

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

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

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

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilwoman	Tracey A. Edwards
Deputy Town Clerk	Stacy H. Colamussi
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED JULY 12, 2016

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 5:19 P.M. Closed: 5:22 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 5:22 P.M. Closed: 5:23 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:02 P.M. Closed 5:19 P.M.

(Resolutions #2016-318 to 2016-367)

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: 0400-082.00-01.00-035.000;

0400-183.00-02.00-013.000; 0400-281.00-02.00-066.001;

0400-097.00-02.00-090.000; 0400-159.00-03.00-074.000)

(2016-M-37)

Scheduled as per Resolution 2016-308 at 6-7-2016 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2016-359**

2. Consider acquiring East Northport property (William Byrne Park Addition).

(Re: SCTM #'S: 0400-175.00-03.00-082.002 & 083.003 and part of lot 082.001)

(2016-M-38)

Scheduled as per Resolution 2016-314 at 6-7-2016 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

3. Consider entering into a license agreement with Crown Castle NG East, LLC. (Term: 10 years)
(2016-M-39)
Scheduled as per Resolution 2016-315 at 6-7-2016 Town Board Meeting

4. Consider the proposed renovation and rehabilitation by the Commack Public Library District of its existing facilities at 18 Hauppauge Road, Commack, New York, to determine if same be in the public interest and to consider authorizing the negotiation and delivery of such documents on behalf of the Town of Huntington as may be necessary to make possible the proposed renovation and rehabilitation project.
(2016-M-40)
Scheduled as per Resolution 2016-317 at 6-7-2016 Town Board Meeting

5. Consider adopting Local Law Introductory No. 22-2016, considering Zone Change Application #2015-ZM-411, Seamus Coyle – 114 Prime Avenue, to change the zoning from I-4 Light Industry District to R-5 Residence District for property located on the east side of Prime Avenue, north of New York Avenue, Huntington, SCTM #: 0400-071-02-083.
(Local Law Introductory No. 22-2016)
Scheduled as per Resolution 2016-271 at 5-10-2016 Town Board Meeting

6. Consider adopting Local Law Introductory No. 27-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Morris Avenue – Greenlawn – Stop Signs.
(Local Law Introductory No. 27-2016)
Scheduled as per Resolution 2016-309 at 6-7-2016 Town Board Meeting

7. Consider adopting Local Law Introductory No. 28-2016, amending the Code of the Town of Huntington, Chapter 78 (Animals).
(Local Law Introductory No. 28-2016)
Scheduled as per Resolution 2016-310 at 6-7-2016 Town Board Meeting

8. Consider adopting Local Law Introductory No. 29-2016, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions), §159-1 (Definitions), and Article II (Use Regulations and Restrictions), §159-20 (Behavior and Conduct).
(Local Law Introductory No. 29-2016)
Scheduled as per Resolution 2016-311 at 6-7-2016 Town Board Meeting

9. Consider adopting Local Law Introductory No. 30-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Old Huntington Firehouse, 235 Main Street, Huntington, SCTM #: 0400-072-02-031.
(Local Law Introductory No. 30-2016)
Scheduled as per Resolution 2016-312 at 6-7-2016 Town Board Meeting

ACTION

Councilwoman Edwards recused herself and removed herself from the Town Board Room during the testimony presented at this hearing

DECISION RESERVED

**ENACTMENT
RESOLUTION 2016-357**

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

HEARINGS (Continued):

10. Consider adopting Local Law Introductory No. 31-2016, considering Zone Change Application #2015-ZM-414, Brightview Senior Living, to change the zoning from R-40 Residence District to R-HS Residential Health Services District for property located on the East side of Deer Park Avenue, North of Talisman Drive, Dix Hills, SCTM #: 0400-262-02-(036.002, 037, 038). (**Applicant: Shelter Development LLC, Baltimore, Maryland**)
(Local Law Introductory No. 31-2016)
Scheduled as per Resolution 2016-313 at 6-7-2016 Town Board Meeting

11. Consider adopting Local Law Introductory No. 32-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts).
(Local Law Introductory No. 32-2016)
Scheduled as per Resolution 2016-316 at 6-7-2016 Town Board Meeting

ACTION

**HEARING REMAINS
OPEN UNTIL 7/22/2016
FOR PUBLIC WRITTEN
COMMENTS TO THE
TOWN CLERK**

**ENACTMENT
RESOLUTION 2016-358**

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

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

- | | | | | |
|------------------|--|------------------|------------------|--|
| 2016-318. | <p>AUTHORIZE the Supervisor to apply for and receive matching financial assistance from the New York State Environmental Protection Fund to create a Huntington Blueway as a partnership project with Cornell Cooperative Extension of Suffolk County.</p> | <u>MC</u> | <u>EC</u> | <u>5</u> |
| 2016-319. | <p>AUTHORIZE the Supervisor to execute a change to the existing contract with H2M Architects + Engineers for professional engineering services for necessary commuter elevator upgrades at the Long Island Railroad Huntington Station South Parking Garage.</p> | <u>EC</u> | <u>TE</u> | <u>5</u> |
| 2016-320. | <p>AUTHORIZE the Supervisor to execute a contract for the Townwide Elevator Maintenance with Island Elevator Inspection, Inc.
(Term: 3 years commencing upon execution but not prior to 10/3/2016)</p> | <u>EC</u> | <u>FP</u> | <u>5</u> |
| 2016-321. | <p>AUTHORIZE the Supervisor to execute an extension to the contract for a multi-space parking pay station system with Devo & Associates, LLC.
(Extension one year commencing 9/13/2016)</p> | <u>MC</u> | <u>FP</u> | <u>5</u> |
| 2016-322. | <p>AUTHORIZE the Supervisor to execute an extension to the requirements contract for sports courts resurfacing and amenities with the Landtek Group, Inc. (Extension one year commencing 10/10/2016)</p> | <u>FP</u> | <u>EC</u> | <u>5</u> |
| 2016-323. | <p>AUTHORIZE the Supervisor to execute a requirements contract for the processing, disposal, and marketing of source separated recyclables from the Town of Huntington Recycling Center and mixed paper/corrugated from Municipal Business District with Winters Bros. Recycling of Long Island, LLC. (Term shall commence not prior to 10/21/2016 and expire 12/31/2017)</p> | <u>SB</u> | <u>EC</u> | <u>MC-RECUSAL</u>
<u>SB-AYE</u>
<u>EC-AYE</u>
<u>FP-AYE</u>
<u>TE-AYE</u> |
| 2016-324. | <p>AUTHORIZE the Supervisor to execute an extension to the requirements contract for the catch basin and drainage structure cleaning services for bid items one through seven. (Re: E-Z Trucking Inc. and Magnum Cesspool Service Inc. extension 1 year commencing 10/21/2016)</p> | <u>SB</u> | <u>EC</u> | <u>TE-ABST</u>
<u>MC-AYE</u>
<u>FP-AYE</u>
<u>EC-AYE</u>
<u>SB-AYE</u> |
| 2016-325. | <p>AUTHORIZE the Supervisor to execute a requirements contract for the Detroit diesel engine parts and Allison transmission parts and service with Drive Train Truck Parts Corp. (Term 1 year commencing not prior to 9/11/2016)</p> | <u>MC</u> | <u>EC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-326. AUTHORIZE the Supervisor to execute a license agreement with the East Northport Chamber of Commerce for the use of John Walsh Park for its annual festival and further granting permission for a sidewalk sales event. (John Walsh Park 9:00 am on 9/6/2016 through 11:00 pm on 9/11/2016; sidewalk sale 9/9/2016-9/11/2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2016-327. AUTHORIZE the Supervisor to execute an agreement between the Town of Huntington and Broadcast Music, Inc. (BMI) for a local government music license, nunc pro tunc.	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2016-328. AUTHORIZE the Supervisor to apply for and receive funding from the New York State Energy Research and Development Authority for a Stage 2: NY Prize Community Grid Competition Award (RFP-3044) and authorize the Supervisor to enter a professional services agreement with the New York Power Authority to assist in preparation and submittal of the Stage 2 Award Proposal.	<u>FP</u>	<u>MC</u>	<u>5</u>
2016-329. AUTHORIZE the Supervisor to execute an Energy Efficiency Services Program (ESP) agreement with the New York Power Authority (NYPA) and such successor master cost recovery agreement as may replace the existing NYPA Program and to execute sub-agreements for NYPA services pursuant thereto for entities partnering with the Town on energy security, resiliency, and green energy initiatives.	<u>FP</u>	<u>TE</u>	<u>5</u>
2016-330. AUTHORIZE the Supervisor to execute an agreement with the New York Power Authority to conduct targeted energy audits at facilities included in the NY Prize “Huntington Community Microgrid” Proposal. (Re: Town Hall, Flanagan Senior Center, Wastewaer Treatment Plant and Heckscher Park Museum)	<u>FP</u>	<u>SB</u>	<u>5</u>
2016-331. AUTHORIZE the Supervisor to execute a Memorandum of Understanding with the Suffolk Y Jewish Community Center (SYJCC), nunc pro tunc. (Term: 4/1/2016-12/31/2017)	<u>FP</u> <u>SB</u>	<u>TE</u> <u>EC</u>	<u>5</u>
2016-332. AUTHORIZE the Supervisor to respond to the Suffolk County Office for the Aging’s Request for Qualifications (RFQ) to provide nutrition program services.	<u>SB</u>	<u>EC</u>	<u>5</u>
2016-333. AUTHORIZE the execution of a contract of sale and closing of title on a 7,000 square foot parcel of vacant land, adjoining 30 Stewart Avenue, Huntington, New York (SCTM # 0400-072.00-02.00-p/o 018.001) to Stewart Avenue Ventures, LLC. (SUBJECT TO PERMISSIVE REFERENDUM)	<u>TE</u> <u>MC</u>	<u>EC</u>	<u>5</u>
2016-334. AUTHORIZE the execution of a requirements contract for application of foaming root control in sanitary sewer systems with Municipal Sales, Inc. (Term 1 year commencing not prior to 9/16/2016)	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2016-335. AUTHORIZE use of Huntington Station commuter parking lots and garages in connection with the Saturday, September 10, 2016 Huntington Awareness Day Unity Festival at Jack Abrams Stem Magnet School. (Re: 11 am – 5 pm; waives metered on-street parking on Broadway and Railroad Avenues in connection with festival)</p>	<u>FP</u>	<u>TE EC</u>	<u>5</u>
<p>2016-336. AUTHORIZE the filing and execution of applications with the Federal Transit Administration (FTA) for financial capital assistance for the Huntington Area Rapid Transit (HART) System.</p>	<u>TE</u>	<u>MC</u>	<u>5</u>
<p>2016-337. AUTHORIZE the filing and execution of applications with the New York State Department of Transportation (NYSDOT) for financial capital assistance for the Huntington Area Rapid Transit (HART) System nunc pro tunc.</p>	<u>MC</u>	<u>FP</u>	<u>5</u>
<p>2016-338. AUTHORIZE the Supervisor to execute an agreement with Great Events Solutions, Inc. DBA Hoop Dreams for the provision of a pilot youth summer basketball program at Veterans Park in East Northport for July and August 2016, nunc pro tunc. (Re: Monday, Tuesday & Thursday evenings from 7/5/2016-8/31/2016 from 5:45 pm-10:00 pm)</p>	<u>EC</u>	<u>SB</u>	<u>5</u>
<p>2016-339. AUTHORIZE attendance at the Huntington Township Chamber Foundation Leadership Huntington Program. (Re: Kevin Thorbourne and Carineh Mendez)</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2016-340. AUTHORIZE the settlement of a lawsuit (Shanahan, Timothy, as Executor of Estate of Lorraine Shanahan v Town of Huntington).</p>	<u>MC</u>	<u>FP</u>	<u>5</u>
<p>2016-341. AUTHORIZE the settlement of a lawsuit (Elaine Robinson, as Administratrix of the Estate of Ulysses Taylor, deceased v Town of Huntington).</p>	<u>MC</u>	<u>FP</u>	<u>5</u>
<p>2016-342. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Nelson/Helen Chang 815 Deer Park Avenue, Dix Hills, SCTM# 0400-280.00-03.00-040.005, Chapters 133, 156; Adam Greenholtz, 12 Highland Court, Huntington, SCTM#0400-069.00-02.00-036.000, Chapters 133, 156; US Bank National, 2 Hillcock Court, Huntington, SCTM#0400-167.00-01.00-078.000, Chapters 133, 156; George Kistner, 31 Grafton Street, Greenlawn, SCTM#0400-111.00-02.00-030.000, Chapters 133, 156 [section 45&46], 191; 56 West Hills Road LLC c/o Surendra Shah, 556 West Hills Road, Huntington Station, SCTM#0400-194.00-02.00-002.000, Chapters 133, 156; Joseph Gunther, 19 Arlington Street, Melville, SCTM#0400-258.00-01.00-115.000, Chapters 133,156, 191; Scott Weiser, 44 Chichester Road, Huntington Station, SCTM#0400-232.00-02.00-007.000, Chapters 133, 156; Lisa Diedrich, 94 Glenna Little Trail, Huntington, SCTM#0400-025.00-01.00-059.000, Chapter 133; Richard Kollander, 21 Roundtree Drive, Melville, SCTM#0400-272.00-01.00-075.000, Chapter 133, 156; Marie Blain Ange, 394 Broadway, Huntington, SCTM#0400-211.00-01.00-067.000, Chapters 133, 156; Van Deusen Properties Inc., 3 Springs Drive, Melville, SCTM#0400-273.00-02.00-062.000, Chapters 133, 156; Jon/Maria Ruggiere, 4 Cecil Court, Melville, SCTM#0400-242.00-02.00-064.000, Chapters 133, 156; Kim's Morris Realty Corp, 10 Walt Whitman Road, Huntington Station, SCTM#0400-199.00-02.00-116.000, Chapters 133, 156; Aileen Carson (L/E) Dwight Carson (Estate of), 7 Metcale Lane, East Northport, SCTM#0400-183.00-03.00-041.000, Chapter 156; Estate of Georgia Hansen/Cindy Hansen Gullo Executrix, 15 Vause Street, Northport, SCTM# 0400-052.00-02.00-017.000, Chapter 156; Patricia Devine(Trust) Estate of, 21 Stager Lane, Commack, SCTM#0400-224.00-03.00-142.000, Chapter 156; Jung Don/Kyoung Mi Kim, 20 Kenmore Street, Dix Hills, SCTM#0400-280.00-07.00-021.000, Chapter</p>			

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>156; Mary Beth Casper, 3 Crestwood Drive, Huntington Station, SCTM#0400-144.00-02.00-142.000, Chapter 156; Consolidated Assets & Acquisitions LLC, Enclave Court, Dix Hills, SCTM#s 0400-274.00-01.00-025.008 & 025.003, Chapter 156; William/Pamela Brady, 229A Beverly Road, Huntington Station, SCTM# 0400-203.00-01.00-158.005, Chapter 156; Janet Archibald/Leston Sprauve, 15 Alister Circle, East Northport, SCTM#0400-215.00-02.00-095.000, Chapter 156; Walter/Carmella Harnoski, 56 West 18 Street, Huntington Station, SCTM#0400-194.00-02.00-004.000, Chapter 156; Rifka/Mark Amabile, 21 Famington Lane, Melville, SCTM#0400-273.00-01.00-031.000, Chapter 156; Richard Russillo, 15 Janice Court, Commack, SCTM#0400-225.00-02.00-030.000, Chapter 156; Joseph Hart, 311 Laurel Road, Northport, SCTM#0400-056.00-02.00-080.000, Chapter 156; Dorothy Byrn Stellges/Avis Willard L/E, 45 East 12th Street, Huntington Station, SCTM#0400-145.00-01.00-052.000, Chapter 156;</p>	<u>SB</u>	<u>FP</u> <u>TE</u>	<u>5</u>
2016-343. AUTHORIZE the Comptroller to amend the 2016 Operating Budget for the Town of Huntington and its special districts- various departments.	<u>TE</u>	<u>SB</u>	<u>5</u>
2016-344. AUTHORIZE the Comptroller to amend the operating budget line in association with the receipt of grant funds from the Alzheimer’s Foundation of America for the provision of brain gym classes to enhance the Adult Day Care Program. (Term: 1/1/2016-12/31/2016)	<u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2016-345. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended improvements (Centerport Beach). (Re: Stormwater runoff control rain garden demonstration project)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-346. ACCEPT the gift of the September 11 Memorial Peace Pole from the World Peace Organization’s Peace Pole Project for display at the Huntington Manor Field Park, James D. Conte Community Center Complex.	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2016-347. ACCEPT a donation of upholstered chairs for the Department of General Services, nunc pro tunc. (Re: Northport American Legion #694)	<u>SB</u>	<u>TE</u> <u>EC</u>	<u>5</u>
2016-348. APPROVE and AUTHORIZE the Supervisor to execute a water supply agreement of Greenlawn Water District for the installation of water mains and appurtenances in the subdivision known as Harborfield Estates. (Re: Island Estates at Harborfields LLC –owners)	<u>MC</u>	<u>EC</u>	<u>5</u>
2016-349. DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>SB</u>	<u>EC</u>	<u>5</u>
2016-350. DECLARE July 23, 2016 to be Coltrane Day in the Town of Huntington and authorizing the Supervisor to execute a license agreement with Friends of the Coltrane Home in Dix Hills and the Huntington Arts Council, Inc. for the use of Heckscher Park for the Coltrane Day Music Festival. (Re: Permission to use the park from 9:00 am on 7/22/2016-3:00 pm on 7/24/2016)	<u>SB</u>	<u>FP</u> <u>TE</u>	<u>5</u>
2016-351. REMOVED FROM THE AGENDA AT THE WORKSHOP.			

