

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 RAI A.

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 NOVEMBER 5, 2015

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 2:45 P.M. Closed: 2:46 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 3:05 P.M. Closed: 3:06 P.M.

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 2:46 P.M. Closed: 2:47 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:01 P.M. Recessed: 2:45 P.M. Resumed: 2:47 P.M. Closed: 3:05 P.M.

(Resolutions #2015-492 to 2015-539)

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: 0400-206.00-02.00-144.002; 0400-018.00-02.00-015.000) (2015-M-51)

Scheduled as per Resolution 2015-486 at 10-6-2015 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2015-527**

HEARINGS (Continued):

ACTION

2. Consider adopting Local Law Introductory No. 35-2015, considering Zone Change Application #2015-ZM-407, 569 Broadhollow Road, LLC, to change the zoning from I-2 Light Industry District to C-6 General Business District for property located on the east side of the intersection of Broadhollow Road and Spagnoli Road, Melville, SCTM #: 0400-267-01-(005.002, 056, 057).
(Local Law Introductory No. 35-2015)
Scheduled as per Resolution 2015-446 at 9-16-2015 Town Board Meeting

DECISION RESERVED

3. Consider adopting Local Law Introductory No. 36-2015, considering Zone Change Application #2012-ZM-391, AP Commack Road Citgo, to change the zoning from C-6 General Business District to C-11 Automotive Service Station District for property located on the east side of Commack Road, north of Genesee Drive, Commack, SCTM #: 0400-225-03-069.
(Local Law Introductory No. 36-2015)
Scheduled as per Resolution 2015-447 at 9-16-2015 Town Board Meeting

DECISION RESERVED

4. Consider adopting Local Law Introductory No. 38-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Minetta Court, Huntington – Stop Signs.
(Local Law Introductory No. 38-2015)
Scheduled as per Resolution 2015-487 at 10-6-2015 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 39-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Laurel Road, East Northport – Parking Restrictions.
(Local Law Introductory No. 39-2015)
Scheduled as per Resolution 2015-488 at 10-6-2015 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 40-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), Article I (Use Regulations) and Schedule L (Town Parking Fields).
(Local Law Introductory No. 40-2015)
Scheduled as per Resolution 2015-489 at 10-6-2015 Town Board Meeting

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 41-2015, amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal).
(Local Law Introductory No. 41-2015)
Scheduled as per Resolution 2015-490 at 10-6-2015 Town Board Meeting

DECISION RESERVED

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain comments on the Huntington Community Development Agency's Proposed Second Year Annual Plan.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-499. AUTHORIZE the Supervisor to execute an amendment to the agreement with Cashin Associates, P.C. for construction inspection services necessary for the Wolf Hill Road Pedestrian Safety Improvement Project.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-500. AUTHORIZE execution of contract of sale and appropriating funding necessary for acquisition of Tannenbaum property, Fort Salonga. (Re: 1064 Fort Salonga Road; SCTM#'s 0400-061.00-01.00-002.000, 003.000, 004.001)	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-501. AUTHORIZE the Supervisor to execute a professional service agreement with Seneca Consulting Group, Inc. for Patient Protection and Affordable Care Act Administration. (Contract expires 12/31/2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-502. ESTABLISH and ADOPT a look-back measurement method and a measurement period, an administrative period, and a stability period for purposes of the Patient Protection and Affordable Care Act.	<u>TE</u>	<u>EC</u> <u>MC</u>	<u>5</u>
2015-503. AUTHORIZE the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its special districts – various departments.	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-504. AUTHORIZE the Comptroller to amend the 2015 Operating and Capital Budget for the Town of Huntington and its special districts – Highway Department.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-505. AUTHORIZE the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its special districts and declare a fixed asset surplus – Department of Transportation and Traffic Safety.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-506. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Halesite Marina North Project). (Re: Porous pavers, brick walkway and decorative street lighting)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-507. AUTHORIZE the Comptroller to accept a Long Island Fall Festival stage rental payment and amend the 2015 Operating Budget for the Town of Huntington and its special districts – band concerts – nunc pro tunc.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-508. AUTHORIZE the Town Attorney to execute a retainer agreement for professional legal services with Kaufman, Borgeest & Ryan, LLP, nunc pro tunc. (Re: Town of Huntington v County of Suffolk [County Roads Case])	<u>FP</u>	<u>MC</u>	<u>FP-AYE</u> <u>MC-AYE</u> <u>SB-AYE</u> <u>TE-AYE</u> <u>EC-RECUSED</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-509. AUTHORIZE the appointment of attorneys to prosecute violations of the laws and ordinances of the Huntington Town Code and its special districts in District Court. (Re: Deirdre Butterfield, Luciana DeCarlo, Cindy Elan-Mangano, Laurie Gatto-Argiriou, Thomas Glascock, Heidi Levine-Sorkin, Margaret Pezzino, Thelma Neira, Rhonda Shepardson and Jake Turner)	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-510. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Richard Kollander, 21 Roundtree Drive, Melville, SCTM#0400-272.00-01.00-075.000, Chapters 133, 156, 191; Stuart/Maet Goldring, 21 Beaumont Drive, Melville, SCTM#0400-272.00-03.00-011.000, Chapters 133, 156, 191; Frank/Joan Horn, 600 5 th Avenue, East Northport, SCTM#0400-116.00-02.00-164.000, Chapter 133; George Martin, 5 Meath Avenue, Huntington, SCTM#0400-193.00-01.00-083.000, Chapter 156; Reginald Woodard, 10 Faulkner Lane, Dix Hills, SCTM#0400-260.00-02.00-061.001, Chapter 156; Fredy Lanier, 111 8 th Avenue, Huntington Station, SCTM#0400-143.00-01.00-066.002, Chapter 191)	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-511. ACCEPT donation of landscaping from Main Street Nursery and Florist Re: Traffic Islands on NYS Route 110, Drainage and Roadway Improvement Project- Pin No. 0112.52.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-512. ADOPT an Employment Plan for appointed employees and elected officials to implement cost saving measures and define work rules and benefits.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-513. APPOINT Volunteer Park Stewards. (Re: CarrieAnn Lindstadt-Iurka, Alissa Sue Taff)	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-514. APPROVE a 2016 Public Art Plan and authorizing the Public Art Advisory Committee to proceed with its implementation.	<u>SB</u> <u>TE</u>	<u>FP</u>	<u>5</u>
2015-515. EXEMPT AT&T LTE pursuant to §198-68.1 (P) of the Huntington Town Code for work at the South Parking Garage, Huntington, New York, Suffolk County Tax Map No. 0400-174.00-04.00-033.001.	<u>SB</u>	<u>FP</u>	SB-AYE FP-AYE MC-AYE EC-AYE <u>TE-RECUSED</u>
2015-516. GRANT permission to Renaissance Downtowns, LLC for use of Gateway Plaza in connection with the October 30, 2015 Gateway Nights Event, nunc pro tunc.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-517. SCHEDULE regular meetings of the Town Board of the Town of Huntington for the Year 2016. (1/12/16 @ 2:00 pm, 2/10/2016 @ 7:00 pm, 3/8/2016 @ 2:00 pm, 4/5/2016 @ 2:00 pm, 5/10/2016 @ 7:00 pm, 6/7/2016 @ 2:00 pm, 7/12/2016 @ 2:00 pm, 8/16/2016 @ 2:00 pm, 9/13/2016 @ 7:00 pm, 10/19/2016 @ 6:00 pm, 11/10/2016 @ 2:00 pm and 12/13/2016 @ 7:00pm)	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-518. SPONSOR a basketball tournament at Coral Park in Greenlawn, New York nunc pro tunc. (Re: 10/17/2015-8:30 am – 4:00 pm; Donations from: Costas Karvazonis and Greenlawn Pharmacy d/b/a Mid Village Pharmacy)	<u>SB</u> <u>TE</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-519. WAIVE parking meter fees in the downtown shopping area known as Huntington Village and authorizing the installation of holiday type lights and decorations during the holiday season in various areas. (Waive parking meter fees in the downtown shopping area known as Huntington Village for the period 11/27/2015-1/1/2016; authorize Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, Huntington Station Business Improvement District Association and East Northport Chamber of Commerce to install and maintain holiday type lights in business areas from 11/27/2015-1/1/2016; authorize East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town property located at the Northport Railroad Station for period 11/27/2015-1/1/2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-520. ADOPT the 2016 Preliminary Annual Operating Budget, as the Annual Operating Budget for fiscal year commencing January 1, 2016.			SB-AYE MC-AYE FP-AYE TE-AYE <u>EC-NO</u>
2015-521. ADOPT the Capital Budget for fiscal year commencing January 1, 2016.	<u>SB</u>	<u>MC</u>	TE-AYE SB-AYE MC-AYE FP-AYE <u>EC-NO</u>
2015-522. ENACTMENT: ADOPT the Assessment Roll for the Huntington Sewer District.	<u>TE</u>	<u>SB MC</u>	TE-AYE SB-AYE MC-AYE FP-AYE <u>EC-NO</u>
2015-523. ENACTMENT: ADOPT the Assessment Roll for the Centerport Sewer District.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-524. AUTHORIZE an amendment to the license agreement made with Huntington Hospital Association to utilize a portion of the Town of Huntington parking facility located adjacent to Mill Dam Park, nunc pro tunc.	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-525. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2015-526. ENACTMENT: AMEND the license agreement made with Integrity Golf Company, LLC for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York, nunc pro tunc.	<u>FP</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-527. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & B: LI Assets Acquisitions, 5 Brown Meadows Court, Huntington, SCTM#0400-206.00-02.00-144.002; Beatrix Bery-Frech, 47 Andrews Drive, Huntington, SCTM#0400-018.00-02.00-015.000; Schedule D: Charles Haley, Jr., 39 Smith Street, Greenlawn, SCTM#0400-107.00-05.00-008.000; Alfred Valma, 50 Lefferts Avenue, East Northport, SCTM#0400-217.00-01.00-039.000, Hanover Community Bank, 336 Larkfield Road, East Northport, SCTM#0400-118.00-01.00-006.000)</p>	<u>SB</u>	<u>FP</u>	<u>5</u>
<p>2015-528. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A-Chang/Shin Kim, 9 Penrose Path, East Northport, SCTM #0400-215.00-01.00-073.000)</p>	<u>SB</u>	<u>FP</u>	<u>5</u>
<p>2015-529. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider acquiring conservation easement for Wawapek addition, Cold Spring Harbor with North Shore Land Alliance purchasing fee rights.</p>	<u>FP</u>	<u>SB</u>	<u>5</u>
<p>2015-530. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider authorizing the Supervisor to execute a license agreement with the Piccolo Family Limited Partnership for the use of a portion of Town lands. (SCTM# 0400-198.00-03.00-058.00 - 230 East Jericho Turnpike, Huntington Station) (Term: 8/24/2015-8/23/2025)</p>	<u>TE</u>	<u>EC</u>	<u>5</u>
<p>2015-531. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider adopting Local Law Introductory No. 42-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Clinton Avenue, Huntington – Parking Restrictions.</p>	<u>SB</u>	<u>MC</u> <u>TE</u>	<u>5</u>
<p>2015-532. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider adopting Local Law Introductory No. 43-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Depot Road, Huntington Station – Parking Restrictions.</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2015-533. REMOVED FROM THE AGENDA AT THE WORKSHOP.</p>			
<p>2015-534. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider adopting Local Law Introductory No. 44-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning) Article III (Residence District).</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2015-535. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM</p>			

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
To consider adopting Local Law Introductory No. 45-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts) and Article V (Industrial Districts).	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-536. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider adopting Local Law Introductory Number 46-2015, considering zone change application #2015-ZM-410, Gurwin Senior Housing, to change the zoning from R-40 and R-20 Residence Districts to R-HS Residential Health Services District for property located on the north side of Hauppauge Road and west side of Commack Road, Commack, SCTM #0400-251-01-017.003 & 018.	<u>FP</u>	<u>MC</u> <u>EC</u>	<u>5</u>
2015-537. SCHEDULE SIMULTANEOUS PUBLIC HEARINGS: December 8, 2015 at 7:00 PM To consider comments on the Draft Environmental Impact Statement (DEIS), to consider an amendment to the Horizons 2020 Comprehensive Plan, and to consider adopting Local Law Introductory Number 47-2015, considering zone change application #2013-ZM-397, Syndicated Ventures, to change the zoning from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for the property located on the northeast corner of Jericho Turnpike and Manor Road, Elwood, SCTM #0400-209-02-(003,004.001, 005.006), and determining that the DEIS is acceptable for commencing public review.	<u>MC</u>	<u>TE</u>	<u>5</u>
2015-538. SCHEDULE A PUBLIC HEARING: December 8, 2015 at 7:00 PM To consider adopting Local Law Introductory Number 48-2015, considering zone change application #2015-ZM-406, Costco Wholesale Corp. Melville, to change the zoning from C-6 General Business District to C-11 Automotive Service Station District for property located on east side of Broad Hollow Rd (NYS 110), south of Ruland Rd., Melville, SCTM: 0400-267-02-030.	<u>TE</u>	<u>EC</u> <u>MC</u>	<u>5</u>
2015-539. AUTHORIZE the Town Attorney to execute a retainer agreement for professional legal services with Rigano LLC. (Re: 29 Green Street LLC and 227 Main Street LLC vs Town of Huntington)	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-BT8. ENACTMENT: APPROVE 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: John Rittenhouse Location: 285 Asharoken Ave., Asharoken, N.Y. S.C.T.M. #0401-005.00-02.00-007.001 & 005.000.</p>	<u>FP</u>	<u>EC</u>	FP-AYE EC-AYE MC-AYE TE-AYE <u>SB-ABSTAIN</u>
<p>2015-BT9. ENACTMENT: APPROVE 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: John Rittenhouse Location: 285 Asharoken Ave., Asharoken, N.Y. S.C.T.M. #0401-005.00-02.00-007.001 & 005.000.</p>	<u>TE</u>	<u>EC</u>	TE-AYE EC-AYE FP-AYE MC-AYE <u>SB-ABSTAIN</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: NOVEMBER 5, 2015

RESOLUTIONS:

OFF. SEC. VOTE

2015-CD

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: NOVEMBER 5, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-LDC10 AUTHORIZE the Chair to engage Barry D. Lites, Esq., of the Law Firm
Barry D. Lites LLP to provide legal services for the corporation.

FP SB 5

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: NOVEMBER 5, 2015**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: William Martens, III for Del Frisco’s Grille of New York LLC (160 Walt Whitman Rd., Huntington); From: Yi Fan Wang for Azuma Sushi Inc. (239 Broadway, Huntington); From: Albert Salese for Eatalia, Inc. (34 New Street, Huntington); From: Patrick DeLuca for corp to be formed (332 East Jericho Tpke, Huntington Station) From: Patrick DeLuca for Acacia (371 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: Shu Fang Cao for Yokohama Japanese Cuisine Restaurant; From: Jeff Egan for Changing Times Ale House; From: Tom Lam for Nisen Sushi of Commack;
Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Letter received from William Nimmo, Assistant Superintendent for Business, for the Harborfields Central School District, attached was a copy of the 2015/2016 School Budget and a completed tax levy form.
Supervisor
Town Board
cc: Town Attorney
4. Copy of a Public Notice for the Village of Huntington Bay, Zoning Board of Appeals, received from Village Administrator, Gail Devol. The hearing will be held on October 15, 2015 at 7:30 PM at Village Hall. The following properties will be reviewed at the meeting: 38 Bay Crest, 9 Beach Drive, 228 Vineyard Road and 2 Valley Drive.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Copy of a Public Notice for the Inc.Village of Laurel Hollow, Board of Zoning Appeals, received from the Chairman, Russell Mohr. The hearing will be held on October 21, 2015, at the Village Hall. The following properties will be reviewed at the meeting: 4 Waylor Lane and 1484 Laurel Hollow Road.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Email received from Danny Ballentine, addressed to Stephen McGloin and Jo-Ann Raia. The email thanks Mr. McGloin for the traffic signs placed on Melville Road. The writer would also like to have 20 MPH signs placed beneath all the curve ahead signs.
Supervisor
Town Board
cc: Town Attorney
7. Fax received from Kevin O’Brien, Esq. of Murphy, Bartol & O’Brien, LLP regarding Speedway LLC/Hess Corporation – Service Station #32485 located at 412 Fort Salonga Road in Northport. There is a Change of Zone Application pending for the company. Mr. O’Brien would like the application to be put on hold so that he could meet with the neighbors and address their concerns. Attached was a copy of the Planning Board’s decision on this matter. Mr. O’Brien indicates that the Planning Board approved this application based upon certain recommendations, which his client has agreed to.
Supervisor
Town Board
Town Attorney 1
Engineering Services
cc: Planning & Environment

8. Letters received in opposition of the proposed budget cut to the Huntington Community First Aid Squad from: Jeffrey Wang, Javier Cruz, Chris D'Eandre, Robert Scalza, Jr., Anthony Rodolico, Laurie Reeves, G. Steinger, Anthony Luck (name illegible), Matt Bruce, Ona Mastroianni, Jeff Calderone, Theresa Franz, Margaret Coyle, Rubina Hedrigan, Todd Atkin, Tim Quigley, Peter Wakelski, Anne Gabriel, Claire Tesoriero, Andrew Taylor, Michael Marlan, Jonathan Menard, Cynthia Feliciano, Jaime Calderone, Brenda Stearns, Ellen Donofrio, Cesar Rosales, George Thompson, William Briggs, Robert Franz, Darren Sposata, Chris Franz, Janice Calderone, Shelby Clark, Cheryl Calderone, Bobby Vergis, Tracy Calderone, Steve Calderone, Tina Stewart, John Hadrigan, Peggy Vergis, Mary Calderone, Danielle Otto, Margaret Cornelius, Michael Golinsky, Jr., Michael Capotosto, Ron Donofrio, Randy Maraj, Harry Stearns, Joan Franz, Linda Osborn DeWitt, Linda Smith, William DeWitt, Charles Smith, Cecile/Allan Scarsella, Jan Rose, Scott Rose, Chuck/Carol Fisher

Above Distributed to: Supervisor, Town Board, Town Attorney

9. Notice of a Public Hearing received from Catherine Romanczyk, Secretary to the Board of Zoning Appeals, Village of Northport hearing will be held on October 28, 2015 at 7:00 PM at Village Hall. The following properties will be involved in the hearings: 99 Bayview Avenue, Northport; 81 Fort Salonga Road, Northport; 4 Malcolm's Landing, Northport; 30 Burr Avenue, Northport; 49 Terry Road, Northport; and 133 Laurel Avenue, Northport.

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

10. Copy of a letter of resignation sent to Supervisor Petrone from Sarah Bean Apmann. Ms. Bean Apmann resigned from the Huntington Historic Preservation Commission. The letter was dated August 27, 2015.

Town Board
cc: Town Attorney

11. Letter received from Michael Corso, NYS Office of Consumer Services, Consumer Advocate and Director, regarding Public Hearings that will be held in various locations throughout the State, seeking consumer input regarding the state Public Service Commission's "Reforming the Energy Vision (REV)" proceeding. Also attached was an article titled "About Reforming the Energy Vision".

Supervisor
Town Board
Town Attorney
Engineering Services
cc: T. Kinsley, Traffic & Transportation

12. Email received from James Copland regarding the commuter parking lot in Northport. The writer indicates that there are many vehicles without proper permits taking spots and not receiving violations.

Supervisor
Town Board
Town Attorney
cc: Public Safety

13. Public Notice received from Gail Devol, Village Administrator for the Incorporated Village of Huntington Bay, regarding a Board of Trustees hearing to be held on 10/19/2015 at 7:30 PM. The following properties will have hearings: 225 Vineyard Road and 5 Heckscher Drive.

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

14. Letter received from Michael Kane, Chairman of the Town of Babylon Zoning Board of Appeals, regarding a public hearing to be held on October 29, 2015 at 6:30 PM for the following property which is located within 500' of the Town of Huntington property line: 55 Engineers Lane in Farmingdale. A copy of the application, maps, disclosure, property owner's endorsement and short environmental assessment form.

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

15. Letter received from the Board of Directors of the Huntington Community First Aid Squad, addressed to Supervisor Petrone, requesting an emergency meeting between the Huntington Town Board and the Board of Directors of the HCFAS to discuss the proposed budget cuts to this agency.

Town Board
cc: Town Attorney

16. Letter, hand delivered, from Liz Beach, District Secretary/Treasurer for the Cold Spring Harbor Fire District, attached was a copy and certification of the adopted budget for 2016.

