart Beach and hereby issues a Negative Declaration pursuant to SEQRA, and should any permits be necessary from outside agencies to improve the playground at Hobart Beach, the Director of Maritime Services is hereby authorized to submit such application(s) on behalf of the Town for the project, and

BE IT FURTHER

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

DEPARTMENT OF ENGINEERING SERVICES

*Install new ADA-accessible playground, not to exceed \$187,000
Hobart Beach, Eatons Neck*

Prepare site, purchase and install playground equipment and appurtenances. Reallocate full \$160,000 allocated by TBR #2014-23 for playground replacement and appropriate additional \$27,000 from EOSPA Park Improvements Program to Hobart Beach

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: August 11, 2015

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

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: 0
			RECUSALS: 1
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		AYE	
Councilman Eugene Cook		RECUSE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Tracey A. Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Chapter 87, Section 81A 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>
5 Antoine Court Huntington, NY 11743	0400-206.00-01.00-029.000	Donald R Karcher Diane C Karcher	07/13/2015	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>
15 Janice Court Commack, NY 11725	0400-225.00-02.00-030.000	Richard Russillo	06/26/2015	N/A
5 Otsego Avenue Dix Hills, NY 11746	0400-283.00-02.00-103.000	Marilyn D Skerrett	07/22/2015	N/A
7 Yorkville Lane Melville, NY 11747	0400-238.00-03.00-040.000	George C McLaughlin Jr	07/22/2015	N/A
8 Nason Place Dix Hills, NY 11746	0400-276.00-01.00-011.001	Jeffrey S Eisenberg Randy Eisenberg	07/23/2015	N/A
52 Chateau Drive Melville, NY 11747	0400-273.00-02.00-012.000	Paul Immendorfer	07/23/2015	N/A
30 Rushmore Street Huntington Station, NY 11746	0400-240.00-01.00-112.000	HSBC Trustee (Hong Kong) Ltd.	07/20/2015	Level 13 1 Queens Road Central Hong Kong, China

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>
794 Larkfield Road East Northport, NY 11731	0400-219.00-01.00-012.000	Carmen F Tomeo Mary Ann Dellinger	07/29/2015	PO Box 194 # RD East Northport, NY 11731
7 Wendy Lane East Northport, NY 11731	0400-173.00-01.00-069.000	Richard Laible	07/13/2015	N/A
5 Antoine Court Huntington, NY 11743	0400-206.00-01.00-029.000	Donald R Karcher Diane C Karcher	07/13/2015	N/A
565 Woodbury Road Cold Spring Harbor, NY 11724	0400-131.00-01.00-025.000	Perry Boatswain Tikimia S Boatswain	04/20/2015	N/A
20 Kenmore Street Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	07/30/2015	N/A
190 Daly Road East Northport, NY 11731	0400-251.00-03.00-001.003	Bahram S Talei	07/14/2015	2774 Woodwardia Drive Los Angeles, CA 90077

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
3 Jacobs Path Melville, NY 11747	0400-273.00-02.00-141.006	Olivene C Kelly	07/23/2015	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
15 Janice Court Commack, NY 1172	0400-225.00-02.00-030.000	Richard Russillo	06/26/2015	N/A
61 Sterling Court Huntington, NY 11743	0400-070.00-01.00-063.000	Dale R Wade	06/01/2015	N/A
5 Otsego Avenue Dix Hills, NY 11746	0400-283.00-02.00-103.000	Marilyn D Skerrett	07/22/2015	N/A
7 Yorkville Lane Melville, NY 11747	0400-238.00-03.00-040.000	George C McLaughlin Jr	07/22/2015	N/A
8 Nason Place Dix Hills, NY 11746	0400-276.00-01.00-011.001	Jeffrey S Eisenberg Randy Eisenberg	07/23/2015	N/A
52 Chateau Drive Melville, NY 11747	0400-273.00-02.00-012.000	Paul Immendorfer	07/23/2015	N/A
30 Rushmore Street Huntington Station, NY 11746	0400-240.00-01.00-112.000	HSBC Trustee (Hong Kong) Ltd.	07/20/2015	Level 13 1 Queens Road Central Hong Kong, China
794 Larkfield Road East Northport, NY 11731	0400-219.00-01.00-012.000	Carmen F Tomeo Mary Ann Dellinger	07/29/2015	PO Box 194 # RD East Northport, NY 11731
1 Troy Court Northport, NY 11768	0400-052.00-01.00-028.000	Fraternal Order of Eagles	07/13/2015	PO Box 147 Northport, NY 11768
305 West Jericho Turnpike Huntington, NY 11743	0400-192.00-01.00-042.000	Rice Properties LLC	06/15/2015	44 Rope Lane Levittown, NY 11756

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
27 Randolph Drive Dix Hills, NY 11746	0400-249.00-04.00-063.000	Scott B Larsen Alison L Larsen	05/18/2015	N/A
311 West Jericho Turnpike Huntington, NY 11743	0400-192.00-01.00-044.000	Haka Holding LLC	06/15/2015	PO Box 2164 New Hyde Park, NY 11040
5 Antoine Court Huntington, NY 11743	0400-206.00-01.00-029.000	Donald R Karcher Diane C Karcher	07/13/2015	N/A
20 Kenmore Street Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	07/30/2015	N/A
565 Woodbury Road Cold Spring Harbor, NY 11724	0400-131.00-01.00-025.000	Perry Boatswain Tikimia S Boatswain	07/30/2015	N/A
3 Crestwood Drive Huntington Station, NY 11746	0400-144.00-02.00-142.000	Mary Beth Casper	07/24/2015	N/A
190 Daly Road East Northport, NY 11731	0400-251.00-03.00-001.003	Bahram S Talei	07/14/2015	2774 Woodwardia Drive Los Angeles, CA 90077

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>
8 Nason Place Dix Hills, NY 11746	0400-276.00-01.00-011.001	Jeffrey S Eisenberg Randy Eisenberg	07/23/2015	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
30 Rushmore Street Huntington Station, NY 11746	0400-240.00-01.00-112.000	HSBC Trustee (Hong Kong) Ltd.	07/20/2015	Level 13 1 Queens Road Central Hong Kong, China
565 Woodbury Road Cold Spring Harbor, NY 11724	0400-131.00-01.00-025.000	Perry Boatswain Tikimia S Boatswain	08/04/2015	N/A

RESOLUTION ACCEPTING A .21-ACRE EXTENSION OF MOWBRAY LANE NORTH FOR THE SUBDIVISION KNOWN AS DEFOREST WILLIAMS ESTATES.

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, the subdivision Deforest Williams Estates was granted Conditional Final Approval by the Huntington Planning Board on 1/14/15 and the map was filed with the Suffolk County Clerk on 3/9/2015; and

WHEREAS, as a condition of approval, the applicant was to Dedicate to the Town of Huntington a .21-acre extension of Mowbray Lane North (see Schedule "A" attached hereto and made a part hereof) for the subdivision known as Deforest Williams Estates; and

WHEREAS, the Office of the Town Attorney is in possession of the necessary documents and filing fees in order to file the Deed with the Clerk of Suffolk County and the Office of the Superintendent of Highways consents to the Dedication; and

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

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ACCEPTS the Dedication of a .21-acre extension of Mowbray Lane North for the subdivision known as Deforest Williams Estates.

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.

2015-372

SCHEDULE A

S.C.T.M.: DISTRICT 0400, SECTION 16 BLOCK 02, LOT 13.5

BEGINNING at a point on the easterly side of Mowbray Lane North, distant 60.00 feet southerly along the easterly side of Mowbray Lane North from the southerly end of a curve connecting said road line with the southerly side of Spring Hill Road;

RUNNING THENCE the following three (3) courses;

- 1) Southerly along the arc of a curve bearing to the right, having a radius of 250.00 feet and a length of 206.02 feet;
- 2) S 87° 31' 41" W, 50.00 feet;
- 3) Northerly along the arc of a curve bearing to the left, having a radius of 200.00 feet and a length of 164.82 feet to the southerly end of Mowbray Lane North;
THENCE across said road N 40° 18' 44" E, 50.00 feet to the POINT or PLACE of BEGINNING.