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-352. DESIGNATE Title Insurance Companies and abstract companies for the Town of Huntington. (Re: Advantage Title Agency, Inc., American Land Services, Fidelity National Title Insurance Services, LLC, First American Title Insurance Company of New York, Regal Title Agency)	<u>MC</u>	<u>EC SB</u>	<u>5</u>
2016-353. GRANT permission to Iglesia Luz De Salvacion AIC (Light of Salvation Church) for use of Huntington Station Commuter Parking Lot 22 in connection with its Saturday, August 13, 2016 Christian Day Parade. (Re: 8/13/2016 from 12:00 pm until 2:00 pm)	<u>FP</u>	<u>EC</u>	<u>5</u>
2016-354. ENACTMENT: ADOPT 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. (Applicant: Gurwin Jewish Geriatric Foundation)	<u>FP</u>	<u>TE</u>	<u>5</u>
2016-355. ENACTMENT: ADOPT Local Law Introductory Number 23-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Leland Street – East Northport – Stop Signs.	<u>TE</u>	<u>EC</u>	<u>5</u>
2016-356. ENACTMENT: ADOPT Local Law Introductory Number 24-2016 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.	<u>TE</u>	<u>FP</u>	<u>5</u>
2016-357. ENACTMENT: APPROVE the proposed renovation and rehabilitation by the Commack Public Library District of its existing facilities at 18 Hauppauge Road, Commack, New York, and authorize the negotiation, delivery and execution of documents on behalf of the Town of Huntington with respect to said renovation and rehabilitation project.	<u>FP</u>	<u>SB</u>	<u>5</u>
2016-358. ENACTMENT: ADOPT Local Law Introductory No. 32-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts).	<u>FP</u>	<u>TE</u>	<u>5</u>
2016-359. 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: Edward/Cathy Robinson, 2 Salisbury Drive N. East Northport, SCTM#0400-082.00-01.00-035.000; Estate of Georgia Hansen/Cindy Hansen Gullo Executrix, 40 Tamarack Street, East Northport, SCTM#0400-183.00-02.00-013.000; Dave Clarke, 266 Pine Acre Blvd, Dix Hills, SCTM#0400-281.00-02.00-066.001; Joseph/Tiffany Cicarelli, 637 Park Avenue, Huntington, SCTM#0400-097.00-02.00-090.000; OWB REO LLC, 976 Park Avenue, Huntington, SCTM#0400-159.00-03.00-074.000; Schedule D: Robert Waldinger, 7 Cherry Place, Huntington, SCTM#0400-025.00-02.00-045.000; Aileen Carson (L/E) Dwight Carson (Estate of) 7 Metcale Lane, East Northport, SCTM#0400-183.00-03.00-041.000; Subbarao/Sathyavath Gutti, 32 Lakeside Drive, Centerport, SCTM#0400-043.00-05.00-014.000; Delvis Arevalo/Elsa Bardales Banegas, 114 Columbia Street,			

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
Huntington Station, SCTM#0400-141.00-01.00-027.000; Dennis Carrion, 502 10 th Avenue, East Northport, SCTM#0400-115.00--02.00-028.000; Teofil Kolodziejczyk, 650 Washington Drive, Centerport, SCTM#0400-039.00-01.00-023.000)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-360. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A: 61 Norwich Street LLC, 61 Norwich Street, Huntington Station, SCTM#0400-232.00-01.00-006.001; William Edmonds, 90 Greenlawn Road, Huntington, SCTM#0400-103.00-03.00-007.000; Michael/Marilyn Gladstein, 168 Chichester Road, Huntington, SCTM#0400-231.00-01.00-025.007; Huntington Manor Lions c/o Manley Vita, East 12 St, Huntington, SCTM#0400-145.00-01.00-084.000)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-361. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider awarding a license agreement to operate a pro shop service at Dix Hills Park Twin Ice Rinks. (Re: Cozzi Sports; term 5 years)	<u>SB</u>	<u>FP EC</u>	<u>5</u>
2016-362. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider adopting Local Law Introductory No. 33-2016 amending the Code of the Town of Huntington, Chapter 91 (Carnivals, Circuses, Fairs and Amusement Events).	<u>TE</u>	<u>FP</u>	<u>5</u>
2016-363. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider adopting Local Law Introductory No. 34-2016, amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances) Article VII (Blighted Property).	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-364. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider adopting Local Law Introductory No. 35-2016, amending the Code of the Town of Huntington, Chapter 191 (Unsafe and Damaged Buildings and Structures).	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-365. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider adopting Local Law Introductory No. 36-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts), Article V (Industrial Districts), Article VII (Off-Street Parking), Article XI (Conditional Uses; Supplementary Regulations).	<u>MC</u>	<u>SB</u>	<u>5</u>
2016-366. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2016-367. SCHEDULE A PUBLIC HEARING: AUGUST 16, 2016 AT 2:00 PM To consider adopting Local Law Introductory Number 38-2016 considering zone change application #2016-ZM-422, Platt's Park Avenue LLC II, to change the zoning from R-15 Residence District to C-1 Office-Residence District for property located on the east corner of East Main Street and Park Avenue, Huntington, SCTM # 0400-073-02-(001,003.002, 003.003).	<u>FP</u>	<u>TE</u>	<u>FP-AYE TE-AYE EC-AYE MC-AYE SB-NO</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:

OFF. SEC. VOTE

**AGENDA FOR BOARD OF TRUSTEES’
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-BT-17.ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to the Marine Conservation & Regulation of Maine Structures Law, Town Code Chapter 137, for the construction of a residential fixed pier and floating dock assembly Applicant: Shore Solutions Inc., on behalf of Owner: Randall & Antoinette Lico Location: 32 Hawkins Dr., Northport S.C.T.M. #0404-001.00-01.00-012.000.	<u>MC</u>	<u>EC</u>	<u>5</u>
2016-BT-18.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: Shore Solutions Inc., on behalf of Owner: Randall & Antoinette Lico Location: 32 Hawkins Dr., Northport S.C.T. M. #0404-001.00-01.00-012.000.	<u>MC</u>	<u>EC</u>	<u>5</u>
2016-BT-19.ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to the Marine Conservation & Regulation of Marine Structures Law, Town Code Chapter 137, for the construction of an interlocking vinyl “Navy Style” bulkhead Applicant: Shore Solutions Inc., on behalf of Owner: Tarja Koskela Location: 67 East Shore Rd., Huntington S.C.T.M. #0400-032.00-01.00-005.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-20.ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the extension of a residential fixed pier and floating dock assembly Owner: Joseph & Melody Sciacca Location: 36 Sea Spray Dr., Centerport S.C.T.M. #0400-045.00-03.00-042.002 & 052.000.	<u>MC</u>	<u>TE</u>	<u>5</u>
2016-BT-21.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 Owner: Joseph & Melody Sciacca Location: 36 Sea Spray Dr., Centerport S.C.T.M. #0400-045.00-03.00-042.002 & 052.000.	<u>MC</u>	<u>FP</u>	<u>5</u>
2016-BT-22.AUTHORIZE the President of the Board of Trustees to execute assignment and assumption agreements and/or consent for the assignment of a license agreement from Patricia K. Roche to David Evans and Jennifer Wade regarding existing improvements at 205 Prospect Road, Centerport, New York. (Re: SCTM# 0400-048.00-02.00-016.001)	<u>FP</u>	<u>SB EC</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: JULY 12, 2016**

RESOLUTIONS:

	OFF.	SEC.	VOTE
2016-CD3. ACCEPT Furniture donations from AvalonBay Communities, Inc.	<u>FP</u>	<u>MC</u>	<u>5</u>

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: JULY 12, 2016**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Initial Application for Liquor Licenses:
From: A) From: Theresa Russo for Aramark Services (275 Broadhollow Rd, Melville);
B) From: Brett Hughes for Riley's East (200 Larkfield Rd, ENPT);
C) From: Patrick DeLuca for to be determined (169 Commack Rd, Commack)
D) From: Rosa Alvarez De Romero for El Paraiso Elvira Corp; trade name tbd
(1419 New York Avenue, Huntington Station)

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:
A) From: Christopher Murray for Beach Pub (102 Washington Drive, Centerport)
B) From: William Conrad or Healy's Inn (54 Broadway, Greenlawn)

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Danny Ballentine regarding Melville Road. The email thanks Peter Gunther for repaving Meville Road and would like solutions to slow down the excessive traffic. He also indicates there is numerous accidents involving drinking. Attached were pictures of various alcoholic beverage containers in the road.
(ccd P. Gunther, S. McGloin, E. Cook)

Supervisor
S. Berland
M. Cuthbertson
T. Edwards
Town Attorney
cc: Public Safety
4. Letter received from Susan Mullen, Clerk for the Smithtown Zoning Board of Appeals, regarding a Chick-Fil-A Inc. application for the southeast corner of Commack Road and Henry Street, Commack. Application, maps, Short Environmental Assessment Form and various memoranda were attached.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Public Notice received from Gail Devol, Village Administrator for the Village of Huntington Bay regarding a Zoning Board of Appeals meeting to be held on June 16, 2016 at 7:30 PM. The properties involved are: 352 Bay Avenue, 2 Gormley Lane and 296 Bay Avenue.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Email received from Huntington CALM advising that Bronxville has discontinued the use of gas powered leaf blowers. (ccd Supervisor, Town Board)

Town Attorney
cc: Planning & Environment
7. Petition received via email from the site change.org. The petition is titled, "Maintain the Town of Huntington's Current Zoning Laws & Stop Mall Development on Jericho Turnpike". The following is a listing of total signatures received: 6/5/2016 – 100 signatures; 6/6/2016-100 signatures; 6/14/2016- 500 signatures; B) 6/20/2016-500 signatures;

Supervisor
Town Board
Town Attorney
cc: Planning & Environment

8. Petition received via email from the site change.org. The petition is titled “Stop Change of Zoning and Assisted Living Facility in Dix Hills” by Glen Landow. The following is a listing of total signatures received: 6/13/2016- 45 signatures; 6/14/2016 – 20 signatures; B) 6/17/16-100 signatures; C) 6/21/2016-100signatures; D) 7/2/2016-100signatures; E) 7/7/2016 – 100 signatures F) 7/10/2016-100 signatures g) 7/12/2016-100 Signatures
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment
9. Letter, hand delivered, from Thomas Collins, Chairman of the Huntington Fire District, attached was a copy of the 2015 Independent Auditor’s Report.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
10. Letter received from James Cameron, President of the Elwood Taxpayers Association expressing the support of this organization for the proposed project at the northeast corner of Manor Road and Jericho Turnpike in Huntington.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
11. Letter received from Andrew Freleng, Chief Planner for Suffolk County Department of Economic Development and Planning, regarding Town of Huntington Resolution number 2016-312, 313 and 316. The commission has advised that this is a matter for local determination. This should not be construed as either an approval or disapproval.
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment
12. Email received from Robert Rockelein, Secretary for Huntington Matters regarding the organization’s support of Villadom Mall project. Attached was a letter, addressed to the Chairman of the Planning Board expressing support. (ccd Supervisor, Town Board)
- Town Attorney
Engineering Services
cc: Planning & Environment
13. Letter received from Stephan Ryba, Chief, Regulatory Branch of the US Army Corps of Engineers, regarding a Public Notice, from applicant- USCG-CEU Providence for dredging with a 10 year maintenance and beach nourishment at Eatons Neck Basin leading to Huntington Bay.
- Supervisor
Town Board
Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment
14. Emails received from the following in opposition to the proposed mall in Elwood:
A) Michael Kulsziski B) Marilyn/Gregory McDermott C) Kurt R D)Peter Prinzi valli
E) Glenn Auerbach F) Eileen/Mark Blaustein G) Dale/Loretta Moses H) Thomas/
Catherine Dionian I) Tracy Kleinberg J) Jacqueline Cantwell K) Jerry Hannon
L) Ruth/Craig Gruber M) Gilbert Battistin N) Nadine Araoz O) Dr. Laura DiGrande
P) Carolyn Hughes Q) Tim Mayette R) John Sabatini S) Sheryl Mayette T) Colleen Eren
U) Jonel Barbu V) Kathy Drouin-Keith W) Elias Hernandez X) Tina Dalgish Y) David Benson
Z) Terry Nigrelli AA) Chris Ceasar BB) Terri Costello CC) Linda Louis DD) Maureen Karcher
EE) Lisa Bloomstein FF) Patricia Travaglione GG) Christina Rezk HH) Patrick Deegan-additional
email received with graphs of project II) Samantha Novotny JJ) Howard Novotny KK) Susan Sloane
LL) Raymond Sala MM) Cecilia Teng NN) Carol Dewey OO) Abhishek Parekh
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning, regarding the Change of Zone Application for the Gurwin Senior Housing, 2015-ZM-410. This matter will be reviewed by the Commission at the July 6, 2016 meeting.
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment
16. Letter received from Patricia Hawkins, Chairman of the Election for the East Northport Fire District, regarding the special election for a proposal to sell as surplus one Pierce Pumper. The results were 18 in favor and 63 against the proposition. Various other documents were attached.
- Supervisor
Town Board
cc: Town Attorney

17. Letter sent via email from Andrew Kaplan, Vice President of the Manor Plains Civic Association, advising of their objections to changing the Town's Comprehensive Plan to permit the Villadom Mall. (ccd Supervisor/Councilpersons) Town Attorney
Engineering Services
cc: Planning & Environment
18. Letter received via email from Peter Prinzivalli, President of The Gates at Dix Hills HOA, Inc regarding the proposed amendment to the Comprehensive Plan to permit the Villadom Mall. This association opposes the construction of the Villadom Mall. (ccd Supervisor/Councilpersons) Town Attorney
Engineering Services
cc: Planning & Environment
19. Letter received from Anthony Natale and Mark Palumbo, owners of the property of the proposed Brightview Senior Residential Living Project. The letter is to clarify misconceptions regarding this project. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Letter received via email from the Directors of the North Dix Hills Civic Association Inc, (signed off by Lisa Jospa Bloomstein, Laura DiGrande and Pauline Schwartz) regarding the Comprehensive Plan Amendment for Syndicated Ventures LLC Zone Change. The organization opposes the proposed amendment.(ccd Supervisor/Councilpersons) Town Attorney
Engineering Services
cc: Planning & Environment
21. Letter received via hand delivery from Jason Stern of the Weber Law Group, LLP regarding the "Public Hearing on Amendment ("the Amendment") to the Horizons 2020 Comprehensive Plan ("the Comprehensive Plan") to Accommodate a Zone Change Application known as Syndicated Ventures, #201-ZM-397 ("the Application"). The firm represents several longstanding business owners located on Jericho Turnpike, directly across the street from the proposed shopping center. The letter requests that the proposal be denied and indicates reasons for the denial. (ccd Town Attorney/Director of Planning) Supervisor
cc: Town Board
22. Email received from Dr. Jamie Banks, Executive Director of Quiet Communities, responding to Larry Will's response to a recent public service announcement regarding gas-powered leaf blowers. (ccd Supervisor/Councilpersons). Town Attorney
cc: Planning & Environment
23. Email received from Jared Hershkowitz of the Citizens Advisory Board- Dix Hills Water Department, Water4LI and LICAP, regarding water conservation and proposed building in Huntington. (ccd Supervisor/Councilpersons) Town Attorney
Engineering Services
Planning & Environment
cc: Environmental Waste Mgmt
24. Email received from Paul Jacobs regarding the July 12th hearing on the Town Code chapter on Animals. He would like the following added to the legislation: "Pet owners shall deposit sealed pet waste in their own covered garbage receptacle and not in a receptacle owned by another person." E. Cook
T. Edwards
Town Attorney
cc: Public Safety
25. Letter received from Jessica Clingo regarding the speeding on Greenhill Lane in Huntington. The writer indicates this is a very dangerous condition. B) Letter received dated 6/30/2016 C) Letter dated 7/1/2016 D) Letter dated 7/5/2016 E) letter dated 7/6/2016 F) letter dated 7/7/2016 Supervisor
Town Board
Town Attorney
Public Safety
cc: Traffic & Transportation
26. Letter received from Nelly Schmidt, Treasurer for the Eaton's Neck Fire District, regarding the Audited Annual Financial Statements for the year ending 12/31/2015 for the Fire District. Copy attached. Supervisor
Town Board
Town Attorney
cc: Comptroller