Supervisor
Town Board
cc: Town Attorney

17. Letter received from Nancy McFadzen, Secretary for the Commack Fire District, attached was the final budget for 2016, a certification of the budget and a copy of Resolution #115 which adopted the budget. (cc'd Comptroller)
- Supervisor
Town Board
cc: Town Attorney
18. The following was hand delivered by Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District: Certification of 2016 Budget, Commissioners Certification of the 2016 Budget and a copy of the adopted 2016 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
19. Letter received from Kerri O'Brien, CEO of the NY State Liquor Authority, regarding a Public Hearing to be held on November 5, 2015 at 11:00 AM at 317 Lenox Avenue, NY, NY, 4th Floor, regarding a liquor license for an establishment to be located at 26 Clinton Avenue in Huntington. The hearing is being held because the proposed establishment is located within a 500' radius of at least 3 other establishments with liquor licenses.
- Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
20. Letter hand delivered by Karla Wright, Secretary for the Huntington Fire District, attached was a final budget summary, appropriations, estimated revenues and a budget certification.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
21. Letter, hand delivered, from Todd Cohen, Secretary for the Dix Hills Fire District, attached was a copy of the approved 2016 Budget and also a Certification of the 2016 Budget. (Copy was given to the Comptroller by T. Cohen)
- Supervisor
Town Board
cc: Town Attorney
22. Letter hand delivered from Leigh Ann Varese, Secretary/Treasurer for the Centerport Fire District, the letter advised the adopted budget amount for 2016. (letter was addressed to the Comptroller).
- Supervisor
Town Board
cc: Town Attorney
23. Letter received from Anne Marie Marone Caliendo, Assistant Superintendent for Finance and Facilities, for the Half Hollow Hills Central School District, attached was a copy of the 2015/2016 School Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
24. Letter, hand delivered, from Loretta Guglielmino, regarding Platt's property at the corner of 25A and Park Avenue. This letter was written as a response to a Town of Huntington Appellate Meeting with the Huntington Historic Commission and Developer of Platt's property. The letter indicates that they were allowed to attend this meeting but were not permitted to comment ; they were advised to submit any comments to the Town Board. The writers letter addresses her concerns regarding this project.
- Supervisor
Town Board
Town Attorney
Historian
cc: Planning & Environment
25. Petition hand delivered by the Law Offices of Albert Natoli, addressed to the Commissioner of Suffolk County Sewer Agency, Gilbert Anderson and Frank Petrone, Supervisor of the Town of Huntington. The petition is to increase the rates it charges its customers in the Town of Huntington.. The Greens at Half Hollow LLC provide sewerage services to the Greens at Half Hollow Home Owners Association and various other entities.
- Supervisor
Town Board
Town Attorney
cc: Engineering Services
26. Emails received from James McGoldrick regarding various housing issues in the Town of Huntington. (cc'd Supervisor, Town Board and Public Safety)
- cc: Town Attorney

27. Two legal notices received from Karen Navin, Clerk-Treasurer for the Board of Trustees for the Incorporated Village of Laurel Hollow, regarding Public Hearings to be held on November 12, 2015 at 7:30 PM at Village Hall. The following issues are will be heard:
 A-Introductory Local Law G-2015 which would enact a new Chapter 51 – Filming
 B-Application submitted on behalf of Cold Spring Harbor Laboratory for a wetland permit to construct a gabion basket wall. Supervisor
 Town Board
 Town Attorney
 Engineering Services
cc: Planning & Environment
28. Letter received from Susan Racine, Secretary/Treasurer for the East Northport Fire District regarding the approved budget for 2016. Included was a Summary of the Budget, an Appropriations listing and an Assessed Valuations form. Supervisor
 Town Board
 Town Attorney
cc: Comptroller
29. Letter received from Edward Flynn, District Treasurer for the Melville Fire District, regarding the approved 2016 budget. A copy of the budget was attached. Supervisor
 Town Board
cc: Town Attorney
30. Email received from Matthew Casamassima. Attached was a letter regarding his support for the dock application at 285 Asharoken Avenue. Mr. Casamassima wrote this letter to reverse his prior opposition to this project. (cc'd Supervisor, Town Board) Town Attorney
 Maritime Services
 Engineering Services
cc: Planning & Environment
31. Email/letters received in opposition of the proposed dock to be located at 285 Asharoken Avenue, the premises owned by John Rittenhouse
 The letters/emails were sent from: Robert Holmes, Emily Gaar, Joseph Pollaci, Sergio San José ,Mary Jane/Keith/Patricia/Stephen Macartney, John/Pat Irving, Jane Snyder, Nadine/John Dumser, Christine McClay, Rich Losee, Lisa Dawn Angerame, Claire Sarser, Ira Goodman . (cc'd Supervisor/Town Board) Town Attorney
 Maritime Services
 Engineering Services
cc: Planning & Environment
32. Letter from Kristi Cartolano, Secretary for the Eaton's Neck Fire District, hand delivered; attached was a copy of the 2016 approved budget. Supervisor
 Town Board
 Town Attorney
cc: Comptroller
33. Email received from Nick DiVico expressing, once again, his opposition to the rezoning of property located at the corner of 25A and Park Avenue. Attached were previous emails he had submitted and also a link to a website ipetitions.com that has 634 names against this project. Email also received from Chris Voulgaris in opposition. Town Attorney
 (cc'd Supervisor/Town Board). cc: Planning & Environment
34. Anna Pollaci hand delivered 19 letters in opposition to the Rittenhouse Dock in Asharoken. (cc'd Supervisor/Town Board) Town Attorney
 Maritime Services
 Engineering Services
cc: Planning & Environment
35. Emails received from Robert Holmes and Anna Pollaci expressing their thanks to Supervisor Petrone, Deputy Supervisor Pat Del Col, Town Attorney Cindy Elan-Mangano and Public Information Officer A.J. Carter thanking them for visiting Asharoken and listening to their opinions on the proposed Rittenhouse Dock. Town Board
 Maritime Services
 Engineering Services
cc: Planning & Environment
36. Email received from Heather Mammolito of the Elwood Taxpayers Association, attached was a letter from James Cameron, President of the Elwood Taxpayers Association regarding the rezoning of property located at the northeast corner of Manor Road and Jericho Turnpike. Town Attorney
cc: Planning & Environment

37. Letter hand delivered from Candice Thomson, Treasurer for the Huntington Manor Fire Department, attached was a Certification of Public Record and a copy of the adopted 2016 budget.

Supervisor
Town Board
Town Attorney
cc: Comptroller

38. Letter hand delivered, from Jason Stern of Weber Law Group, representing various business owners on Jericho Turnpike. The letter is regarding the Syndicated Ventures Change of Zone Application and their request to have it removed from the 11-5-2015 Agenda.

Supervisor
Town Board
Town Attorney
cc: Planning & Environment

2015-492

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXTEND A LICENSE AGREEMENT WITH STARFLOWER EXPERIENCES, INC. FOR EDUCATIONAL USE OF MANOR FARM PARK

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, on March 31, 2000 the Town acquired as its first acquisition under the Environmental Open Space and Park Fund Program a parcel identified as SCTM# 0400-212-01-045.001, known locally as Manor Farm; and

WHEREAS, in response to a subsequent request for proposals, Starflower Experiences, Inc., a qualified non-profit organization currently having an office at 13 Birch Street, Wyandanch, New York, 11798, submitted a proposal for educational use of Manor Farm Park that, following thorough review, was recommended to the Town Board by the Environmental Open Space and Park Fund Review (EOSPA) Committee; and

WHEREAS, following a public hearing on May 8, 2001, a license agreement with Starflower Experiences, Inc. for this purpose was authorized by the Town Board (Resolution 2001-328) and executed by the Supervisor; and

WHEREAS, two consecutive five-year extensions of the license agreement with Starflower Experiences, Inc. for this purpose were subsequently authorized by the Town Board (Resolution 2004-736 and Resolution 2010-575) and each was executed by the Supervisor; and

WHEREAS, an amendment of the license agreement with Starflower Experiences, Inc. in order to provide for establishment of a demonstration site for small-scale agriculture at this site was authorized by the Town Board (Resolution 2011-378) and executed by the Supervisor; and

WHEREAS, pursuant to the terms and conditions of the present license agreement, Starflower Experiences, Inc., has requested a further five-year extension of the agreement beyond its current termination on December 31, 2015; and

WHEREAS, Starflower Experiences, Inc. has fulfilled all terms and conditions of their current license agreement, serving capably as a good steward of this property and a good neighbor with the community; and

WHEREAS, the Town Board desires to extend this license agreement in order to continue this satisfactory stewardship and to encourage the provision of environmental educational programming to the citizens of Huntington, and

2015-492

WHEREAS, the extension of the license agreement with Starflower Experiences, Inc. for educational use of Manor Farm Park is a Type II action pursuant to 6 N.Y.C.C.R.R. Section 617.5(c)(20) and (c)(26) and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to extend its current license agreement with Starflower Experiences, Inc. for educational use of Manor Farm for a term to expire on December 31, 2020, along with execution of any and all documents in connection therewith, on such other terms and conditions as determined by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-493

RESOLUTION AUTHORIZING THE SUPERVISOR TO ASSIGN THE CONTRACT WITH MINDSPRING PARTNERS, LLC D/B/A BRICKS 4 KIDZ TO XPANDING MINDS INC.

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by **COUNCILMAN COOK**

WHEREAS, pursuant to Town Board Resolution 2014-579, the Town of Huntington authorized the execution of a contract with Mindspring Partners, LLC. D/B/A Bricks 4 Kidz to conduct an enrichment program utilizing Lego bricks to build and construct buildings and machines; and

WHEREAS, the contract between the Town and Mindspring Partners, LLC prohibits the assignment of the contract without prior written consent of the Town Board; and

WHEREAS, Mindspring Partners LLC. D/B/A Bricks 4 Kidz, P.O. Box 23, Centerport, NY 11721, has submitted a written request to that its contract be assigned to Xpanding Minds, Inc., P.O. Box 23, Centerport NY 11721; and

WHEREAS, the Town will continue to provide the location, assist with promotion, and will receive 15% of the revenue derived from program registration from Xpanding Minds Inc.; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute the assignment of the contract with Mindspring Partners, LLC. D/B/A Bricks 4 Kidz to Xpanding Minds Inc., P.O. Box 23, Centerport, NY 11721, to conduct Lego enrichment programs for the Town of Huntington. The contract period will be effective upon execution of the assignment for the balance of the contract period ending June 1, 2017 with a one (1) year option to renew at the discretion of the Town with (15%) fifteen percent of the revenue derived from program registration to be deposited into Revenue Code A2006 and upon such other terms and conditions that may be acceptable to the Town Attorney.

2015- 493

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE PROVISION OF PROFESSIONAL ICE SKATING INSTRUCTION AT THE DIX HILLS PARK ICE RINK FACILITY

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: SUPERVISOR PETRONE

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

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

WHEREAS, contracts with the skating professionals will expire on December 31, 2015; and

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

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the following Ice Skating Professional for the provision of ice skating lessons and instructional programs at the Dix Hills Park Ice Rink for the period January 1, 2016 through December 31, 2016:

Jake	Bichko	16 Burns Ave, Melville, N.Y. 11747
Daniel	Bivona	88 Parkdale Drive, North Babylon, N.Y. 11703
Montana	Browne	55 Clover Ave, Farmingville, N.Y. 11738
Charlotte	Caruso	1046 Baldwin Road, Dix Hills, N.Y. 11746
Tony	Colombo	108 Boxwood Drive, Kings Park, N.Y. 11754
Craig	Cassano	50 - 15 217 th Street, Bayside Hills N.Y. 11364
Jordan	Cowan	513 West 157th Street, New York, N.Y. 10031
Rosemarie	Coyle	P.O. Box 256, Greenlawn, N.Y. 11740
Andy	Cozzi	24 Burns Court, Greenlawn, N.Y. 11740
Barbara	Deluca	1512 Court North Dr., Melville, N.Y. 11747
Lou	Deluca	6 Perri Place, Dix Hills, N.Y. 11746
Joelle V.	Forte	90 Marion Ave, Merrick, N.Y. 11566
Jack	Greig	77 Madison Circle, Middle Island, N.Y. 11953
Brooke	Halloran	18 Mike Lane, Smithtown, N.Y. 11787
Ken	Hoey Coaching Inc.	326 Oakwood Road Huntington Station, N.Y. 11746

Benoit	Hogue	488 Village Oaks Lane, Babylon, N.Y. 11702
Adam	Leib, Inc	10 St.John Place, Port Washington, N.Y. 11050
Melissa	Levine	31 Kinsella Street, Dix Hills, N.Y. 11746
Ashley	Lombardi	24 Yellow Top Lane, Smithtown, N.Y. 11787
Kristie	Lynch	102-20 67th Drive #306, Forest Hills, N.Y. 11375
Stars N Skates	Tara Maceiko	49 Kendrick Lane, Dix Hills, N.Y. 11746
Melinda	Maidel	37 Spinner Lane, Commack, N.Y. 11725
Nicole	Maltese	363 Twilight Lane, Smithtown, N.Y. 11787
Kathy	Martinelli	124 LoneOak Drive, Smithtown, N.Y. 11787
Alicia	Narby	4 Knollwood Road, Huntington, N.Y. 11743
Corinne	Raile Heilbrun	52 Ridge Drive, Plainview, N.Y. 11803
Amy	Rivers	9 Leonard Street, Nesconset, N.Y. 11767
Adam	Ross	210 Ocean Ave, Massapequa, N.Y. 11758
Rachel	Roye	203 Oakwood Road, Huntington, N.Y. 11743
Renee	Siano	7 Scott Drive, Smithtown, N.Y. 11787
Dawn	Sikorski	22 Sugarwood Lane, Commack, N.Y. 11725
Arleen	Saxon	10 Seward Drive, Woodbury, N.Y. 11797
Victor	Troiano	28 Windsor Street Islip, N.Y. 11751
Kenny	Uher	62 40th Street, Islip, N.Y. 11751
Andrew	Veglucchi	1 Himmel Court , Coram, N.Y. 11727
Marissa	Wedlock	859 Pine Ave, West Islip, N.Y. 11795
Jaime	Wendt	189 Burlington Ave, Deer Park, N.Y. 11729
Barbara	Williams	26 Primrose Lane, Kings Park, N.Y. 11754
Ron	Winicki	5 Buccaneer Lane, Setauket, N.Y. 11733

FURTHER AUTHORIZES the Supervisor to execute all necessary documents in connection therewith and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	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.

2015-495

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE LICENSE AGREEMENT FOR THE LEASE OF PRIVATE LOCKER ROOM SPACE AT DIX HILLS PARK ICE RINK WITH THE LONG ISLAND REBELS

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Town Board Resolution 2012-417 granted a three (3) year license agreement to the Long Island Rebels, P.O. Box 1041, Huntington, New York 11743 for the lease of private locker room space at Dix Hills twin ice rink, RFP No. 2012-07-007; and

WHEREAS, said contract provides for three (3) one (1) year extensions at the same terms and conditions; and

WHEREAS, the Long Island Rebels have requested the first one (1) year extension at the same prices, terms and conditions as the original Request for Proposal; and

WHEREAS, the authorization to extend a license 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 license agreement, and any documents in connection and related therewith, with the Long Island Rebels for the lease of private locker room space at Dix Hills twin ice rink. The Town will receive annual revenue of \$9,600.00, to be deposited into revenue account A2065 for a one year period commencing on February 22, 2016, 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.

2015-496

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE TOWN OF HUNTINGTON AND TO EXECUTE AN EXTENSION TO THE CONTRACT WITH FUOCO GROUP, LLP, TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE HUNTINGTON HUMAN SERVICES INSTITUTE, CULTURAL AFFAIRS INSTITUTE & YOUTH BUREAU INSTITUTE, AND APPOINT EACH AS OFFICIAL TOWN AUDITORS TO PERFORM SAID ACCOUNTING AND AUDITING SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015.

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Town Board Resolution 2013-567 authorized the Supervisor to execute a contract with Cullen & Danowski, LLP for professional auditing and accounting services for the Town of Huntington and Town Board Resolution 2014-447 awarded the first extension to the contract; and

WHEREAS, Town Board Resolution 2013-567 authorized the Supervisor to execute a contract with Fuoco Group, LLP for professional auditing and accounting services for the Huntington Human Services Institute, Cultural Affairs Institute, and the Youth Bureau Institute and Town Board Resolution 2014-447 awarded the first extension to the contract; and

WHEREAS, said contracts provide for four one (1) year extensions upon mutual consent of both parties; and

WHEREAS, Cullen & Danowski, LLP and Fuoco Group, LLP have requested the Town Board's approval for the second one (1) year extension of the contract; 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 contract and any documents in connection and related therewith with Cullen & Danowski, LLP and appoint same as official Town Auditors to perform accounting and auditing services for the Town of Huntington for the fiscal year ending December 31, 2015 for an amount not to exceed the sum of EIGHTY-TWO THOUSAND TWO HUNDRED TWENTY FIVE AND NO/100 (\$82,225.00) DOLLARS to be charged to Operating Budget Item A1315-4550 for a term commencing January 1, 2016 and terminating December 31, 2016, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

2015-496

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract and any documents in connection and related therewith with Fuoco Group, LLP, and appoint same as official Town Auditors to perform accounting and auditing services for the fiscal year ending December 31, 2015, for an amount not to exceed the sum of THREE THOUSAND FIVE HUNDRED AND NO/100 (\$3,500.00) DOLLARS for the Huntington Human Services Institute; and for an amount not to exceed sum of the sum of THREE THOUSAND AND NO/100 (\$3,000.00) DOLLARS for the Cultural Affairs Institute, both to be charged to Operating Budget Item A1315-4550; and for an amount not to exceed the sum of FIVE THOUSAND FIVE HUNDRED AND NO/100 (\$5,500.00) DOLLARS for the Youth Bureau Institute to be charged directly to the Youth Bureau Institute. Each for a term commencing January 1, 2016 and terminating December 31, 2016 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.

2015-497

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH AN ARTIST FOR DESIGN, FABRICATON, AND INSTALLATION OF A PUBLIC ART PROJECT IN SWEET HOLLOW PARK

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, to enhance the beauty of Huntington and the integration of art throughout our community, the Town Board established a Public Art Initiative for the Town of Huntington in 1998, appointed a nine-member Public Art Advisory Committee and approved related guidelines and procedures (Resolution 2001-550); and

WHEREAS, the Town Board subsequently approved Public Art Plans for 2014 (Resolution 2014-32) and 2015 (Resolution 2014-598) that included the planned development of a public art project in association with the Town's development of Sweet Hollow Park; and

WHEREAS, in accordance with these approved plans and procedures the Public Art Advisory Committee issued a Request for Qualifications (RFQ) from interested artists, the responses to which were subsequently reviewed by an Artist Selection Panel including representatives from the Public Art Advisory Committee, interested stakeholders from the community, and the Town's Open Space Coordinator; and

WHEREAS, the recommendations of the Artist Selection Panel resulting from this review have been forwarded to the Town Board by the Public Art Advisory Committee with their endorsement; and

WHEREAS, the Public Art Advisory Committee proposes that the artist contract be written with distinct phases, requiring subsequent Town Board approval of a detailed design proposal for the project, prior to authorization of fabrication and installation of the work and the major expenditures associated therewith; and

WHEREAS, the installation of a public artwork in this location 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

HEREBY AUTHORIZES the Supervisor to execute an agreement with the recommended artist, Suzanne M. Lee, 715 SE Bidwell Street, Portland, OR 97202, for an amount not to exceed the total sum of EIGHTY-FIVE THOUSAND AND NO/100 (\$85,000.00) DOLLARS, of which not more than TEN THOUSAND AND NO/100 (\$10,000.00) DOLLARS to be charged to the EOSPA account authorized for this project (Resolution

2015-497

2015-417) will be available for expenditure prior to the approval of a detailed Artist's Design Proposal by the Town Board, and on such other terms and conditions as may be acceptable to the Town Attorney.

AND FURTHER AUTHORIZES the Supervisor to execute, in substitution, a similar agreement with the alternate artist as recommended below by the Artist Selection Panel and endorsed by the Public Art Advisory Committee, should the primary artist indicated above withdraw from the project for any reason:

Alternate Artist: Béatrice Coron, 392 Central Park West, #3T, New York, NY 10025

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-498

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HILL'S PET NUTRITION, INC., FOR THE PROVISION OF SCIENCE DIET PET FOOD TO THE HUNTINGTON ANIMAL SHELTER.

Resolution for Town Board Meeting Dated: November 5, 2015

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

And seconded by: **COUNCILMAN COOK**

WHEREAS, Hill's Pet Nutrition, Inc., and the Huntington Animal Shelter desire to enter into an arrangement whereby Hill's Pet Nutrition Inc., 400 SW 8th Street, Topeka, Kansas 66603 provides its "Science Diet" foods exclusively to the dogs being cared for by the Huntington Animal Shelter, and also provides small bags of "Science Diet" for distribution free of charge to each adopted dog; and

WHEREAS, the Hill's Pet Nutrition, Inc. has agreed to provide all pet food at a discounted rate with shipping costs included; and

WHEREAS, the Huntington Animal Shelter has agreed to pay \$14.61 per forty (40) pound bag of Science Diet Canine Adult Advanced Fitness Professional Pack food; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Hill's Pet Nutrition, Inc., for the provision of pet food to the Huntington Animal Shelter, for a term of two years from the effective date of the agreement and renewable for an additional year, unless otherwise terminated, in accordance with such terms and conditions as may be acceptable to the Town Attorney with the cost of the dog food and shipping costs to be charged to Operating Budget Item A3510-4760.