Containing within said bounds: 9,271 s.f./0.21 acres

January 22, 2014
Job No. 95018a

2015-373

RESOLUTION ACCEPTING DONATIONS FROM VARIOUS MERCHANTS AND BUSINESSES TO THE TOWN OF HUNTINGTON SENIOR CENTER, NUNC PRO TUNC,

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Councilwoman Edwards

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

WHEREAS, the Town of Huntington will be hosting a free raffle for a giveaway at the Senior Center, 423 Park Avenue, Huntington, on July 31, 2015; and

WHEREAS, 4 merchants and businesses have donated various goods and services for the seniors; and

WHEREAS, the acceptance of a donation of 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 various donations from the merchants and businesses listed on the attached Schedule "A" and thanks them for their generosity, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"
JULY 2015 SURPRISE FRIDAY HOLIDAY
CONTRIBUTION ACKNOWLEDGEMENT LIST

MERCHANTS

WHALES TALE

**81 Fort Salonga Road
Northport, N.Y. 11768**

(4) \$20.00 Gift Certificates

SOUTH DOWN SUPERMARKET

**240 Fort Salonga Road
Northport, N.Y. 11768**

(5) \$10.00 Gift Certificate

STOP AND SHOP

**454 Fort Salonga Road
Northport, N.Y. 11768**

(5) \$10.00 Gift Certificates

CAR BRITE GROUP

**400 East Jericho Turnpike
Huntington Station, N.Y. 11746**

(5) Full Service Car Washes

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

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the marina contract for 2015-16 Winter Wet Storage requires approval; and

WHEREAS, the Harbors and Boating Advisory Council has recommended that winter wet storage fees remain unchanged for the 2015-16 storage season; and

WHEREAS, the fees shall remain \$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 2015-16 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
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AMENDING THE TOWN'S MANUAL OF POLICY AND PROCEDURE TO ADD A "CIVIL RIGHTS TITLE VI PLAN" IN ACCORDANCE WITH REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND SUBSEQUENT LAWS, REGULATIONS AND EXECUTIVE ORDERS AND AUTHORIZING THE SUPERVISOR TO SIGN ANY DOCUMENTS WITH RESPECT THERETO

Resolution for Town Board Meeting dated: August 11, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board resolves to take all necessary steps to promote equal access to the services, programs and activities of the Town of Huntington and ensure that no person is subject to discrimination with respect thereto as set forth in Title VI of the Civil Rights Act of 1964 and subsequent Federal, State and Local Law, Regulation and Executive Orders (collectively "Title VI Legal Safeguards") requiring non-discrimination in public services, programs and activities; and

WHEREAS, Title VI Legal Safeguards prohibit discrimination on the basis of race, creed, color, gender, age, national origin, disability, sexual orientation, marital status, low income status, Limited English Proficiency (LEP) status, Vietnam-era veteran status, or genetic disposition, or discrimination with respect to any service, program and activity of the Town of Huntington; and

WHEREAS, the Town of Huntington is the recipient of Federal financial programmatic assistance from the Department of Transportation, a condition of which is establishing a Civil Rights Title VI Plan and issuance of a statement of the Town's Policy of Non-Discrimination and statement of Assurance of Compliance with Title VI Legal Safeguards; and

WHEREAS, the actions herein are Type II actions pursuant to 6 N.Y.C.R.R. Section 617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AMENDS the Town's Manual of Policy and Procedure to add a "Civil Rights Title VI Plan" (as set forth in Schedule A attached hereto and) in accordance with requirements of Title VI of the Civil Rights Act of 1964 and subsequent laws, regulations and executive orders and authorizes the Supervisor to sign any documents with respect thereto upon such terms and conditions as may be acceptable to the Town Attorney.

2015- 375

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE A
TOWN OF HUNTINGTON
CIVIL RIGHTS TITLE VI PLAN

I. Purpose

The Town Board resolves to take all necessary steps to promote equal access to the services, programs and activities of the Town of Huntington and ensure a policy that no person shall be subject to discrimination with respect thereto as set forth in Title VI of the Civil Rights Act of 1964 and subsequent Federal, State and local law, regulation and executive orders (collectively "Title VI Legal Safeguards") requiring non-discrimination in public services, programs and activities. (See Attachment A: Non-Discrimination Authorities).

II. Policy

In accord with Title VI Legal Safeguards, no person shall on the grounds of race, creed, color, gender, age, national origin, disability, sexual orientation, marital status, low income status, Limited English Proficiency (LEP) status, Vietnam-era veteran status, or genetic disposition be denied the benefits of or be subjected to discrimination with respect to the services, programs and activities of the Town of Huntington.

III. Procedure

A. Applicability

The provisions of this Civil Rights Title VI plan shall apply to all aspects of services, programs and activities subject to Title VI Legal Safeguards against non-discrimination and to the officials, directors, agents and employees of the Town required to carry out the town's Title VI plan.

B. Responsibility

1. Town Board

- Adopting non-discrimination policy and Title VI plan
- Identifying staff with primary responsibility for carrying out the policy and plan
- Requiring compliance with Title VI policy and plan objectives by all officials, directors, agents and employees of the Town
- Allocating resources for Title VI plan implementation

2. Title VI Coordinator

In order to facilitate this adherence with the Title VI plan, the Town Board shall appoint a Title VI Coordinator, who shall report directly to the Town

Supervisor and be responsible for overall management of Title VI compliance.

3. Title VI Specialists

Departments offering services, programs and activities sensitive to Title VI shall designate at Title VI Specialist who will work with the town's Title VI coordinator to carry out the elements of the Title VI plan.

4. Title VI Interdisciplinary Team

The Town shall establish and maintain a Title VI Interdisciplinary Review Team, consisting of directors/deputies from the Town's major program areas, directed by the Title VI Coordinator and chaired by the Supervisor's Office that will meet on a consistent basis to ensure optimal interaction and communication among Town departments with respect to Title VI compliance and provide regular contact between the Title VI Coordinator and top departmental officials.

C. Implementation

The Town of Huntington considers the implementation of the Title VI plan to be the responsibility and duty of all officials, directors, agents and employees and directs all officials and department directors, and supervisory personnel in the Town's management hierarchy to carry out the steps necessary to comply with Title VI Legal Safeguards.

D. Training

The Title VI Coordinator will arrange for and provide regular and full training in Title VI compliance for staff responsible for civil rights review, including Title VI specialists, department directors and divisional supervisors, as well as employees who deal directly or plan services, programs and activities used by the public. Training will cover compliance and enforcement of Title VI policy.

In addition, advanced training for Title VI specialists and administrative personnel should provide an understanding of the relationship between Title VI and other civil rights statutes and how those laws function in unison, as well as a nexus between program objectives of federally funded projects and civil rights obligations of awardees. Advance training should also cover legal developments affecting Title VI that explain and interpret new statutes or case law in the arena of civil rights. Training should also be used enhance the ability of specialists and administrators to collect data, monitor program implementation and conduct compliance reviews and investigations that can identify subtle and unintended violations.

E. Monitoring

Title VI monitoring and review will apply to sensitive services, program and

activity areas such as research, planning, project development, design, construction, records, reports and complaints to ensure that Huntington is properly applying its own Title VI compliance efforts. The Title VI Coordinator will, therefore, as part of this process:

1. Develop a program to conduct Title VI reviews of program areas, including the preparation of annual reports by departmental Title VI Specialists
2. Conduct annual Title VI reviews of areas identified as sensitive to determine the effectiveness of the compliance program
3. Monitor the performance of consultants and contractors doing business with the Town under federally funded contracts for Title VI compliance.

F. Data Collection

The collection and analysis of data is a key element of a Title VI compliance strategy that can provide a means to measure the extent to which federally supported programs reach communities and individuals who need assistance. Data and data analysis should be designed to provide insight into the various stages of the compliance process and assist with development of strategies for case analysis and Title VI testing.

The Title VI Coordinator will develop data and information collection processes including but not limited to:

1. Analysis of race, color, national origin of populations eligible to be served
2. Location of existing/proposed facilities and information and assessment of its ease of access by those protected by Title VI
3. The manner in which services, programs and activities are provided
4. Request, on a voluntary basis, that demographic data relevant to Title VI be collect as part of services, programs and activities if useful or appropriate
5. Inventory of bilingual employees capable of assisting LEP residents
6. List of any lawsuits alleging discrimination filed or found against the Town over previous three years.
7. Statistical compilation of Title VI workshops, trainings, complaints, compliance reviews conducted in the prior two years.

G. Public Participation

The Title VI Coordinator will develop and implement a plan to notify and inform the general public in an effective and cost efficient manner their Title VI Legal Safeguards and how the public can request additional information about services, programs and activities available to them and how to file complaints in the case they believe their Title VI Legal Safeguards have been violated. The public participation may be effected though digital and multimedia technology, print, signage or any other format or combination of formats that can readily deliver information and elicit the inclusion of communities protected under Title VI.

H. Limited English Proficiency (LEP) Plan

The Town of Huntington will utilize an LEP plan, as set forth in this section, to take reasonable steps to provide assistance to persons who do not speak English as their primary language and have limited ability to read, speak, write or understand English, per the directive in Executive Order 13166.

Assistance shall include, as necessary, the oral transfer of a message from one language into another language (Interpretation) or the written transfer of such message (Translation) and shall be based on a 4-Factor LEP Access Analysis. All contractors or subcontractors performing work for the Town of Huntington will be required by contract to follow the Title VI/LEP guidelines.

1. The LEP plan elements shall include Identification, Methods, Training and Notification:
 - a. Identification: Identifying persons requiring LEP assistance shall include but not be limited to:
 - i. Post notice of LEP plan and the availability of interpretation/translation services free of charge for languages identified by the 4-Factor Analysis.
 - ii. Provide "Language Identification Cards" for use by staff that alerts LEP residents that they may request interpretation services.
 - iii. Survey staff periodically on contact with LEP persons.
 - iv. Use "greeters" at informational meetings trained to engage participants and informally assess the ability of a participant to speak and understand English. Those identified as LEP can be directed to a bi-lingual staff member. Aggregate LEP data can be used for analysis and assessment and to judge the need for interpreters at other events.
 - b. Methods: LEP services shall include but not be limited to:
 - i. A directory of bi-lingual staff who can serve as interpreters on short-notice.
 - ii. Make arrangement for telephone interpretation services for lower concentration LEP populations. .
 - iii. Build translation functionality into Town's Internet website.
 - c. Training: Staff training scheduled by the Title VI Coordinator shall include but not be limited to:
 - i. Information on the Title VI Policy and LEP responsibilities.
 - ii. Description of language assistance services available to the public.
 - iii. Proper use of language identification cards.