27. Letter received from Tom Hogan of the Cold Spring Harbor Business Improvement Association, LTD. regarding the 2017 contract year. Attached was a copy of the budget. Supervisor
Town Board
cc: Town Attorney
28. Notification received from the New York State Department of Transportation, regarding the Designation of Restricted Highway. The notification lists various roadways that are being reconstructed and designated as restricted. Restriction expires 12-31-2016. Supervisor
Town Board
Town Attorney
Public Safety
Highway
cc: Traffic & Transportation
29. Email received from Dr. Bonnie Sager, Dr. Lucy Weinstein and Mr. Peter Calcandy regarding gas leaf blower initiatives. The email provided various towns/cities updates on regulating gas leaf blowers. (ccd Supervisor/S. Berland/E. Cook/M. Cuthbertson) T. Edwards
Town Attorney
cc: Planning & Environment
30. Email received from Heather Ross expressing her support for the Villadom project. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
31. Email received from Rosalie Mehran at SGNB Law, attached were letters in support of the proposed Brightview Project in Dix Hills from: A) Ruth and Craig Gruber and B) Donna Flynn. (ccd Supervisor/Councilpersons) Town Attorney
Engineering Services
cc: Planning & Environment
32. Notification received from the Village of Huntington Bay regarding a Board of Trustee meeting to be held on July 11, 2016 at 7:30 PM. Public hearings to be held for the following applicants: 92 East Shore Road, LLC and 54 Knollwood Associates Plat. Both properties are located in the Harborside Waterfront Preservation District. Also changes to the code as it relates to Chapter 91. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
33. Letter received from the New York State Department of Public Service, Michael Corso, Consumer Advocate and Director, Office of Consumer Services, regarding a proposed increase in gas delivery rates for National Grid. The Commission will be holding public statement hearings to solicit input from the community. Supervisor
Town Board
Town Attorney
Community Development
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE MATCHING FINANCIAL ASSISTANCE FROM THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND TO CREATE A HUNTINGTON BLUEWAY AS A PARTNERSHIP PROJECT WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY

Resolution for Town Board Meeting Dated: July 12, 2016

The following Resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, the New York State Environmental Protection Fund is accepting applications through the Consolidated Funding Application by July 23, 2016 for financial assistance pursuant to the Local Waterfront Revitalization Program, a component of which provides specialized grant funding to conduct specialized planning endeavors to increase awareness and use of coastal resources; and

WHEREAS, Cornell Cooperative Extension of Suffolk County has submitted a proposal for a Town of Huntington Blueway: Natural and Cultural Heritage Self-Guided Trail System project and presented its proposal to the Huntington Greenway Trails Committee, who received it enthusiastically, encouraged its submission, and pledged their volunteer support; and

WHEREAS, the Town of Huntington wishes to submit a grant proposal, not to exceed a request of seventy-five thousand (\$76,000) dollars with a project match to be provided by educational services of Cornell Cooperative Extension of Suffolk County and extended by in-kind services of Town of Huntington staff and the Huntington Greenway Trails Committee, and potentially multiple community interests, and

WHEREAS, the Town of Huntington Trails Guide, 2nd Edition, included an initial blueway trail map that would be greatly expanded through this project to involve considerable community participation and no direct Town cost to create a detailed Huntington Blueway Trail Map, Blueway Trail Guide App for smartphones and the Town website, Video Tour, and Town of Huntington Blueway Plan; and

WHEREAS, the blueway trail planning project as anticipated is a Type II action pursuant to 6 NYCRR § 617.5(c)18 and 20 as it involves information collection and continuing agency administration, therefore no further SEQRA review is required;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Supervisor of the Town of Huntington to apply for and receive financial assistance from the New York State Environmental Protection Fund – Local Waterfront Revitalization Program (Blueway Trail Planning Project) and to execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney, and

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

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amount awarded and authorizing that the Town will collect and reimburse Cornell Cooperative Extension of Suffolk County \$76,000 pursuant to a memorandum of understanding if the grant is awarded through the Environmental Protection Fund, and

FURTHER AUTHORIZES the Director of the Department of Planning and Environment to administer the Blueway planning project upon awarding of the requested grant.

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 CHANGE TO THE EXISTING CONTRACT WITH H2M ARCHITECTS + ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES FOR NECESSARY COMMUTER ELEVATOR UPGRADES AT THE LONG ISLAND RAILROAD HUNTINGTON STATION SOUTH PARKING GARAGE

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, H2M architects + engineers was awarded the contract for Professional Engineering Services for necessary commuter elevator upgrades, as authorized by Town Board Resolution 2014-567; and

WHEREAS, the vendor has requested the increase to reflect the additional professional services associated with multiple re-bidding of the project beyond the original bidding phase; and

WHEREAS, the contract increase in the amount of \$8,250.00 is requested to cover their increased efforts and expenses; and

WHEREAS, pursuant to SEQRA, 6NYCRR, §617.5(c)(20), engineering administration services is a Type II action and, therefore, no further review is required.

NOW, THEREFORE, upon the recommendation of the Director of Engineering Services, to amend the contract account as follows:

Original Contract Amount: \$53,810.00
Change Order Number 1: \$ 8,250.00
Revised Contract Amount: \$62,060.00

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to increase the contract amount by \$8,250.00 from \$53,810.00 to \$62,060.00 for H2M architects + engineers for engineering services for necessary commuter elevator upgrades at the LIRR Huntington Station South Parking Garage to be charged to Capital Budget Item No. EG5997-2104-12311, 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.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE TOWNWIDE ELEVATOR MAINTENANCE WITH ISLAND ELEVATOR INSPECTION, INC.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town is responsible for the operation of five (5) elevators and a wheel chair lift, which are located at Town Hall, Village Green, HART Bus Facility, and the North and South parking garages at the Long Island Railroad Station. It is essential to maintain elevator services for the well-being and safety of Town residents and employees, and to be compliant with the Americans with Disabilities Act (ADA) regulations; and

WHEREAS, sealed bids were received on June 16, 2016 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Townwide Elevator Maintenance, Bid No. TOH 16-06-030 and the same were opened publicly and read aloud; and

WHEREAS, Island Elevator Inspection, Inc., 2100 Arctic Avenue, Unit 2, Baldwin, New York 11716 is the lowest responsive, responsible bidder; and

WHEREAS, townwide elevator maintenance is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with Island Elevator Inspection, Inc. for townwide elevator maintenance. The contract period shall be effective for a three (3) year term commencing upon execution of the contract but not prior to October 3, 2016, to be charged to A1621-4510, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR A MULTI-SPACE PARKING PAY STATION SYSTEM WITH DEVO & ASSOCIATES, LLC.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington commissioned the consulting firm of Nelson and Nyggard Consulting Associates, Inc. to asses Village traffic congestion and parking. One of the recommendations of this study suggested that the Town implement new parking meter technology and utilize smart pay option meters. These types of meters would improve parking and traffic flow by enabling enhanced monitoring and utilization of parking spaces on a regular basis. This new meter technology, also known as smart metering, would allow price elasticity based on demand and would give parking patrons the option to pay by credit card, coin and paper currency, in addition to pay-by-phone; and

WHEREAS, the Town of Huntington wishes to engage in an extension with the successful contractor in delivering and installing parking pay stations in specified locations in accordance with agreed-upon performance standards; and

WHEREAS, Town Board Resolution 2013-324 authorized the execution of a contract with Devo & Associates, LLC, the successful responsible and responsive proposer for a multi-space parking pay station system, RFP 2013-04-004; and

WHEREAS, said contract provides for two (2) one (1) year extensions at the same prices, terms and conditions as the original agreement; and

WHEREAS, Devo & Associates, LLC 1252 Haddonfield Berlin Road, Unit 2, Voorhees, New Jersey 08043 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract, and any documents in connection and related therewith, with Devo & Associates, LLC for a multi-space parking pay station system. The extension shall be effective for a one (1) year period commencing on September 13, 2016 under the same prices, terms and conditions as the original agreement upon such other terms and conditions as may be acceptable to the Town Attorney.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

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

WHEREAS, Town Board Resolution 2013-422 authorized the execution of a contract with The LandTek Group, Inc. for the requirements contract for sports courts resurfacing and amenities, Contract No. GS 2013-02/O-E and Town Board Resolution 2015-353 awarded the first extension; and

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with The LandTek Group, Inc for sports courts resurfacing and amenities. The extension period shall be effective for one (1) year commencing on October 10, 2016 to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE PROCESSING, DISPOSAL AND MARKETING OF SOURCE SEPARATED RECYCLABLES FROM THE TOWN OF HUNTINGTON RECYCLING CENTER AND MIXED PAPER/CORRUGATED FROM MUNICIPAL BUSINESS DISTRICT WITH WINTERS BROS. RECYCLING OF LONG ISLAND, LLC.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS The Town of Huntington will make available on a regular basis, source separated corrugated cardboard, newspaper, mixed office paper, glass, ferrous and non-ferrous household containers that are to be recycled rather than be disposed of by landfilling or incineration. The purpose of this contract is to determine through the sealed bidding process, the vendor who will provide for the disposal of these materials at the least cost or maximum income to the Town. It is contemplated that the vendor will process the materials the Town offers to the vendor and the vendor will separate (if necessary) the materials and market them for highest dollar amount available. When it is in its best financial interest, the Town reserves the right to award bid items as a group to one vendor; and

WHEREAS, sealed bids were received on June 2, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the processing, disposal and marketing of source separated recyclables from the Town of Huntington Recycling Center and mixed paper/corrugated from Municipal Business District, Bid No. TOH 16-06R-029 and the same were opened publicly and read aloud; and

WHEREAS, Winters Bros. Recycling of Long Island, Inc., 1198 Prospect Avenue, Westbury, New York 11590 is the lowest responsive, responsible bidder; and

WHEREAS, the processing, disposal and marketing of source separated recyclables from the Town of Huntington Recycling Center and mixed paper/corrugated from Municipal Business District 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

2016-324

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

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

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

WHEREAS, Town Board Resolution 2014-441 authorized the execution of a contract with each of the lowest responsive, responsible bidders for each of the seven (7) bid items as detailed in Schedule A for the catch basin and drainage structure cleaning services, Bid No. TOH 14-07R-046 and Town Board Resolution 2015-351 authorized the first one (1) year extension; and

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with E-Z Trucking Inc. and Magnum Cesspool Service Inc. for the catch basin and drainage structure cleaning services. The extension period shall be effective for one (1) year commencing on October 21, 2016 to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE DETROIT DIESEL ENGINE PARTS AND ALLISON TRANSMISSION PARTS AND SERVICE WITH DRIVE TRAIN TRUCK PARTS CORP.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

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

WHEREAS, sealed bids were received on June 16, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Detroit diesel engine parts and Allison transmission parts and service, Bid No. TOH 16-06R-028 and the same were opened publicly and read aloud; and

WHEREAS, Drive Train Truck Parts Corp., 763 Blue Point Road, Holtsville, New York 11742 is the lowest responsive, responsible bidder; and

WHEREAS, the Detroit diesel engine parts and Allison transmission parts and service is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(25), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Drive Train Truck Parts Corp. for the Detroit diesel engine parts and Allison transmission parts and service. The contract period shall be effective for a one year period commencing upon execution of the contract but not prior to September 11, 2016 and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various department operating budgets under object code 4520, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the East Northport Chamber of Commerce will be holding its annual festival and sidewalk sales event from Friday, September 9, 2016 through Sunday, September 11, 2016.

WHEREAS, the East Northport Chamber of Commerce has requested permission from the Town of Huntington to utilize the Town of Huntington John Walsh Park for such festival from 9:00 a.m. on September 6, 2016 through 11:00 p.m. on September 11, 2016, and to have a sidewalk sales event along Larkfield Road between Brightside and Pulaski Roads from September 9, 2016 through September 11, 2016; and

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

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute a license agreement with the East Northport Chamber of Commerce, 24 Larkfield Road, East Northport, New York 11731, to utilize the Town of Huntington John Walsh Park for its annual Festival from 9:00 a.m. on September 6, 2016 through 11:00 p.m. on September 11, 2016, and further grants permission for its Sidewalk Sale Event from Friday, September 9, 2016 through Sunday, September 11, 2016. Such authorization and permission is subject to: 1) the execution of a license agreement which includes provisions requiring the East Northport Chamber of

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND BROADCAST MUSIC, INC. (BMI) FOR A LOCAL GOVERNMENT MUSIC LICENSE, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**
COUNCILMAN COOK

WHEREAS, the Town of Huntington is desirous of playing recorded music for the benefit of the public at its facilities including but not limited to the Dix Hills Ice Rink; and

WHEREAS, the U.S. Copyright Act requires local municipalities to pay a licensing fee to play recorded music publicly at its facilities; and

WHEREAS, Broadcast Music, Inc. (BMI) is a Performing Rights Organization that licenses the public performances of nondramatic musical works on behalf of copyright owners of such works and is a licensing agent authorized to negotiate and issue public performance licenses to users of copyright music and distribute royalties to copyright owners from license proceeds according to a fixed schedule; and

WHEREAS, this action is considered routine or continuing agency administration and management therefore this action is a Type II action defined by SEQRA in 6 N.Y.C.R.R. 617.5(c)(20), and therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Supervisor to execute a written agreement with BMI for a twelve month term to commence on April, 1, 2016 for the amount of TWO THOUSAND ONE HUNDRED FORTY-FIVE and 00/100 DOLLARS (\$2,145.00); and 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, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY FOR A STAGE 2: NY PRIZE COMMUNITY GRID COMPETITION AWARD (RFP-3044) AND AUTHORIZE THE SUPERVISOR TO ENTER A PROFESSIONAL SERVICES AGREEMENT WITH THE NEW YORK POWER AUTHORITY TO ASSIST IN PREPARATION AND SUBMITTAL OF THE STAGE 2 AWARD PROPOSAL

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, New York State Energy Research and Development Authority (NYSERDA) is currently soliciting Request for Proposals (RFP 3044) for NY Prize Community Grid Competition (NY Prize) to support the development of community microgrids (Stage 2: Detailed Engineering Design, Financial and Business Plan Assessment); and

WHEREAS, NYSERDA plans to award up to \$40 million in three stages for the NY Prize competition across New York State; and

WHEREAS, the Town of Huntington was awarded \$100,000 by NYSERDA in Stage 1 of the NY Prize competition and used those funds to prepare and submit a "Feasibility Assessment Report" evaluating the potential for development of a community microgrid in Huntington; and

WHEREAS, NYSERDA is now seeking proposals for Stage 2 of the NY Prize competition in which successful proposers will receive grant awards of up to \$1,000,000 to prepare detailed engineering, financing and commercial plans for the construction, operation and maintenance of the microgrid assessed in Stage 1; and

WHEREAS, a Stage 2 grant award requires a minimum 15% local match, which can include in-kind services rendered by the Town's Chief Sustainability Officer, a professional engineer, and other key personnel; and