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.

2015-499

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH CASHIN ASSOCIATES, P.C. FOR CONSTRUCTION INSPECTION SERVICES NECESSARY FOR THE WOLF HILL ROAD PEDESTRIAN SAFETY IMPROVEMENT PROJECT

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2013-416 authorized the Supervisor to execute an agreement with Cashin Associates, P.C. to provide construction inspection services related to the Wolf Hill Road Pedestrian Safety Improvement Project; 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 Cashin Associates P.C. for additional services relating to the project; and

WHEREAS, the original contract did not include sufficient contingency monies for out of scope engineering services; and

WHEREAS, performing construction inspection and design service 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 Cashin Associates, P.C. to perform additional work for an amount not to exceed the sum of THIRTEEN THOUSAND SEVEN HUNDRED THIRTY-ONE (\$13,731.00) DOLLARS to be charged to Capital Budget Item No. TT5410-2783-10308, FB505 and NE018 and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT OF SALE AND APPROPRIATING FUNDING NECESSARY FOR ACQUISITION OF TANNENBAUM PROPERTY, FORT SALONGA

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the acquisition of approximately 3.5 acres of the Tannenbaum Property located at 1064 Fort Salonga Road, identified as SCTMs 0400-061.00-01.00-002.000, 0400-061.00-01.00-003.000 and 0400-061.00-01.00-004.001, was recommended by the EOSPA Committee and has been successfully negotiated and contracts of sale will be prepared for signature by all involved parties; and

WHEREAS, the Environmental Open Space and Park Fund Advisory (EOSPA) Committee has recommended that all site improvements should be removed prior to the Town assuming site ownership; and

WHEREAS, prior Town Board resolution supported acquisition of the Tannenbaum Property, and authorized the Supervisor, Town Attorney, Special EOSPA Counsel and Comptroller to take the necessary actions to secure the land in Town ownership; however, specific costs and contract requirements must be met, including, but not limited to: surveys, title insurance, environmental site assessment, removal of existing site improvements, recording of deeds, pro-rated taxes as necessary, and other closing costs reasonably related to the transaction; and

WHEREAS, a public hearing was held on December 9, 2014 pursuant to General Municipal Law §247 regarding acquisition of the subject property; and

WHEREAS, the Town Board issued a Negative Declaration pursuant to SEQRA 6 NYCRR 617 for the potential acquisition by resolution 2014-559 on November 6, 2014;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board authorizes the Supervisor to execute a contract and related documents, on such terms and conditions acceptable to the Town Attorney, to purchase the Tannenbaum Property as identified above for passive park purposes for the benefit of Huntington residents for an amount not to exceed the sum of EIGHT HUNDRED NINETY-SEVEN THOUSAND AND FIVE HUNDRED 00/100 DOLLARS (\$897,500) subject to survey verification, plus closing costs, including but not limited to survey, appraisal, environmental audit, removal of existing site improvements, title insurance, tax adjustment, and taxes prior to exemption; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds in an amount not to exceed the purchase price or EIGHT HUNDRED NINETY-SEVEN THOUSAND AND FIVE HUNDRED 00/100 DOLLARS (\$897,500) subject to survey verification, excluding customary closing expenses, to cover costs related to the Town acquisition of the subject property on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the owner of the Tannenbaum Property and authorizes the Supervisor and/or his designee to execute all documents related to securing such land in public ownership, upon which it is to be identified as parkland on the Town Assessment Roll and mapped as protected open space in the records of the Department of Planning and Environment.

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.

AUTHORIZE THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH SENECA CONSULTING GROUP, INC. FOR PATIENT PROTECTION AND AFFORDABLE CARE ACT ADMINISTRATION

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington wishes to enter into a professional service agreement with Seneca Consulting Group, Inc., to handle reporting and compliance requirements under the Patient Protection and Affordable Care Act ("ACA"); and

WHEREAS, Seneca Consulting Group, Inc., has substantial experience with municipalities and school districts, with the necessary expertise to provide comprehensive tracking, administration and reporting of Affordable Care Act Employer Reporting (Code §6056) Administration; and

WHEREAS, the Town of Huntington wishes to enter into a professional services agreement with Seneca Consulting Group, Inc., for Patient Protection and Affordable Care Act employer reporting administrative services ; and

WHEREAS, the execution of a professional services 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 professional services agreement, and any necessary and appropriate documents in connection therewith, with Seneca Consulting Group, Inc., 111 Smithtown Bypass, Suite 207, Hauppauge, New York 11780, to obtain Patient Protection and Affordable Care Act employer reporting administrative services for a term commencing upon full execution of the agreement and ending on December 31, 2016, for a total fee not to exceed EIGHTEEN THOUSAND FIVE HUNDRED and NO/100 (\$18,500.00) DOLLARS to be charged to Operating Budget Item A1680-4550, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ESTABLISHING AND ADOPTING A LOOK-BACK MEASUREMENT METHOD AND A MEASUREMENT PERIOD, AN ADMINISTRATIVE PERIOD, AND A STABILITY PERIOD FOR PURPOSES OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**
COUNCILMAN GUTHBERTSON

WHEREAS, on March 23, 2010, the Patient Protection and Affordable Care Act ("ACA") was enacted into federal law; and

WHEREAS, the ACA added a new Section 4980H to the Internal Revenue Code, which became effective January 1, 2015, and requires employers with more than fifty (50) full-time employees to offer "affordable minimum essential coverage" which provides "minimum value" to its full-time employees or that it pay a penalty tax, as these terms are defined within the ACA and its implementing regulations; and

WHEREAS, in its capacity as an employer, the Town of Huntington is subject to the provisions of Section 4980H; and

WHEREAS, on February 12, 2014, the Internal Revenue Service and the U.S. Treasury Department published final federal regulations further describing an employers' obligations under the Section 4980H of the Internal Revenue Code; and

WHEREAS, Section 4980H-3 of the final regulations (26 C.F.R. §4980H-3) allows for the use of a look-back measurement method for determining an employee's hours of service and full-time status for purposes of Section 4980H of the Internal Revenue Code; and

WHEREAS, pursuant to Section 4980H-3 of the final regulations, in order to avail itself of the look-back measurement method, the Town of Huntington must determine an initial measurement period, a standard measurement period, an administrative period, and corresponding stability periods that the Town of Huntington will use;

WHEREAS, the adoption of a look-back measurement method and a measurement period, an administrative period, and a stability period for purposes of the Patient Protection and Affordable Care Act is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(27), and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Huntington hereby adopts the look-back measurement method described in 26 C.F.R. §4980H-3 for measuring hours of service and calculating full-time status of all Town of Huntington employees;

AND BE IT FURTHER RESOLVED, that the Town of Huntington, hereby designates the following measurement period(s), administrative period(s), and corresponding stability period(s):

Employee Type	Measurement Period	Administrative Period	Stability Period
All new, variable-hour employees	<i>Initial Measurement Period:</i> Twelve (12) calendar months, which shall begin on the first day of the first month following the employee's start date.	One (1) month period beginning immediately following the end of the initial measurement period and which shall continue through the end of the first full calendar month beginning on or after the end of the initial measurement period.	Twelve (12) calendar months, to begin immediately after the administrative period
All ongoing employees	Standard Measurement Period: Twelve (12) Months, measured from November 1 through October 31	Two (2) months period from November 1 through December 31	Twelve (12) calendar months beginning immediately after the administrative period on January 1 and continuing until December 31

AND BE IT FURTHER RESOLVED, that the Town of Huntington Office of Personnel be hereby authorized and directed to take such action as is necessary to apply said measurement periods, administrative periods, and stability periods, in accordance with the Town of Huntington policy, Federal and State laws and regulations, and the applicable provisions of pertinent collective bargaining agreements.

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: November 5, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

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

Create the following position:

A-1355-1100	Assessment Assistant	\$9,403
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Abolish the following position:

A-1355-1100	Senior Assessment Assistant	(\$12,555)
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Reinstate the following position:

A-1355-1100	Clerk Typist	\$5,663
A-3621-1100	Ordinance Inspector	9,403
A-6772-1100	Senior Citizen Aide I	7,434
B-1620-1100	Clerk Typist	5,663
B-3621-1100	Ordinance Inspector	9,403
B-3622-1100	Ordinance Inspector	9,403

Adjust the following appropriations:

A-1990-1100	Contingency	(\$19,348)
B-1990-1100	Contingency	(24,469)

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 AND CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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 Town of Huntington and the Incorporated Village of Northport have an agreement that authorizes the Town of Huntington Superintendent of Highways to perform in house road rehabilitation and paving services for villages within a town; and

WHEREAS, Incorporated Village of Northport has submitted payment to the Town of Huntington for paving within the Incorporated Village of Northport; and

WHEREAS, the funding of road rehabilitation and amending the Operating and Capital budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(4) (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

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

Increase the following revenue:

DB-2300-2300	Other Government Income	\$14,000
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Increase the following appropriations

HW-5197-2776-FB502	Road Rehabilitation	\$14,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-505

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS AND DECLARE A FIXED ASSET SURPLUS – DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY

Resolution for Town Board Meeting dated: November 5, 2015

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

And seconded by: **COUNCILWOMAN EDWARDS**

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, one such power and duty is to approve all budgetary amendments; and

WHEREAS, Town of Huntington HART Bus was damaged in an accident on July 30, 2015 and the Town of Huntington received insurance recoveries. The bus was FTA funded and the insurance recovery will be utilized in the purchase of a replacement bus; and

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

WHEREAS, The Department of Audit and Control, Division of Purchasing wishes to dispose of the damaged HART #0206, 2011 Starcraft Allstar Paratransit Van, VIN: 1FDFF4FPXADA13142, Asset # 4912 through trade in, public auction, or disposal for scrap, which will be disposed of on an as-needed basis in a manner that proves to be most cost effective to the Town of Huntington; and

WHEREAS, the insurance recovery is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. 617.2(b) and the disposal of surplus government property is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

2015-505

HEREBY AUTHORIZES the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its Special Districts as follows:

Increase the following Revenue

A2680-2680 Insurance Recoveries \$25,000.00

Increase the following Expense

A5630-2315 Buses \$25,000.00

AND BE IT FURTHER RESOLVED, hereby declares the HART #0206, 2011 Starcraft Allstar Paratransit Van, VIN: 1FDPE4FPXADA13142, Asset # 4912 as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scarp

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (HALESITE MARINA NORTH PROJECT)

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, EOSPA funding was allocated by the Town Board previously to conduct a Huntington Harbor walkway feasibility study, for surveying and design of improvements to Halesite Marina and Halesite Marina North, and for Phase I of the Halesite Marina Reconstruction Project, and

WHEREAS, the Town Board authorized execution of a contract for the Halesite Marina Bulkhead Reconstruction by resolution 2015-396 on September 16, 2015, and additional funding is necessary to complete the project as designed, and

WHEREAS, on October 13, 2015 the EOSPA Committee reviewed and voted to recommend support of a neighborhood enhancement nomination from the Director of Engineering Services to fund a portion of the Halesite Marina North Project, specifically the installation of a porous pavers for sustainable storm water management, brick walkway and decorative street lighting, and

WHEREAS, the EOSPA Committee recognizes that the proposed project incorporates elements that were specified in the Huntington Harbor walkway study, and

WHEREAS, the proposed project is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(1 and 2) as it involves repair, rehabilitation and reconstruction of an existing facility (Halesite Marina North and Parking Area); thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE, BE IT

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

2015-506

DEPARTMENT OF ENGINEERING SERVICES

Halesite Marina North Reconstruction Project, not to exceed \$265,000

Support upland improvements associated with reconstruction of Halesite Marina North, specifically porous pavers, brick walkway, and decorative street lighting.

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 COMPTROLLER TO ACCEPT A LONG ISLAND FALL FESTIVAL STAGE RENTAL PAYMENT AND AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – BAND CONCERTS – NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, outside group rental of the Chapin Rainbow Stage results in the Town of Huntington incurring certain expenses not included in the Town’s annual operating budget; and,

WHEREAS, Town Board Resolution #2004-88 approved a Chapin Stage Rental Policy for the collection of certain fees from outside groups for rental of this Town facility in order to offset these unbudgeted expenses; and,

WHEREAS, in accordance with this approved policy a check for FOUR THOUSAND NINE HUNDRED THIRTY-NINE AND 72/100 DOLLARS (\$4,939.72) has been received from the Huntington Township Chamber of Commerce in payment of Stage Rental technical crew expenses associated with use of the Chapin Rainbow Stage from October 9-12, 2015 for performances as part of the Long Island Fall Festival, 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 is not an action pursuant to SEQRA 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 Town Board hereby authorizes the Comptroller to accept the Stage Rental fee payment tendered by the above-referenced group and amend the 2015 Operating Budget nunc pro tunc as follows:

Increase the following Revenue:

A-2006 Parks and Recreation Fee Class \$4,939.72

Increase the following Appropriations:

A-7270.1175 Part-Time Salaries \$4,939.72

2015-507

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.

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

Resolution for Town Board Meeting Dated: November 5, 2015

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

And seconded by: **SUPERVISOR PETRONE**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-510

Schedule 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>
21 Roundtree Drive Melville, NY 11747	0400-272.00-01.00-075.000	Richard A Kollander	10/23/2015	N/A
21 Beaumont Drive Melville, NY 11747	0400-272.00-03.00-011.000	Stuart Goldring Maret Goldring	10/09/2015	N/A
600 5 th Avenue East Northport, NY 11731	0400-116.00-02.00-164.000	Frank J Horn Jr Joan M Horn	10/01/2015	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>
5 Meath Avenue Huntington, NY 11743	0400-193.00-01.00-083.000	George Martin	09/08/2015	175 E Old Country Road Hicksville, NY 11801
21 Roundtree Drive Melville, NY 11747	0400-272.00-01.00-075.000	Richard A Kollander	10/23/2015	N/A
21 Beaumont Drive Melville, NY 11747	0400-272.00-03.00-011.000	Stuart Goldring Maret Goldring	10/09/2015	N/A
10 Faulkner Lane Dix Hills, NY 11746	0400-260.00-02.00-061.001	Reginald Woodard	10/06/2015	N/A

2015-510

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>
21 Roundtree Drive Melville, NY 11747	0400-272.00-01.00-075.000	Richard A Kollander	10/23/2015	N/A
21 Beaumont Drive Melville, NY 11747	0400-272.00-03.00-011.000	Stuart Goldring Maret Goldring	10/09/2015	N/A
111 8 th Avenue Huntington Station, NY 11746	0400-143.00-01.00-066.002	Fredy J Lanier	10/13/2015	N/A

RESOLUTION ACCEPTING DONATION OF LANDSCAPING FROM MAIN STREET NURSERY & FLORIST RE: TRAFFIC ISLANDS ON NYS ROUTE 110, DRAINAGE & ROADWAY IMPROVEMENT PROJECT- PIN NO. 0112.52

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the NYS Department of Transportation has undertaken a drainage and roadway improvement project along NYS Route 110 between Prime Avenue and Youngs Hill Road [NYS Contract No. D261568, Pin No. 0112.52] pursuant to which the Town of Huntington has been granted jurisdiction over the landscape planting, beautification and maintenance of the roundabouts constructed as part of the project; and

WHEREAS, by letter dated June 19, 2015, the Regional Director of the NYS Department of Transportation indicated that the Town was authorized to begin the beautification and maintenance process; and

WHEREAS, Main Street Nursery and Florist, 475 West Main Street, Huntington, NY 11743 has offered to provide landscaping and maintenance services for the area within two (2) traffic circles located within the NYS Route 110 Drainage & Roadway Improvement project – Pin No. 0112.52; and

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

NOW, THEREFORE,

THE TOWN BOARD, HEREBY ACCEPTS the donation of landscape planting and maintenance for the two (2) roundabouts located on NYS Route 110 from Main Street Nursery and Florist, 475 West Main Street, Huntington, NY 11743, upon such terms and conditions as shall be acceptable to the Town Attorney and thanks them for their generosity.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING AN EMPLOYMENT PLAN FOR APPOINTED EMPLOYEES AND ELECTED OFFICIALS TO IMPLEMENT COST SAVING MEASURES AND DEFINE WORK RULES AND BENEFITS

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The Town Board recognizes the significant impact of employee benefit costs on the Town budget and wishes to mitigate that impact wherever possible by reducing benefits costs and increasing cost sharing; and

WHEREAS, appointed employees and elected officials are not covered by a collective bargaining unit and therefore employee benefit levels and work rules are determined by the Town Board; and

WHEREAS, The Town Board wishes to set forth a uniform plan defining work rules and employee benefits for those employees who are not covered by a collective bargaining agreement which includes cost savings measures such as an increase in the employee share of health insurance to 15% of premium costs, elimination of longevity pay and payout of personnel days as well as a reduction of a cash benefit for employees declining health insurance; and

WHEREAS, adopting an Employment Plan for appointed employees and elected officials 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 ADOPTS, an Employment Plan for appointed employees and elected officials to be effective this date in such manner as upon such other terms and conditions that may be acceptable to the Town Attorney

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING VOLUNTEER PARK STEWARDS

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, the Park Stewardship Program, initiated in 1990 and coordinated through the Huntington Conservation Board and the Departments of Parks and Recreation and Planning and Environment, serves a vital purpose of providing surveillance and maintenance support on Town-owned park properties, and

WHEREAS, Town Board-appointed Volunteer Park Stewards file periodic monitoring reports, notify the Town of actual or potential hazards or abuse to the ecological integrity of the park(s), and serve for four years pursuant to Town Code §159-66, and

WHEREAS, the appointment of park stewards is not an action as defined by SEQRA in 6 NYCRR 617.2(b); therefore, no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS Volunteer Park Stewards for specific parks as follows:

CarrieAnn Lindstadt-Iurka	2 Lewis Avenue, East Northport, NY 11731	Veterans Parks Complex
Alissa Sue Taff	11 Equestrian Court, Huntington, NY 11743	Sweet Hollow Park

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 APPROVING A 2016 PUBLIC ART PLAN AND AUTHORIZING THE PUBLIC ART ADVISORY COMMITTEE TO PROCEED WITH ITS IMPLEMENTATION

Resolution for Town Board Meeting Dated: November 5, 2015

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

WHEREAS, the Town Board adopted Resolution 2001-550 on September 25, 2001 approving Public Art Initiative Guidelines and an Administrative Plan, establishing a Public Art Advisory Committee, and appointing members thereto, and,

WHEREAS, the duly appointed Public Art Advisory Committee has submitted a recommended 2016 Public Art Plan in accordance with these guidelines; and,

WHEREAS, it is understood that annual expenditures for the Public Art Initiative cannot exceed the total of funds allocated by the Town Board for the Public Art Initiative (A-7460.4012) in the adopted annual Operating Budget and any subsequent modifications thereof, in combination with such other duly authorized Town or non-Town funds as may be secured for this purpose; and,

WHEREAS, it is further understood that any contract for artist services or permanent acquisition of artwork for the Town of Huntington's Public Art Initiative is subject to final approval by the Town Board; and,

WHEREAS, a Public Art Plan is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Public Art Advisory Committee,

HEREBY APPROVES the 2016 Public Art Plan attached hereto and authorizes the Public Art Advisory Committee to take appropriate steps toward its implementation, including solicitation of related non-Town support, issuance of Requests for Qualifications (RFQ) and/or Requests for Proposals (RFP) as needed, formation of Artist Selection Panels as indicated, and preparation of any resulting artist contracts for final review and approval by the Town Board.