- iv. Need to document all language assistance requests.
- v. How to handle a Title VI and LEP related complaints.
- d. Notification: Notice of availability of LEP assistance shall include but not be limited to:
 - i. Post signs in Town Hall and major facilities notifying the public how to access language services.
 - ii. Publish agendas and public notices in languages identified in 4-Factor Analysis.
 - iii. Publicize that interpretation and translation services are available on request Huntington.
 - iv. Post the LEP plan on the Town website with directions for accessing language services.
 - v. Issue Press Releases about the Town's LEP plan and send copies of the LEP plan and other releases to advocacy groups and agencies serving LEP populations.

2. Translation of Documents

- a. The Town will weigh the cost and benefit of translating documents, inclusive of the likelihood of frequent changes and other relevant factors and translate documents for LEP populations as often as necessary.
- b. The Town will assess all requests for translation of documents based on the possible impacts and known LEP populations.
- c. Preparation of documents, schedules and agendas for meetings where target audiences are expected to include identified LEP populations shall be printed and publicized based on the needs of the known LEP population.

3. Monitoring and Updating the LEP Plan

The Town will update the LEP plan as required. At a minimum, the plan will be reviewed and updated when data from the U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are utilizing Town services. Data pertaining to updates will measure:

- a. The number of documented LEP person contacts encountered annually.
- b. How the needs of LEP persons have been addressed.
- c. Calculation of the current LEP population in the service area.
- d. Document any changes in need for translation services.
- e. Assess effectiveness of Town program in meeting LEP needs.
- f. Determine whether the Town's financial resources are sufficient to fund language assistance resources needed.

- g. Measure Town compliance with LEP plan goals.
- h. Analysis of complaint history to identify deficiencies/corrective actions to meet needs of the LEP population.

I. Filing Complaints

Title VI Complaints against the Town of Huntington, its divisions, departments, affiliate corporations, and their current and former officers, public officials, elected officials, directors, agents and employees, arising out of or in connection with the provision of a program, service and/or activity may be submitted for administrative resolution pursuant to the procedures set forth in this section.

1. Form: Title VI complaints shall be filed in writing with the Town's Title VI Coordinator, using the town's Title VI Complaint Form or other document in which the Complainant provides the following information:
 - Full Name of the Complainant
 - Home Address (and Mailing Address if different)
 - Phone Number
 - Clear and concise statement of the facts constituting the Complaint
 - Citation of Title VI Legal Safeguards believed to have been violated

2. Timeliness: Title VI Complaint must be filed within 180-days of the incident giving rise to the Complaint
3. Jurisdiction: A Complaint filed with and only with the Town of Huntington shall proceed in accordance with the Complaint Resolution Process below, otherwise the following exceptions shall apply:
 - A Title VI Complaint filed with the Town of Huntington that is thereafter filed with an outside Federal, State or Local agency stayed further action on the Town complaint until outside Complaint is resolved.
 - Where a Title VI Complaint filed with an outside Federal, State, or Local agency and a Complainant attempts to file the same Complaint with the Town, review and disposition will be determined by Town Attorney.

In either instance where an outside Complaint is filed, the outcome of such outside Complaint may bar redress under this Policy.

J. Complaint Resolution

1. Processing Phase

- a. Delivery: A Complaint filed in a timely manner will be addressed to the Title VI Coordinator and may be delivered in person during normal business hours or delivered via the United States Postal Service, as regular, registered or certified mail.

- b. Optional Preliminary Interview: A Complainant may request a Preliminary Interview, which shall be conducted as a private, informal meeting between the Complaint and Title VI Coordinator.
 - i. These two may jointly agree that either (i) the incident fails to rise to the level of an equal rights violation or that (ii) it may rise to such level but a satisfactory solution is achievable without further proceedings. The Title VI Coordinator shall have fourteen (14) days to memorialize such an agreement and begin implementing any solution resulting therefrom.
 - ii. If no agreement is achieved, the Complaint shall proceed directly to the Complaint Review Phase and the Preliminary Interview shall not prejudice further proceedings nor shall either party be allowed to use the Optional Preliminary Interview or any portion thereof to advance or defend the Title VI Complaint.

2. Hearing & Findings Phase

- a. Hearings: The Title VI Coordinator shall as quickly as possible but within not more than sixty (60) days from receipt, set a date, time and place for a Hearing on the Complaint. Notice of the Hearing must be provided in writing and be provided to the Complainant at least ten (10) days in advance. The director of the department or departments involved shall also be notified of the date, time and place of the Hearing, as shall the Town Attorney and Town Personnel Officer. The Title VI Coordinator may schedule as many follow up hearing sessions as may be necessary, subject to the notice requirement in this paragraph with the exception that upon written consent by the Complainant, the ten (10) days minimum notice requirement may be waved.
- b. Adjournments: The Title VI Coordinator may consider any reasonable written request to adjourn and reschedule a Title VI hearing or follow up hearing.
- c. Records: Title VI hearings are designed to elicit facts and information relevant to the instant Complaint. The hearing will be conducted in an informal, non-adversarial manner. The Title VI Coordinator, or designee, will take non-verbatim minutes. Other parties present may, likewise, take written notes, but no other recordings will be permitted.
- d. Involved Parties: In addition to the Title VI Coordinator, the Complainant and any involved department directors or staff, the Title

VI Coordinator may request other persons with direct knowledge of the incident to be present and/or provide information or documentation. Any information deemed relevant and used by the Coordinator as a finding shall be made available to the Complainant.

- e. Legal Representation: None of the parties present at the hearing shall be represented by a lawyer, employment advisor, union representative or other second party advocate. Such information and advice may be ascertained by the Coordinator, Claimant or any involved party prior to or after the hearing, but counsel shall not be permitted to attend the hearing or any follow up hearings. (The Town Attorney and Personnel Officer may, if the Title VI Coordinator identifies them as an involved department, attend a hearing in their capacity as department director.)
- f. Additional Information/Documentation:
 - i. At the conclusion of a Title VI hearing or follow up hearing, the Title VI Coordinator may request additional information and/or documentation to assist in making a determination.
 - ii. Any party present at the hearing may, likewise, submit to the Title VI Coordinator additional information and/or documentation they believe relevant by forwarding it within ten (10) days of the hearing or follow up hearing. Submissions deemed relevant and used by the Title VI Coordinator as a finding shall be made available to the Complainant.
- g. Open Meetings Law: Hearings pursuant to this Policy will be considered and treated as personnel matters and shall not be subject to the New York State Open Meetings Law and shall not be open to the general public or to the media.

3. Resolution Phase

- a. Resolution Period: The Title VI Coordinator shall within forty-five (45) days of concluding the hearing and/or submission of additional information or documents (whichever is later) issue in writing to the Complainant a Letter of Determination stating whether a violation of the town's Title VI Policy has been found.
- b. Determination of No Violation: If there is a Determination of No Violation, no further action shall be required.
- c. Determination of Violation: If there is a Determination of Violation, the Title VI Coordinator shall, within that same forty-five (45) day period, issue a Recommendation for Resolution, a copy of which

2015-375

shall be forwarded to the Complainant, the Town Supervisor, the Town Attorney, the Town Personnel Officer and the directors of all involved or affected departments.

- d. Findings/Recommendations: The Findings and Recommendations of the Title VI Coordinator shall not be binding on the involved department or departments. However, any department director refusing to accept the Determination and Recommendation shall submit the basis for such refusal in writing to the Title VI Coordinator setting forth the basis therefor. The Title VI Coordinator shall forward to the Town Supervisor, Town Attorney and Personnel Officer.
- e. A department director who fails to acknowledge and/or without just cause effect the Recommendations for Resolution is subject to disciplinary action.

K. Confidentiality

All Complaints and/or claims will be treated as confidential to the extent permitted by law.

L. Non-Retaliation

Retaliation against employees who make good faith efforts to assist in the Title VI Complaint resolution process is prohibited. The Town of Huntington prohibits retaliation against any individuals who reports, testifies in a case or otherwise opposes unlawful discriminatory practices which violate Title VI Legal Safeguards within the Civil Rights Act of 1964 and subsequent laws, regulations and executive orders.

M. Violations

Those found to have violated the town's Title VI Policy shall be subject to disciplinary action which, depending on the severity of the violation, can include termination of Town employment.

Attachment A

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin. Related statutes, which prohibit discrimination based on sex, disability and age are also covered in the agency's programs, services and activities in accordance with the following list of related statutes and executive orders:

Non-Discrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq)
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- USDOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)
- Civil Rights Act of 1991
- Section 503 of the Rehabilitation Act of 1973
- Age Discrimination in Employment Act of 1967 (as amended)
- Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1964
- Articles 15 and 15-a of the New York State Executive Law
- Genetic Information Nondiscrimination Act of 2008

RESOLUTION APPOINTING A DEPUTY DIRECTOR OF THE DEPARTMENT OF
ENGINEERING SERVICES FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

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

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

NOW THEREFORE

THE TOWN BOARD

HEREBY APPOINTS

Jacob Turner
5 Springs Drive
Melville, NY 11747

as Deputy Director of the Department of Engineering Services at an annual salary not to
exceed the sum of ONE HUNDRED AND FIFTEEN THOUSAND (\$115,000)
DOLLARS, effective August 17, 2015.