WHEREAS, NYSERDA and the Governor's Office devised the NY Prize competition as a means of improving performance and resiliency in local electrical energy distribution because of the ability of a microgrid's ability to supply power in both normal operating configuration, supplementing the total production capacity of the grid, and the ability of the microgrid to "Island" during emergency power outages and continue to provide power to critical facilities such as public safety, emergency operations, hospitals, first responders, and water and wastewater treatment and other critical facilities and services; and

WHEREAS, the Huntington Community Microgrid Feasibility Assessment establishes the potential for a microgrid that would interconnect Town Hall, the Flanagan Senior Center, the Huntington Sewer District Waste Water Treatment Plant, the Huntington YMCA and Huntington Hospital, forming the core of a network that would be capable of providing uninterrupted essential services during critical and extended power outages; and

WHEREAS, proposals for RFP 3044: NY Prize Stage 2: Detailed Engineering Design, Financial and Business Plan, must be completed and transmitted to NYSERDA no later than October 12, 2016; and

WHEREAS, the Town Board deems it prudent to employ the professional Energy Services Program (ESP) services offered by New York State Power Authority (NYPA), a corporate instrumentality of the State authorized under Article 5 of the New York State Public Authorities Law and the largest public power utility in the United States, positions NYPA's expertise and resources as a strategic partner to the Town, to assist in preparation and submittal of Huntington's Stage 2 proposal; and

WHEREAS, Section 51 of Town Law designates the Town Board of a suburban town as the appropriating body which shall have and exercise all powers and duties as thereby conferred or imposed including that to approve all budgetary amendments; and

WHEREAS, the action is classified Type II pursuant to 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary process necessary to the formulation of a proposal for action, which does not commit the Town Board to commence, engage in or approve such action;

NOW, THEREFORE, BE IT RESOLVED

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funding from the New York State Energy Research and Development Authority for a Stage 2: NY Prize Community Grid Competition Award (RFP-3044); and

HEREBY FURTHER AUTHORIZES the Supervisor to enter a professional services agreement with the New York Power Authority with offices at 123 Main Street, White Plains, NY to assist in preparation and submittal of the Stage 2: NY Prize award proposal in an amount not to exceed the sum of THIRTY-EIGHT THOUSAND ONE HUNDRED TWENTY-FIVE DOLLARS (\$38,125.) and to authorize the Supervisor to execute any documents in connection with the grant application and the professional services agreement upon such terms and conditions as may be acceptable to the Town Attorney; and

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HEREBY AUTHORIZES the Comptroller to amend the 2016 Operating Budget as follows:

Decrease the following appropriation:

A1621-4220	Electric	\$38,125
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Increase the following appropriation:

A8710-4550	Outside Professional	\$38,125
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **AYE**

Councilwoman Susan A. Berland **AYE**

Councilman Eugene Cook **AYE**

Councilman Mark A. Cuthbertson **AYE**

Councilwoman Tracey A. Edwards **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN ENERGY EFFICIENCY SERVICES PROGRAM (ESP) AGREEMENT WITH THE NEW YORK POWER AUTHORITY (NYPA) AND SUCH SUCCESSOR MASTER COST RECOVERY AGREEMENT AS MAY REPLACE THE EXISTING NYPA PROGRAM AND TO EXECUTE SUB-AGREEMENTS FOR NYPA SERVICES PURSUANT THERETO FOR ENTITIES PARTNERING WITH THE TOWN ON ENERGY SECURITY, RESILIENCY AND GREEN ENERGY INITIATIVES

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the New York State Power Authority (NYPA) is a corporate instrumentality of the State of New York and the largest public power utility in the United States, authorized under Article 5 of the New York State Public Authorities Law, whose functions in addition to energy generation and transmission includes development of New York's energy infrastructure allocation and the development of energy efficiency and sustainability projects under its Energy Services Program; and

WHEREAS, the Town of Huntington is eligible to participate in the NYPA Energy Services Program (ESP) also known as its Energy Efficiency Services Program designed to reduce energy use and energy costs through increased efficiencies and the deployment of renewable energy technologies; and

WHEREAS, on December 15, 2009, in response to new legislation, Chapter 477 of the Laws of 2009, amending the Public Authorities Law in relation to energy efficiency, clean energy and sustainable building initiatives, NYPA Trustees enhanced the existing Energy Services Program to specifically include, among other things, services involving construction, installation and/or operation of facilities or equipment done in connection with any Energy Services Program projects, programs or services; and

WHEREAS, the Town has benchmarked energy use of facilities in the Town in order to prioritize opportunities for efficiency measures and renewable; and

WHEREAS, NYPA's expertise and resources make it prudent for the Town Board to contract with NYPA under an Energy Efficiency Services Agreement and future Master Cost Recovery Agreement to achieve the multiple goals of increasing efficiency, reducing energy use and introducing clean energy technologies while cutting facility operating costs; and

WHEREAS, in order to obtain energy benefits for facilities not owned by the Town, such as the Huntington YMCA and Northwell Huntington Hospital which are part of the Huntington Community Microgrid project it is necessary for the Town to enter into sub-agreements with non-town owned entities to facilitate agreements with NYPA; and

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WHEREAS, the action is classified Type II pursuant to 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary process necessary to the formulation of a proposal for action, which does not commit the Town Board to commence, engage in or approve such action;

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an Energy Efficiency Services Program (ESP) Agreement with the New York Power Authority (NYPA) with offices at 123 Main Street, White Plains, NY, and such successor master cost recovery agreement as may replace the existing NYPA program and to execute sub-agreements for NYPA services pursuant thereto for entities partnering with the Town on energy security, resiliency and green energy initiatives, and to execute any other documents in connection therewith, 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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE NEW YORK POWER AUTHORITY TO CONDUCT ~~TARGETED ENERGY AUDITS AT FACILITIES INCLUDED IN THE NY PRIZE~~ "HUNTINGTON COMMUNITY MICROGRID" PROPOSAL

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the New York State Power Authority (NYPA) is a corporate instrumentality of the State of New York and the largest public power utility in the United States, authorized under Article 5 of the New York State Public Authorities Law, whose functions in addition to energy generation and transmission include the promotion of energy efficiency and sustainability and development of clean energy technologies under its Energy Services Program (ESP); and

WHEREAS, the Town of Huntington is eligible to participate in the NYPA ESP, which is designed to help reduce energy use and energy costs through increased efficiencies and the deployment of renewable energy technologies; and

WHEREAS, the Town is participating in NYSERDA's NY Prize competition by proposing the "Huntington Community Microgrid" which incorporates Town Hall, the Flanagan Senior Center, the Huntington Sewer District Wastewater Treatment Plant, the Huntington YMCA and Huntington Hospital that provide essential services in emergency situations; and

WHEREAS, the Town has engaged NYPA to assist in preparing and submitting the application for the NYSERDA RFP 3044: NY Prize Stage 2: Detailed Engineering Design, Financial and Business Plan grant application, which must be submitted to NYSERDA no later than October 12, 2016; and

WHEREAS, in the NY Prize Stage 2 RFP, NYSERDA has indicated it will look favorably on microgrid project proposals for the Stage 2 RFP that consider energy efficiency options that reduce the need for additional generation assets to support the microgrid; and

WHEREAS, the Town has benchmarked energy use of its major facilities in order to prioritize opportunities for efficiency measures and renewable generation, and the Town's microgrid facilities which include: Town Hall, the Flanagan Senior Center, the Wastewater Treatment Plant and Heckscher Park Museum have been identified among the most intensive in the Town's Energy Star Building portfolio; and

WHEREAS, the conduct of periodic energy audits at major facilities to evaluate system performance and determine whether advances in energy conservation and clean energy

technologies may make the installation of ESP measures appropriate and cost effective for the Town; and

WHEREAS, NYPA’s expertise and resources make it prudent for the Town Board to engage NYPA prepare Targeted Energy Audits of the microgrid facilities to determine whether implementation of ESP measures can achieve the multiple goals of increasing efficiency, reducing energy use and introducing clean energy technologies while cutting facility operating costs; and

WHEREAS, a further goal of the Targeted Energy Audits will be to determine whether the energy savings resulting from any proposed ESP measures can offset the cost of their implementation; and

WHEREAS, NYPA has proposed to conduct the Target Energy Audits for the four Town facilities that will be part of the Huntington Community Microgrid – Town Hall, the Flanagan Senior Center, the Wastewater Treatment Plant and Heckscher Park Museum – for a cost of FORTY-NINE THOUSAND SEVEN HUNDRED SIXTY-THREE DOLLARS (\$49,763.) broken down as follows:

Facility	Cost
Town Hall	\$30,262.00
Flanagan Center	\$10,872.00
Town Wastewater Treatment Plant	\$ 6,059.00
Heckscher Park Museum	\$ 2,570.00

and these audits will assist the Town in identifying and determining the cost of installation of ESP measures at these facilities if the Town determines it is prudent and cost effective to proceed and otherwise payable to NYPA as its energy services fee to perform the audit, and execution of the NYPA Targeted Energy Audit Agreements may be contingent on a NYSERDA NY Prize State 2 grant award; and

WHEREAS, the Town’s application for NY Prize Stage 2 funding and the microgrid’s design will be facilitated if energy audits are also conducted at the Huntington YMCA and Huntington Hospital, which are part of the proposed Huntington Community Microgrid; and

WHEREAS, Huntington Hospital and Huntington YMCA desire to have the Town retain NYPA to conduct energy audits at their respective facilities and reimburse the Town for the cost incurred to retain NYPA to conducts such audits; and

WHEREAS, the action is classified Type II pursuant to 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary process necessary to the formulation of a proposal for action, which does not commit the Town Board to commence, engage in or approve such action;

NOW, THEREFORE,

THE TOWN BOARD

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HEREBY AUTHORIZES the Supervisor to execute Targeted Energy Audit Agreements with NYPA to conduct energy audits for the Town Hall, the Flanagan Senior Center, the Wastewater Treatment Plant and Heckscher Park Museum and upon such terms and conditions as may be acceptable to the Town Attorney; and

HEREBY FURTHER AUTHORIZES the Supervisor to execute Targeted Energy Audit Agreements with NYPA to conduct energy audits for the Huntington YMCA and Huntington Hospital, and agreements with the YMCA and Northwell Health to provide for the reimbursement for any costs the Town incurs in relation to such audits, and, in each case, 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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A
MEMORANDUM OF UNDERSTANDING WITH THE SUFFOLK Y JEWISH
COMMUNITY CENTER (SYJCC), NUNC PRO TUNC

Resolution for Town Board Meeting dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone
COUNCILWOMAN BERLAND

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

WHEREAS, F.E.G.S. Health and Human Services System (F.E.G.S) previously collaborated with the Town of Huntington to operate the Hands on Huntington initiative, but on or about April 1, 2016, F.E.G.S was notified that its contract with the New York State Office for the Aging (NYSOFA) would be terminated causing F.E.G.S to no longer be able to partner with the Town for the Hands on Huntington initiative; and

WHEREAS, SYJCC is a private, not-for-profit community organization operating a diverse range of programs in Suffolk County; and

WHEREAS, SYJCC has received funding from the NYSOFA to provide supportive services within the eligible catchment area in the Town under the Neighborhood Naturally Occurring Retirement Community (NNORC) program; and

WHEREAS, SYJCC wishes to collaborate with the Town of Huntington to operate the "Hands on Huntington" initiative to provide the highest level of health and social services to Town of Huntington senior citizens in the designated catchment area; and

WHEREAS, the Town and SYJCC wish to memorialize their mutual understanding about collaborating on this initiative for the period April 1, 2016 through December 31, 2017; and

WHEREAS, this is a non-monetary Memorandum of Understanding and no funds will be distributed from SYJCC to the Town of Huntington or from the Town of Huntington to SYJCC; and

WHEREAS, executing a Memorandum of Understanding is not an action as defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore requires no further SEQRA review.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a Memorandum of Understanding with the Suffolk Y Jewish Community Center located at 74 Hauppauge Road, Commack, New York 11725, to continue the Hands On Huntington Program for the period April 1, 2016 through December 31, 2017 and on such terms and conditions as may be acceptable to the Town Attorney, nunc pro tunc.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO RESPOND TO THE SUFFOLK COUNTY OFFICE FOR THE AGING'S REQUEST FOR QUALIFICATIONS (RFQ) TO PROVIDE NUTRITION PROGRAM SERVICES

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by **COUNCILMAN COOK**

WHEREAS, the County of Suffolk acting through its duly constituted Suffolk County Office for the Aging has invited responses from qualified agencies to provide Nutrition Programs for the Elderly as part of the Older Americans Act Title III-C; and

WHEREAS, for forty-two years the Town of Huntington has successfully operated a nutrition center for its senior residents; and

WHEREAS, each agency submitting an application for a project must provide a minimum of 10% in agency matching funds from non-county resources; and

WHEREAS, the Town of Huntington desires to continue its partnership with the County of Suffolk to provide high quality food to our senior community; and

WHEREAS, the submitting of a response to a Request for Qualifications for purposes of offering a nutrition program for the elderly is not an action defined by N.Y.C.R.R. Section 617.299(b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD upon the recommendation of the Department of Human Services,

HEREBY AUTHORIZES the Supervisor to submit a response to the Suffolk County Office for the Aging's Request For Qualifications to provide a nutrition program for the elderly and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT OF SALE AND CLOSING OF TITLE ON A 7,000 SQUARE FOOT PARCEL OF VACANT LAND, ADJOINING 30 STEWART AVENUE, HUNTINGTON, NEW YORK (SCTM# 0400-072.00-02.00-p/o 018.001) TO STEWART AVENUE VENTURES, LLC

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is the owner of a certain parcel of real property which is vacant land adjoining 30 Stewart Avenue, Huntington, New York and which is identified as SCTM District 0400, Section 072.00, Block 02.00, p/o Lot 018.001 (the "subject property"); and

WHEREAS, an entity known as Stewart Avenue Ventures, LLC has offered to purchase the subject property from the Town of Huntington, so that the subject property may be incorporated with adjacent property (30 Stewart Avenue, Huntington, New York) owned by Stewart Avenue Ventures, LLC and the Town of Huntington has no proposed present or future public use for the subject property and therefor is deemed surplus land; and

WHEREAS, the Town has obtained an independent appraisal from Brunswick Appraisal Corp. of the subject property which resulted in a determination of a value of TWO HUNDRED EIGHT THOUSAND SEVEN HUNDRED FIFTY THOUSAND (\$208,750.00) DOLLARS, and

WHEREAS, the action to sell the subject property is classified as an unlisted action pursuant to SEQRA and the Town Board is lead agency for this direct agency action and it is the only agency involved in releasing the property from the Town's inventory and the Department of Planning and Environment has drafted an Environmental Assessment Form (EAF) to facilitate completion of the SEQRA review in support of the Town's contemplated action.