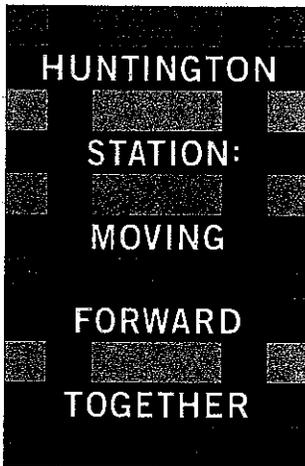
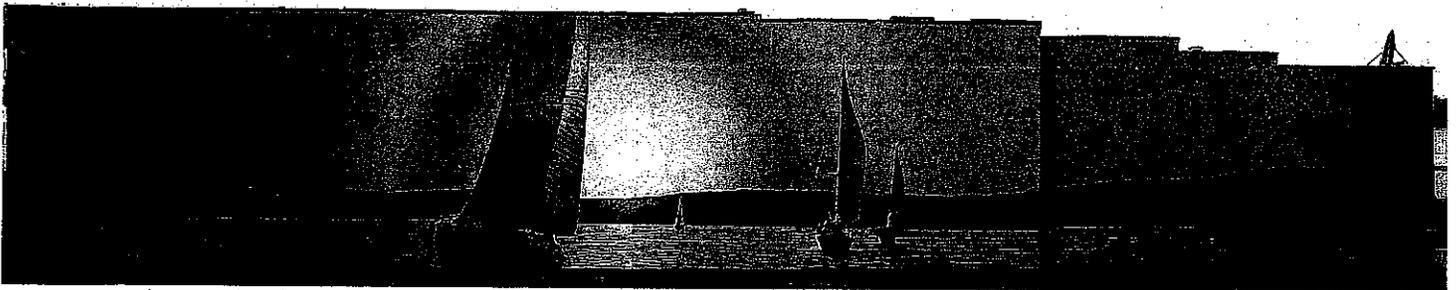
VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
	Supervisor Frank P. Petrone	AYE	
	Councilwoman Susan A. Berland	AYE	
	Councilman Eugene Cook	AYE	
	Councilman Mark Cuthbertson	AYE	
	Councilwoman Tracey A. Edwards	AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

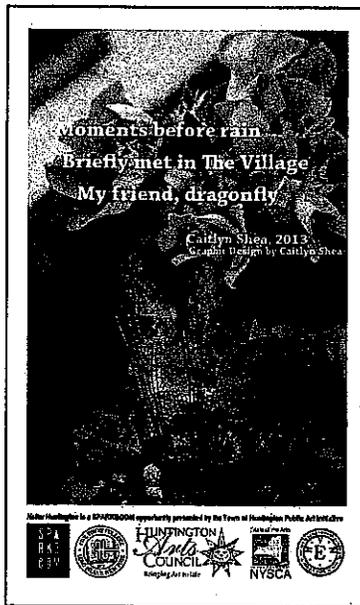
TOWN OF HUNTINGTON – PUBLIC ART INITIATIVE

2016 Public Art Plan

2015-514



Sponsor
Name Here



TOWN OF HUNTINGTON

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

Draft Plan as recommended by the Public Art Advisory Committee on September 2, 2015

2015-514

Public art is a mirror that reflects the local environment, cultural values, and artistic vitality of the community in which it exists.

At its best, public art is more than just art installed in public places. It is a community-based process of dialogue, involvement, and participation. Public art enhances the quality of life for citizens by encouraging a heightened sense of place, enhancing a community's prestige, and enlivening the visual quality of the built environment.

– Lake Douglas, public art consultant
and former public art director at the Arts Council of New Orleans,
from “Public Art Funding” Americans for the Arts (Dec. 2000)

TABLE OF CONTENTS

GOALS1
 Current Challenges.....2
 PUBLIC ART PROJECT ZONES.....4
 Zone 1: Pedestrian Retail Districts4
 Zone 2: Parks, Trails, Waterfront Areas, and Other Recreational Sites4
 Zone 3: Gateways5
 Zone 4: The Transportation Network5
 Zone 5: Route 110 Business Corridor.....5
 PRIORITIZATION OF PROJECTS.....6
 STATUS SUMMARY OF 2015 PLAN PROJECTS7
 2015 PUBLIC ART PROJECT LIST11
 Multi-zone Projects.....11
 Zone 1 Projects: Pedestrian Retail Districts.....11
 Zone 2 Projects: Parks, Trails, Waterfront Areas, and Other Recreational Sites12
 Zone 3 Projects: Gateways.....14
 Zone 4 Projects: The Transportation Network.....14
 Zone 5 Projects: Route 110 Business Corridor.....14
 Executive Summary of Recommended 2016 Public Art Projects15
 PUBLIC ART ADVISORY COMMITTEE.....16

Front Cover (clockwise from the Town Seal):

- Sandy Farkas (Huntington Bay, NY); *Ferrous Equinous*, 2007; Welded steel & chain; Gift of the artist accepted by the Town in 2010.
- Madeline Wiener (Denver, CO); *Generations*, 2013; Adair Limestone; TOH Public Art Initiative Commission for the Huntington Station Plaza.
- *Sailing in Huntington Bay*, 2009; Huntington Community Mural Project in Huntington Village; designed and created by Garin Baker (New Windsor, NY) in cooperation with Project Excel Arts Coordinator Chris Ricco and Project Excel teen apprentices Alex Bodner, Sarah Bregman, Morgan Brown, Jimmy Collins, Gina Fagnoli, Danielle Giangrasso, Jordan Gibbs, Jennifer Hainy, Jesse Hammel, Lindsay Larkin, Alyson Malico, Gabby Morales, Brenna Murdock, Greg Oh, Danni Reinbachs, Joselin Rodriguez, Matt Rueger, Paulina Stewart, Kim Stodinski, Brandon Wall, and Brit Wurtz.
- Teens whose poems were selected for display in the interior advertising spaces of HART buses as part of the 2015 *Poetry for the HART* teen poetry project are recognized by Councilwoman Susan Berland at an Award Ceremony and Poetry Reading at the Walt Whitman Birthplace.
- Caitlyn Shea (Huntington, NY); Untitled "Haiku Huntington" sign (Dragonfly), 2013.
- Ellen Fleury (Huntington Station, NY); *Huntington Station: Moving Forward Together*, 2010; design for digitally printed 3 x 5' light pole banners; a cooperative project with the Huntington Station BID, Huntington Station.

2015-514

TOWN OF HUNTINGTON – PUBLIC ART INITIATIVE
2016 Public Art Plan

GOALS

On September 25, 2001 the Town Board approved Resolution 2001-550 appointing a Public Art Advisory Committee and adopting a “Public Art Advisory Committee Guidelines and Administrative Plan.” These guidelines established the goals of the Public Art Initiative as follows:

The primary goals of the Public Art Initiative are to create a better visual environment for the citizens of the Town of Huntington, Suffolk County, to foster the integration of the design work of artists into the development of Town public works projects whenever appropriate and feasible, and to promote tourism and the economic vitality of the Town through an annual program for the enhancement of public spaces. Specifically the Public Art Initiative seeks:

- To further the mission and goals of the Town of Huntington by providing support and developmental opportunities for artists.
- To select artists for projects whose art and collaborative design efforts represent the highest level of quality and integrity.
- To select artists who will best respond to the distinctive characteristics of the project site and the community the project serves.
- To foster the incorporation of the art and design skills of artists in Town public works projects whenever feasible and appropriate.
- To select artists who can work successfully as members of the overall project design teams.
- To identify and encourage active participation in the Huntington community by artists of Huntington, Suffolk County, and Long Island.

To achieve these goals, the adopted guidelines call for the Public Art Advisory Committee to present for Town Board approval an annual Public Art Initiative Plan, including a prioritized list of prospective projects with estimated project budgets, as well as recommended design approaches and art selection processes for each project.

The following Plan has been developed for the calendar year 2016 and incorporates projects previously approved by the Town Board with adoption of the 2015 Public Art Plan but not completed, as well as projects newly recommended by the Committee. As with prior Public Art Plans, it is anticipated that not all of the proposed projects may be fully realized within this time period. However, their inclusion within the Public Art Plan permits advance planning with other Town Departments and community agencies toward their eventual realization.

Current Challenges

The Town of Huntington Public Art Initiative was established in 1998, with its first project, *Town Hall Mobile*, installed by sculptor Mark Kuhn in the Town Hall lobby the following year. Since its inception through 2011 the Public Art Initiative regularly received line item funding in the annual operating budget approved by the Town Board. Subsequent to its first project this annual allocation, along with additional support secured from other sources and the Town Board's willingness to re-allocate the unexpended funds from prior years' allocations in subsequent operating budgets, has enabled the Public Art Initiative to complete:



Sculptor Mark Kuhn (center) with Supervisor Petrone (left) and Councilman (now Congressman) Steve Israel (right, founder of the TOH Public Art Initiative), at the dedication of its first project, *Town Hall Mobile*, in 1999.

- Inventory of existing public art in Huntington,
- 34 temporary sculpture installations,
- 150 different Poetry for the HART teen poetry placards (2015 winners on cover),
- 5 Huntington Station banner designs (50 banners installed in collaboration with the Huntington Station BID – design for the reverse of banners depicted on cover),
- 3 different “Haiku Huntington” sign designs (36 signs installed in 18 different locations in Heckscher Park, Huntington Village, and Huntington Station.
- 5 different Traffic Signal Box designs (currently being installed on 5 different TOH Signal boxes on Wall Street and Gerard Street in Huntington Village)
- 1 permanent mural commission (see cover), and
- 4 permanent sculpture installations (2 pictured on cover).

However, it is increasingly evident to the Public Art Advisory Committee that funding of the Town's Public Art Initiative through the annual operating budget has certain inherent drawbacks. Although adequate for some short-term projects that can be accomplished within the budget year, even some temporary public art projects span more than one budget cycle, complicating budget management. More complex commissions for the design and installation of permanent public artworks, particularly those coordinated with larger capital improvement projects, frequently take several years to be fully realized, introducing additional challenges when funds are allocated annually in the operating budget.

For example, the initial Request for Qualifications (RFQ) for the Huntington Station Plaza public art project was issued in 2005 and yet that project was only recently completed with the installation of the *Generations* sculpture by Madeline Wiener in April of 2013. Despite the fact that the Town had an executed artist agreement for design, fabrication, and installation of the planned artwork, the ongoing availability of Town funds to meet this contractual obligation was dependent upon the Town Board re-allocating at the beginning of each calendar year unexpended

public art funds allocated in previous years. At one point the Town came within a single vote of failing to re-allocate these funds, which would have resulted in abrupt termination of the project and loss of County Downtown Revitalization grant funds obligated to its completion. Potentially these outcomes would have caused the Town to violate the terms of its artist agreement by being unable to pay all of the contractually obligated expenses incurred prior to the project's termination.

Consequently, the Public Art Advisory Committee is currently in consultation with Town Board members regarding options for establishing both a more predictable, long-term method for providing essential "seed money" for planning future public art projects and better methods for early identification of project opportunities in coordination with relevant Town Departments. Inter-departmental cooperation in timely project identification is essential to ensuring sufficient time for project planning. A predictable base level of "seed money" for project planning is necessary to successfully secure additional monies from outside sources for full implementation of projects.

Meanwhile, the 2016 Public Art Plan that follows is based on the assumption that the Town Board will continue its past practice of re-allocating in the annual operating budget unexpended funds from prior years' public art allocations, as well as the expectation that additional funds necessary for implementation of projects in the interim will be secured from other sources.

PUBLIC ART PROJECT ZONES

The Public Art Advisory Committee has found it helpful to delineate five different *Public Art Project Zones* to focus thought about prospective public art project sites. Each zone has certain common elements that help to define its geographic and architectural character and shape its public use. They have been selected for their potential for providing appropriate sites for public art, based on this character and usage. However, these zones should be taken merely as starting points for evaluating and prioritizing existing and potential sites. The boundaries for each zone are loosely defined and may change over time. Indeed, the delineation of these zones should not preclude the possibility of identifying new zones and/or appropriate independent project sites in other areas of the Town.

1. Pedestrian Retail Districts

This zone is comprised of five distinct, geographically separate districts, linked only by common characteristics of usage and architectural scale. Typically encompassing a mix of retail, restaurant, and some public buildings, these “downtown” village districts, by their nature, encourage frequent pedestrian traffic:

- Cold Spring Harbor (Business Improvement District)
- Greenlawn (Broadway from Pulaski to the Harborfields Public Library and adjacent properties)
- Huntington Station (Business Improvement District & Revitalization Project Catchment Area)
- Huntington Village (Business Improvement District)
- Northport Village (Incorporated Village)

The districts within this zone provide significant opportunities for public art projects to enrich the public’s experience of these unique village areas. Integration of small-scale works into building facades, sidewalks, or alleys can provide visual surprises, humor, and/or historical references to the area. Murals, mosaics, and freestanding abstract or representational sculpture are among the many approaches that could be used successfully in this environment. Unique, artist-designed, architectural elements (e.g. artist-designed ceramic tiles, benches, planters, or streetlights) could also be created to enhance a district’s special character. Because of the pedestrian nature of this zone, artwork can frequently be of human scale, although work of monumental scale may be appropriate in selected locations.

2. Parks, Trails, Waterfront Areas, and Other Recreational Sites

Huntington’s parks, trails, waterfront areas, and other recreational sites are natural gathering points for the community engaged in leisure-time activities. Public artworks in these settings can enrich people’s experience in a variety of ways appropriate to both passive parkland and active recreational environments. Artist-designed functional elements (e.g. unique paths, benches, play equipment, or water features) can make a distinctive contribution to recreational areas, sometimes providing humorous, interactive, or restful elements to these environments. Public art can also provide a historical context or spiritual connection to the site, sometimes serving as gateways or contemplative spaces identified with its unique character. Earthworks, involving creative organization of landscape elements, are often particularly suited to the pastoral nature of sites in this zone, although other sculptural media

can also be used successfully. Because this zone typically involves high levels of public access to sites that may be vulnerable to physical abuse or vandalism, works in this zone should typically be durable, safe, and require little maintenance.

3. Gateways

Entrances to Huntington provide opportunities to define public perception of the character of the community. Public art in this zone – embracing any of a wide range of approaches from abstract to representational – can provide references to the history of the Town, highlight aspects of its unique character, celebrate its diverse constituents, project visions of its future, or announce entry into the community with strikingly unique forms. A wide variety of media and/or design team approaches might be appropriate in this zone depending upon the character of each major gateway into the community.

4. The Transportation Network

Although Huntington is blessed with many pedestrian-friendly village areas, the experience that residents and visitors have with many areas of the Town is defined by its network of roads, parkways, expressways, and mass transit systems. Consequently, bus stops, benches, underpasses, overpasses, and light posts offer visual opportunities to enhance the traveler's journey. Artists can design benches, shelters, and light fixtures to reflect the identity or project images of the surrounding neighborhood. Murals or tile elements can enliven underpasses, and painted metal images can replace barriers on pedestrian bridges and overpasses. The HART bus system and the L.I.R.R. train stations (working in concert with the MTA) also offer unique opportunities for impacting the visual experience of the Town's travelers.

5. Route 110 Business Corridor

Characterized predominantly by privately owned, large-scale, office buildings with essentially no pedestrian traffic, this zone is fertile territory for large-scale public/private partnership projects supported substantially or entirely from non-Town sources. Such public/private projects could include either commissioned works or more temporary siting of works on long-term loan from area artists, or a combination of these methods. However, the architectural scale of the zone, and its accessibility primarily by vehicle, would typically require works of monumental scale using large bold forms, in order to have sufficient presence in this environment. Monumental freestanding sculpture, as well as large-scale works in two- or three-dimensional media – or even large-scale photographic or luminal works – applied or projected directly onto architectural facades are among the appropriate public art approaches in this zone.

PRIORITIZATION OF PROJECTS

Projects have been ranked into three (3) different priority tiers reflecting the recommended urgency of their development:

Tier 1 includes projects that are either ongoing or recommended for immediate implementation,

Tier 2 includes less urgent projects that are recommended to begin active planning, and

Tier 3 projects are anticipated, but least urgent.

These rankings do not necessarily reflect a project's relative importance (i.e. a project with a distant start date or requiring considerable advance planning may be listed as Tier 2 or 3, even though it involves greater complexity, higher budget, and/or a more important site than some Tier 1 projects). Projects within the same tier are felt to be of roughly equal time priority; however, it is understood that this priority ranking is subject to change as new opportunities develop and as work on related public works projects progresses.

In addition, the Committee has identified certain characteristics that tend to enhance the priority ranking of potential projects within the *Public Art Project Zones*:

- Projects in conjunction with upcoming public works construction. Incorporation of public art in the design and/or construction phases of such projects can often achieve public art goals with greater efficiency and cost effectiveness.
- Projects for which there is significant potential for substantial outside sponsorship, including public/private partnership projects and collaborative projects with other governmental agencies.

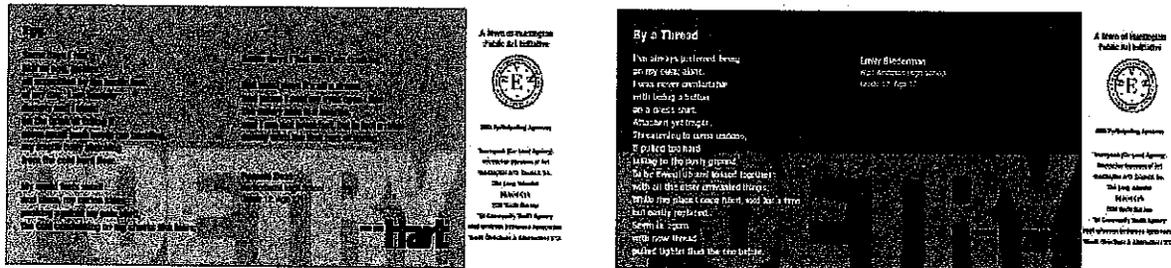
STATUS SUMMARY OF 2015 PLAN PROJECTS

Before listing project recommendations for the 2016 Public Art Plan it is helpful to review the status of those projects approved in the 2015 Plan as uncompleted projects are typically carried forward into the following year's plan:

Tier 1 (Ongoing or Imminent Projects)

- **HART Bus System – Poetry for the HART: (Zone 4) – Estimated Cost: \$2,500**

Status: The Call for Entries issued for the 2015 program yielded 239 entries, from which 12 winning poems were selected, printed and installed in HART buses, and a corresponding award ceremony/poetry reading held. *Total expenditures: \$2,390*



“Egg,” by Pamela Best (Harborfields High School, Grade 12, Age 17) and “By a Thread” by Emily Biederman (Walt Whitman High School, Grade 12, Age 17), two of the twelve winning poems selected for display in the 2015 *Poetry for the HART* teen poetry project. Poetry placards designed by AB Graphics. (See cover for photo of 2015 winners at Award Reception at the Walt Whitman Birthplace).

- **Huntington Awareness Day Public Art Projects: (Zone 1) – Est. Cost: \$200.**

Status: Presentation of the “Chalk Flood,” a community drawing area for Festival participants, is planned for this annual event to be held on September 12, 2015 this year. *Total anticipated expenditures: \$0*

Tier 2 (Projects Beginning Active Planning)

- **Sweet Hollow Park Public Art Project: (Zone 2) – Estimated Cost: \$50,000 - \$100,000 depending upon the direction chosen for development and implementation. EOSPA funding may be sought for this project as part of the park development costs for Sweet Hollow Park.**

Status: Preparation of a RFQ to select an artist for this project is currently underway in consultation with Engineering Services, Parks & Recreation, and the Town’s Open Space Coordinator. The RFQ is expected to be issued early this fall with review of submissions and selection of an artist to follow shortly thereafter. *Expenditures to date: None*

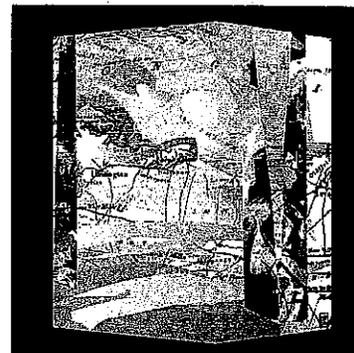
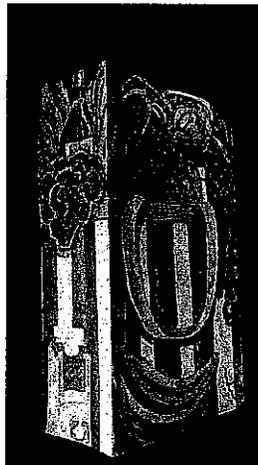
- **Gateway Gardens Artist-Designed Fence Project: (Zone 2) – Estimated Cost: \$45,000**

Status: The Director of Cultural Affairs is representing the Committee on a task force exploring the possibility of creating a nature-based play area in Gateway Park, which could include a public art element or elements. Whether this would include an artist-designed

fence project and/or water element such as the “spray park” proposed elsewhere in the 2015 Public Art Plan has yet to be determined. *Expenditures to date: None.*

- **Traffic-Signal Box Project:** (Zone 4) – *Estimated Cost: \$7,500-\$10,000 (5 boxes @ \$1,500-\$2,000).*

Status: Issuance of an RFP for this project resulted in the selection of 5 designs to be installed on 5 different TOH Signal Boxes on Wall Street and Gerard Street in Huntington Village later this summer or in early fall. *Expenditures to date: None; however, artist contracts either already executed or currently awaiting execution, along with associated POs obligate expenditure of approximately \$8,000 (5 boxes @ \$1,600). NOTE: The Huntington Village BID has pledged to contribute \$1,000 toward this project.*



jack-pierce-image_003a



Clockwise from the upper left: *Sunrise on Huntington Bay* by Robert Giordano (Huntington, NY), *Shopping Bag of Plenty* by Philip Jordan (Greenlawn, NY), *Treescape* by Daniel Cordani (Huntington, NY), *Sewing & Trade Building* by Joseph Scinto (Bayport, NY), and *Untitled (Female Image)* by Jack Pierce (Huntington, NY).