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.

2015 - 377

RESOLUTION DECLARING CERTAIN EQUIPMENT AS SURPLUS AND AUTHORIZING DONATION OF SAME TO HUNTINGTON COMMUNITY DEVELOPMENT AGENCY FOR THE BENEFIT OF HUNTINGTON OPPORTUNITY RESOURCE CENTER

Resolution for the Board Meeting dated: August 11, 2015

The following Resolution was offered by: Councilwoman Tracey Edwards

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington has ten (10) excess Dell Optiplex 790 desktop computers that are no longer adequate for regular use in the Town, and otherwise has a sufficient supply of these older computers to service emergency repairs and temporary needs; and

WHEREAS, Huntington Opportunity Resource Center, a project of the Huntington Community Development Agency in partnership with the Town of Huntington and Suffolk County, is in need of computers for its ongoing workforce development training programs; and

WHEREAS, this surplus computer equipment would normally be recycled through the Town's e-Waste recycling program; and

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

NOW, THEREFORE,

THE TOWN BOARD, upon recommendation of the Director of Information Technology

HEREBY DECLARES said computer equipment as surplus and authorizes the donation of same to Huntington Community Development Agency for the benefit of Huntington Opportunity Resource Center, 1264 New York Avenue, Huntington Station, NY 11746.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION DESIGNATING QUALIFIED PROPOSERS TO CONDUCT DEBT COLLECTION SERVICES FOR THE TOWN OF HUNTINGTON.

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is in need of qualified proposers to conduct debt collection services. These services will maximize collections of authorized delinquent account receivables and judgments, using the most cost-effective methods and the highest professional standards.

WHEREAS, it is intended that this RFQ will facilitate multiple awards to qualified proposers and form a qualified suppliers list of proposers who will participate in this contract for debt collection services for the Town of Huntington; and

WHEREAS, sealed proposals were received on July 10, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the request for qualification for debt collection services, RFQ 2015-07-009 and the same were opened and read aloud; and

WHEREAS, the Town Board desires to designate companies capable of debt collection services, and after careful consideration, the Board has selected the professionals set forth in Schedule "A" pursuant to such RFQ; and

WHEREAS, contracting for debt collection 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 DESIGNATES the professionals set forth in Schedule "A" to provide debt collection services to the Town of Huntington, its departments, agencies and boards, on an as needed basis, on such terms and conditions as set forth in the RFQ/retainer, and on such other terms and conditions as deemed acceptable to the Town Attorney. The contract period shall be effective for a three (3) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional (1) year periods under the negotiated prices, terms and conditions and the recovery percentage will be charged to A1420-4550.

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.

2015- 378

SCHEDULE "A"

SILVERMAN ACAMPORA, LLP
100 Jericho Quadrangle
Suite 300
Jericho, New York 11753

SMITH CARROAD LEVY & WAN, P.C.
5036 Jericho Turnpike
Commack, New York 11725

RESOLUTION EXEMPTING SPRINT SPECTRUM REALTY COMPANY, L.P. PURSUANT TO §198-68.1 (P) OF THE HUNTINGTON TOWN CODE FOR WORK AT 7 BOXER COURT, HUNTINGTON, NEW YORK, SCTM NO.: 0400-95.00-01.00-050.001

Resolution for Town Board Meeting dated: August 11, 2015

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 Sprint Spectrum Realty Company, L.P. in connection with its proposal to install additional telecommunications equipment on Town-owned property located at 7 Boxer Court, Huntington, NY, and further described as Suffolk County Tax Map No.: 0400-95.00-01.00-050.001; and

WHEREAS, the proposed work is to install three (3) new antennas and to add associated equipment; 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 a Type II action pursuant to 6 NYCRR §617.5(c)(1, 2 and 20) of the State Environmental Review Act, and, therefore, no further review is required pursuant to SEQRA;

NOW THEREFORE BE IT

RESOLVED, that the application of Sprint Spectrum Realty Company, L.P. to install three (3) new antennas and to add associated equipment as described in this resolution on the existing tower at located 7 Boxer Court, Huntington, New York bearing SCTM No.: 0400-95.00-01.00-050.001 is hereby exempted from further Town Board review so long as no other modifications or upgrades are made and the work is in compliance with specifications filed as part of this application or as may otherwise be approved by the Director of Engineering; and

2015-379

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

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 0
RECUSALS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION EXTENDING THE TIME TO MAKE A DETERMINATION REGARDING THE ADOPTION OF LOCAL LAW INTRODUCTORY NUMBER 14-2015, CONSIDERING ZONE CHANGE APPLICATION #2014-ZM-404, PLATT'S PARK AVENUE LLC, TO CHANGE THE ZONING FROM R-15 RESIDENCE DISTRICT TO C-1 OFFICE-RESIDENCE DISTRICT FOR PROPERTY LOCATED ON THE EAST CORNER OF EAST MAIN STREET AND PARK AVENUE, HUNTINGTON, SCTM# 0400-073-02-(001, 003.002, 003.003).

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, Town Board Resolution 2015-234 scheduled a public hearing, and the same was held on the 9th day of June, 2015, to consider adopting Local Law Introductory No. 14-2015, amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-15 Residence District to C-1 Office-Residence District property designated on the Suffolk County Tax Map as 0400-073-02-(001, 003.002, 003.003); and

WHEREAS, the Town Board reserved decision; and

WHEREAS, pursuant to the Code of the Town of Huntington Chapter 54, the 90 day time period to make a determination on the application is set to expire on September 7, 2015; and

WHEREAS, a time extension is not an action pursuant to SEQRA as defined by 6 NYCRR §617.2(b) and therefore no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY EXTENDS the time to make a determination concerning the above referenced change of zone application for an additional 90 day time period to December 6, 2015.

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.

2015 - 381

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 15-2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: PHYLLIS DRIVE, COMMACK; BLACKSMITH LANE, WILLOUGHBY PATH, DIX HILLS; WICKS ROAD, EAST NORTHPORT – STOP SIGNS

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 14th day of July, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 15-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 15-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW NO. **30** - 2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

2015 - 381

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
DELETE:	Phyllis Drive (CMK)	STOP	WEST	Daly Road
	Blacksmith Lane (DXL)	STOP	EAST	Daly Road
	Willoughby Path (DXL)	STOP	EAST	Daly Road
	Wicks Road (ENP)	STOP	WEST	Daly Road

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **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.

2015 - 382

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 16-2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.
RE: LITTLE PLAINS ROAD, HUNTINGTON - SCHOOL SPEED LIMIT

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD having held a public hearing on the 14th day of July, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 16-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE V, §2-10, SCHEDULE I., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 16-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE V, §2-10, SCHEDULE I.; as follows:

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

LOCAL LAW NO. 31 - 2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE V, §2-10, SCHEDULE I.; as follows

2015 - 382

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE V, §2-10, SCHEDULE I.

	<u>NAME OF STREET</u>	<u>SPEED LIMIT</u> <u>(MILES PER HOUR)</u>	<u>LOCATION</u>
ADD:	Little Plains Road (HUN)	20	From 115 feet east of Massey Court to 500 feet west of Manor Road

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	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.

2015 - 383

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 17-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 73
(ADVERTISING; DISTRIBUTION OF CIRCULARS)

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 14th day of July, 2015
at 2:00 p.m. to consider adopting Local Law Introductory No. 17-2015, amending the
Code of the Town of Huntington, Chapter 73 (Advertising; Distribution of Circulars),
and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 17-2015 amending the Code of the Town of Huntington,
Chapter 73 (Advertising; Distribution of Circulars), as follows:

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

LOCAL LAW NO. 32 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 73 (ADVERTISING; DISTRIBUTION OF CIRCULARS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 73
(Advertising; Distribution of Circulars); as follows:

CHAPTER 73
ADVERTISING; DISTRIBUTION OF CIRCULAR

* * *

[ARTICLE V]
[SOLICITATION, ADVERTISING AND SHOWING OF RENTAL]

[§73-21.] [Rental properties. No person or business entity, including without limitation a
property owner, real estate brokerage firm, realty company, real estate broker or agent
shall solicit, advertise, publish or cause, permit and/or allow another person or business
entity to solicit, advertise or publish to the general public or to a selected segment of the
general public a written offer to lease, hire or otherwise occupy rental property without
including the certificate number and expiration date of a valid rental registration
certificate issued by the Department of Public Safety pursuant to the Rental Registration
Law.]

[§73-22.] [Exemptions.]

[(A)] [This Article is not intended to impose liability upon the following:]

[(1)] [The owner, editor and/or publisher of a newspaper of general circulation in the community or a newspaper that contains news and information of interest to the general public, or to a particular segment of the general public, for printing or publishing a solicitation, advertisement, listing or offer for the lease, hire or occupancy of rental property without including the certificate number and expiration date of a valid rental registration certificate. The term "newspaper of general circulation" shall not include circulars, pamphlets, magazines or other printed material advertising properties for sale or lease and drafted, composed, generated, displayed, disseminated and/or distributed by real estate companies or real estate brokerage firms, their employees, agents and/or servants.]