NOW THEREFORE, BE IT,

RESOLVED, that the Town Board finds, on review of the EAF, that there shall be no significant adverse impacts associated with the release/sale of the subject property and hereby issues a negative declaration pursuant to SEQRA and directs the Department of Planning and Environment to file the negative declaration in accordance with SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor or his representative to execute a contract, on such terms and conditions as may be acceptable to the Town Attorney, to sell the subject parcel for the sum of TWO HUNDRED EIGHT THOUSAND SEVEN HUNDRED FIFTY THOUSAND (\$208,750.00) DOLLARS; and

BE IT FURTHER RESOLVED that the Town Board authorizes the Town Attorney's office to proceed to schedule a closing of title with the purchaser's attorney and authorizes the Supervisor or his designee to execute such documents related to the sale of the property including but not limited to the deed, transfer tax returns and such other documents as necessary and reasonably related to the transaction; and

BE IT FURTHER RESOLVED upon the sale of the subject premises that the proceeds of the sale shall be deposited to the account identified as Budget Line Item No. A2660-2660; and

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

VOTE: AYES: 5 NOES: 0 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 AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT FOR APPLICATION OF FOAMING ROOT CONTROL IN SANITARY SEWER SYSTEMS WITH MUNICIPAL SALES, INC.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, sewer lines within the Huntington Sewer District require annual maintenance for root intrusion with the injection of a foaming herbicide to eliminate and inhibit roots that have grown which can prevent the flow of sewerage through the sewer lines; and

WHEREAS, sealed bids were received on June 9, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the application of foaming root control in sanitary sewers, Bid No. TOH 16-06R-027 and the same were opened publicly and read aloud; and

WHEREAS, Municipal Sales, Inc., P.O .Box 4743, Queensbury, New York 12804 is the lowest responsive, responsible bidder; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a requirements contract, and any documents in connection and related therewith, with Municipal Sales, Inc., for the application of foaming root control in sanitary sewers. The contract period shall be effective for one (1) year from the date of the execution of the contract but not prior to September 16, 2016 and upon mutual agreement of the vendor and the Town, the contract may be extended for an additional one (1) year period under the same prices, terms and conditions, to be charged to SS1.8131.4550, 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 AUTHORIZING USE OF HUNTINGTON STATION COMMUTER PARKING LOTS AND GARAGES IN CONNECTION WITH THE SATURDAY, SEPTEMBER 10, 2016 HUNTINGTON AWARENESS DAY UNITY FESTIVAL AT JACK ABRAMS STEM MAGNET SCHOOL~~

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by Supervisor Petrone

and seconded by **COUNCILWOMAN EDWARDS**
COUNCILMAN COOK

WHEREAS, the Town of Huntington together with the Huntington Station Business Improvement District (BID), and with assistance from Huntington Awareness Day Unity Festival Volunteers as co-organizers, is co-sponsoring the seventh annual Huntington Awareness Day Unity Festival on Saturday, September 10, 2016 from 11am until 5pm; and

WHEREAS, the purpose of the festival is to bring together groups, individuals, and organizations throughout the Town of Huntington to publicly demonstrate their unity, diversity and solidarity; and

WHEREAS, this year the Unity Festival will take place at Jack Abrams STEM Magnet School at 155 Lowndes Avenue, Huntington Station and will include vendors, food, children's entertainment, music entertainment, information booths and other festivities; and

WHEREAS, event co-organizers are requesting the use of commuter lots and garages at Huntington Train Station for event parking, and on-street metered parking along Broadway and Railroad Avenues for which co-organizers request parking fees be waived while the event is in progress; and

WHEREAS, volunteers play an important role in making the Huntington Awareness Day Unity Festival a successful event for the residents of the Town, therefore event co-organizers recruit volunteers to assist with all aspects of this event; and

WHEREAS, authorizing use of municipal parking for the Huntington Awareness Day Unity Festival is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(15), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to the co-organizers of the Huntington Awareness Day Unity Festival for the use of Huntington Station commuter parking lots and garages and further waives metered on-street parking on Broadway and Railroad Avenues in connection with the Saturday, September 10, 2016 Huntington Awareness

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Day Unity Festival from 11am until 5pm at Jack Abrams STEM Magnet School and on such terms and conditions as may be acceptable to the Town Attorney; and

FURTHER AUTHORIZES the event co-organizers to recruit individuals to volunteer at the Huntington Awareness Day Unity Festival and to submit a list of these volunteers to be approved by the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF
~~APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR~~
FINANCIAL CAPITAL ASSISTANCE FOR THE HUNTINGTON AREA RAPID
TRANSIT (HART) SYSTEM

Resolution for Town Board Meeting dated: July 12, 2016

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Administrator of the FTA has been delegated authority to award federal financial assistance for mass transportation projects; and

WHEREAS, the Town of Huntington proposes to submit an application to the FTA for federal capital assistance for HART; and

WHEREAS, the Town of Huntington is a Designated Recipient of federal formula funds for mass transportation capital projects as defined by 49 USC Section 5339; and

WHEREAS, based upon the FTA Section 5339 apportionment to the New York-Newark, NY-NJ-CT Urbanized Area for Federal Fiscal Year 2013, the Town will receive \$33,489 in Federal capital funds; and

WHEREAS, the FTA will reimburse 80% (\$33,489) of the total eligible project costs of \$41,861, and the New York State Department of Transportation (NYSDOT) will reimburse 10% (\$4,186) of such costs under existing capital assistance programs for which the Town is eligible, with the Town providing 10% (\$4,186) of the total costs to be charged to Operating Budget Item# A5630-2315; and

WHEREAS, the \$41,861 in TCF and matching funds will be used toward the purchase of a paratransit bus for HART; and

WHEREAS, these projects will continue to assist the Town of Huntington in providing efficient and accessible transportation to the elderly and handicapped who may otherwise be denied the opportunity for mobility; and

WHEREAS, the agreement for FTA capital assistance will impose certain obligations upon the Town of Huntington;

WHEREAS, the Town of Huntington has or will provide all certifications and assurances required for the project to the FTA; and

WHEREAS, these projects are in conformance with comprehensive land use and transportation planning in the area and are consistent with the adopted programming of projects in the Nassau/Suffolk Transportation Improvement Program; and

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

WHEREAS, the projects to be undertaken are Type II actions pursuant to 6 NYCRR 617.5(c)(2) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor or his designee to file an application on behalf of the Town of Huntington with the FTA for federal capital assistance authorized by 49 USC Chapter 53, Title 23, or other federal statutes authorizing a project administered by the FTA; and

HEREBY AUTHORIZES the Supervisor or his designee to file with such application, any assurance certification, or any other document required by the FTA, and to furnish any additional information as the FTA may require in connection with the grant application; and

HEREBY AUTHORIZES the Supervisor or his designee to execute the grant agreement with FTA and upon such other terms and conditions as approved by the Town Attorney; and

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

FURTHER BE IT RESOLVED THAT the Town Clerk is hereby authorized and directed to, within ten (10) days after the adoption of this resolution, cause this resolution to be (a) published in the official newspapers of the Issuer, and (b) posted on the sign board of the Town maintained pursuant to the Town Law, together with a notice of adoption thereof.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF APPLICATIONS WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) FOR FINANCIAL CAPITAL ASSISTANCE FOR THE HUNTINGTON AREA RAPID TRANSIT (HART) SYSTEM NUNC PRO TUNC

Resolution for Town Board Meeting dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the New York State Department of Transportation (NYSDOT) is making available \$10 million in supplemental Transit Capital Funds (TCF) previously appropriated as part of the Clean Fuels Vehicle Initiative to eligible applicants for any Federal Transit Administration (FTA) eligible capital expense, provided that such activity has a minimum service life of ten years; and

WHEREAS, the Town of Huntington is an eligible applicant for supplemental TCF because it is the owner/operator of the Huntington Area Rapid Transit (HART) bus system – a non-MTA New York State public transportation system – and it has been designated as an eligible recipient of funding under the FTA's Section 5307 Urbanized Area Formula Program; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has informed the Town of Huntington that it has allocated \$29,982 in supplemental TCF to the Town of Huntington and will reimburse 100% of TCF project costs (\$29,982) with no match required; and

WHEREAS, the \$29,982 in TCF will be used toward the rehabilitation of the Huntington LIRR station south parking garage passenger elevator – a project that has a minimum service life of ten years and has already been approved by FTA for Section 5307 capital assistance; and

WHEREAS, this project will continue to assist the Town of Huntington in providing efficient and accessible transportation to the elderly and handicapped who may otherwise be denied the opportunity for mobility; and

WHEREAS, the agreement for NYSDOT capital assistance will impose certain obligations upon the Town of Huntington;

WHEREAS, the Town of Huntington has or will provide all certifications and assurances required for the project to NYSDOT; and

WHEREAS, these projects are in conformance with comprehensive land use and transportation planning in the area and are consistent with the adopted programming of projects in the Nassau/Suffolk Transportation Improvement Program; and

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

WHEREAS, the projects to be undertaken are Type II actions pursuant to 6 NYCRR 617.5(c)(2) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor or his designee to file an application on behalf of the Town of Huntington with the NYSDOT; and

HEREBY AUTHORIZES the Supervisor or his designee to file with such application, any assurance, certification, or any other document required by the NYSDOT, and to furnish any additional information as the NYSDOT may require in connection with the grant application; and

HEREBY AUTHORIZES the Supervisor or his designee to execute the grant agreement with NYSDOT and upon such other terms and conditions as approved by the Town Attorney; and

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

FURTHER BE IT RESOLVED THAT the Town Clerk is hereby authorized and directed to, within ten (10) days after the adoption of this resolution, cause this resolution to be (a) published in the official newspapers of the Issuer, and (b) posted on the sign board of the Town maintained pursuant to the Town Law, together with a notice of adoption thereof.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH GREAT EVENTS SOLUTIONS, INC. DBA HOOP DREAMS FOR THE PROVISION OF A PILOT YOUTH SUMMER BASKETBALL PROGRAM AT VETERANS PARK IN EAST NORTHPORT FOR JULY AND AUGUST 2016, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Department of Parks and Recreation is desirous of providing a safe, fun and supervised youth basketball program at Veterans Park in East Northport to foster teamwork, sportsmanship and basketball skills; and

WHEREAS, Great Events Solutions, Inc. dba Hoop Dreams, 61 Oleander Drive, Northport, New York 11768, has submitted an unsolicited proposal seeking to organize and conduct a summer youth basketball program to benefit the local youth of Huntington; and

WHEREAS, Great Events Solutions, Inc. dba Hoop Dreams will provide adult coaches to supervise a program that would be conducted on Monday, Tuesday and Thursday evenings from July 5, 2016 to August 31, 2016 from 5:45 p.m. to 10 p.m. at Veterans Park in East Northport; and

WHEREAS, Great Events Solutions, Inc. dba Hoop Dreams will pay the Town of Huntington ten percent (10%) of the gross revenue from such program; and

WHEREAS, this pilot program 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

BE IT RESOLVED BE IT RESOLVED THAT THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, nunc pro tunc, with Great Events Solutions, Inc. dba Hoop Dreams, 61 Oleander Drive, Northport, New York 11768, to conduct a pilot youth summer basketball program at Veterans Park in East Northport on Monday, Tuesday and Thursday evenings from July 5, 2016 to August 31, 2016 from 5:45 p.m. to 10 p.m., with ten percent (10%) of the gross revenue from such program being paid to the Town of Huntington to be deposited in P&R - Play/Rec/Fees Account #A2001, and on such other terms and conditions as may be acceptable to the Town Attorney.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the attendance at the Leadership Huntington Program by two Town employees, as follows:

Kevin Thorbourne, Director of Minority Affairs

Carineh Mendez, Community Service Worker, Parks and Recreation

HEREBY AUTHORIZES payment of tuition in the amount of FOUR THOUSAND EIGHT HUNDRED AND NO/100 (\$4,800.00) DOLLARS per participant to be charged to Operating Budget Item A1989-4180.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016- 340

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(Shanahan, Timothy, as Executor of Estate of Lorraine Shanahan v. Town of Huntington)

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, a lawsuit was filed against the Town of Huntington on behalf of the Estate of Lorraine Shanahan seeking to recover personal injury, wrongful death, and monetary damages sustained in an accident; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of EIGHT HUNDRED THOUSAND DOLLARS AND NO CENTS (\$800,000) for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept in full settlement of her claim; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller is hereby authorized to issue checks in settlement of this matter, not to exceed a total of EIGHT HUNDRED THOUSAND DOLLARS AND NO CENTS (\$800,000) pending receipt of closing papers therein, applied against Operating Budget Item No. DB 1930.4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement; and

FURTHER BE IT RESOLVED, the Comptroller is authorized to amend the 2016 Operating Budget as follows:

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Decrease the following appropriation:

DB1380-4600	Bond & Note Issue	\$ 10,000
DB1680-4570	Service Contracts	11,000
DB1990-1100	Contingency	140,000
DB5110-1100	Regular Salaries	50,000
DB5110-4120	Fuel for Vehicles & Equipment	42,500
DB5110-8020	Social Security	65,500
DB5130-1100	Regular Salaries	78,000
DB5130-2400	Communication Equipment	10,000
DB5140-4420	Subcontract Cost	50,000
DB5140-4990	Refuse Disposal Charges	23,000
DB9040-8030	Workers Compensation	200,000
DB9050-8050	Unemployment Insurance	70,000
DB9710-7000	Interest on Indebtedness	50,000

Increase the following appropriation:

DB1930-4160	Judgments & Claims	\$ 800,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-341

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(Elaine Robinson, as Administratrix of Estate of Ulysses Taylor, deceased v. Town of
Huntington)

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, a lawsuit was filed against the Town of Huntington on behalf of the Estate of Ulysses Taylor seeking to recover personal injury, wrongful death, and monetary damages sustained in an accident; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$125,000) for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept in full settlement of her claim; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller is hereby authorized to issue checks in settlement of this matter, not to exceed a total of ONE HUNDRED TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$125,000) pending receipt of closing papers therein, applied against Operating Budget Item No. DB1930.4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement; and

FURTHER BE IT RESOLVED, the Comptroller is authorized to amend the 2016 Operating Budget as follows:

Decrease the following appropriation:

DB5110-2210	Computers	\$ 15,000
DB5110-2316	Leased Equipment	7,500
DB5110-4120	Fuel for Vehicles & Equipment	102,500

Increase the following appropriation:

DB1930-4160	Judgments & Claims	\$ 125,000
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 12, 2016

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

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.

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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>
815 Deer Park Avenue Dix Hills, NY 11746	0400-280.00-03.00-040.005	Nelson E Chang Helen H Chang	06/06/2016	3 Suncrest Drive Dix Hills, NY 11746
12 Highland Court Huntington, NY 11743	0400-069.00-02.00-036.000	Adam A Greenholtz	06/07/2016	N/A
2 Hillock Court Huntington, NY 11743	0400-167.00-01.00-078.000	US Bank National	06/21/2016	N/A
31 Grafton Street Greenlawn, NY 11740	0400-111.00-02.00-030.000	George E Kistner	06/06/2016	N/A
56 West Hills Road Huntington Station, NY 11746	0400-194.00-02.00-002.000	56 West Hills Road LLC C/O Surendra Shah	06/15/2016	26 Newtown Lane Melville, NY 11747
19 Arlington Street Melville, NY 11747	0400-258.00-01.00-115.000	Joseph Gunther	06/17/2016	N/A
44 Chichester Road Huntington Station, NY 11746	0400-232.00-02.00-007.000	Scott Weiser	06/15/2016	N/A
94 Glenna Little Trail Huntington, NY 11743	0400-025.00-01.00-059.000	Lisa Diedrich	06/09/2016	N/A
21 Roundtree Drive Melville, NY 11747	0400-272.00-01.00-075.000	Richard A Kollander	06/13/2016	53 E Main Street Oyster Bay, NY 11771

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
394 Broadway Huntington, NY 11743	0400-211.00-01.00-067.000	Marie Blain Ange	06/22/2016	N/A
3 Springs Drive Melville, NY 11747	0400-273.00-02.00-062.000	Van Deusen Properties Inc	06/22/2016	N/A
4 Cecil Court Melville, NY 11747	0400-242.00-02.00-064.000	Jon Michael Ruggiere Maria J Ruggiere	06/22/2016	N/A
10 Walt Whitman Road Huntington Station, NY 11746	0400-199.00-02.00-116.000	Kim's Morris Realty Corp	06/15/2016	N/A

Chapter 156, Section 27 of the Code of the Town of Huntington
Authorizing the Removal of Junk Vehicles