- **“HuntingtonARTstop” Bus Shelter Photography Project:** (Zone 4) – *Estimated Cost: @ \$190 printing + \$200 artist fees per image times 10 images annually for a total of \$3,900*

Status: Tabled to focus on other projects. *Expenditures to date: None*

Tier 3 (Anticipated Projects)

- Huntington Village – Potential Parking Structure Project: (Zones 1 & 4) *Estimated Cost: \$75,000-\$100,000.*

Status: Tabled pending decision regarding need for a parking structure. *Expenditures to date: None*

- Heckscher Park Artist-Designed Fence Project: (Zone 2) *Estimated Cost: To be determined.*

Status: Tabled to focus on other projects. *Expenditures to date: None*

- Huntington Station Armory Recreation Center Project: (Zones 2) *Estimated Cost: To be determined.*

Status: Tabled to focus on other projects. *Expenditures to date: None*

- Huntington Station Hotel Project: (Zones 1 & 3) *Estimated Cost: To be determined.*

Status: Tabled to focus on other projects. *Expenditures to date: None*

- Gateway Gardens Artist-Designed Spray Park*: (Zone 2) – *Estimated Cost: \$40,000 - \$75,000 in addition to base cost for spray park features.*

Status: The Director of Cultural Affairs is representing the Committee on a task force exploring the possibility of created a nature-based play area in Gateway Park, which could include a public art element or elements. Whether this would include a water element such as the “spray park” and/or an artist-designed fence project as proposed elsewhere in the 2015 Public Art Plan has yet to be determined. *Expenditures to date: None.*

- Lamppost Banner Project: (Zone) – *Estimated Cost: \$15,000 (50 banners & mounting hardware @ \$200 + 5 artists @ \$1,000 honorarium) with banner sponsorships tentatively targeted at \$200 per banner.*

Status: Tabled to focus on other projects. *Expenditures to date: None*

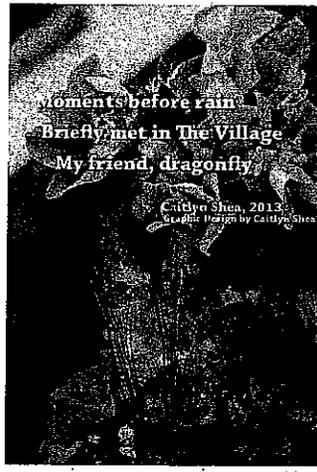
- Huntington Village – Alleyway Projects – (Alleyway TBD): (Zone 1) – *Est. Cost: \$5,000-\$15,000 (shared with adjacent property owners & Village BID).*

Status: Tabled due to lack of owner interest. *Expenditures to date: None*

- “Haiku Huntington” Project: (Zones 1 & 4) – *Estimated Cost: \$12,000 (50 signs @ \$200 plus a \$2,000 consultant fee).*

Status: This SPARKBOOM program was launched in 2013 with issuance of a RFP and selection of 3 winning Haiku from 19 entries received. Production and installation of 36 signs (12 @ for 3 Haiku) was completed in 2014. This project was included in the 2015 Plan

with the expectation that the Committee might issue a second RFP in order to select and install a new set of Haiku signs. However, after further deliberation the Committee decided not to issue a second round RFP at the present time in order to focus resources on other projects. *Expenditures: \$350 in poet/artist honoraria (from NYS grant funds provided to the Huntington Cultural Affairs Institute) plus \$3,853 in Town funds for fabrication and installation of 36 signs; Total Cost: \$4,203 (in 2014); no additional cost for 2015.*

 <p><i>Moments before rain Briefly met in The Village My friend, dragonfly</i></p> <p>Caitlyn Shea, 2013 Graphic Design by Caitlyn Shea</p> <p><small>Public Art Initiative is a SPAR2009 opportunity presented by the Town of Huntington Public Art Initiative</small></p> 	 <p><i>Moonlight serenade Rising over patchwork quilts -- Concert in the park</i></p> <p>Donna McNaughton, 2013 Photo courtesy of the Huntington Arts Council</p> <p><small>Public Art Initiative is a SPAR2009 opportunity presented by the Town of Huntington Public Art Initiative</small></p> 	 <p><i>A kiss on the cheek -- The pink petals fall softly From trees at Heckscher</i></p> <p>Melissa Cowitt, 2013 Photo by Thomas Henton</p> <p><small>Public Art Initiative is a SPAR2009 opportunity presented by the Town of Huntington Public Art Initiative</small></p> 
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- Annual Public Art in the Private Sector Award: (Multi-Zone) – Est. Cost: None

Status: Presented to Reckson Associates in 2004 and subsequently to Cinema Arts Centre, but no additional awards have been presented in recent years. *Expenditures to date: None*

2015-514

2016 PUBLIC ART PROJECT LIST

Uncompleted projects from the 2015 Public Art Plan, with some revisions, form the foundation of the 2016 Plan, along with projects that have typically been implemented on an annual basis. To these have been added selected new projects, resulting in the following recommended project list, grouped by zone:

Multi-Zone Projects:

Tier 3 Public Art in the Private Sector Award (all Zones)*: involving occasional recognition of a private sector entity exemplary in their presentation of publicly accessible art. Award to be presented by the Town Board at a meeting of the Huntington Chamber of Commerce. *Estimated Cost: None*

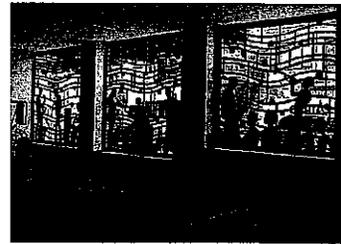
Zone 1 Projects: Pedestrian Retail Districts

Tier 1 Awareness Day Public Art Project*: A “Chalk Flood” featuring a communal drawing area where community members are encouraged to create chalk drawings “flooding” the neighborhood with street art has become a regular part of the annual Huntington Awareness Day Parade & Fair. *Estimated Cost: \$200.*

Tier 3 Huntington Village – Potential Parking Structure Project*: At some point in the future, should the Town of Huntington elect to construct a parking structure in Huntington Village, a major public



Parking structure associated with Denver’s Lowenstien Theater.



The Melody (Beatrice Coron, 2011): Cut metal security barrier screens on a Bronx parking garage.

artwork could help make this structure more visually appealing and user-friendly. Among the design approaches to be considered would be large mural panels, a luminal work turning the structure into changing patterns of color at night, and artist-designed security screens on open areas of the building façade. *Estimated Cost: \$75,000-\$100,000. (Also Zone 4)*

Tier 3 Huntington Station Hotel Project: The LIRR Station in Huntington Station is one of the Town’s major gateways. Renaissance Downtown’s plan for the development of a hotel on Town property immediately across New York Avenue from this important gateway, creates a unique opportunity for the siting of a visually prominent “gateway” public art installation. A wide variety of public art project types could be considered, including diverse kinds of public art elements that could be incorporated into the building façade and/or sculptural elements accenting adjacent sidewalks or other open areas. *Estimated Cost: To be determined. (Also Zone 3)*

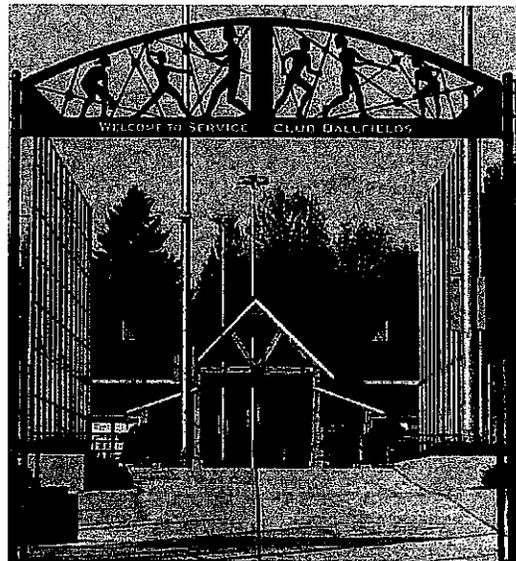
Tier 3 Lamppost Banner Project*: Designs for light pole banners to be installed in a business district or other suitable location in the Town (site to be determined) will be selected from submissions in response to an RFP. Banner sponsors would be solicited to support project costs and would be credited at the bottom of each banner. *Estimated Cost:*

\$15,000 (50 banners & mounting hardware @ \$200 + 5 artists @ \$1,000 honorarium) with banner sponsorships tentatively targeted at \$200 per banner. (Also Zone 4)

Tier 3 Huntington Village – Alleyway Projects – (Alley TBD)*: Public/private partnership to design and create an appropriate public art enhancement of an alley within this district to be determined in consultation and coordination with the Huntington Village BID. Project may involve a mural on a building façade, banners, sculptural elements and/or other public art enhancements. Design is anticipated to be artist-led, but with a process for incorporation and consideration of community ideas and input regarding mural content. Artist selection is recommended to be made by an appointed selection panel reviewing submissions in response to an RFQ or RFP. *Estimated Cost: \$5,000-\$15,000 per work (may be offset, in part, by support from property owners, Village BID, or other non-Town sources).*

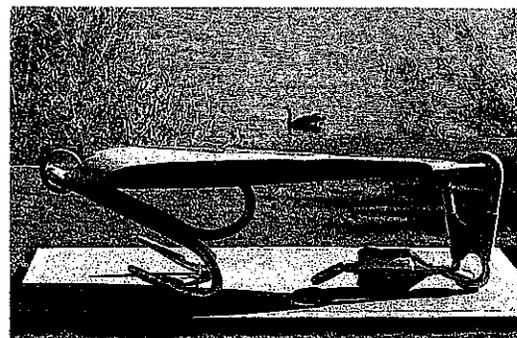
Zone 2 Projects: Parks, Trails, Waterfront Areas, and Other Recreational Sites

Tier 1 Sweet Hollow Park Public Art Project*: Project stakeholders have requested the involvement of the Public Art Advisory Committee in assisting with the planning and development of a public art component that could imaginatively illustrate elements of community history, including the legend of the origin of the name “Sweet Hollow” and the story of multi-party collaboration in the establishment of the park. The Committee is currently preparing to issue a RFQ from artists with appropriate qualifications to design, fabricate and install cut-metal gateway and fence elements visually expressing these narrative elements. *Estimated Cost: \$85,000. EOSPA funding may be sought for this project as part of the park development costs for Sweet Hollow Park.*

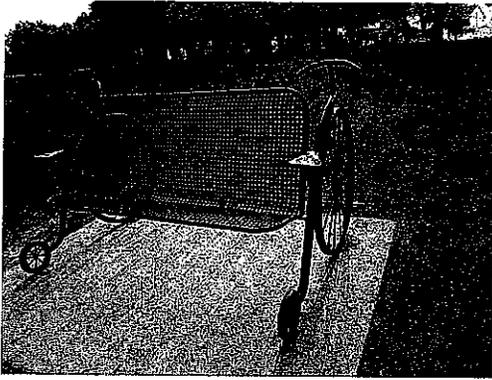


Beatrice Coron; *Have a Ball*, 2006; Cut aluminum; Ballfield entrance, Kent, WA – an example of a unique artist-designed gateway element.

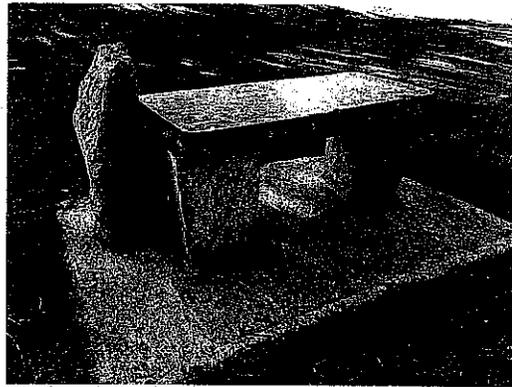
Tier 2 Art Benches Project (Burr’s Lane/Erb Farm Park): Proposals for unique artist-designed park benches would be sought through issuance of a RFP. *Estimated Cost: \$4,000 - \$5,000 per bench with total number of benches yet to be determined. Funds from community may be sought to “sponsor” individual artist-designed benches approved for this project.*



Jason Brown; *Al-lure*, 2010; Idaho Falls, ID.



www.snakeriverrustic.com; *Oh, the Places You'll Go*, 2011; Idaho Falls, ID.



Carol Skvorak; *River Rock*, 2005; Idaho Falls, ID.

Tier 2 Gateway Park Nature-Based Play Area Project(s)*: The artist-designed fence project and artist-designed spray park project previously proposed for this Park have temporarily been combined under the umbrella of the development of a Nature-Based Play Area. However, it has not yet been determined what public art elements might be proposed for incorporation into the Play Area project. *Estimated Cost: To be determined.*

Tier 3 Heckscher Park Artist-Designed Fence Project: An artist will be selected from respondents to an RFQ to design unique cut metal fence panels and/or arched gateway elements to be installed at key openings in the Heckscher Park perimeter fence. These artistic components will feature imagery celebrating the many diverse recreational and artistic activities that take place in the Town's most heavily used Park. The project would be coordinated with either the Heckscher Museum's planned facility expansion or possibly a more near-term upgrade of selected portions of the Park's perimeter fence. Some support from the Heckscher Museum of Art's Capital Building Fund may possibly be available for this project. *Estimated Cost: To be determined.*



Beatrice Coron; *Wild Flowers*, 2009; Cut and painted metal; Melrose Commons, South Bronx, NY – an example of unique artist-designed fencing.

Tier 3 Huntington Station Armory Recreation Center Project: As what is poised to become Huntington's newest Recreation Center serving an area of the community in great need of such facilities, this development project offers many opportunities for public art celebrating the rich diversity of our Town and the importance of recreation to our quality of life. Further planning and community outreach will help determine the most beneficial approach to incorporating public art into the renovation of this facility. *Estimated Cost: To be determined.*

Zone 3 Projects: Gateways

Tier 3 Huntington Station Hotel Project: The LIRR Station in Huntington Station is one of the Town's major gateways. Renaissance Downtown's plan for the development of a hotel on Town property immediately across New York Avenue from this important gateway, creates a unique opportunity for the siting of a visually prominent "gateway" public art installation. A wide variety of public art project types could be considered, including diverse kinds of public art elements that could be incorporated into the building façade and/or sculptural elements accenting adjacent sidewalks or other open areas. *Estimated Cost: To be determined.* (Also Zone 1)

Zone 4 Projects: The Transportation Network

Tier 1 HART Bus System – Poetry for the HART*: This successful annual program selects 10-20 poems submitted by high school students for display in the interior advertising spaces of the HART buses. *Estimated Cost: \$2,500.* (Also Zone 1)

Tier 1 Traffic-Signal Box Project (second round in new locations)*: Artists selected from respondents to an RFP will develop designs for transforming the exterior of selected traffic-signal boxes on roads in Huntington. Designs might include *trompe l'oeil* (fool the eye) paintings of stone planters with flora, pop images such as an oversized crayon box for a signal box near a school, or other imaginative images. This round may explore expansion of this project, with appropriate permission, to traffic-signal boxes on County and State roads in Huntington. *Estimated Cost: \$8,000 (5 boxes @ \$1,600)*



Tier 2 "HuntingtonARTstop" Bus Shelter Project*: Digital photographic images (either original photographs or photographic reproductions of original artworks executed in other two-dimensional media) selected from submissions in response to an RFP will be enlarged and printed as posters for display in unleased advertising space in the Town's Bus shelters in cooperation with Sunrise Advertising. Possible themes for the Project might include "Faces of Huntington," "Creative Moments," "Community Reflections," or other appropriate topics. *Estimated Cost: \$190 printing + \$200 Honorarium per image; projected installation of 10 images per year for a total of \$3,900 annually*

Zone 5 Projects: Route 110 Business Corridor

No projects are recommended at the present time.

**Asterisk indicates a project carried over from a prior annual Public Art Plan approved by the Town Board.*

2015-514

EXECUTIVE SUMMARY OF RECOMMENDED 2016 PUBLIC ART PROJECTS

Tier 1 (Ongoing or Imminent Projects)

- Sweet Hollow Park Public Art Project*: (Zone 2) – *Estimated Cost: \$85,000. EOSPA funding may be sought for this project as part of the park development costs for Sweet Hollow Park.*
- Traffic-Signal Box Project (second round in new locations)*: (Zone 4) – *Estimated Cost: \$8,000 (5 boxes @ \$1,600)*
- HART Bus System – Poetry for the HART*: (Zone 4) – *Estimated Cost: \$2,500*
- Awareness Day Public Art Projects*: (Zone 1) – *Estimated Cost: \$200*

Tier 2 (Projects Beginning Active Planning)

- Art Benches Project (Burr's Lane/Erb Farm Park): (Zone 2) – *Est. Cost: \$4,000-\$5,000 per bench with the total number of benches to be determined. Funds from the community may be sought to sponsor individual artist-designed benches selected for this project.*
- Gateway Park Nature-Based Play Area Project(s)*: (Zone 2) – *Est. Cost: To be determined. (NOTE: The artist-designed fence project and artist-designed spray park project previously proposed for this Park have temporarily been combined under the umbrella of the development of a Nature-Based Play Area. However, it has not yet been determined what public art elements might be proposed for incorporation into the Play Area project.)*
- "HuntingtonARTstop" Bus Shelter Project*: (Zone 4) – *Est. Cost: @\$190 printing + \$200 artist fees per image times 10 images annually for a total of \$3,900*

Tier 3 (Anticipated Projects)

- Huntington Village – Potential Parking Structure Project*: (Zones 1 & 4) – *Estimated Cost: \$75,000-\$100,000.*
- Heckscher Park Artist-Designed Fence Project*: (Zone 2) – *Estimated Cost: To be determined.*
- Huntington Station Armory Recreation Center Project*: (Zone 2) – *Estimated Cost: To be determined.*
- Huntington Station Hotel Project*: (Zones 1 & 3) – *Estimated Cost: To be determined.*
- Lamppost Banner Project*: (Zone 1) – *Est. Cost: \$15,000 (50 banners & mounting hardware @ \$200 + 5 artists @ \$1,000 honorarium).*
- Huntington Village – Alleyway Projects – (Alleyway TBD)*: (Zone 1) – *Est. Cost: \$5,000-\$15,000 (shared with adjacent property owners & Village BID).*
- Public Art in the Private Sector Award*: (All Zones) – *Est. Cost: None*

**Asterisk indicates a project carried over from a prior annual Public Art Plan approved by the Town Board.*

2015-514

PUBLIC ART ADVISORY COMMITTEE

Janine Seifert, *Chairperson*

Robert Carter

Linda Furey

Mark McAteer

Ed McEvoy

James Metcalfe

Michele Peppers

Michael W. Schantz, Ph.D.