[(2)] [The Multiple Listing Service of Long Island (MLS) or other organization comprised of member brokers and agents who agree to share their listing agreements with one another, for including, disseminating, posting and/or otherwise publishing a solicitation, advertisement, listing or offer for the lease, hire or occupancy of rental property without including the certificate number and expiration date of a valid rental registration certificate.]

[(3)] [The owner and/or operator of a website hosting service or those involved in the provision of internet services for including, disseminating, posting and/or otherwise publishing a solicitation, advertisement, listing or offer for the lease, hire or occupancy of rental property without including the certificate number and expiration date of a valid rental registration certificate.]

[(4)] [The provisions of this Article are not intended to impose liability upon those who are exempt from registering their rental properties pursuant to the Rental Registration Law.]

[(B)] [The exemption does not extend to property owners, individual real estate brokerage firms, realty companies, real estate brokers and/or agents who cause, allow and/or permit an advertisement or solicitation in violation of this Article to be listed, placed, posted or submitted for inclusion in a newspaper, the Multiple Listing Service or on the internet. Such persons or entities shall be strictly liable for a violation of this article.]

[(C)] [The terms "solicit" or "solicitation" as used in this Article are not intended to apply to postcards or other printed material drafted, composed, generated, disseminated and/or distributed by real estate brokerage firms, their employees, agents and/or servants and mailed to neighboring residents solely to announce the recent sale of a residence in the neighborhood.]

[§73-23.] [(Reserved)]

[§73-24.] [Penalties for offenses.]

[(A)] [A person or business entity who commits or permits any acts in violation of any provision of this Article shall be deemed to have committed an offense against this Article and shall be liable for such violation and the penalty therefor, and shall upon conviction thereof, be subject to a fine or penalty of not less than two hundred and fifty (\$250) dollars and not more than seven hundred fifty (\$750) dollars. Each week or part thereof such violation continues or is permitted to exist following notification by the Town or service of a summons shall constitute a separate offense, punishable in like manner.]

[(B)] [In addition to the penalty set forth above and any other remedy available to the Town, the Town Board may maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this article.]

[(C)] [In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil relief, including but not limited to, compensatory actions or fines or other civil remedies which in the opinion of the Town Attorney may seem necessary and proper. Such civil relief may be sought in a court of competent jurisdiction or from a duly appointed hearing officer whenever permitted by law. Any civil monetary penalty awarded may be added to the tax bill of the property where the violation occurred.]

Section 2. Severability.

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

Section 3. Effective Date.

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

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

2015 - 383

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 19-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING) ARTICLE XII (EXCAVATIONS; TOPSOIL REMOVAL)

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 14th day of July, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 19-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XII (Excavations; Topsoil Removal), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 19-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XII (Excavations; Topsoil Removal), as follows:

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

LOCAL LAW NO. 33 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE XII (EXCAVATIONS; TOPSOIL REMOVAL)

Section 1. Chapter 198 (Zoning), Article XII (Excavations; Topsoil Removal) is hereby amended, as follows:

CHAPTER 198
ZONING
* * *
ARTICLE XII
EXCAVATIONS; TOPSOIL REMOVAL
* * *

§ 198-84. Permit term; renewal; fees.

A. A special use permit or renewals thereof may be issued for a period not exceeding one (1) year, provided that successive renewals shall be based on submission of information required in § 198-80 (A)(7) and (8), payment of fees based on material to be removed and furnishing any additional bond or security sufficient to ensure compliance with these regulations during the renewal period.

B. Before any permit is issued, the applicant shall pay to the Clerk of the Zoning Board the sum of twenty-five (\$25) dollars for a permit for sod farming or for any other operation where a rehabilitation plan has been waived, and in all other cases [a fee of five (\$0.05) cents] an excess material fee in the amount established in the Subdivision and Site Plan Regulations per cubic yard of material to be removed during the period covered by the permit or renewal thereof. Regardless of amount of material to be removed, the yardage fee shall not be less than [twenty-five (\$25) dollars] one hundred (\$100) dollars.

* * *

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 State 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
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 20-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER A202 (SUBDIVISION AND SITE PLAN REGULATIONS), SECTION 7 (CONSTRUCTION OPERATIONS)

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 14th day of July, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 20-2015, amending the Code of the Town of Huntington, Chapter A202 (Subdivision and Site Plan Regulations), Section 7 (Construction Operations), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 20-2015 amending the Code of the Town of Huntington, Chapter A202 (Subdivision and Site Plan Regulations), Section 7 (Construction Operations), as follows:

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

LOCAL LAW NO. **34** -2015

AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER A202 (SUBDIVISION AND SITE PLAN REGULATIONS)

Section 1: Chapter A202 (Subdivision and Site Plan Regulations) of the Huntington Town Code is hereby amended to read, as follows:

CHAPTER A202
(SUBDIVISION AND SITE PLAN REGULATIONS)

* * *

§7. CONSTRUCTION OPERATIONS.

* * *

§7.2.2 .GRADING.

* * *

§7.2.2.9 REMOVAL OF EXCESS MATERIAL. When excess materials are expected to be removed from a site that has received subdivision or site plan approval, or when excess material will be removed for any purpose, including construction of public improvements such as roads, drainage and parking, the developer shall file an application for removal of excess materials prior to scheduling a pre-construction meeting. The application shall be accompanied by the fee established in Appendix B of these regulations and paid over to the Department of Planning for deposit into a non-interest bearing trust and agency account maintained by the Town. The funds shall be held on deposit until such time as the work is completed to the satisfaction of the Town and a final reconciliation has been completed to determine the actual volume of materials removed from the site. In the event the amount initially deposited by the applicant is not sufficient and additional funds are due based on the amount of material actually removed during construction, the applicant shall pay such additional sums within twenty (20) days of the date on the written request for payment. Any balance remaining on deposit in the account shall be returned to the applicant in the event less material than calculated has been removed. No certificate of occupancy or of permitted use shall be released until the full amount is paid. For the purpose of this provision the term "excess material" shall mean sand, gravel, bankrun and other materials.

* * *

APPENDIX B

* * *

SCHEDULE C

MISCELLANEOUS FEES AND CHARGES

* * *

I. REMOVAL OF EXCESS MATERIAL. \$2.00 per cubic yard or any part thereof.

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 State of the State of New York.

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

2015 - 385

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.

2015-386

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: August 11, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, on July 14, 2015 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 are being evaluated and considered for further action(s) to be taken; 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

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
68	5 Gerri Road E. Northport	0400-126.00-02.00-016.000	Marcia Bahamonde Barbara McDougald 5 Gerri Road E. Northport, NY 11731-2703	6/9/2015	\$ 2,500.00
188	7 Cherry Place Huntington	0400-025.00-02.00-045.000	Robert Waldinger 7 Cherry Place Huntington, NY 11743-1908	6/12/2015	\$ 2,500.00
181	7 Metcale Lane E. Northport	0400-183.00-03.00-041.000	Aileen Carson (L/E) Dwight Carson (Estate of) 7 Metcale Lane E. Northport, NY 11731-4419	5/20/2015	\$ 2,500.00
189	14 Woodoak Lane Huntington	0400-192.00-01.00-073.000	Keith Wehrheim 14 Woodoak Lane Huntington, NY 11743-6250	6/11/2015	\$ 2,500.00
185	20 Miller Place Huntington Station	0400-144.00-01.00-054.000	Lam F. Tong Stephanie P. Lee 20 Miller Place Huntington Station, NY 11746-2919	6/8/2015	\$ 2,500.00
180	21 Deepdale Drive Huntington	0400-239.00-02.00-083.000	Maxine Mera, Estate of Cheryl Mera, Administrator 21 Deepdale Drive Huntington Station, NY 11746-4247	5/14/2015	\$ 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

2015-386

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
186	23 Cordell Place E. Northport	0400-122.00-01.00-045.000	David Schwartz 23 Cordell Place E. Northport, NY 11731-2623	6/5/2015	\$ 2,500.00
182	47 Bayberry Lane Northport	0400-061.00-03.00-060.000	Bruce Linko Wayne Linko 47 Bayberry Lane Northport, NY 11768-2303	5/21/2015	\$ 2,500.00
178	49 9th Avenue Huntington Station	0400-143.00-01.00-031.002	Angela Mata 45 E. 5th Street Huntington Station, NY 11746-1444	5/11/2015	\$ 2,500.00
187	75 Alton Avenue Greenlawn	0400-162.00-03.00-049.000	Angel & Francis Soto Yasanka Batsikas 75 Alton Avenue Greenlawn, NY 11740-2140	6/12/2015	\$ 2,500.00
184	87 Wells Road Northport	0400-114.00-03.00-087.000	Katherine Madison 87 Wells Road Northport, NY 11768-3449	6/10/2015	\$ 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
68	5 Gerri Road E. Northport	0400-126.00-02.00-016.000	Marcia Bahamonde McDougald Gerri Road Northport, NY 11731-2703	6/9/2015	7/14/2015
188	7 Cherry Place Huntington	0400-025.00-02.00-045.000	Robert Waldinger 7 Cherry Place Huntington, NY 11743-1908	6/12/2015	7/14/2015
181	7 Metcale Lane E. Northport	0400-183.00-03.00-041.000	Aileen Carson (L/E) Carson (Estate of) Metcale Lane E. Northport, NY 11731-4419	5/20/2015	7/14/2015
189	14 Woodoak Lane Huntington	0400-192.00-01.00-073.000	Keith Wehrheim 14 Woodoak Lane Huntington, NY 11743-6250	6/11/2015	7/14/2015
185	20 Miller Place Huntington Station	0400-144.00-01.00-054.000	Lam F. Tong P. Lee Place Huntington Station, NY 11746-2919	6/8/2015	7/14/2015
180	21 Deepdale Drive Huntington	0400-239.00-02.00-083.000	Maxine Mera, Estate of Cheryl Mera, Administrator Deepdale Drive Huntington Station, NY 11746-4247	5/14/2015	7/14/2015