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
7 Metcale Lane East Northport, NY 11731	0400-183.00-03.00-041.000	Aileen Carson (L/E) Dwight Carson (Estate of)	06/22/2016	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
31 Grafton Street Greenlawn, NY 11740	0400-111.00-02.00-030.000	George E Kistner	06/22/2016	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
15 Vause Street Northport, NY 11768	0400-052.00-02.00-017.000	Estate of Georgia Hansen Cindy Hansen Gullo Executrix	05/24/2016	7267 Coventry Court Weeki Wachee, FL 34607
21 Stager Lane Commack, NY 11725	0400-224.00-03.00-142.000	Patricia Devine (Trust) Estate Of	05/24/2016	N/A
20 Kenmore Street Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	06/24/2016	N/A
815 Deer Park Avenue Dix Hills, NY 11746	0400-280.00-03.00-040.000	Nelson E Chang Helen H Chang	06/06/2016	3 Suncrest Drive Dix Hills, NY 11746
12 Highland Court Huntington, NY 11743	0400-069.00-02.00-036.000	Adam A Greenholtz	06/07/2016	N/A
3 Crestwood Drive Huntington Station, NY 11746	0400-144.00-02.00-142.000	Mary Beth Casper	05/24/2016	N/A
Enclave Court Dix Hills, NY 11746	0400-274.00-01.00-025.008	Consolidated Assets & Acquisitions LLC	05/24/2016	16 Doremus Drive Towaco, New Jersey 07082
Enclave Court Dix Hills, NY 11746	0400-274.00-01.00-025.003	Consolidated Assets & Acquisitions LLC	06/15/2016	16 Doremus Drive Towaco, New Jersey 07082
229A Beverly Road Huntington Station, NY 11746	0400-203.00-01.00-158.005	William Brady Pamela Brady	05/27/2016	P.O. Box 20170 Huntington Station, NY 11746
2 Hillcock Court Huntington, NY 11743	0400-167.00-01.00-078.000	US Bank National	06/21/2016	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
31 Grafton Street Greenlawn, NY 11740	0400-111.00-02.00-030.000	George E Kistner	06/06/2016	N/A
15 Alister Circle East Northport, NY 11731	0400-215.00-02.00-095.000	Janet Archibald Leston Sprauve	06/22/2016	N/A
56 W 18 th Street Huntington Station, NY 11746	0400-194.00-02.00-004.000	Walter Harnoski Carmella Harnoski	06/17/2016	N/A
56 West Hills Road Huntington Station, NY 11746	0400-194.00-02.00-002.000	56 West Hills Road LLC C/O Surendra Shah	06/15/2016	26 Newtown Lane Melville, NY 11747
45 East 12 th Street Huntington Station, NY 11746	0400-145.00-01.00-052.000	Dorothy Byrn Stellges Avis Ann Willard L/E	06/13/2016	N/A
19 Arlington Street Melville, NY 11747	0400-258.00-01.00-115.000	Joseph Gunther	06/17/2016	N/A
44 Chichester Road Huntington Station, NY 11746	0400-232.00-02.00-007.000	Scott Weiser	06/15/2016	N/A
21 Farmington Lane Melville, NY 11747	0400-273.00-01.00-031.000	Rifka Amabile Mark Amabile	06/06/2016	N/A
21 Roundtree Drive Melville, NY 11747	0400-272.00-01.00-075.000	Richard A Kollander	06/13/2016	53 E Main Street Oyster Bay, NY 11771
15 Janice Court Commack, NY 11725	0400-225.00-02.00-030.000	Richard Russillo	06/09/2016	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
394 Broadway Huntington, NY 11743	0400-211.00-01.00-067.000	Marie Blain Ange	06/22/2016	N/A
3 Springs Drive Melville, NY 11747	0400-273.00-02.00-062.000	Van Deusen Properties Inc	06/22/2016	N/A
4 Cecil Court Melville, NY 11747	0400-242.00-02.00-064.000	Jon Michael Ruggiere Maria J Ruggiere	06/22/2016	N/A
10 Walt Whitman Road Huntington Station, NY 11746	0400-199.00-02.00-116.000	Kim's Morris Realty Corp	06/15/2016	N/A
311 Laurel Road Northport, NY 11768	0400-056.00-02.00-080.000	Joseph Hart	06/22/2016	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
31 Grafton Street Greenlawn, NY 11740	0400-111.00-02.00-030.000	George E Kistner	06/22/2016	N/A
19 Arlington Street Melville, NY 11747	0400-258.00-01.00-115.000	Joseph Gunther	06/17/2016	N/A

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2016 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILWOMAN BERLAND**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2016 Operating Budget

Reinstate the following positions:

DB-5010-1100	Deputy Superintendent Highway	\$60,572
DB-5110-1100	Laborer	17,745
SR-8158-1100	Refuse Laborer	21,704
SW1-8321-1100	Water Treatment Plant Operator	34,664

Create the following positions:

A-1440-1100	Assistant Civil Engineer	\$40,854
A-1621-1100	Maintenance Mechanic IV	45,177
A-3621-1100	Zoning Inspector	34,681
B-3622-1100	Zoning Inspector	34,681

Abolish the following positions:

A-1621-1100	Labor Crew Leader I	(\$43,968)
A-3621-1100	Ordinance Inspector	(34,681)
B-1620-1100	Assistant Civil Engineer	(40,584)

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B-3622-1100

Ordinance Inspector

(34,681)

Adjust the following appropriations:

A-1990-1100	Contingency	(\$42,063)
B-1990-1100	Contingency	40,584
DB-1990-1100	Contingency	(78,317)
SR-1990-1100	Contingency	(21,704)
SW1-1990-1100	Contingency	(\$34,664)

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.

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~~RESOLUTION TO AUTHORIZE THE COMPTROLLER TO AMEND THE OPERATING BUDGET LINE IN ASSOCIATION WITH THE RECEIPT OF GRANT FUNDS FROM THE ALZHEIMER'S FOUNDATION OF AMERICA FOR THE PROVISION OF BRAIN GYM CLASSES TO ENHANCE THE ADULT DAY CARE PROGRAM~~

Resolution for Town Board Meeting Dated: July 12, 2016

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

WHEREAS, the Department of Human Services successfully operates an Adult Day Care Program for senior citizens; and

WHEREAS, a Brain Gym Program supports an individual's joy of living and learning through 26 simple, safe, and effective exercises, that can improve performance in focus, organization, mental clarity, emotional balance, communication, comprehension and whole body coordination, which are of tremendous value to persons suffering from various forms of dementia, including Alzheimer's Disease; and

WHEREAS, the Town successfully sought funding from the Alzheimer's Foundation of America for the provision of brain gym classes to enhance the program for seniors attending Adult Day Care; and

WHEREAS, the Alzheimer's Foundation of America has provided FIVE THOUSAND NO/100 (\$5,000) DOLLARS in funding for the provision of Brain Gym classes to enhance our Adult Day Care Program from January 1, 2016 through December 31, 2016; and

WHEREAS, amending the 2016 Operating Budget is A Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c) (20) and therefore no further review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2016 Operating Budget as follows:

<u>Increase the following revenue:</u>		
A2705-2705	Gifts and Donations	\$5,000.00

<u>Increase the following appropriation:</u>		
A6773-4550	Outside Professional	\$5,000.00

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, by resolution 2015-550 on December 8, 2015 the Town Board approved execution of a grant agreement, upon receiving notice of a \$137,320.05 grant award from the National Fish and Wildlife Foundation Long Island Sound Futures Fund for a stormwater runoff control rain garden demonstration project at Centerport Beach, and

WHEREAS, the project involves installation of green infrastructure to treat stormwater flowing from the Centerport Beach Recreation Facility into Northport Bay to improve water quality in the Bay and Long Island Sound and will displace some existing parking, and

WHEREAS, the Environmental Open Space and Park Fund Advisory (EOSPA) Committee reviewed and voted to support a nomination from the Director of Maritime Services at its meeting of March 8, 2016 for \$75,000 from the EOSPA Park Improvement Fund to provide a portion of the Town's match toward the National Fish and Wildlife Foundation Long Island Sound Futures Fund grant that is also being matched by in-kind Town services and \$30,000 in assistance from Citizens Campaign for the Environment toward the Centerport Beach stormwater mitigation project, and

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

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the EAF, there shall be no significant adverse impacts associated with the installation of the proposed stormwater mitigation project at Centerport Beach and hereby issues a Negative Declaration pursuant to SEQRA,

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 park improvement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

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DEPARTMENT OF ENGINEERING SERVICES

*Stormwater runoff control rain garden demonstration project, not to exceed \$75,000
Centerport Beach, Centerport*

Provide portion of matching funding to NFWF LIS Future's Fund grant to remove a section of existing site improvements, including pavement, and install and plant bioswales/rain gardens

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.

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~~RESOLUTION ACCEPTING THE GIFT OF THE SEPTEMBER 11 MEMORIAL PEACE POLE FROM THE WORLD PEACE ORGANIZATION'S PEACE POLE PROJECT FOR DISPLAY AT THE HUNTINGTON MANOR FIELD PARK, JAMES D CONTE COMMUNITY CENTER COMPLEX~~

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Peace Pole has become an internationally-recognized symbol of the hopes and dreams of the entire human family, standing vigil in a silent appeal for peace on earth and bearing the message *May Peace Prevail on Earth* in different languages on each of its four or six sides; and

WHEREAS, reproductions of the Peace Pole having been widely disseminated in nearly every country in the world, where it is repeatedly dedicated as a monument to peace, including the Allenby Bridge between Israel and Jordan, the War Museum in Vietnam, Robben Island in South Africa where Nelson Mandela was imprisoned, at the Pyramids in Egypt, the Bethany Beyond Jordan baptism site of Jesus, the Kyber Pass at the border of Pakistan and Afghanistan, Mt. Everest, Nepal, the Findhorn Foundation, Scotland, the United Nations, The World Bank and the U.S. Pentagon; and

WHEREAS, The Peace Pole Project with headquarters at The World Peace Sanctuary, 26 Benton Road, Wassaic, NY 12592, has offered to honor the Town of Huntington with the gift of The September 11 Memorial Peace Pole, crafted in memory of those who perished during the attacks on September 11, 2001; and

WHEREAS, the Peace Pole Project has agreed to relocate The September 11 Memorial Peace Pole, a 6-sided monument with 12 translations of *May Peace Prevail on Earth* in anodized aluminum letters in English, Japanese, Spanish, German, French, Italian, Chinese, Russian, Arabic, Hebrew, Hindi and Urdu representing the nationalities of the victims and their families, rising to a height of almost 11' and weighing approximately 510 lbs. and carrying within its 22 inch diameter frame prayers and messages of peace from the people of New York and all over the world, to the Town of Huntington's Manor Field Park; and

WHEREAS, the planting of The September 11 Memorial Peace Pole is a way of bringing together people from different walks of life to inspire, awaken and uplift in them an awareness of the need to work cooperatively towards the common goals which the Peace Pole symbolizes with its message *May Peace Prevail on Earth*; 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,

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THE TOWN BOARD,

HEREBY ACCEPTS on behalf of the people of the Town of Huntington, The September 11 Memorial Peace Pole, crafted in memory of those who perished during the attacks on September 11, 2001, for perpetual display at the Manor Fields Park near the NYS Armory now known as the James D Conte Community Center Complex and thanks The World Peace Organization's Peace Pole Project for the honor of being chosen as the recipient of this generous gift; and it is further agreed that in the event that there should come a time when the Town of Huntington should desire to relocate The September 11 Memorial Peace Pole, it shall not do so without the prior written consent of The World Peace Organization's Peace Pole Project, and absent such consent, ownership of The September 11 Memorial Peace Pole shall revert to The World Peace Organization's Peace Pole Project, which may thereupon relocate it as it deems fit, and the Supervisor is hereby authorized to sign a reverter agreement to this effect and any other related documents needed for the implementation of this project and upon 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.

RESOLUTION ACCEPTING A DONATION OF UPHOLSTERED CHAIRS FOR THE DEPARTMENT OF GENERAL SERVICES, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: July 12, 2016

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

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

WHEREAS, the Northport American Legion #694, 7 Woodside Avenue, Northport desires to donate sixteen upholstered stacking chairs valued at approximately THREE HUNDRED AND NO/100 (\$300.00) DOLLARS to the Town of Huntington, Department of General Services; and

WHEREAS, the acceptance of a donation is not an action as defined by 6 NYCRR section 617.2 (b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Department of Human Services, Division of Veterans Affairs, hereby accepts a donation of sixteen chairs for the Department of General Services and thanks the Northport American Legion #694 for their generosity, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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~~RESOLUTION APPROVING AND AUTHORIZING THE SUPERVISOR TO EXECUTE A WATER SUPPLY AGREEMENT OF GREENLAWN WATER DISTRICT FOR THE INSTALLATION OF WATER MAINS AND APPURTENANCES IN THE SUBDIVISION KNOWN AS HARBORFIELD ESTATES~~

Resolution for Town Board Meeting Dated: July 12, 2016

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

And seconded by: **COUNCILMAN COOK**

WHEREAS, Island Estates at Harborfields LLC. is the owner in fee of parcels of real property constituting the property described on the subdivision map known as filed map number 12023, "Map of Harborfield Estates"; and

WHEREAS, the parcels referenced herein are located wholly within the Greenlawn Water District and Island Estates at Harborfields LLC. is seeking to enter into a water supply agreement with the Greenlawn Water District for the installation of water mains and appurtenances in and under property within the property described in "Map of Harborfield Estates"; and

WHEREAS, the "Map of Harborfield Estates" was filed with the Office of the Suffolk County Clerk on February 10, 2016; and

WHEREAS, the Commissioners of the Greenlawn Water District have previously approved said agreement; and

WHEREAS, approval of the Town Board is necessary under provisions of New York State Law; and

WHEREAS, the extension of water supply infrastructure to render service in an approved subdivision is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(11) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED

THE TOWN BOARD HEREBY APPROVES a Water Supply Agreement between the Greenlawn Water District and Island Estates at Harborfields LLC. for the installation of water mains and appurtenances in and under property located in Greenlawn, Town of Huntington, County of Suffolk, State of New York, known as filed map number 12023 "Map of Harborfield Estates" filed on February 10, 2016, and on such other terms and conditions as may be determined by the Town Attorney and authorizes the Supervisor of the Town of Huntington to execute the agreement.

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

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~~RESOLUTION DECLARING CERTAIN EQUIPMENT AND VEHICLES AS SURPLUS AND/OR OBSOLETE AND AUTHORIZES THE SALE AT AUCTION, TRADE IN OR DISPOSAL OF THE SAME.~~

Resolution for Town Board Meeting Dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington Department of Audit and Control is responsible for the disposition of 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 equipment contained in Schedule "A" 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 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

HEREBY DECLARES the specified equipment on Schedule "A" as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scrap.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

TOWN OF HUNTINGTON
PURCHASING DIVISION
SURPLUS INVENTORY ITEMS
SCHEDULE A
07/12/16

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TOH #	YEAR	MAKE	MODEL	VIN	ASSET #
Highway					
179	1988	Ford	F800	1FDYK84AXJA33442	4032
68	1999	Ford	Explorer	1FMZU34X0X4C07281	4176
358	2002	Tennant	Centurion	1GDM7C1C12J511930	3880
Environmental					
S-1	1994	Ford	F250	2FTHF26H8RCA83578	4519

RESOLUTION DECLARING JULY 23, 2016 TO BE COLTRANE DAY IN THE TOWN OF HUNTINGTON AND AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH FRIENDS OF THE COLTRANE HOME IN DIX HILLS AND THE HUNTINGTON ARTS COUNCIL, INC. FOR THE USE OF HECKSCHER PARK FOR THE COLTRANE DAY MUSIC FESTIVAL

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, in recognition of the Coltrane family's legacy and social importance of the truly American music genre of jazz and their connection to Huntington, the Town of Huntington is declaring July 23, 2016 to be Coltrane Day in the Town of Huntington; and

WHEREAS, Friends of the Coltrane Home in Dix Hills and the Huntington Arts Council, Inc. will be presenting the Coltrane Day Music Festival from 12:00 p.m. until 10:30 p.m. on Saturday, July 23, 2016; and

WHEREAS, such festival shall include Live Music All Day, Music Workshops, Community Jams, Local Artist Exhibitions, Vendors, Exhibits, a Food Court and an Evening Concert; and

WHEREAS, Friends of the Coltrane Home in Dix Hills and the Huntington Arts Council, Inc. have requested permission to utilize the Town of Huntington Heckscher Park in conjunction with such festival commencing at 9:00 a.m. on Friday, July 22, 2016 and ending at 3:00 p.m. on Sunday, July 24, 2016; and

WHEREAS, such permission to utilize said Heckscher Park for the Coltrane Day Music Festival is contingent upon the execution of a license agreement, which includes provisions requiring Friends of the Coltrane Home in Dix Hills and the Huntington Arts Council, Inc. to hold harmless, defend and indemnify the Town of Huntington and the Town of Huntington Board of Trustees; the issuance, by the Town Clerk, of a permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); the issuance, by the Department of Parks and Recreation of any and all required permits; the issuance, and the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction; and

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

NOW, THEREFORE,

THE TOWN BOARD,

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HEREBY DECLARES July 23, 2016 to be Coltrane day in the Town of Huntington, and

HEREBY AUTHORIZES the Friends of the Coltrane Home in Dix Hills, P.O. Box 2171 Huntington, NY 11743 and the Huntington Arts Council, Inc., 213 Main Street, Huntington, New York 11743, to utilize the Town of Huntington Heckscher Park for the Coltrane Day Music Festival from 9:00 a.m. on July 22, 2016 through 3:00 p.m. on July 24, 2016. Such authorization and permission is subject to: 1) the execution of a license agreement which includes provisions requiring the Friends of the Coltrane Home in Dix Hills and the Huntington Arts Council, Inc. to hold harmless, defend and indemnify the Town of Huntington and the Town of Huntington Board of Trustees; 2) appropriate insurance documents in a form satisfactory to the Town Attorney; 3) the issuance, by the Huntington Town Clerk, of a valid permit pursuant to Chapter 91 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events); 4) the issuance, by the Department of Parks and Recreation of any and all required permits; and 5) the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney.