Richard Vaux

Staff:

John E. Coraor, Ph.D., Director of Cultural Affairs, Town of Huntington

RESOLUTION EXEMPTING AT&T LTE PURSUANT TO §198-68.1 (P) OF THE HUNTINGTON TOWN CODE FOR WORK AT THE SOUTH PARKING GARAGE, HUNTINGTON, NEW YORK, SUFFOLK COUNTY TAX MAP NO. 0400-174.00-04.00-033.001

Resolution for Town Board Meeting dated: November 5, 2015

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

and seconded by: **SUPERVISOR PETRONE**

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 AT&T LTE in connection with its application to upgrade/modify its existing public utility wireless telecommunications facilities located on the existing tower erected at Town-owned property located at the South Parking Garage, Huntington, New York, and further described as Suffolk County Tax Map No.: 0400-174.00-04.00-033.001; and

WHEREAS, the proposed upgrade/modification consists of (i) the removal of three (3) existing antennas to be replaced with three (3) new 4G antennas and (ii) the placement of three (3) Remote Radio Heads; and

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

WHEREAS, the subject proposal has been classified a Type II action pursuant to 6 NYCRR Part 617.5(c)(1, 2 and 15) of the State Environmental Review Act (SEQRA), and therefore no further review is required pursuant to SEQRA; and

NOW THEREFORE BE IT

RESOLVED, that the application of AT&T LTE to upgrade/modify as described in this resolution its existing public utility wireless telecommunications facilities located on the existing tower erected at the South Parking Garage, Huntington, New York, bearing SCTM No.: 0400-174.00-04.00-033.001 is hereby exempted from further Town Board review so long as no other modifications or upgrades are made and the work is in

2015- 516

RESOLUTION GRANTING PERMISISON TO RENAISSANCE DOWNTOWNS, LLC, FOR USE OF GATEWAY PLAZA IN CONNECTION WITH THE OCTOBER 30, 2015 GATEWAY NIGHTS EVENT, NUNC PRO TUNC

Resolution for the Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The Town of Huntington, in cooperation with Renaissance Downtowns LLC, is co-sponsoring an event entitled "Gateway Nights " to take place from 5:00 p.m. to 8:00 p.m. on October 30, 2015, at Gateway Plaza, New York Avenue and Olive Street, Huntington Station; and

WHEREAS, the purpose of the event is to bring people to the pedestrian plaza the Town constructed at the site, to make them aware of the plaza's features and to encourage their participation in the revitalization efforts in Huntington Station the Town is undertaking with its chosen master developer, Renaissance Downtowns; and

WHEREAS, Gateway Nights shall be a free event and will include live music, pumpkin painting and other activities, with food and drinks available for purchase, creating what should be a fun-filled evening; and

WHEREAS, granting permission for use of a Town property is a Type II action pursuant to 6 N.Y.C.R. 616.5(c)(15), and therefore no further SEQRA review is required,

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to Renaissance Downtowns, LLC, 1266 New York Avenue, Huntington Station NY 11746 for use of Gateway Plaza in connection with the October 30, 2015 Gateway Nights event from 5:00 p.m. to 8:00 p.m., nunc pro tunc, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-517

RESOLUTION SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF HUNTINGTON FOR THE YEAR 2016

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN GUTHBERTSON**

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

NOW, THEREFORE

THE TOWN BOARD hereby schedules regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2016, as follows:

	<u>2:00 PM</u>	<u>6:00 PM</u>	<u>7:00 PM</u>
JANUARY	12 th		
FEBRUARY			10 th (Wednesday)
MARCH	8 th		
APRIL	5 th		
MAY			10 th
JUNE	7 th		
JULY	12 th		
AUGUST	16 th		
SEPTEMBER			13 th
OCTOBER		19 th (Wednesday)	
NOVEMBER	10 th (Thursday)		
DECEMBER			13 th

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 518

RESOLUTION SPONSORING A BASKETBALL TOURNAMENT AT CORAL PARK
IN GREENLAWN, NEW YORK NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Councilwoman Berland
Councilwoman Edwards

and seconded by: **COUNCILMAN COOK**

WHEREAS, together with Suffolk County Legislator William Spencer, the Town of Huntington through the Huntington Town Board would like to sponsor the Coral Park Basketball Tournament held on Saturday, October 17, 2015, nunc pro tunc; and

WHEREAS, children ranging from 14 to 18 years of age participated in a 3 on 3 basketball elimination tournament starting at 8:30 a.m. to 4:00 p.m. at Coral Park located on Broadway in Greenlawn; and

WHEREAS, Costas Karvazonis has donated \$175.00 and Greenlawn Pharmacy Inc. d/b/a Mid Village Pharmacy donated \$25.00 to the Huntington Human Services Institute, Inc. to pay for the services of referees; and

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

NOW, THEREFORE, THE TOWN BOARD,

HEREBY SPONSORS, on behalf of the Town of Huntington, the Coral Park Basketball Tournament nunc pro tunc, and expresses its sincere gratitude to Costas Karvazonis for his donation of \$175.00 and Greenlawn Pharmacy d/b/a Mid Village Pharmacy for its donation of \$25.00 to the Huntington Human Services Institute, Inc. to pay for the services of referees.

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

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, in an effort to stimulate business and encourage residents to shop locally during the holiday season, the Town Board is desirous of waiving parking meter fees in the downtown shopping area known as Huntington Village for the period beginning November 27, 2015 and ending January 1, 2016; and

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

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

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

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

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

WHEREAS, the East Northport Chamber of Commerce has also requested permission to display their annual holiday lights, menorah and tree lighting; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY WAIVES parking meter fees in the downtown shopping area known as Huntington Village (as defined in the Business Improvement District) for the period beginning November 27, 2015 and ending January 1, 2016; and

2015-519

HEREBY AUTHORIZES the Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, the Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights in their business areas during the holiday season for the period beginning November 27, 2015 and ending January 1, 2016; subject to any rules, regulations, charges and/or permits required by the Long Island Power Authority (LIPA); and

HEREBY AUTHORIZES the East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town Property located at the Northport Railroad Station for the period beginning November 27, 2015 and ending January 1, 2016.

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 ADOPTING THE 2016 PRELIMINARY ANNUAL OPERATING BUDGET, AS THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2016

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD, having conducted a public hearing on the 6th day of October, 2015, for the purpose of considering the Preliminary Annual Operating Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2016, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Annual Operating Budget should be amended and adopted, as amended;

HEREBY ESTABLISHES AND ADOPTS the 2016 Preliminary Annual Operating Budget, as the Annual Operating Budget for the Town of Huntington for the fiscal year commencing January 1, 2016; and

HEREBY DIRECTS that said Annual Operating Budget be entered in detail in the minutes of the proceedings of the Town Board; and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Annual Operating Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING THE CAPITAL BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2016

Resolution for Town Board Meeting Dated: November 5, 2015

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

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

THE TOWN BOARD, having conducted a public hearing on the 6th day of October, 2015, for the purpose of considering the Preliminary Capital Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2016, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Capital Budget should be adopted,

HEREBY ESTABLISHES AND ADOPTS the Capital Budget for the Town of Huntington for the fiscal year commencing January 1, 2016; and

HEREBY DIRECTS that said Capital Budget be entered in detail in the minutes of the proceedings of the Town Board, and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Capital Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-522

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE HUNTINGTON
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 5, 2015

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

And seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Town Board Resolution 2015-441 scheduled a public hearing on the assessment roll for the Huntington Sewer District for the 6th day of October, 2015; and

WHEREAS, the assessment roll and proposed budget for the Huntington Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Huntington Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 6th day of October, 2015, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Huntington Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2015- 522

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.

2015-523

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE CENTERPORT SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 5, 2015

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2015-442 scheduled a public hearing on the assessment roll for the Centerport Sewer District for the 6th day of October, 2015; and

WHEREAS, the assessment roll and proposed budget for the Centerport Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Centerport Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 6th day of October, 2015, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Centerport Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2015-523

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.

2015-524

AUTHORIZING AN AMENDMENT TO THE LICENSE AGREEMENT MADE WITH HUNTINGTON HOSPITAL ASSOCIATION TO UTILIZE A PORTION OF THE TOWN OF HUNTINGTON PARKING FACILITY LOCATED ADJACENT TO MILL DAM PARK, NUNC PRO TUNC

Resolution for Town Board Meeting dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Town Board resolution no. 2014-376, the Town of Huntington entered into a license agreement dated August 1, 2014, with Huntington Hospital Association for the use of a portion of the Town of Huntington parking facility located adjacent to Mill Dam Park for the purpose of parking for, among others, hospital employees, volunteers, and clinical students; and

WHEREAS, pursuant to Town Board resolution no. 2015-387, during 2015 the Town of Huntington entered into a license agreement with Huntington Hospital Association for use of a portion of the above described parking facility as a helipad to air transport (i) medical patients in need or 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, the Town of Huntington and Huntington Hospital Association each wish to amend the license agreement dated August 1, 2014, to be effective as of August 1, 2015, to restate the licensed property and license fee due thereunder given the authorized use of a portion of the parking facility as a helipad pursuant to the license agreement made during 2015.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 6th day of October, 2015, at 6:00 p.m., to consider amending the license agreement dated August 1, 2014, to revise the stated licensed property and license fee payable to the Town of Huntington

HEREBY AUTHORIZES an amendment to the license agreement dated August 1, 2014, made with Huntington Hospital Association, 270 Park Avenue, Huntington, New York 11743, to be effective as of August 1, 2015, nunc pro tunc, to restate the licensed property thereunder and the license fee due at the commencement of years two (2) and three (3) of the license term to EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY & XX/100 (\$18,750.00) DOLLARS given the authorized use of a portion of the parking facility adjacent to Mill Dam Park as a helipad pursuant to a license agreement also made with Huntington Hospital during 2015, and upon such terms and conditions as may be acceptable to the Town Attorney.

2015-524

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: AMEND THE LICENSE AGREEMENT MADE WITH INTEGRITY GOLF COMPANY, LLC FOR THE OPERATION AND MANAGEMENT OF THE GOLF COURSE AND FOOD AND BEVERAGE OPERATIONS AT THE CRAB MEADOW GOLF COURSE AND THE GOLF COURSE OPERATIONS AT THE DIX HILLS GOLF COURSE IN THE TOWN OF HUNTINGTON, NEW YORK, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, pursuant to Town Board Resolution No. 2014-551, the Town of Huntington entered into a license agreement dated December 26, 2014, with Integrity Golf Company, LLC, for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York; and

WHEREAS, the Town of Huntington and Integrity Golf Company, LLC wish to amend the license agreement, to clarify the maintenance, reporting, and reimbursement responsibilities provided for thereunder.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 6th day of October 2015, to consider amending the License Agreement to clarify the maintenance, reporting, and reimbursement responsibilities provided for thereunder

HEREBY AUTHORIZES an amendment to the license agreement made with Integrity Golf Company, LLC, 16301 Phil Ritson Way, Winter Garden, FL 34787, for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York, to be effective as of January 1, 2015, nunc pro tunc, to clarify the maintenance, reporting, and reimbursement responsibilities provided for thereunder, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-527

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: November 5, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on October 6, 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

2015- 527

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

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

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

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

2015-527

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
201	5 Brown Meadows Court Huntington	0400-206.00-02.00-144.002	LI Assets Acquisitions 43 President Street Huntington Station, NY 11746	8/18/2015	\$2,500.00
200	47 St. Andrews Drive Huntington	0400-018.00-02.00-015.000	Beatrice H. Berry-Frech 47 St. Andrews Drive Huntington, NY 11743-2419	8/18/2015	\$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	BLIGHT DESIGNATION DATE
201	5 Brown Meadows Court Huntington	0400-206.00-02.00-144.002	LI Assets Acquisitions 43 President Street Huntington Station, NY 11746	8/18/2015	10/6/2015
200	47 St. Andrews Drive Huntington	0400-018.00-02.00-015.000	Beatrice H. Berry-Frech 47 St. Andrews Drive Huntington, NY 11743-2419	8/18/2015	10/6/2015

2015527

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 ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
190	8 Silver Avenue Huntington Station	0400-205.00-03.00-041.000	Monique Baillergeau 8 Silver Avenue Huntington Station, NY 11746-3521	8/11/2015
146	19 Eugene Street Melville	0400-259.00-02.00-056.001	Robert Grein, As Trustee of the Qualified Personal Residence of Robert Grein 19 Eugene Street Melville, NY 11747-2903	11/6/2014
199	19 Oakcrest Drive Huntington Station	0400-201.00-03.00-044.000	Wayne E. Hughes Teresa M. Hughes 19 Oakcrest Drive Huntington Station, NY 11746	8/12/2015
129	413 2nd Avenue W. E. Northport	0400-175.00-01.00-025.000	Glenn Reilly 26 Dorfer Lane Nesconset, NY 11767	7/22/2014

-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

2015-527

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/MAILING ADDRESS	BLIGHT DESIGNATION DATE	ANNUAL REGISTRATION FEE
150	39 Smith Street Greenlawn	0400-107.00-05.00-008.000	Charles Haley, Jr. Smith Street Greenlawn, NY 11740-1219	11/6/2014	\$ 2,500.00
143	50 Lefferts Avenue E. Northport	0400-217.00-01.00-039.000	Alfred Valma Lefferts Avenue Northport, NY 11731-5816	11/6/2014	\$ 2,500.00
86	336 Larkfield Road E. Northport	0400-118.00-01.00-006.000	Hanover Community Bank 2131 Jericho Turnpike Garden City, NY 11040-4703	9/30/2014	\$ 5,000.00

**-SCHEDULE D-
PERSISTENT BLIGHT**

2015-528

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: November 5, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the **8th** day of **December**, 2015 at **7:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2015-528

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

2015-528

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
203	9 Penrose Path E. Northport	0400-215.00-01.00-073.000	Chang S. Kim Shin J. Kim 9 Penrose Path E. Northport, NY 11731-6319	9/15/2015	\$2,500.00

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING CONSERVATION EASEMENT FOR WAWAPEK ADDITION, COLD SPRING HARBOR WITH NORTH SHORE LAND ALLIANCE PURCHASING FEE RIGHTS

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, on March 10, 2015 the Town of Huntington, County of Suffolk, and North Shore Land Alliance closed on a 27+ acre property that was formerly held by the Estate of Priscilla DeForest Williams and the North Shore Land Alliance closed on a 4-acre adjoining parcel that was similarly held and together these lands are known and signed as Wawapek, and

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee

- received a nomination and heard a presentation from the North Shore Land Alliance indicating that there is a willing seller (Estate of Douglas Williams, by Page W. Dwyer, Executrix) for the owner of approximately 3 acres adjoining Wawapek on its eastern side identified as SCTM 0400-016.00-08.00-007.000 and located at 3 Mowbray Lane in Cold Spring Harbor;
- conducted a field investigation; and
- recommended that the Town Board pursue acquisition of a conservation easement over the property at a cost not to exceed 50% of the total purchase, as a partnership with the North Shore Land Alliance, which will acquire the fee title rights to extend the Wawapek Assemblage and utilize existing structures to enable educational programming and stewardship of the protected lands as a unit, and

WHEREAS, the Town Board wishes to proceed with acquisition of a conservation easement for this specific real property and to share acquisition costs with the North Shore Land Alliance as recommended by the EOSPA Committee; and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, prior to completing the acquisition of the subject property, the Town Board has determined that its action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing expenditures against the EOSPA Program funds, and therefore has been established as lead agency, and

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

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with acquisition of the property or a portion thereof for park purposes and hereby issues a Negative Declaration pursuant to SEQRA, and

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 8th day of DECEMBER, 2015 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring a conservation easement over the identified property held by the Estate of Doug Williams to assure its preservation as a component of the Wawapek Assemblage as a shared transaction whereby the North Shore Land Alliance would acquire fee rights; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase a conservation easement for the property identified above as a partner to the North Shore Land Alliance, which will seek to acquire fee title rights; 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 charged to the appropriate capital budget account for the proposed shared acquisition as necessary for the appraisal.

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 AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE PICCOLO FAMILY LIMITED PARTNERSHIP FOR THE USE OF A PORTION OF TOWN LANDS

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Piccolo Family Limited Partnership, owner of property located at 230 East Jericho Turnpike, Huntington Station, New York (SCTM No.: 0400-198,00-03.00-058.00) has been using and occupying a portion of Town-owned land adjacent to such property, pursuant to a License Agreement entered into on August 23, 2005; and

WHEREAS, the northwest corner of the one story building and a portion of two concrete walkways owned by the Partnership encroaches on the town right-of-way along Engelke Avenue at its intersection with Jericho Turnpike, in Huntington Station as more particularly shown on Schedule "A" annexed hereto and made a part of this Resolution; and

WHEREAS, the term of the License Agreement expired on August 23, 2015, and the property owner wishes to enter into a new license agreement for a term of ten (10) years commencing on August 24, 2015 through August 23, 2025, upon payment of an annual fee of \$250 per year for each year of the license period; and

WHEREAS, the renewal of a license agreement is a Type II action in accordance with 6 NYCRR Part 617.5(c)(26) requiring no further environmental review,

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **8th** day of **DECEMBER**, 2015 at **7:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing the Supervisor to execute a license agreement with the Piccolo Family Limited Partnership for the use of an area of the town-right-of-way measuring approximately twelve (12) square feet or as is necessary to accommodate a portion of two concrete walkways and the northwest corner of a one-story building belonging to the property at 230 East Jericho Turnpike, Huntington Station, New York (SCTM No.: 0400-198,00-03.00-058.00), without prejudice to the use of the right-of-way by the public, for a term of ten (10) years upon the payment of \$250 per year for each year of the license term, and on such other terms as deemed necessary by the Town Attorney.

2015-530

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

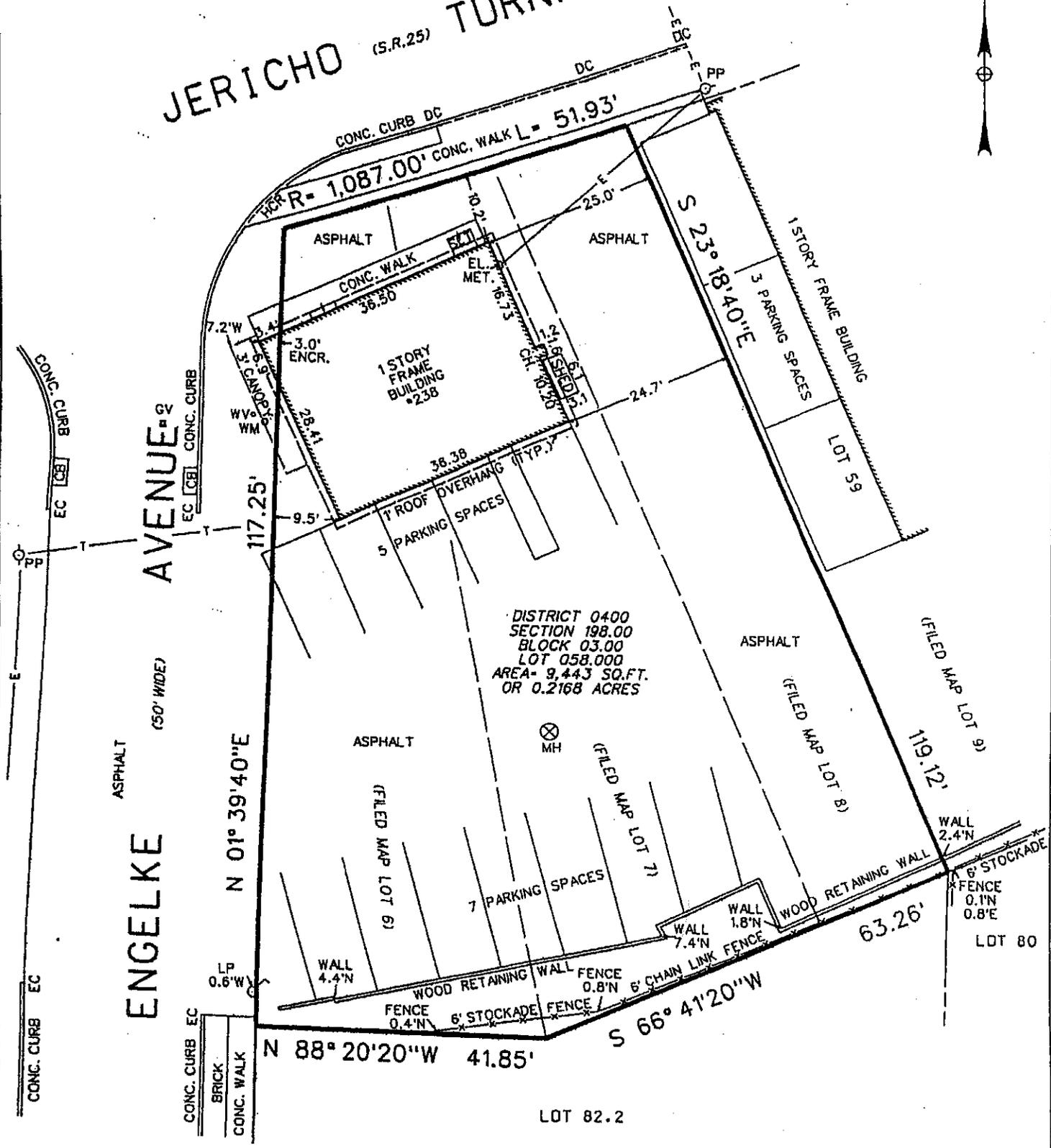
THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule "A"

2015-530

SUBDIVISION NORTH

JERICO TURNPIKE (S.R.25)



DISTRICT 0400
SECTION 198.00
BLOCK 03.00
LOT 058.000
AREA- 9,443 SQ.FT.
OR 0.2168 ACRES

AVENUE #2
ENGELKE
(50' WIDE)

LOT 82.2



MAP REFERENCE:
1) 'MAP OF HUNTINGTON PARK'.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S IMBED SEAL OR HIS GROSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS BEHALF TO

2015-531

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 42 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: CLINTON AVENUE, HUNTINGTON - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: November 5, 2015

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

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

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations due to the adoption of parking meters to increase parking availability in Huntington Village; 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 8th day of December, 2015 at 7:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 42 -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. 42 -2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

*Clinton Ave., Huntington - Parking Restrictions – Public Hearing
Transportation & Traffic Safety/bt
10/21/2015 9:45 AM*

2015-531

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: Clinton Avenue/East From Main St. (Rt. 25A) north for 140 ft. (HUN)	No Parking	-----

Section 2. Severability.

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

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.

2015-532

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 43 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: DEPOT ROAD, HUNTINGTON STATION - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to place an existing parking restriction into the Uniform Traffic Code that is necessary to relieve congestion and improve visibility for vehicle and pedestrian traffic; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 8th day of December, 2015 at 7:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 43 -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. 43 -2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2015-534

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY No. 44-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS)

Resolution for Town Board Meeting Dated: **November 5, 2015**

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing to consider adopting Local Law Introductory No.: 44 -2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence District) to be held on the 8th day of DECEMBER, 2015, at 7:00 p.m., at Town Hall, 100 Main Street, Huntington, New York, at which time all persons interested in the subject thereof may be heard; as follows:

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

LOCAL LAW INTRODUCTORY NO. 44 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE III (RESIDENCE DISTRICTS)

Section 1. Amendment to Chapter 198 (Zoning), Article III (Residence Districts), as follows:

CHAPTER 198
ZONING

* * *

2015-534

* * *
ARTICLE III
RESIDENCE DISTRICTS

§198-13. R-80 Residence District.