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

2015-386

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
186	23 Cordell Place E. Northport	0400-122.00-01.00-045.000	David Schwartz 23 Cordell Place E. Northport, NY 11731-2623	6/5/2015	7/14/2015
182	47 Bayberry Lane Northport	0400-061.00-03.00-060.000	Bruce Linko Linko Bayberry Lane Northport, NY 11768-2303	5/21/2015	7/14/2015
178	49 9th Avenue Huntington Station	0400-143.00-01.00-031.002	Angela Mata 45 E. 5th Street Station, NY 11746-1444	5/11/2015	7/14/2015
187	75 Alton Avenue Greenlawn	0400-162.00-03.00-049.000	Angel & Francis Soto Yasanka Batsikas 75 Alton Avenue Greenlawn, NY 11740-2140	6/12/2015	7/14/2015
184	87 Wells Road Northport	0400-114.00-03.00-087.000	Katherine Madison 87 Wells Road Northport, NY 11768-3449	6/10/2015	7/14/2015

-SCHEDULE B-

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

2015-386

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE
131	5 Kirby Lane Commack	0400-222.00-01.00-108.000	Empire Property Solutions, LLC 5 Kirby Lane Commack, New York 11725	7/28/2014
191	6 Hunters Lane Huntington Station	0400-201.00-02.00-026.000	Leopold W. Kovar 2746 W. Alder Road Bellmore, New York 11710-4646	6/11/2015
174	8 Valley Lane Huntington	0400-037.00-01.00-028.000	Uday C. Naval (Rev. Trust) Uday Naval (Est. of) 8 Valley Lane Huntington, New York 11743-1536	4/29/2015
170	37 Kenneth Avenue Huntington	0400-169.00-01.00-058.000	Gaetano Rera & Catuleo A. Rera c/o Toni Gengenback 400 Lynn Avenue E. Northport, NY 11731	3/27/2015
120	50 Youngs Hill Road Halesite	0400-030.00-02.00-006.000	Joseph Pinola Accredited Realty Solutions, Inc. 50 Youngs Hill Rd. Halesite, New York 11743	4/22/2014
58	93 W. 11th Street Huntington Station	0400-137.00-03.00-011.000	Benjamin F. Hill, Sr. PO Box 248 Central Islip, NY 11722	5/11/2012
87	307 Depot Road Huntington Station	0400-151.00-01.00-047.000	Les Jansson - A1 Consultants 307 Depot Road Huntington Station, NY 11746	5/31/2013

**-SCHEDULE C-
 IN COMPLIANCE**

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

2015-386

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
105	4 Knox Place Dix Hills	0400-252.00-03.00-085.000	Arnold Jacinto Irma Jacinto Knox Place Hills, NY 11746	10/17/2013	\$2,500.00
106	185 W. Pulaski Road Huntington Station	0400-138.00-03.00-023.000	Walter Hergenhan Joann Hergenhan 84 E. 19th Street Huntington Station, NY 11746	10/28/2013	\$ 2,500.00
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

-SCHEDULE D-
 PERSISTENT BLIGHT

2015-387

ENACTMENT: AUTHORIZE THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH HUNTINGTON HOSPITAL TO UTILIZE A PORTION OF THE TOWN OF HUNTINGTON PARKING FACILITY ADJOINING MILL DAM PARK AS A HELIPAD

Resolution for Town Board Meeting dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Huntington Hospital Association ("Huntington Hospital") has previously entered into license agreements with the Town of Huntington, for the use of a portion of the Town of Huntington parking facility adjoining Mill Dam for parking and as a helipad; and

WHEREAS, Huntington Hospital desires to again enter into a license agreement with the Town, for use of a portion of the Town of Huntington Parking facility adjoining Mill Dam Park as a helipad to air transport (i) medical patients in need of urgent/emergent care treatment from Huntington Hospital to the most appropriate health care facility to address the relevant health care need and (ii) harvested organs to and from Huntington Hospital; 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 11th day of August, 2015, at 2:00 p.m. and due deliberation having been had,

HEREBY AUTHORIZES the Supervisor to enter into a license agreement with Huntington Hospital Association, 270 Park Avenue, Huntington, New York 11743, for the use of a portion of the Town of Huntington parking facility adjoining Mill Dam Park as a helipad to air transport (i) medical patients in need of urgent/emergent care treatment from Huntington Hospital to the most appropriate health care facility to address the relevant health care need and (ii) harvested organs to and from Huntington Hospital, for a term of approximately two (2) years beginning August 2015 and ending July 31, 2017 and Huntington Hospital's payment of a license fee in the amount of FOURTEEN THOUSAND SIXTY-TWO (\$14,062.00) DOLLARS upon execution of the license agreement and FOURTEEN THOUSAND SIXTY-TWO (\$14,062.00) DOLLARS at the

2015-387

commencement of year two (2) of the license term, and upon such other terms and conditions as may be acceptable to the Town Attorney.

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.

2015-388

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: August 11, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILWOMAN EDWARDS**

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 16 day of **SEPTEMBER**, 2015 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2015-388

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) and (C) of the Code of the Town of Huntington
Authorizing Actions by Town Board for Failure to Comply or Abate Violations

2015-388

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
190	8 Silver Avenue Huntington Station	0400-205.00-03.00-041.000	Monique Baillergeau 8 Silver Avenue Huntington Station, NY 11743	6/15/2015	\$2,500.00
194	29 Thornwood Drive Dix Hills	0400-263.00-03.00-123.000	LSC1 Management Corp. 29 Thornwood Drive Dix Hills, NY 11746	6/19/2015	\$2,500.00
197	190 W. 21st Street Huntington Station	0400-193.00-02.00-068.000	Raghav Sharma 190 W. 21st Street Huntington Station, NY 11746-2122	6/29/2015	\$2,500.00
193	391 W. Jericho Tpke. Huntington	0400-190.00-02.00-132.001	Joseph Rafael, LLC 391 W. Jericho Tpke. Huntington, NY 11743	6/17/2015	\$5,000.00
196	425 New York Avenue Huntington	0400-096.00-01.00-009.000	Gary P. Field 425 New York Ave., Ste 204 Huntington, NY 11743	6/23/2015	\$5,000.00
195	449-455 E. Jericho Tpke. Huntington Station	0400-200.00-03.00-170.000	Realty 26 LLC 215-54 Jamaica Avenue Queens Village, NY 11428	6/22/2015	\$5,000.00
192	862 Larkfield Road E. Northport	0400-250.00-01.00-016.000	William Cunningham Eva Cunningham 862 Larkfield Road E. Northport, NY 11731	6/17/2015	\$2,500.00

SCHEDULE A
Schedule Public Hearing

2015-389

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 28 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: PRINTER COURT, HUNTINGTON STATION - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: August 11, 2015

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 further avoid potential obstruction on a residential roadway abutting a school; 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 16TH day of September, 2015 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 28 -2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 28 -2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2015-389

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

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

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
DELETE: Printer Court/West From northern terminus to 175 ft. north of Bolan Dr. (HUS)	No Stopping	7:00 a.m. to 4:00 p.m., school days
ADD: Printer Court/West From northern terminus to 60 ft. north of Bolan Dr. (HUS)	No Stopping	7:00 a.m. to 4:00 p.m., school days

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	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 NO. 29 -2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 55 (PUBLIC SAFETY, DEPARTMENT OF)

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to update the code in order to incorporate the delivery of long-standing services provided by the Department of Public Safety; and

WHEREAS, pursuant to §617.5(c)(20) and (7) of the SEQRA regulations amending the Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **16TH** day of **SEPT.** , 2015 at **2** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **29** -2015 amending the Code of the Town of Huntington, Chapter 55 (Public Safety, Department of), as follows:

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

LOCAL LAW INTRODUCTORY NO. 29 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 55 (PUBLIC SAFETY, DEPARTMENT OF)

Section 1. Amendment to Chapter 55 (Public Safety, Department of) the Code of the Town of Huntington; as follows:

CHAPTER 55
(PUBLIC SAFETY, DEPARTMENT OF)

* * *

§ 55-6. Fees. The Director may establish, subject to Town Board approval, a schedule of fees to be collected for services rendered in connection with the work of the Department and for which it is deemed necessary to charge and collect a fee therefor. Such fees shall include, as follows:

(1) Departmental searches: \$30.00 per property.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 391

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 30 -2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS)

Resolution for Town Board Meeting dated: August 11, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to update the code and to correct a scrivener's error with regard to fee charges; and

WHEREAS, pursuant to §617.5(c)(20) and (7) of the SEQRA regulations amending the Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **16** day of **SEPT.**, 2015 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **30-2015** amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), as follows:

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

LOCAL LAW INTRODUCTORY NO. **30** -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION),
ARTICLE III (BUILDING PERMITS)

Section 1. Amendment to Chapter 87 (Building Construction) of the Code of the Town of Huntington, Article III (Building Permits); as follows:

CHAPTER 87
(BUILDING CONSTRUCTION)

* * *

ARTICLE III
BUILDING PERMITS

* * *

§ 87-23. Application fees.