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.

2016-352

RESOLUTION DESIGNATING TITLE INSURANCE COMPANIES AND
ABSTRACT COMPANIES FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: July 12, 2016

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

And seconded by: **COUNCILMAN COOK**
COUNCILWOMAN BERLAND

WHEREAS, the Town Board has previously designated title insurance companies and abstract companies to be utilized by the Town for various purposes; and

WHEREAS, the Town Board has, through the years, designated additional title insurance companies and abstract companies to be utilized by the Town for such purposes; and

WHEREAS, the Town of Huntington continues to have a need for such professional services; and

WHEREAS, the Town Board is desirous of updating the list of title insurance companies and abstract companies to be utilized for Town purposes; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby designates the following title insurance companies to be used by Town Departments on an as-needed basis:

ADVANTAGE TITLE AGENCY, INC.
201 Old Country Road, Suite 200
Melville, NY 11747
(631)424-6100

AMERICAN LAND SERVICES
6901 Jericho Turnpike, Suite 210
Syosset, NY 11791
(516)921-4466

FIDELITY NATIONAL TITLE INSURANCE SERVICES, LLC
24 Commerce Drive
Riverhead, NY 11901
(631)727-0600

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~~FIRST AMERICAN TITLE INSURANCE COMPANY OF NEW YORK~~
333 Earle Ovington Blvd., Suite 608
Uniondale, NY 11553
(516)832-3200

REGAL TITLE AGENCY
90 Broad Street, 18th floor
New York, NY 10004
(212)269-5900

BE IT FURTHER RESOLVED, that all prior designations and resolutions designating title insurance companies and abstract companies are hereby superseded in their entirety.

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 GRANTING PERMISSION TO IGLESIA LUZ DE SALVACION AIC (LIGHT OF SALVATION CHURCH) FOR USE OF HUNTINGTON STATION COMMUTER PARKING LOT 22 IN CONNECTION WITH ITS SATURDAY, AUGUST 13, 2016 CHRISTIAN DAY PARADE

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN COOK**

WHEREAS, Iglesia Luz De Salvacion AIC (Light of Salvation Church), 1599 New York Avenue, Huntington Station, NY, 11746 is organizing its annual Christian Day Parade on Saturday, August 13, 2016 from 12:00 p.m. until 2:00 p.m; and

WHEREAS, Reverend Fermin Trejo, Pastor of Iglesia Luz De Salvacion AIC, has stated that working within the community is a top priority of his church and this event will help reach out to Huntington Station neighbors; and

WHEREAS, the parade will step off at 12:00 p.m. from East 15th Street and proceed north on New York Avenue to Church Street, where it will culminate in a religious service in Town of Huntington commuter parking lot 22; and

WHEREAS, Light of Salvation Church is interacting with the New York State Department of Transportation, the Town of Huntington Superintendent of Highways, the Town of Huntington Department of Parks & Recreation and Suffolk County Police to secure all required permits and assistance in connection with parade road closures and use of equipment; and

WHEREAS, granting permission for use of a municipal parking lot is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c) (15), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to Iglesia Luz De Salvacion AIC (Light of Salvation Church), 1599 New York Avenue, Huntington Station, New York, 11746 for use of Town of Huntington commuter parking lot 22 in connection with its Christian Day Parade on Saturday, August 13, 2016 from 12:00 p.m. until 2:00 p.m. with such permission being subject to: 1) the execution of a Hold Harmless and Indemnification Agreement which includes provisions requiring the Iglesia Luz De Salvacion AIC (Light of Salvation Church) to hold harmless and indemnify the Town of Huntington and signed by an authorized representative of the Iglesia Luz De Salvacion AIC (Light of Salvation Church); 2) the submission of appropriate insurance documents in a form satisfactory to

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the Town Attorney; and 3) the issuance of all required approvals and/or permits from any other Town department and/or other agency having jurisdiction and on such other terms and conditions as may be acceptable to the Town Attorney

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 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: July 12, 2016

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

and seconded by: **COUNCILWOMAN EDWARDS**

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, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on November 5, 2015; and

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

WHEREAS, by resolution dated June 8, 2016 the Planning Board recommended to the Town Board that the Town Board issue a Negative Declaration under SEQRA and approve the zone change application, subject to certain conditions as listed in the Planning Board resolution; and

WHEREAS, on July 6, 2016 the Suffolk County Planning Commission voted to approve the zone change subject to the following two modifications:

1. Pursuant to the request of the Suffolk County Department of Public Works the access at the northeast corner of the subject property shall be relocated to align the new site driveway with Laurinda Drive; and
2. The petitioner shall contact the Suffolk County Department of Public Works to confirm the allowable use of the County stormwater recharge basin associated with CR-4 (Commack Road) for accommodation of on-site generated stormwater runoff for this proposed project;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board, as Lead Agency, determines that the action will not have a significant effect upon the environment because the rezoning of the property and proposed site development will have no adverse environmental impacts, and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with the Board's long term planning policies and goals, and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information and/or revisions to the conceptual plan, the Town Board hereby:

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

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 8th day of December, 2015 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, and due deliberation having been had:

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

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

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

HEREBY ADOPTS

Local Law Introductory No. 46-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. ____ - 2016
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,

THENCE South 02 degrees 22 minutes 00 seconds East, 126.00 feet,

THENCE southerly along the arc of a curve bearing left with a radius of 20.00 feet and a length of 31.42 feet,

THENCE South 87 degrees 38 minutes 00 seconds West, 187.95 feet,

THENCE South 81 degrees 52 minutes 00 seconds West, 135.11 feet,

THENCE North 13 degrees 37 minutes 50 seconds West, 786.42 feet,

THENCE North 70 degrees 51 minutes 25 seconds East, 890.18 feet,

THENCE southerly along the arc of a curve bearing left with a radius of 3865.72 feet and a length of 192.23 feet,

THENCE South 14 degrees 02 minutes 55 seconds East, 84.79 feet to the POINT OF BEGINNING.

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

- (1) The project yield shall not exceed two-hundred and thirty-seven (237) senior housing units, and
- (2) The project yield shall not exceed a housing density of 1 unit per 3,000 sq. ft. of lot area unless the development is certified as a Continuing Care Retirement Community by the New York State Department of Health, and
- (3) No building shall exceed three (3) stories in height, with the exception of the three (3) proposed buildings located in the center of the site set back at least two hundred and thirty (230) feet from Hauppauge Road and Commack Road. These three (3) buildings shall not exceed four (4) stories in height, and

- (4) Improvements shall be made in the Town right-of-way along the Hauppauge Road frontage of the property in accordance with Town road standards, and
- (5) Pursuant to the request of the Suffolk County Department of Public Works the access at the northeast corner of the subject property shall be relocated to align the new site driveway with Laurinda Drive, and
- (6) The petitioner shall contact the Suffolk County Department of Public Works to confirm the allowable use of the County stormwater recharge basin associated with CR-4 (Commack Road) for accommodation of on-site generated stormwater runoff for this proposed project.

* * *

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.

2016-355

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 23-2016
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: LELAND STREET – EAST NORTHPORT – STOP SIGNS

Resolution for Town Board Meeting dated: July 12, 2016

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 7th day of June, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 23-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 23-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW NO. 31 - 2016
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

2016-355

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Leland Street (ENP)	STOP	EAST	Oakland Avenue

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.

2016 - 356

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 24-2016
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: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 7th day of June, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 24-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 24-2016 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 NO. 32 - 2016
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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

2016-356

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:	Depot Road/West From New York Ave. (Rt. 110) to Pulaski Rd. (HUS)	No Stopping	-----
ADD:	Depot Road/West From New York Ave. (Rt. 110) to 280 ft. south of Pulaski Rd. (HUS)	No Stopping	-----

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.

ENACTMENT: APPROVE THE PROPOSED RENOVATION AND REHABILITATION BY THE COMMACK PUBLIC LIBRARY DISTRICT OF ITS EXISTING FACILITIES AT 18 HAUPPAUGE ROAD, COMMACK, NEW YORK, AND AUTHORIZE THE NEGOTIATION, DELIVERY AND EXECUTION OF DOCUMENTS ON BEHALF OF THE TOWN OF HUNTINGTON WITH RESPECT TO SAID RENOVATION AND REHABILITATION PROJECT

Resolution for Town Board Meeting dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Commack Public Library District (hereinafter sometimes referred to as the "Library") wishes to renovate and rehabilitate its existing facilities located at 18 Hauppauge Road, Commack, New York (the "Project"); and

WHEREAS, to finance the Project, the Dormitory Authority of the State of New York (the "Authority") is willing to issue revenue bonds in an amount up to \$7,845,000.00 (the "Bonds"), the proceeds of which would be loaned to the Library pursuant to a loan agreement to be made by and between the Library and the Authority (the "Loan Agreement"); and

WHEREAS, on October 20, 2015, by referendum the voters of the Commack Public Library District authorized the Library to undertake and finance the Project, and to cause the Town of Huntington to levy and collect as an annual tax on real property located within the Commack Public Library District such amounts as necessary for the Library to pay the amounts due by it under agreements made with the Authority, including the Loan Agreement and other amounts due on the Bonds; and

WHEREAS, pursuant to Chapter 834 of the Laws of New York of 1971 (the "Chapter 834"), the Library is authorized to undertake the Project, subject to the consent of the Town Board of the Town of Huntington following a public hearing duly called and held in accordance with the applicable provisions of the Town Law and a determination that such Project is in the public interest; and

WHEREAS, the Board of Trustees of the Library adopted resolutions on August 11, 2015, and February 16, 2016, approving the Project and requesting that the Town Board of the Town of Huntington determine the same to be in the public interest as required by Chapter 834; and

WHEREAS, pursuant to Town Board Resolution 2016-262, on May 10, 2016, the Town Board as lead agency classified the Project as an unlisted action and a negative declaration was issued in accordance with the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.

NOW, THEREFORE, BE IT

RESOLVED THAT, the Town Board having held a public hearing on the 12th day of July, 2016, at 2:00 p.m. and due deliberation having been had,

HEREBY FINDS AND DETERMINES the proposed renovation and rehabilitation by the Commack Public Library District of its existing facilities at 18 Hauppauge Road, Commack, New York, to be in the public interest, and therefore consents to its undertaking; and

HEREBY AUTHORIZES the Supervisor to negotiate and deliver such documents on behalf of the Town of Huntington as may be necessary to make possible the proposed renovation and rehabilitation project, and on such other terms and conditions as may be determined by 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.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 32 -2016,
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198
(ZONING), ARTICLE III (RESIDENCE DISTRICTS)

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN EDWARDS

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; and

THE TOWN BOARD, having held a public hearing on the 12th day of July, 2016 at 2:00 pm to consider adopting Local Law Introductory No. 32-2016, amending the Code of the Town of Huntington, Chapter 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS) and after due deliberation having been had,

HEREBY ADOPTS,

Local Law Introductory No.32-2016, amending the Code of the Town of Huntington, Chapter 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS), as follows:

LOCAL LAW NO. 33 -2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE III (RESIDENCE DISTRICTS)

* * *

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

CHAPTER 198
ZONING

* * *

ARTICLE III
RESIDENCE DISTRICTS

§198-13. R-80 Residence District.

* * *

(4) 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 be offered to first-time homebuyers as per the definition set forth by HUD and not be age-restricted except in the R-RM Retirement Community District.

* * *

(iii) Resale prices shall be restricted and calculated using the initial sales price increased by the cumulative annual increases in the Consumer Price Index (CPI) [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.

* * *

(c) Priority of Applications. Applicants who are residents of, or, who provide documented employment [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 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 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.

(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.

* * *

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 DECLARED DULY ADOPTED.

2016-359

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

Resolution for Town Board Meeting dated: July 12, 2016

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on June 7, 2016 the Town Board designated certain properties as “blighted” and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties are being evaluated and considered for further action(s) to be taken; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

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

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

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
216	2 Salisbury Drive N. E. Northport	0400-082.00-01.00-035.000	Edward P. Robinson Cathy L. Robinson 2 Salisbury Drive N. East Northport, NY 11731-1339	4/13/2016	\$ 2,500.00
220	40 Tamarack Street E. Northport	0400-183.00-02.00-013.000	Estate of Georgia Hansen Cindy Hansen Gullo, Execut 7267 Coventry Ct. Weeki Wachee, FL 34607-1510	4/26/2016	\$ 2,500.00
27	266 Pine Acre Blvd. Dix Hills	0400-281.00-02.00-066.001	Dave S. Clarke 266 Pine Acre Blvd. Dix Hills, NY 11746-8501	4/20/2016	\$ 2,500.00
217	637 Park Avenue Huntington	0400-097.00-02.00-090.000	Joseph Ciccarelli Tiffany Ciccarelli 637 Park Avenue Huntington, NY 11743-3756	4/20/2016	\$ 2,500.00
218	976 Park Avenue Huntington	0400-159.00-03.00-074.000	OWB REO LLC 888 W. Walnut Street Pasadena, CA 91101	4/15/2016	\$ 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
216	2 Salisbury Drive N. E. Northport	0400-082.00-01.00-035.000	Edward P. Robinson Cathy L. Robinson 2 Salisbury Drive N. East Northport, NY 11731-1339	4/13/2016	6/7/2016
220	40 Tamarack Street E. Northport	0400-183.00-02.00-013.000	Estate of Georgia Hansen Cindy Hansen Gullo, Executx 7267 Coventry Ct. Weeki Wachee, FL 34607-1510	4/26/2016	6/7/2016
27	266 Pine Acre Blvd. Dix Hills	0400-281.00-02.00-066.001	Dave S. Clarke 266 Pine Acre Blvd. Dix Hills, NY 11746-8501	4/20/2016	6/7/2016
217	637 Park Avenue Huntington	0400-097.00-02.00-090.000	Joseph Ciccarella Tiffany Ciccarella 637 Park Avenue Huntington, NY 11743-3756	4/20/2016	6/7/2016
218	976 Park Avenue Huntington	0400-159.00-03.00-074.000	OWB REO LLC 888 W. Walnut Street Pasadena, CA 91101	4/15/2016	6/7/2016

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	PROPERTY ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
45	199 Seaman Neck Road Dix Hills	0400-278.00-02.00-044.000	2 Donald Court, Inc. 199 Seaman Neck Road Dix Hills, NY 11746	5/8/2012
68	5 Gerri Road E. Northport	0400-126.00-02.00-016.000	JJSB Development LLC 338 Jericho Tpke., Ste. 326 Syosset, NY 11791	6/9/2015

- 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

2016-359

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE	ANNUAL REGISTRATION FEE
188	7 Cherry Place Huntington	0400-025.00-02.00-045.000	Robert Waldinger 7 Cherry Place Huntington, NY 11743-1908	6/12/2015	\$ 2,500.00
181	7 Metcale Lane E. Northport	0400-183.00-03.00-041.000	Aileen Carson (L/E) Dwight Carson (Estate of) 7 Metcale Lane E. Northport, NY 11731-4419	5/20/2015	\$ 2,500.00
104	32 Lakeside Drive Centerport	0400-043.00-05.00-014.000	Subbarao Gutti Sathyavath Gutti 32 Lakeside Drive Centerport, NY 11721	9/27/2013	\$ 2,500.00
11	114 Columbia Street Huntington Sta., NY	0400-141.00-01.00-027.000	Delvis Arevalo Elsa Bardales Banegas 114 Columbia Street Huntington Sta, NY 11746	10/21/2011	\$ 2,500.00
49	502 10th Avenue E. Northport	0400-115.00-02.00-028.000	Dennis Carrion 502 10th Avenue E. Northport, NY 11731	6/19/2012	\$ 2,500.00
127	650 Washington Drive Centerport	0400-039.00-01.00-023.000	Teofil S. Kolodziejczyk 650 Washington Drive Centerport, NY 11721	6/23/2014	\$ 2,500.00

-SCHEDULE D-
 PERSISTENT BLIGHT

2016-360

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

Resolution for Town Board Meeting Dated: July 12, 2016

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 **16th** day of **AUGUST**, 2016 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

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

2016-360

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
225	61 Norwich Street Huntington Station	0400-232.00-01.00-006.001	61 Norwich Street LLC Thomas Healy 125 W. Shore Road Huntington, NY 11743-2042	5/31/2016	\$ 2,500.00
222	90 Greenlawn Road Huntington	0400-103.00-03.00-007.000	William Edmonds 170 Linden Lane Glen Head, NY 11545-2712	5/17/2016	\$ 2,500.00
223	168 Chichester Road Huntington	0400-231.00-01.00-025.007	Michael J. Gladstein Marilyn Gladstein 168 Chichester Road Huntington, NY 11743-6525	5/10/2016	\$ 2,500.00
227	E. 12th Street Huntington	0400-145.00-01.00-084.000	Huntington Manor Lions c/o Manley Vita 7360 Province Way, Apt.4201 Naples, FL 34104-6059	6/8/2016	\$ 5,000.00

SCHEDULE A
Schedule Public Hearing

2016-361

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AWARDING A LICENSE AGREEMENT TO OPERATE A PRO SHOP SERVICE AT DIX HILLS PARK TWIN ICE RINKS.