* * *

- I. Affordable housing requirement.** [Every residential subdivision of land or site plan that results from an applicant-initiated zone change, resulting in an intensification over the original zoning, that occurs after the enactment of this subsection of the zoning code, shall comply with the requirements herein to provide affordable housing as a condition of the change of zone. These requirements shall apply to the R-5, R-7, R-10, R-15, R-20, R-40, R-80, R-3M and R-RM Districts and any other residence district(s) that may be adopted by the Town Board in the future. This subsection shall also apply to any commercial district that may, upon the enactment of this subsection or in the future, permit residential development. (Note: The words "subdivision" and "site-plan" shall be used interchangeably when the development results in residential units.)]

(1) Applicability.

- (a) Affordable housing. The provisions of this section, known as the Affordable Housing Law, shall apply to the subdivision, re-subdivision or development of land (site plans) in all zoning districts where five (5) or more residential lots or dwelling units are proposed, and where the land has been the subject of an applicant-initiated zone change which has resulted in an increase in the lot yield or density allowance.

[Added 12-12-2000 by L.L. No. 37-2000; amended 11-20-2001 by L.L. No. 19-2001; 5-24-2005 by L.L. No. 21-2005; 3-9-2010 by L.L. No. 5-2010]

(1) Affordable Housing Yield.

- (a) Where an increase in lot yield or density results from an applicant-initiated change of zone, and five (5) or more residential lots or dwelling units are proposed for development, an applicant shall be required to set-aside and establish, as a condition of the zone change, affordable housing equal to twenty (20%) percent of the increase in lot yield or density (owner-occupied or rental units). In the event the number of units to be established results in a fraction of a unit, the applicant shall pay an amount equal to that fraction multiplied by the fee set forth in § 198-13(I)(1)(d).
- (b) Calculation. The number of affordable dwelling units to be provided shall be determined by the Planning Board as part of the review and approval process. Applicants shall provide a fully conforming yield study for the subject property, as it would appear before the zone change took place, showing road configuration and park set-aside, drainage and grading, wetlands, steep slopes, and other required features. In addition, the applicant shall provide a fully conforming yield study at the property's new zoning classification, containing the same features for the Planning Board's consideration. The difference in the number of lots or residential units shown in the two maps or plans, shall be the number upon which the twenty (20%) percent shall be assessed.

- (c) **Fulfillment of Requirements.** The applicant shall provide at least seventy-five (75%) percent of the required affordable housing on site, unless the applicant proposes and the Planning Board finds, in its discretion after applying planning principles, that the location of such housing is better suited off-site, and provided further that the property proposed for development of off-site affordable housing is (1) located within the same school district as the subject property; and (2) is zoned so as to yield the same or greater yield of affordable housing than would have been attained on the original site.
- (d) In lieu of providing the remaining twenty-five (25%) percent of the affordable units, the applicant may pay over to the Town of Huntington Affordable Housing Trust and Agency Fund the amounts shown below. The Affordable Housing Advisory Board may recommend increases in the amounts payable from time to time, and such increases may be instituted as approved by the Town Board. The Planning Board shall specify the amount to be paid in any resolution granting conditional final approval of a subdivision, re-subdivision or site plan, and the amount shall be paid in full prior to the signing of a map or plan by the Director.
- (i) One Hundred Thousand (\$100,000) Dollars per lot/dwelling in the R-5, R-7, R-10, R-15, R-3M and R-RM Zoning Districts.
- (ii) One Hundred Seventy-Five Thousand (\$175,000) Dollars per lot/dwelling in the R-20 Zoning District.
- (iii) Two Hundred Twenty-Five Thousand (\$225,000) Dollars per lot/dwelling in the R-40 Zoning District.
- (iv) The amount payable in non-residential zoning districts where residential development is permitted, or in any newly-created zoning district containing a residential component shall be the same as in the zoning classification which has the closest yield.
- (2) **Affordable Housing Board.** An Affordable Housing Advisory Board is created [for the purpose of administering] to make recommendations to the Town Board with respect to the administration of this fund in accordance with rules and regulations recommended by the Advisory Board and approved by the Town Board.
- (a) The funds held in the Affordable Housing Trust and Agency Fund shall be used to finance affordable housing administration and initiatives that increase the number of available affordable units, including but not limited to renovation to existing homes, down payment assistance, purchase of land, construction of affordable homes, purchase of homes, rent assistance, sewer district extension or connection, mortgage assistance, purchase subsidies, and planning studies to identify and implement housing initiatives.
- (b) **Management of the Affordable Housing Trust and Agency Fund.**
- (i) [No] Expenditures shall be made from these funds [except] upon the specific authorization of the Town Board [and] or based on the recommendations of the Affordable Housing Advisory Board. The Affordable Housing Advisory Board shall develop criteria for the expenditure of funds deposited in the Affordable Housing Trust and Agency Fund and shall submit same to Town Board for approval. Thereafter, the Advisory Board shall make recommendations to the Town Board based on the approved criteria.
- (ii) **Membership.** The Town Board shall appoint members to the Affordable Housing Advisory Board, and a Chairperson thereto none of whom shall be Town or Community Development Agency employees. The Affordable Housing Advisory Board shall be comprised of thirteen (13) voting members who shall serve without compensation. Each Town Board member shall appoint one (1) individual whose term of office shall coincide

with that of the sponsoring Town Board Member. The Town Board shall select five (5) persons from among the member organizations of the Huntington Township Housing Coalition whose term of office shall be staggered as follows: one (1) individual to serve for a one-year term, two (2) individuals to serve for a two-year term and two (2) individuals to serve for a three-year term. Thereafter each member appointed shall serve for a term of three (3) years. The Town Board shall appoint three (3) additional persons, who shall be representatives of the various school districts within the Town and who shall be selected by the Town Board, at large, and who shall serve for a term of three (3) years. In addition, the Director of the Huntington Community Development Agency or their designee; the Director of the Planning Department or their designee; and the Town Attorney or their designee shall serve as ex-officio, nonvoting members.

- (3) Conditions of the Change of Zone. The following shall be established conditions of the change of zone, whether or not specifically incorporated in the town board resolution granting such change of zone:
- (a) Unless approved by the Town Board, the affordable housing shall not be age-restricted except in the R-RM Retirement Community District.
 - (b) Fifty (50%) percent of the non-age restricted units shall have two (2) or more bedrooms.
 - (c) Once a certificate of occupancy is issued, the affordable housing units shall not be expanded (made larger) except as may be permitted by the Zoning Board of Appeals pursuant to criteria established by the Town Board, based on the recommendations of the Affordable Housing Advisory Board.
 - (d) To maintain a consistent streetscape, affordable housing units may not stand out by their location or appearance as determined by the Planning Board, and shall be distributed among market rate housing.
 - (e) Builder's extras shall not be permitted in affordable housing units.
 - (f) Handicapped accessibility shall be addressed during the site plan or building permit review process.
 - (g) Covenants and Restrictions. To insure continued compliance with this legislation, and as a condition of the change of zone, all affordable units shall be subject to covenants and restrictions that run with the land, and restrict the sale, resale and rental of such units in accordance with the requirements of the District. The covenants shall contain other restrictions established by the Town Board on the rezone. Said covenants and restrictions shall be prepared by the applicant and submitted to the Town Attorney for approval as to form and content. Upon approval by the Town Attorney, the applicant shall record the covenants and restrictions in the Office of the Suffolk County Clerk, at his or her own expense and provide the Town Attorney and the Department of Planning and Environment with a copy of the recorded instrument before the local law will be filed. A copy of the recorded instrument shall be submitted to the Planning Board as part of any application for site plan, subdivision or re-subdivision approval for the property, and shall be noted on the map or plan signed by the Director. All deeds transferring title to affordable units shall contain a reference to the Liber and Page of the recorded covenants and restrictions.
- (4) Building permits and other approvals. Affordable units shall be developed in advance of or at the same time as market value units as provided herein. The Planning Board may impose such restrictive covenants to aid in the enforcement of this section as it may deem advisable.

- (a) Off-site units. No certificate of occupancy may be issued for any unit located on-site until certificates of occupancy for all off-site affordable housing units have been issued.
- ~~(b) On-site units. In order to ensure that on-site affordable housing is developed in a timely fashion, for every one certificate of occupancy issued for an affordable unit, the Town may release up to seven (7) certificates of occupancy for market-value units.~~
- (5) Sale, Resale and Rental of Affordable Units. The Community Development Agency shall monitor the sale, resale and rental of all affordable units for compliance with the Affordable Housing Law. All contracts of sale and lease agreements shall be provided by the Community Development Agency, and shall not be amended except as authorized by the Director. The Director may pre-approve the developer's standard contract of sale and lease agreement in advance.
- (a) Initial Sales Price. The initial sale price of each newly-created affordable unit shall be calculated based upon the median family income for a family of four (4) at the time of the contract of sale, as follows:
- (i) For developments requiring the construction of only one (1) affordable unit, the initial sale price of the unit shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5.
- (ii) For developments in which more than one (1) affordable unit is required, the initial sale price of half the units shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5. If the developer can demonstrate to the satisfaction of the Director of Community Development sufficient justification for the construction of one (1) or more units containing additional square footage, such as additional bedrooms over the number required, the initial sale price of such units shall be one hundred twenty (120%) percent of the median family income multiplied by 2.5. In no event shall these larger units comprise more than half of the number of affordable units. In the event an odd number of affordable units is required, the initial sale price of the additional unit shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5.
- (b) Resale of Affordable Units.
- (i) Ownership of affordable units may not be transferred by will, devise, intestacy, gift, purchase on the open market, or otherwise, except that an affordable unit may be conveyed by its owner to a trust, provided that the owner is a beneficiary of the trust and the terms of the trust require that the trustee, within one-hundred and twenty (120) days of the date of the beneficiary's death, or the date when the unit is no longer being used as the beneficiary's primary residence, notify the affordable housing program administrator and offer the unit for sale to the next eligible applicant. Prior to conveying an affordable unit to a trust, a copy of the trust instrument shall be provided to, and approved by, the Director. Title may also be transferred to a court-appointed referee in mortgage foreclosure proceedings provided the unit is offered for sale and transferred to the next eligible applicant in accordance with the provisions of this legislation, and a copy of the Order of Reference and Order of Sale is provided to the Director.
- (ii) All purchasers must be [pre-]approved by the Community Development Agency and taken from a waiting list maintained by the Agency. Any individual interested in selling an affordable unit must notify the Community Development Agency in writing that the unit is for sale, and the Community Development Agency shall notify the prospective seller of the next qualified applicant in the order of their appearance on the list

maintained by the Agency, until a qualified purchaser has agreed to purchase the available unit.

- ~~(iii) Resale prices shall be restricted and calculated in accordance with the applicable percentage set forth in § 198-13(I)(5)(a)(i) using the median family income for a family of four (4) in effect at the time of the execution of the contract of sale, multiplied by 2.5. Notwithstanding any other provision to the contrary, the resale price of an affordable unit may be increased by an amount not to exceed fifty (50%) percent of the documented capital improvements made by the seller, as approved by the Director, up to a maximum amount of ten thousand (\$10,000.) dollars.~~
- (iv) Prior to closing, a copy of the executed Contract of Sale shall be provided to the Community Development Agency along with an executed and sworn affidavit by the Seller and Purchaser, attesting that the Contract of Sale is true and accurate, that there are no other agreements between the Seller and Purchaser, and that the Purchaser has not and will not pay any amounts to the Seller which are not reflected in the Contract of Sale.
- (c) Rental Units.
- (i) Rental Unit Developments. In developments where the units are specifically approved for rental, the monthly rental price shall be no greater than eighty (80%) percent of the HUD Fair Market Rental Value for Nassau-Suffolk County in effect at the time of the execution of the lease agreement, provided all utilities are included in the rental price. If all utilities are not included, the monthly rental price shall be no greater than eighty (80%) percent of the HUD Fair Market Rental Value for Nassau-Suffolk County reduced by the monthly utility allowance in effect at the time the lease agreement is executed.
- (ii) Short Term Rental of Owner Occupied Units. Owner Occupied Units may only be rented with the prior written consent of the Community Development Agency. The Community Development Agency may consent to a rental for not more than six (6) months if the unit owner establishes to the satisfaction of the Director of the Community Development Agency a financial hardship through no fault of the owner requiring such rental. The Director may, for good cause shown, grant no more than one six-month extension of the rental period at his discretion. All tenants must meet the income and asset qualifications established hereunder. The monthly rental price shall be no greater than eighty percent (80%) of the HUD Fair Market Rental for Nassau-Suffolk County in effect at the time of the execution of the lease agreement.
- (iii) No lease shall be transferred or assigned.
- (iv) Prior to occupancy of a leased unit, a copy of the executed lease agreement shall be provided to the Community Development Agency along with an executed and sworn affidavit by the landlord and tenant, attesting that the lease agreement is true and accurate, that there are no other agreements between the parties, and that the tenant has not and will not pay any amounts to the landlord which are not reflected in the lease agreement.
- (6) Financial Qualifications of Prospective Purchasers/Owners.
- (a) In order to qualify as an eligible purchaser of an affordable unit, the annual household income may not exceed one hundred twenty (120%) percent of the median family income adjusted by family size at the time of the contract of sale. Applicants who have an annual household income of up to eighty (80%) percent of the median family income shall be eligible for the lower priced affordable units and those whose annual household income is between eighty-one (81%) percent and one hundred twenty (120%) percent of the median

- family income shall be eligible for the higher priced units. In all cases, applicants may not have assets which after deduction of the down payment and estimated closing costs exceed ~~twenty-five (25%) percent of the contract sale price for non-senior housing and one hundred (100%) percent of the contract sale price for senior housing.~~
- (b) Applicants must have adequate resources and credit to qualify for a home mortgage if he/she/they are not able to establish that they have sufficient funds to pay the purchase price and estimated closing costs.
- (c) Priority of Applications. Applicants who are residents of, or, who are employed full-time by a business or entity that maintains a verifiable physical location within the Town of Huntington, or non-residents who have parents, children, grandchildren or grandparents [of town residents] who are residents of the Town of Huntington shall have priority to purchase affordable units. Applicants who do not meet the above criteria may also enter a Town affordable housing lottery.
- (d) A list of [eligible] potential purchasers for affordable units shall be created for each development by a lottery system which will establish a ranking system by number. Those who are not offered a unit due to rank number shall be placed on a waiting list [the order of eligibility for qualified purchasers. After the initial list is created, applicants will be added to the list in the order their completed application is accepted. It shall be the obligation of the qualified purchaser to update his/her contact information and verify eligibility on an annual basis, unless otherwise requested by the Director.]
- (e) Opening of Waiting List. When a waiting list for a given development is depleted, the Community Development Agency shall re-open the list. Placement on the re-opened list will be based upon a first come, first-served basis, with priority given based upon the criterion listed in paragraph 6(c) above. [Applicants who are qualified financially and are not residents of the Town of Huntington or a parent, grandparent, child or grandchild of a resident, may file an application with the Community Development Agency. In the event there are no qualified purchasers who meet all of the requirements, the applicants on the non-priority list will be confirmed and contacted by the Community Development Agency. The applicants on this list will be added in the order their complete application is accepted.]
- (7) Financial Qualifications of Prospective Tenants. The annual household income of prospective tenants shall not exceed the following thresholds upon application and at the time the lease is signed:
- (a) One bedroom or studio unit: Fifty (50%) percent of the medium family income for a family of two (2).
- (b) Two bedroom unit: Fifty (50%) percent of the medium family income for a family of four (4).
- (c) Three bedroom unit: Fifty (50%) percent of the medium family income for a family of six (6).
- (8) Administration Fees. The Community Development Agency shall receive the following fee for monitoring compliance with the provisions of this legislation:
- (a) One (1%) percent of the contract sale price per transfer of owner-occupied affordable unit paid by the seller at or prior to closing; and
- (b) One thousand (\$1,000) dollars per rental unit or short term rental of owner-occupied unit, or one month's rent, whichever is lower, paid by the tenant upon approval of the lease agreement by the Director.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2015-532

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

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

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Depot Road/East From Lynch St. to E. 12 th St. (HUS)	No Standing	-----

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.

2015-535

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 45 -2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (COMMERCIAL DISTRICTS) & ARTICLE V (INDUSTRIAL DISTRICTS)

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington (Town) desires to promote greater business development opportunities and diversity; and

WHEREAS, the Town Code, Chapter 198 (Zoning), currently defines food serving establishments as either restaurants or food shops; and

WHEREAS, the need exists to expand the Town of Huntington Zoning Code for smaller restaurants such as dine-in pizzerias, coffee shops, and the like to support small business owners; and

WHEREAS, the proposed amendment to the Town Code, Chapter 198 (Zoning), will allow for more varied classifications of food serving establishments in keeping with the evolving business interests within the community and size, parking, and seating requirements for a third category of food service establishment to be called a "bistro" differing from a food shop or restaurant can meet the developing needs of the local business community; and

WHEREAS, the creation of the definition of the term "bistro" will also require amending the Town Code to ensure consistency; and

WHEREAS, the definition of a "tavern/bar" is currently defined within the term "restaurant" and should be a term in and of itself; and

WHEREAS, the proposed legislation is classified as a Type I action in accordance with the provisions of SEQRA, 6 NYCRR Part 617.4(b)(2), because it changes the permitted uses in a zoning district covering more than 25 acres of land; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 N.Y.C.R.R. 617.2(b) and therefore the SEQRA review is not required at this time.

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **8th** of **DECEMBER**, 2015 at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. **45-** 2015, amending the Code of the Town of Huntington, Chapter 198

(Zoning), Article I (General Provisions), Article IV (Commercial Districts), and Article V (Industrial Districts), as follows:

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

LOCAL LAW INTRODUCTORY NO.45 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 198 (ZONING),
ARTICLE I (GENERAL PROVISIONS),
ARTICLE IV (COMMERCIAL DISTRICTS) AND ARTICLE V (INDUSTRIAL DISTRICTS)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions); Article IV (Commercial Districts); and Article V (Industrial Districts); is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *

§198-2. Definitions and word usage.

* * *

B. Definitions. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

* * *

BISTRO - A commercial establishment, not greater than 2,500 square feet in total gross floor area, which is open to the general public for the preparation, service and consumption of food, and shall, subject to the issuance of an assembly permit, at all times provide:

(1) Kitchen facilities for food service; and

(2) Seating with tables and chairs, excluding bar stools or counter service, for ninety (90%) percent of the persons who may lawfully occupy the premises, and limited to one (1) chair for every 65 square feet of total gross floor area; and; and

(3) Parking at the rate of one (1) space for every 200 square feet of total gross floor area. Bistros within three hundred (300) feet of a municipal parking lot may be granted a special exception to provide for part or all of the parking requirements pursuant to §198-44(C); and

(4) No drive through access service; and

(5) No more than five percent (5%) of the total gross floor area that is open to the public can be used for the display of prepackaged retail products.

* * *

FOOD SHOP

Any retail establishment that has parking at the rate of one (1) space per two hundred (200) square feet of gross floor area and whose function is to provide prepared food for public consumption, including but not limited to sandwiches, soups, salads, pizza, bagels, donuts, ice cream, shakes, yogurt, fish or other foods, as well as prepackaged foodstuffs; and which provides customer seating at tables or counters for the on-premises consumption of food or beverages for no more than fifteen (15) patrons, as long as alcoholic beverages are not consumed on premises. Premises providing seating for more than fifteen (15) patrons shall be considered to be restaurants, bistros, taverns or bars. Food shops shall not provide outside seating or dining without first obtaining a special use permit pursuant to §198-68A([24]22). Food shops within three hundred (300) feet of a municipal parking facility shall be exempt from additional parking requirements, unless located in a shopping center.

* * *

RESTAURANT

[(1)] A commercial establishment open to the general public for the preparation, service and consumption of food on the premises which must provide, subject to the issuance of an assembly permit, at all times when open to the public:

[(a)] (1) Kitchen facilities for food service; and

[(b)] (2) Seating with tables and chairs, excluding bar stools or counter service, for ninety (90%) percent of the persons who may lawfully occupy the premises.

[(2)] A bar, tavern, nightclub or other establishment for the on-premises consumption of food or alcoholic beverages which does not provide both requirements of Subsection B(1)(a) and (b) above shall not be considered to be a "restaurant" for any purpose within this article.]