* * *

B. Fee exemption. The application fee shall be waived if the owner of the property for which a building permit is sought is a municipality, special improvement district or other entity for which real property taxes are not collected, and if the construction [or] and use is for governmental, municipal or district purposes and is not proprietary in nature.

* * *

E. Fixed fees. The following fees are not subject to the minimum fee or based upon the estimated costs of construction.

* * *

(3) General applications:

* * *

(c) [Forty (\$40)] Fifty (\$50) dollars for:

- (1) Original certificate of completion and certificate of occupancy.
- (2) Each additional certified copy of a certificate of completion, certificate of occupancy or letter-in-lieu.

(d) Thirty (\$30) dollars for:

- (1) Departmental searches - per property.

[(d)](e) Five (\$5) dollars for:

* * *

* * *

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

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 31 -2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICT) AND ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, two-family homes have been permitted in R-5 Residence Districts for many years and provide a valuable addition to the available housing stock of the Town; and

WHEREAS, historically some two-family homes promote overcrowding and littering; disturb the peace and good order, and negatively impact surrounding properties, and the community as a whole by devaluing properties; and

WHEREAS, it is the intention of the Town Board to strike a balance between the housing needs of the community and the governmental interest in protecting the character and aesthetic appearance of single-family neighborhoods; maintaining the peace and good order; protecting the health, safety and quality of life of those communities impacted by unattended two-family structures; and providing those impacted by the proposed use with an opportunity to be heard; and

WHEREAS, revisions to the permitted uses in a zoning district covering more than 25 acres of land is a Type I action in accordance with SEQRA, 6 NYCRR §617.4(b)(2); and

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the 16 day of **SEPTEMBER**, 2015 at 2 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 31 -2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations); as follows:

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

LOCAL LAW INTRODUCTORY NO. 31 – 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICT) AND ARTICLE
XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Section 1. Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations) of the Huntington Town Code are hereby amended, as follows:

CHAPTER 198
(ZONING)

* * *

ARTICLE III
(RESIDENCE DISTRICTS)

§198-19. R-5 Residence District.

A. Use regulations. In the R-5 Residence District, a building or premises shall be used only for the following purposes:

* * *

[(3)] [Two family owner-occupied dwellings, where one (1) of the dwelling units is owner-occupied in perpetuity, and subject to the filing of a covenant and restriction to run with the land requiring such occupancy, which shall be filed in the Office of the Suffolk County Clerk and the filed copy submitted to the Department of Engineering Services, prior to the issuance of a Certificate of Occupancy and/or Certificate of Permitted Use.]

[(4)] (3) Any accessory use or structure permitted in the R-80 Residence District, subject to the same limitations and restrictions enumerated in § 198-13(B) .

* * *

ARTICLE XI
(CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

* * *

§198-68. Uses permitted by Board of Appeals.

A. The Zoning Board of Appeals may authorize the following uses after making all of the required findings and after public hearing as provided in Article XVI. Plans for parking and loading facilities for proposed uses, shall be referred to the Planning Department for technical evaluation and advisory report, and no decision shall be made until the report has been received or thirty (30) days has elapsed. Landscaping and fencing and, screening may be required in connection with any use permitted under this section.

* * *

(17) Two-family dwellings. Two-family dwellings may be authorized in R-5 Residence Districts subject to the following:

A. In cases where the lot size is under 10,000 square feet or the lot width is less than 100 feet, the following conditions shall apply: [Conversion of a single-family dwelling to a two-family dwelling in R-5 Residence Districts in cases where the lot area is less than ten thousand (10,000) square feet and/or the lot width is less than one hundred (100) feet, provided that:]

- [(a)] [The dwelling is five (5) years of age or more at the time of application.]
- [(b)](1) The minimum lot width is not less than fifty (50) feet; and[.]
- [(c)](2) The [converted] dwelling will be designed and situated [reasonably in keeping with] so as to be compatible with the character of the neighborhood and with neighboring dwellings.
- [(d)](3) The owner [can show hardships which require that the conversion be permitted] demonstrates to the satisfaction of the Zoning Board that the owner has sustained or will sustain severe hardship if the application were to be denied, and the hardship has not been or will be self-created; and
- [(e)](4) The [conversion] two-family home will not [impair] negatively impact the character of the neighborhood or adversely affect property values[.]; and
- [(f)](5) [In an R-5 Residence District, as] As a condition of the special use permit, [a grant of any variance to permit conversion from a one-family to a two-family dwelling,] a covenant and restriction to run with the land shall be filed by the applicant in the Office of the [Clerk of] Suffolk County Clerk requiring that one of the dwelling units be owner-occupied in perpetuity. Such covenant shall be reviewed by the Town Attorney as to form and substance before it is filed. A copy of the filed covenant shall be submitted to the Department of Engineering Services prior to the issuance of a Certificate of Occupancy[,] and/or Certificate of Permitted Use.
- (6) In cases where the conversion of a one family to a two family home is proposed, the dwelling must be five (5) years of age or more at the time of application.

B. Where the lot size is 10,000 square feet or more, two-family owner-occupied dwellings may be permitted where one (1) of the dwelling units is owner-occupied in perpetuity, and a covenant and restriction to run with the land requiring such occupancy is filed by the applicant in the Office of the Suffolk County Clerk. Such covenant shall be reviewed by the Town Attorney as to form and substance before it is filed. A copy of the filed covenant shall be submitted to the Department of Engineering Services, prior to the issuance of a Certificate of Occupancy and/or a Certificate of Permitted Use.

C. In all cases, the architectural design of the house and its location on the lot shall be reviewed by the Zoning Board with the intention of ensuring that the house appears to be a single-family house of no more than two stories by restricting design features such as exposed cellars, large attics, tall roofs, multiple driveways, multiple decks, and prominent secondary dwelling entrances.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 32 -2015, AMENDING THE ZONING MAP ON THE TOWN BOARD'S OWN MOTION TO CHANGE THE ZONING FROM C-6 HUNTINGTON STATION OVERLAY DISTRICT TO C-1 OFFICE-RESIDENCE DISTRICT FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF DEPOT ROAD AND EAST NINTH STREET, HUNTINGTON STATION, SCTM# 0400-146-03-106.

Resolution for Town Board Meeting Dated: August 11, 2015

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

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

WHEREAS, the property owner of the vacant parcel on the northeast corner of Depot Road and East Ninth Street, Huntington Station, SCTM# 0400-146-03-106, approached the Town of Huntington with a desire to build affordable housing for military veterans; and

WHEREAS, C-1 Office-Residence zoning would allow the property owner to construct a two-story building with four (4) dwelling units on the property, with the assistance of sanitary flow credits that are available from Suffolk County for affordable housing purposes; and

WHEREAS, all of the units in the building would be affordable rental units; and

WHEREAS, although commercial zoning runs along Depot Road, the next two properties to the north and the property across Depot Road to the west are both used residentially, so it is not out of character for the neighborhood; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington to rezone certain properties is not an action, so no SEQRA review is required at this time;

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 16TH day of SEPTEMBER, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 32 - 2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6 Huntington Station Overlay District to C-1 Office-Residence District the property designated on the Suffolk County Tax Map as 0400-146-03-106, as follows:

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

LOCAL LAW INTRODUCTORY NO. 32 - 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 to be rezoned to C-1 Office-Residence District, located on the northeast corner of Depot Road and East Ninth Street, Huntington Station, and designated as 0400-146-03-106 on the Suffolk County Tax Map, more particularly described as:

BEGINNING at a POINT at the intersection of the east side of Depot Road with the north side of East Ninth Street,

THENCE from said POINT OF BEGINNING North 10 degrees 43 minutes 30 seconds West, 100.00 feet,

THENCE North 79 degrees 16 minutes 30 seconds East, 100.00 feet,

THENCE South 10 degrees 43 minutes 30 seconds East, 100.00 feet,

THENCE South 79 degrees 16 minutes 30 seconds West, 100.00 feet to the POINT OF BEGINNING.

* * *

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.

2015-394

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 33 -2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-408, STONE RIDGE III, TO CHANGE THE ZONING FROM R-40 RESIDENCE DISTRICT TO R-3M GARDEN APARTMENT SPECIAL DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF DEER PARK AVENUE (NYS 231) AND RYDER AVENUE, DIX HILLS, SCTM# 0400-278-02-170 & 171.

Resolution for Town Board Meeting Dated: August 11, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, STONE RIDGE AT DIX HILLS CONSTRUCTION CORP., 2580 Hempstead Tpke., East Meadow, NY 11554, contract vendee, submitted application #2015-ZM-408 for a change of zone from R-40 Residence District to R-3M Garden Apartment Special District for property located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills, designated as 0400-278-02-170 & 171 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, this action does not meet the criteria of any Type I or Type II actions in accordance with SEQRA, 6 NYCRR Parts 617.4 & 617.5, and therefore it is classified as an Unlisted action; and

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

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

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 16TH day of SEPTEMBER, 2015, at 2:00 PM to consider adopting Local Law Introductory No. 33 -2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map;

General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-40 Residence District to R-3M Garden Apartment Special District the property designated on the Suffolk County Tax Map as 0400-278-02-170 & 171, as follows:

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

LOCAL LAW INTRODUCTORY NO. 33 - 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 east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills designated on the Suffolk County Tax Map as 0400-278-02-170 & 171, to be rezoned from R-40 Residence District to R-3M Garden Apartment Special District, more particularly described as:

BEGINNING at a POINT on Deer Park Avenue at the southwestern corner of the parcel, where it intersects with the northwest corner of Stone Ridge I & II,

THENCE from said POINT OF BEGINNING North 05 degrees 58 minutes 40 seconds West, 207.47 feet,

THENCE North 81 degrees 49 minutes 30 seconds East, 1008.27 feet,

THENCE South 09 degrees 44 minutes 00 seconds East, 207.40 feet,

THENCE South 81 degrees 49 minutes 30 seconds West, 1021.86 feet to the POINT OF BEGINNING.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-395

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 34 -2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS), SECTION 198-21.2 (R-PUD THE GREENS AT HALF HOLLOW PLANNED UNIT DEVELOPMENT)

Resolution for Town Board Meeting Dated: August 11, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board intends to update the Town Code with respect to the issue of the 100 affordable condominium housing units in Condo Building V at the Greens in consideration of certain health and welfare needs of the residents to elect first or second floor units as units become available for re-sale under the currently administered program; and

WHEREAS, changes to the administrative procedures for Town of Huntington applications is a Type II action in accordance with SEQRA, 6 NYCRR Section 617.5(c)(20 & 27), requiring no further review; and

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the **16** day of September, 2015 at **2:00** p.m., at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No.: 34 -2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development District); as follows:

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

LOCAL LAW INTRODUCTORY NO. **34** - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS),

Section 1. Chapter 198-21.2 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development District) is hereby amended, as follows:

CHAPTER 198
ZONING

* * *
ARTICLE III
RESIDENCE DISTRICTS
* * *

§ 198-21.2. The Greens at Half Hollow Planned Unit Development District.

* * *

N. Eligibility List. Current residents of Condo Building V may choose to relocate to a first or second story unit as follows:

- (1) Those residents currently occupying one of the 100 affordable units in Condo Building V at the Greens shall have a one-time right to add their names to a list of existing owners desiring to relocate from a first floor unit to a second floor unit, or from a second floor unit to a first floor unit only, as units become available for re-sale under the current program; and
- (2) Residents who elect to participate shall have their names added to the Eligibility List maintained by the LIHP in the order in which they closed upon their existing unit; and
- (3) Any current owner desiring to participate in the Eligibility List must meet all of the financial requirements for ownership of an affordable unit in order to remain on the Eligibility List in the event they seek to exercise their right to purchase a newly available re-sale unit; and
- (4) Current owners shall have a sixty (60) day period after the enactment of this Local Law to add their names to the Eligibility List. Future owners shall have a sixty (60) day period after they close to add their names to the Eligibility List; and
- (5) As existing units become available for re-sale, the next qualifying person on the Eligibility List shall have a one-time option to purchase the re-sale unit under the following terms and conditions:
 - (a) The current qualifying owner must immediately offer their unit for sale under existing pricing guidelines to the next eligible person on the waiting list; and
 - (b) The current qualifying owner on the Eligibility List must enter into a contract to purchase the available resale unit within sixty (60) days of unit availability under current pricing guidelines; and
 - (c) Should the first current owner on the Eligibility List decline to exercise the right to purchase a resale unit, then the unit shall be offered to the next person on the Eligibility List, and so on; and

(6) The closing of title on the sale of the units referenced in paragraph (5) hereof shall occur within sixty (60) days of each other as no person may hold title to two units at any time; and

(7) If an owner on the Eligibility List should decline to exercise a right to purchase a unit on another floor their name shall go to the bottom of the Eligibility List for consideration one final time when his or her name is reached; and

(8) The provisions of this section shall not in any way modify or supersede the financial criteria for qualification or pricing guidelines in effect under the affordable program as currently administered, including but not limited to the provisions of §198-13(I) of the Town Code.

[N] O. Conflicts. The specific provisions of this section shall control in the event of a conflict with provisions contained elsewhere in this chapter.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-BT-5

RESOLUTION AUTHORIZING THE PRESIDENT TO EXECUTE AN EXTENSION OF THE LICENSE AGREEMENT WITH THE COLD SPRING HARBOR LABORATORY FOR THE USE OF A PORTION OF UNDERWATER LANDS

Resolution for Board of Trustees Meeting Dated: August 11, 2015

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

and seconded by: **TRUSTEE COOK**

WHEREAS, by Resolution 2000-BT-20, the Huntington Board of Trustees approved a license agreement with the Cold Spring Harbor Laboratory to maintain a fixed timber pier, ramp, and float assembly as shown on the plans prepared by A. Christopher Gross dated January 5, 2000; appropriate pilings; a stone sea wall; and no more than two (2) moorings for use in connection with the dock, on lands owned by the Board of Trustees ("Licensed Property"); and

WHEREAS, the term of the License Agreement expires on September 19, 2015, and the Licensee wishes to exercise an option for an additional five (5) years, upon payment of \$500 per year for each year of the option period,

NOW, THEREFORE, THE BOARD OF TRUSTEES

Having held a public hearing on the 14th day of July, 2015 at 2:00 p.m. to consider extending the license agreement for an additional five (5) year period, and due deliberation having been had,

HEREBY AUTHORIZES

The President to execute a five (5) year extension to the License Agreement entered into with the Cold Spring Harbor Laboratory, for the use of underwater lands as is necessary to maintain the structures set forth in this Resolution, for the period commencing on September 20, 2015 through September 19, 2020, upon the payment of \$500 as and for an administrative fee for each year of the extension period, and upon the condition that the Laboratory maintain and repair the seawall as deemed necessary by the Town at its own cost and expense, and such other terms and conditions as deemed necessary by the Town Attorney.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING DONATIONS TO THE HUNTINGTON OPPORTUNITY RESOURCE CENTER, 1264 NEW YORK AVENUE, HUNTINGTON STATION, NY

Resolution for Huntington Community Development Agency Meeting of:
August 11, 2015

The following resolution was offered by: Member Edwards

and seconded by: **MEMBER CUTHBERTSON, MEMBER BERLAND**

WHEREAS, the Town of Huntington and Huntington Community Development Agency (HCDA), in partnership with the County of Suffolk, have launched the Huntington Opportunity Resource Center (HORC) at 1264 New York Avenue in Huntington Station to coordinate the offering of shared services to the community with its primary goal to address local unemployment and underemployment; and

WHEREAS, the Town of Huntington has ten (10) excess Dell Optiplex 790 desktop computers that are no longer adequate for regular use in the Town; and

WHEREAS, St. Joseph's College has donated eight (8) wireless desktop computers that have been declared surplus by the college; and

WHEREAS, Huntington Opportunity Resource Center is in need of computers for its operations and ongoing workforce development training programs; and

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

NOW, THEREFORE

THE AGENCY BOARD

HEREBY GRATEFULLY ACKNOWLEDGES AND ACCEPTS the computer equipment donations from both the Town of Huntington and St. Joseph's College for use at the Huntington Opportunity Resource Center.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ESTABLISHING 2015 FEE SCHEDULE FOR BOND FINANCING TRANSACTIONS

Resolution for Local Development Corporation Board meeting dated: August 11, 2015

The following resolution was offered by: Chairman Frank P. Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, The Town of Huntington Local Development Corporation is a local development corporation formed on April 7, 2010 under NY Not-For-Profit Law; and

WHEREAS, among its powers, LDC's may promote economic development by acting as a conduit for tax exempt bond financing to the not for profit community in Huntington; and

WHEREAS, in a continuing desire to encourage economic development and the wish to offer rates competitive with other entities, the Town of Huntington Local Development Corporation establishes its 2015 fee attached hereto as Schedule A; and

WHEREAS, for IRC Sec. 501(c)(3)-designated entities, in the case of a hardship, an LDC is authorized to negotiate and/or revise its fee schedule and in such cases, the Executive Director shall consult with the Corporation's Chairman to accomplish one or both; and

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

NOW, THEREFORE

THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

HEREBY

ESTABLISHES its 2015 fee structure for bond financing transactions as per Schedule A that is subject to change without notice upon approval by the Chairman.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015 LDC-2

SCHEDULE A

TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

2015 BOND FINANCING FEE SCHEDULE

(Subject to change without notice)

1% for the first \$5,000,000

0.75% for the next \$10,000,000

0.50% for the next \$10,000,000

0.20% for the next \$5,000,000

0.01% for anything more than \$30,000,000

Other Applicable Fees:

1. Application for Financial Assistance Fee: \$500.00
2. THLDC will collect a closing compliance fee of \$2,000 upon the closing of the bond financing, and a \$1,000 annual administrative service fee payable in advance at the closing for the first year (or part thereof) and on January 1st in each year while the bonds are outstanding. The annual administrative service shall be subject to periodic review, and may be adjusted from time-to-time at the discretion of THLDC.