* * *

TAVERN/BAR

A commercial establishment open to the general public for the preparation, service and consumption of food and/or drink on the premises which does not provide, subject to the issuance of an assembly permit, at all times when open to the public:

(1) Kitchen facilities for food service; and

(2) Seating with tables and chairs, excluding bar stools or counter service, for ninety (90%) percent of the persons who may lawfully occupy the premises.

ARTICLE IV
COMMERCIAL DISTRICTS

* * *

§ 198-25. C-4 Neighborhood Business District.

* * *

A. Use regulations. In the C-4 Neighborhood Business District, a building or premises shall be used only for the following purposes:

* * *

(6) Food shops, bistros, and restaurants which provide only table service within the building and not including drive-in restaurants or similar establishments

* * *

§ 198-26. C-5 Planned Shopping Center District.

* * *

A. Use regulations. In the C-5 Planned Shopping Center District, a building or premises shall be used only for the following purposes:

* * *

(4) Restaurants, bistros, lunchrooms, food shops, taverns and bars, provided that all food and beverage service is conducted inside a building, except as provided in § 198-2(B) under "food shop."

* * *

§ 198-27. C-6 General Business District.

* * *

A. Use regulations. In the C-6 General Business District, a building or premises shall be used only for the following purposes:

* * *

(11) Restaurant, bistro, food shop, bakery, candy, confectionery or ice-cream shop, but not a drive-in restaurant except where authorized as a special exception by the Zoning Board on findings pursuant to § 198-66.

* * *

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

* * *

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

(1) Food shops, bistros, and delicatessens are conditionally permitted in the C-6 Huntington Overlay District, provided the following conditions are met:

* * *

(e) Any shopping center containing three (3) or more establishments shall have no more than two (2) delicatessens, or two (2) food shops, or two (2) bistros or one (1) of each for a total of no more than two (2) such establishments; and

* * *

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

A. Permitted Uses. The following uses are permitted in the zoning district unless otherwise limited or prohibited in this Chapter:

* * *

(3) Restaurants, bistros, and food shops.

* * *

ARTICLE V
INDUSTRIAL DISTRICTS

* * *

§ 198-34. I-1 Light Industrial District.

* * *

F. Supplementary use regulations and conditionally permitted uses. See Article XI. In addition, the following may be allowed subject to the issuance of a special use permit by the Board so authorized pursuant to § 198-66 of this chapter.

* * *

(3) Restaurants, bistros, and food shops (but not to include drive-thru windows); personal service shops limited to hair cutting, nail salons, shoe repair, tailoring or dry-cleaning pickup stations; the retail sales of newspapers and magazines; card stores; candy (confectionery) stores; and health and racquet clubs, provided that:

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 46 -2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-410, GURWIN SENIOR HOUSING, TO CHANGE THE ZONING FROM R-40 & R-20 RESIDENCE DISTRICTS TO R-HS RESIDENTIAL HEALTH SERVICES DISTRICT FOR PROPERTY LOCATED ON THE NORTH SIDE OF HAUPPAUGE ROAD AND WEST SIDE OF COMMACK ROAD, COMMACK, SCTM# 0400-251-01-017.003 & 018.

Resolution for Town Board Meeting Dated: November 5, 2015

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, GURWIN JEWISH GERIATRIC FOUNDATION, 68 Hauppauge Road, Commack, NY 11725, property owner, submitted application #2015-ZM-410 for a change of zone from R-40 & R-20 Residence Districts to R-HS Residential Health Services District for property located on the north side of Hauppauge Road and west side of Commack Road (CR 4), Commack, designated as 0400-251-01-017.003 & 018 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 8th day of DECEMBER, 2015, at 7:00 PM to consider adopting Local Law Introductory No. 46 -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 &

R-20 Residence Districts to R-HS Residential Health Services District the property designated on the Suffolk County Tax Map as 0400-251-01-017.003 & 018, as follows:

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

LOCAL LAW INTRODUCTORY NO. 46 - 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 north side of Hauppauge Road and west side of Commack Road (CR 4), Commack, designated on the Suffolk County Tax Map as 0400-251-01-017.003 & 018, to be rezoned from R-40 & R-20 Residence Districts to R-HS Residential Health Services District, more particularly described as:

BEGINNING at a POINT on the west side of Commack Road, 723.26 feet north of the intersection with the north side of Hauppauge Road,

THENCE from said POINT OF BEGINNING South 70 degrees 51 minutes 25 seconds West, 531.96 feet,

THENCE South 13 degrees 55 minutes 53 seconds East, 294.97 feet,

THENCE North 78 degrees 09 minutes 07 seconds East, 141.27 feet,

THENCE South 08 degrees 21 minutes 33 seconds East, 175.01 feet,

THENCE South 86 degrees 28 minutes 00 seconds West, 155.16 feet,

*A portion of this resolution rescinded by Resolution #2015-537

2015-537

which was adopted at the 12/8/2015 meeting.

RESOLUTION SCHEDULING SIMULTANEOUS PUBLIC HEARINGS TO CONSIDER COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS), TO CONSIDER AN AMENDMENT TO THE HORIZONS 2020 COMPREHENSIVE PLAN, AND TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 47 -2015, CONSIDERING ZONE CHANGE APPLICATION #2013-ZM-397, SYNDICATED VENTURES, TO CHANGE THE ZONING FROM R-40 RESIDENCE DISTRICT AND C-6 GENERAL BUSINESS DISTRICT TO C-5 PLANNED SHOPPING CENTER DISTRICT FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF JERICHO TURNPIKE AND MANOR ROAD, ELWOOD, SCTM# 0400-209-02-(003, 004.001, 005.006), AND DETERMINING THAT THE DEIS IS ACCEPTABLE FOR COMMENCING PUBLIC REVIEW.

Resolution for Town Board Meeting dated: November 5, 2015

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

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, SYNDICATED VENTURES, LLC, 536 Middle Neck Rd., Great Neck, NY 11023, applicant, submitted application #2013-ZM-397 for a change of zone from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for property located on the northeast of Jericho Turnpike and Manor Road, Elwood, designated as 0400-209-02-(003, 004.001, 005.006) on the Suffolk County Tax Map; and

WHEREAS, the applicant has also submitted a letter requesting an amendment to the Horizons 2020 Comprehensive Plan to extend the Major Commercial Corridor/Mixed Use and Minor Commercial/Mixed Use Activity Center classifications along Jericho Turnpike to the subject property; and

WHEREAS, said application was forwarded to the Department of Planning and Environment and Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, New York State Town Law §272-a, 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 was classified as a Type I Action in accordance with SEQRA, 6 NYCRR Part 617.4(b)(3, 6 & 10), for proposing the construction of 486,380 sq. ft. of commercial space, the disturbance of more than 40 acres of land, and parking for 1,929 vehicles on property listed on the Town of Huntington's Open Space Index and adjacent to a County park; and

WHEREAS, the Town Board coordinated the EAF Part I and Expanded EAF submitted with the application with all involved agencies, and since no objections were received and thirty (30) days had elapsed since the coordination, the Town Board declared itself Lead Agency on September 16, 2014; and

11-5-2015

WHEREAS, based upon the information provided in the SEQRA documents, the EAF Parts II & III prepared by the Department of Planning and Environment, and the recommendation of the Planning Board, the Town Board found that the action had the potential to pose significant environment impacts and therefore issued a Positive Declaration on September 16, 2014; and

WHEREAS, a Draft Environmental Impact Statement (DEIS) was submitted by VHB Engineering, Surveying and Landscape Architecture, P.C. on behalf of the applicant;

NOW THEREFORE BE IT

RESOLVED, that the Huntington Town Board determines that the DEIS for the Syndicated Ventures zone change application and Horizons 2020 Comprehensive Plan amendment is acceptable for commencing public review; and

BE IT FURTHER

RESOLVED, the Town Board hereby schedules simultaneous public hearings for the 8th day of DECEMBER, 2015, at 7:00 PM to gather public comment on the DEIS in accordance with Section 617.9(a)(4) of the SEQRA regulations, to consider an amendment to the Horizons 2020 Comprehensive Plan to extend the Major Commercial Corridor/Mixed Use and Minor Commercial/Mixed Use Activity Center classifications to cover the subject property, and to consider adopting Local Law Introductory No. 47 - 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 and C-6 General Business District to C-5 Planned Shopping Center District property designated on the Suffolk County Tax Map as 0400-209-02-(003, 004.001, 005.006), as follows:

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

LOCAL LAW INTRODUCTORY NO. 47 - 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 northeast side of Jericho Turnpike and Manor Road, Elwood, designated on the Suffolk County Tax Map as 0400-209-02-(003, 004.001, 005.006), to be rezoned from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District, more particularly described as:

BEGINNING at a POINT at the intersection of the easterly side of Manor Road with the northerly side of Jericho Turnpike (NYS 25),

THENCE from said POINT OF BEGINNING North 03 degrees 53 minutes 00 seconds East, 314.81 feet,

THENCE North 00 degrees 24 minutes 40 seconds East, 238.65 feet,

THENCE North 07 degrees 34 minutes 10 seconds East, 352.05 feet,

THENCE North 89 degrees 13 minutes 04 seconds East, 2000.81 feet,

THENCE South 00 degrees 47 minutes 25 seconds East, 170.13 feet,

THENCE South 02 degrees 06 minutes 10 seconds East, 1012.94 feet,

THENCE North 79 degrees 33 minutes 30 seconds West, 813.08 feet,

THENCE South 86 degrees 58 minutes 30 seconds West, 490.84 feet,

THENCE North 83 degrees 36 minutes 50 seconds West, 443.53 feet,

THENCE North 05 degrees 57 minutes 25 seconds East, 13.11 feet,

THENCE North 84 degrees 02 minutes 35 seconds West, 140.98 feet,

THENCE westerly along the arc of a curve bearing right, having a radius of 1394.75 feet and a length of 221.73 feet,

THENCE North 44 degrees 11 minutes 47 seconds West, 19.65 feet,

THENCE North 87 degrees 25 minutes 07 seconds West, 8.67 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: 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 48-2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-406, COSTCO WHOLESALE CORP. – MELVILLE, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON EAST SIDE OF BROAD HOLLOW RD. (NYS 110), SOUTH OF RULAND RD., MELVILLE, SCTM: 0400-267-02-030.

Resolution for Town Board Meeting Dated: November 5, 2015

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

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

WHEREAS, COSTCO WHOLESALE CORP., 45940 Horseshoe Drive, Suite 150, Sterling, VA 20166, lessee, submitted application #2015-ZM-406 for a change of zone from C-6 General Business District to C-11 Automotive Service Station District for property located on the east side of Broad Hollow Road (NYS 110), south of Ruland Road, Melville, designated as 0400-267-02-030 on the Suffolk County Tax Map; and

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

WHEREAS, 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 8th day of DECEMBER, 2015, at 7:00 PM to consider adopting Local Law Introductory No. 48-2015 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

General Business District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-267-02-030, as follows:

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

LOCAL LAW INTRODUCTORY NO. 48 - 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 Broad Hollow Road, south of Ruland Road, Melville, designated on the Suffolk County Tax Map as 0400-267-02-030, to be rezoned from C-6 General Business District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT on the east side of Broad Hollow Road, approximately 728.29 feet south of the intersection with the south side of Ruland Road,

THENCE from said POINT OF BEGINNING South 84 degrees 4 minutes 40 seconds East, 239.08 feet,

THENCE South 14 degrees 59 minutes 10 seconds East, 110 feet,

THENCE South 82 degrees 29 minutes 00 seconds East, 78 feet,

THENCE South 07 degrees 30 minutes 0 seconds West, 47.55 feet,

THENCE North 84 degrees 0 minutes 34 seconds West, 360.93 feet,

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO EXECUTE A RETAINER AGREEMENT FOR PROFESSIONAL LEGAL SERVICES WITH RIGANO LLC.

Resolution for Town Board Meeting Dated: November 5, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, A Notice of Claim has been received concerning the Old Town Hall building property located at 227 Main Street, Huntington, NY 11743, entitled, In the Matter of the Claim of 29 Green Street LLC and 227 Main Street LLC v. Town of Huntington, requiring the assistance of outside counsel and it is recommended that RIGANO LLC, 538 Broad Hollow Road, Suite 217, Melville, NY 11747, be retained in connection therewith; and

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY authorizes the Town Attorney to execute a retainer agreement with the firm of RIGANO LLC, 538 Broad Hollow Road, Suite 217, Melville, NY 11747, as the Town's outside counsel to handle a Notice of Claim and any associated litigation concerning the Old Town Hall building In the Matter of the Claim of 29 Green Street LLC and 227 Main Street LLC v. Town of Huntington, at a negotiated fee of not to exceed TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS per hour, to be charged to Operating Budget A-1420-4551 (Outside Legal Counsel) on such 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-BT8

ENACTMENT: APPROVE 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: JOHN RITTENHOUSE

LOCATION: 285 ASHAROKEN AVE., ASHAROKEN, N.Y.

S.C.T.M. #: 0401-005.00-02.00-007.001 & 005.000

Resolution for Board of Trustees Meeting Dated: November 5, 2015

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

and seconded by: **TRUSTEE COOK**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Land Use Ecological Service Inc.

On behalf of

John Rittenhouse

285 Asharoken Ave

Asharoken, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft. Overall length of dock assembly is to measure 210 ft. from MHWL. Project site to be accessed via a construction barge at 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000; and

WHEREAS, the variance meets the standards for a variance as set forth in 137-22(c)(4) because: (i) the structure for which the variance is sought is not a continuous fixed pier assemblage; (ii) the extension or seaward terminus of the structure is a floating pier and ramp assemblage; (iii) the Harbormaster has determined that the extended structure will not impede navigation nor conflict with 137-26(A)(7); (iv) the application, if granted, will be in conformity with all codes, rules and regulations of the Building Code of the Town of Huntington; and (v) the application, if granted, will not have a significant effect on the environment, is not located in in critical environmental area as set forth in the SEQRA regulations and is not under any designation that recommends or prohibits construction of such structure.

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has been established as lead agency for this action; and

2015-BT8

WHEREAS, upon review of the Environmental Assessment Form, submitted by the applicant, and by the SEQRA review prepared by the Town Department of Maritime Services, it has been determined that no potentially adverse environmental impacts are posed by the pending action, providing the conditions requested by the Department of Maritime Services are adhered to; and

THE BOARD OF TRUSTEES, having held a public hearing on the 11th day of August, 2015, to consider the matter of granting a variance to Section 137-26. A [1] of Chapter 137, the Marine Conservation Law and the issuance of a special use permit to John Rittenhouse to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly is to measure 210 ft. from MHWL. Project site to be accessed via a construction barge at 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000 and due deliberation being had

NOW, THEREFORE

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF), submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY CONDITIONALLY GRANTS the variance of Section 137-26. A [1] of Chapter 137, the Marine Conservation Law to construct a residential fixed pier and floating dock assembly at 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000, with an overall length not to exceed 210 ft. from MHWL. This grant is specifically conditioned upon the filing by the property owner of the following Covenants and Restrictions, to run with the land in perpetuity and is a prerequisite to the issuance of the Special Use Permit to the Applicant. Such Covenants and Restrictions shall be in a form acceptable to the Town Attorney and filed with at the Office of the Suffolk County Clerk. Proof of such filing shall be provided by the owner to the Town Attorney, the Director of Engineering Services and the Huntington Town Clerk. All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary to the Town Attorney to assure compliance with Covenants and with the License Agreement required as a condition of the permit. The Covenant and Restriction shall provide as follows:

No more than one (1) residential fixed pier and floating dock assembly, which shall be maintained, used and operated solely for non-commercial purposes, shall be constructed at 285 Asharoken Ave., Asharoken, N.Y. 11768, regardless of whether such property is subsequently approved for subdivision by the Village of Asharoken.

HEREBY CONDITIONALLY GRANTS the issuance of a special use permit to John Rittenhouse to construct a residential fixed pier and floating dock assembly at 285

2015-BT8

Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000, with an overall length not to exceed 210 ft. from MHWL on such terms and conditions as follows:

1. The execution and filing of the Covenants and Restrictions in accordance with the conditional grant of the variance to the Applicant; and
2. Applicant must notify the Dept. of Engineering Services, Dept. of Maritime Services and the Harbor Masters office 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
3. A License Agreement for the use of Town of Huntington underwater land is required for this project; and
4. All activities must be conducted in conformance with the approved US Army Corp. of Engineers, New York State DEC Tidal Wetlands Permit and/or locale permits and associated approved plans; and
5. The proposed structure will be permitted as a residential/recreational structure and shall be maintained, used and operated solely for non-commercial purposes. The total operational capacity is limited to the docking of no greater than three vessels; and
6. No additions, extensions, reconfigurations or increases of the capacity of this structure is permitted without prior approval from the Town of Huntington; and
7. The permitted fixed pier and dock assemblage shall not be used as a community or association dock and;
8. No Materials or debris shall be discharged or otherwise permitted in tidal waters, tidal wetlands and/or protected buffer areas; and
9. All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas or via sea barge; and
10. All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
11. There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
12. The applicant is responsible for scheduling all required Town of Huntington inspections at the appropriate intervals during the course of demolition/construction; and (See permit for required inspections and contact phone number)
13. The applicant, owner and their duly authorized representatives (such as contractors,

2015-BT8

sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington, Dept. of Engineering Services, Dept. of Maritime Services and the Town Attorney's Office. Any modification or deviation from the approved plans, methodology and/or terms/conditions as included in the issued permit must be approved by the Town of Huntington prior to the commencement of activities; and

14. Upon the completion of the proposed activity, any debris or excess material shall be removed from the site in a timely manner and properly disposed of at a state approved disposal area; and
15. Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritimes Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743.

VOTE:	AYES: 4	NOES: 0	ABSTENTIONS: 1
President Frank P. Petrone		AYE	
Trustee Susan A. Berland		ABSTAIN	
Trustee Eugene Cook		AYE	
Trustee Mark A. Cuthbertson		AYE	
Trustee Tracey A. Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE 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: JOHN RITTENHOUSE

LOCATION: 285 ASHAROKEN AVE., ASHAROKEN, N.Y.

S.C.T.M. #: 0401-005.00-02.00-007.001 & 005.000

Resolution for Board of Trustees Meeting Dated: November 5, 2015

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

and seconded by: **TRUSTEE COOK**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Land Use Ecological Service Inc.

On behalf of

John Rittenhouse

285 Asharoken Ave

Asharoken, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly is to measure 210 ft from MHWL. Project site to be accessed via a construction barge at 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000; and

WHEREAS, the proposed dock assembly is to be located beyond the deed line of the property known as 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000, in which construction equipment/material is to access the project site via a sea barge; and

WHEREAS, a license agreement for the construction of a two hundred and ten foot long residential fixed pier and floating dock assembly for use on underwater Board of Trustee land is necessary; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town Board has been established as lead agency for this action; and

WHEREAS, upon review of the Environmental Assessment Form, submitted by the applicant, and by the SEQRA review prepared by the Town Department of Maritime Services, it has been determined that no potentially adverse environmental impacts are

posed by the pending action, providing the conditions requested by the Department of Maritime Services are adhered to; and

THE BOARD OF TRUSTEES, having held a public hearing on the 11th day of August, 2015, to consider the matter of granting a variance to Section 137-26. A [1] of Chapter 137, the Marine Conservation Law and the issuance of a special use permit to John Rittenhouse to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly is to measure 210 ft from MHWL. Project site to be accessed via a construction barge at 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000 and due deliberation being had

NOW, THEREFORE THE BOARD OF TRUSTEES

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF), submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY AUTHORIZES the President of the Board of Trustees to execute a license agreement with John Rittenhouse as is necessary to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly to measure 210 ft from MHWL and to be located beyond the deed line of the property known as 285 Asharoken Ave., Asharoken, N.Y. 11768, S.C.T.M. # 0401-005.00-02.00-007.001 & 005.000; said license agreement to be for a term fifteen years from the date of execution, upon payment of \$250.00 as and for an administrative fee for each year of the license agreement, and upon such terms and conditions as may be acceptable to the Town Attorney

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

President Frank P. Petrone	AYE
Trustee Susan A. Berland	ABSTAIN
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-LDC-10

RESOLUTION AUTHORIZING THE CHAIR TO ENGAGE BARRY D. LITES, ESQ., OF THE LAW FIRM BARRY D. LITES LLP TO PROVIDE LEGAL SERVICES FOR THE CORPORATION

Resolution for Board meeting dated: November 5, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, The Town of Huntington Local Development Corporation ("THLDC") presently has a need to engage outside legal counsel to provide legal services for the corporation; and

WHEREAS, THLDC is desirous of engaging Barry D. Lites, Esq. to provide such services; and

WHEREAS, the engagement of legal counsel 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 BOARD OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY

AUTHORIZES the Chair to engage Barry D. Lites, Esq., of the law firm Barry D. Lites LLP, 23 Green Street, Huntington, New York to provide legal services for the THLDC on such terms and conditions as may be acceptable to the Chair.

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.