Resolution for Town Board Meeting Dated: July 12, 2016

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

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

WHEREAS, the Town Department of Parks and Recreation wishes to engage the services of a qualified licensee to provide pro shop concession services for the Town's Dix Hills Park Twin Ice Rink facility. These services will include but are not limited to skate sharpening, sales of hockey equipment, figure skating equipment and sales of related accessories and apparel; and

WHEREAS, requests for proposals were received on June 10, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for pro shop services at Dix Hills Park Twin Ice Rinks, RFP No. 2016-06-006 and the same were opened and read aloud; and

WHEREAS, scheduling a public hearing to consider 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 SCHEDULES a public hearing for the 16th day of August 2016 at 2:00 P.M. at Huntington Town Hall, 100 Main Street Huntington, New York to consider awarding a license agreement for pro shop services at Dix Hills Park Twin Ice Rinks to Cozzi Sports, Inc. for a period of five (5) years commencing upon contract execution, with one five (5) year extension upon the mutual consent of both parties; in consideration for the payment of the following by Cozzi Sports, Inc.: years 1, 2 & 3 - \$1,300.00 per month; year 4 & 5 - \$1,400.00 per month; and if the contract is renewed, then years 6 & 7 - \$ 1,400.00 per month; years 8, 9 & 10 - \$1,500.00 per month, 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 SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 33 - 2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 91 (CANIVALS, CIRCUSES, FAIRS AND AMUSEMENT EVENTS)

Resolution for Town Board Meeting dated: July 12, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, it is the intention of the Town Board to update the Code so as to include new rides and attractions that have been incorporated in carnivals and fairs since the Code was last amended, and to modify the space restrictions to accommodate the new attractions; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **16th** day of **AUGUST**, 2016 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **33** -2016 amending the Code of the Town of Huntington, Chapter 91 (Carnivals, Circuses, Fairs and Amusement Events); as follows:

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

LOCAL LAW INTRODUCTORY NO. **33** - 2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 91 (CANIVALS, CIRCUSES, FAIRS AND AMUSEMENT EVENTS)

Section 1. Amendment to Chapter 91 (Carnivals, Circuses, Fairs and Amusement Events); as follows:

CHAPTER 91
(CANIVALS, CIRCUSES, FAIRS AND AMUSEMENT EVENTS)

§ 91-2. Definitions.

* * *

For the purpose of this chapter, the following terms shall have the meanings indicated:

* * *

AMUSEMENT RIDE - A manually operated or mechanically powered machine, apparatus or device which is used solely for amusement, and which is designed to propel, project or move a person through the air, along the ground or otherwise, and shall include a merry-go-round and/or carousel and other similar machinery customarily associated with amusements or carnivals. For the purpose of §91-4 (A) of this chapter, the term "amusement ride" shall not include a slide, funhouse, pirate bounce (bounce house), rock wall, or a maze, but these attractions shall be deemed amusement rides for all other purposes.

* * *

§ 91-4. Location of amusement rides restricted.

A. No more than one (1) amusement ride per one-quarter (1/4) acre shall be permitted, and no more than [fifteen (15)] seventeen (17) amusement rides shall be operated, maintained and/or erected per fair, carnival, circus or amusement event.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-363

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. ~~34~~ -2016, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES), ARTICLE VII (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the New York State Legislature recently passed legislation that establishes a statewide zombie house registry and will assist local municipalities dealing with vacant and abandoned homes in its communities; and

WHEREAS, it is the intention of the Town Board to amend the Code of the Town of Huntington to strengthen the Town's procedures to identify, abate and eliminate the presence of blighted properties throughout the Town, to protect the health, safety and well-being of the public and the community-at-large; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the ~~16th~~ day of **AUGUST**, 2016 at ~~2~~ p.m., at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No.: ~~34~~ -2016, amending the Code of the Town of Huntington, Chapter 156 (Property Maintenance; Nuisances), Article VII (Blighted Property); as follows:

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

LOCAL LAW INTRODUCTORY NO. ~~34~~ - 2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 156 (PROPERTY MAINTENANCE; NUISANCES)
ARTICLE VII (BLIGHTED PROPERTY)

Section 1. Chapter 156 (Property Maintenance; Nuisances), Article VII (Blighted Property), is hereby amended as follows:

CHAPTER 156
PROPERTY MAINTENANCE; NUISANCES

* * *

ARTICLE VII
BLIGHTED PROPERTY

* * *

§156-61. Blighted Property Designation. Blighted Property - The following conditions shall be factors in evaluating whether or not a property is designated as a Blighted Property:

A. A determination by [the Director of Planning and Environment and/or an official of the Department of Public Safety and Code Enforcement] a code officer that the property is in a condition which poses a serious threat to the safety, health, [and or] or general welfare of the community. (50 points)

B. The owner of the property has been issued Summonses and/or has been prosecuted for violation(s) of the Code of the Town of Huntington and/or the New York State Uniform Fire Prevention and Building Code for commercial and residential structures, and such violations have not been corrected. (50 points)

* * *

F. The property is [determined] found to be unmaintained by [a Town Code Enforcement Officer/official] the code officer based upon evidence of the persistent and continued existence of the following deleterious conditions:

* * *

23. Hazardous or dilapidated vacant building or structure [Vacant Building or Structure].

§ 156-62. Definitions. For purposes of this article the following words shall have the following meanings:

Blighted Property -- [an] shall mean improved or [vacant] unimproved property in any zoning district which meets or exceeds a point value of one hundred (100) points as set forth within this article.

* * *

[Code Enforcement Official shall mean an official charged with the enforcement and/or administration of this article.] Code Officer -- shall mean the Director of Engineering Services, the Director of Public Safety, and/or their designees.

* * *

Restoration Agreement -- shall mean a legal and binding agreement between the Town and a given property owner, wherein said property owner proposes to complete specific repairs and/or improvements in order to resolve conditions existing on his or her property as identified by a [Code Enforcement Official] code officer in accordance with the definition of "Blighted Property." Such repairs and/or improvements shall be outlined on an explicitly fixed timeline and as such will be offered a full exemption from the annual registration fee outlined in § 156-64(D). The [Director of the Department of Planning and Environment] Town Attorney shall have the authority, on behalf of the Town, to execute such Restoration Agreement.

* * *

[Vacant Parcel -- shall mean a parcel of land with no structure(s) thereon.]

* * *

§156-64. Enforcement.

A. [The Department of Public Safety, Code Enforcement] The Code Officer shall be charged with reviewing complaints and conducting investigations in order to determine if blight exists at the subject property.

B. Once a property has been determined to be blighted, [Code Enforcement] the Department of Public Safety shall prepare and send out notification letters to each property owner. Such notice shall be served by personal service upon the owner or person in charge of the affected building or structure; or if no such person can be reasonably found, by mailing said owner such notice by means of certified mail, return receipt requested, and by regular mail, to the last known address as shown by the records of the Town Assessor; and by securely affixing a copy of such notice upon the door of the affected building or structure.

* * *

§156-65. Restoration Agreement:

* * *

B. Restoration Agreement Contents. All Restoration Agreements shall include a definite plan for the resolution of any condition(s) [existing on the blighted premises/corresponding property as identified by a Code Enforcement Official in

accordance with the definition of Blighted Property defined herein.] identified by the code officer pursuant to this article.

* * *

E. Penalties for Non Compliance with Restoration Agreement Terms. Any property owner who does not complete the repairs and/or improvements outlined in a Restoration Agreement within the established timeline, or any period of extension granted by the Town Attorney, will be subject to the actions described in § 156-67.

§156-66. Incentives. Any entity and/or individual that purchases a property registered on the Town's Blighted Property Inventory List may be offered certain incentives from the Town.

§156-66. Incentives.

- A. All incentives are at the discretion of the code officer [Director of the Department of Planning and Environment] charged with the duty of processing the particular application filed by the purchaser. [The "rating" of the purchased property, the location of the purchased property, the degree of repair and development necessary, and the impact of the proposed project on the Town's economy, are factors to be considered in the grant of an exemption.] Said code officer may evaluate any factors, including but not limited to the applicant's liability and other insurance coverage.
- B. Incentives may include, but are not limited to, up to a twenty-five (25%) percent reduction of [certain] building permit and/or land use application fees to be collected by the applicable town department and may include the fast-tracking of applications as may be reasonable under the circumstances [by the Planning and Engineering Departments and/or an acceleration of the processing of certain permits as issued by the Planning and Engineering Departments].
- C. Applicants must demonstrate the ability to pay for their proposed projects either through commitment letters for loans obtained from a commercial lender of their selection or [through the availability of developer funds] by other means.
- [D.] [The environmental condition of the project site(s) and the applicant's liability and other insurance coverage must be considered by the Town before the approval of any incentives.]
- [E.] [The timeframe applies to the time within which a property owner/developer submits an application with the Town of Huntington Department of Planning and Environment or Engineering.]

[(1)] [Application is defined as any building permit application, or an application to initiate an administrative process within the Department of

Planning and Environment and Engineering which would enable the submission of a Building Permit application (such administrative processes include but are not limited to the Change of Zone process, application for a variance from the Zoning Board of Appeals, and/or Site Plan Review).]

§ 156-67. Action by Town Board for Failure to Comply or Abate Violations.

- A. Failure to comply with a Restoration Agreement. Whenever the owners of a property shall fail to comply with an executed Restoration Agreement, the Town Board may authorize the work to be done and shall provide for the cost thereof to be paid from general Town funds as directed by resolution of the Town Board, pursuant to the authority provided under § 64 and § 130 of the Town [I]Law. Additionally, failure to comply with an executed Restoration Agreement shall result in the placement, or retention of the property on the Blighted Property Inventory List and the imposition of the corresponding annual registration fees applicable for each year that the offending conditions exist or remain.

* * *

- C. Assessment of costs and expenses, liens. All costs and expenses incurred by the Town in connection with the abatement of a violation of this chapter shall be provided to the Town Board by the [Department of Planning and Environment and/or Engineering] Code Officer. The total costs and expenses shall then be determined by the Town Attorney, in consultation with the Departments involved, and shall be reported to the Receiver of Taxes as the amount to be assessed against the property, and the expense so assessed shall constitute a lien and charge on the premises on which it is levied until paid or otherwise satisfied or discharged.
- D. Persistent or ongoing blighted properties. Any property previously designated by the Town Board as a "blighted property" and placed upon the blighted property inventory list wherein blighted conditions continue to persist, following a public hearing and upon a determination by the Town Board, will thereafter be deemed as a persistent blighted property[.]. Said persistent blighted property shall be assessed the annual blighted property assessment fee, and the Town will take any and all necessary actions to abate the blighted conditions, upon notice to the property owner by the Office of the Town Attorney[.], by registered or certified mail return receipt requested, and by regular mail, to the last known address as shown by the records of the Town Assessor.
- E. Demolition. Any "Blighted Property" deemed to be an "Unsafe and Damaged Building and/or Structure" pursuant to Chapter 191 of the Code of the Town of Huntington will follow the procedures set forth in Chapter 191 regarding demolition/emergency work.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. ~~35~~ -2016, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 191 (UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES)

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the New York State Legislature recently passed legislation that establishes a statewide zombie house registry and will assist local municipalities dealing with vacant and abandoned homes in its communities; and

WHEREAS, it is the intention of the Town Board to amend the Code of the Town of Huntington to strengthen the Town's mechanism by which the blight and hazards created by collapsed, unsafe and dilapidated buildings and structures may be remedied, to protect the health, safety and well-being of the public and community-at-large; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the **16th** day of **AUGUST**, 2016 at **2:00** p.m., at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No.: **35** -2016, amending the Code of the Town of Huntington, Chapter 191 (Unsafe and Damaged Buildings and Structures) as follows:

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

LOCAL LAW INTRODUCTORY NO. **35** -2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 191 (UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES)

Section 1. Chapter 191 (Unsafe and Damaged Buildings and Structures) is hereby amended as follows:

CHAPTER 191
UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES

* * *

Chapter 191. Unsafe and Damaged Buildings and Structures

* * *

§ 191-02. Definitions.

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

BUILDING –see Huntington Town Code §198-2

[Any structure used or intended for supporting or sheltering any use or occupancy, whether occupied or vacant.]

CODE OFFICER

The Director of Engineering Services, the Director of Public Safety, and/or their designees.

CONSULTANT

Any engineering firm, or other professional entity, providing services to the Town to assist in the enforcement of the provisions of this code section.

EQUIPMENT –see Huntington Town Code §124-03

EQUIPMENT, UNSAFE –see Huntington Town Code §124-03

PERSON An individual or business entity of any kind.

STAGING Any temporary structure including pavilions, stages and scaffolding.

STRUCTURE – see Huntington Town Code §198-2

[Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including signs, fences, and retaining and freestanding walls.]

§ 191-03. Prohibitions.

(A) It shall be unlawful to own, operate or maintain a building, staging, [or] structure, or equipment which is in an unsafe, hazardous, unsanitary or dilapidated condition.

(B) An owner, his agent, or person-in-charge of a building, staging, [or] structure, or equipment shall maintain same in a safe and sanitary condition to preserve and protect the health, welfare and safety of the general public.

(C) No act on the part of the Town performed in error or otherwise shall be deemed to be an oversight, error or dereliction of duty on the part of the Town, or shall serve to permit or allow the ownership, maintenance or operation of an unsafe, unsanitary or hazardous building, staging, or structure.

§ 191-04. Unsafe Buildings, Structures, Staging and Equipment

For the purpose of this chapter, a building, staging, [or] structure, or equipment may be deemed unsafe, hazardous, unsanitary or dilapidated if upon inspection any of the following apply:

(A) Those having leaning or bulging wall(s); or

(B) [Thirty-three (33%) percent or more of damage to supporting members or fifty (50%) percent damage to the overall structure] Those which, exclusive of the foundation, show damage or deterioration of the supporting member or members or damage or deterioration of the nonsupporting enclosing or outside walls or covering; or

(C) [improperly distributed loads] Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used; or

(D) [sufficient damage by fire or the elements to present a danger to the life, safety and welfare of the occupants or the general public] Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the general public; or

(E) [inadequate facilities to support life] Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein; or

(F) [inadequate egress or ingress in the event of a fire or other emergency] Those having inadequate facilities for egress in cases of fire or other emergency, or those having insufficient stairways, elevators, fire escapes or other means of egress; or

(H) Those where parts of the building, staging, or structure are in danger of detaching creating a hazardous condition; or

(G) Those which are [the structure is] damaged, decayed, dilapidated, unsanitary, unsafe or infested in such a manner as to create a serious hazard to the health and safety of the public; or

- (I) Those having debris and rubble from fire or other occurrence or condition; or
- (J) Those maintained in unsanitary or overcrowded conditions, found in whole or in part to be occupied by more persons than permitted under this code; or
- (K) Those vacant and left unsecured at entrances, windows or other portions of the structure; or
- (L) Those unfit for habitation due to prolonged lack of maintenance or owner failure; or
- (M) Those with any other condition which, in the opinion of the code officer, is dangerous or jeopardizes the health, welfare and safety of the occupants or the general public.

§ 191-05. Report and Investigation.

The code officer and/or any consultant retained by the T[t]own may inspect any building, staging, equipment or structure which, in his or her opinion, is or may become dangerous or unsafe, or threaten the health, safety or welfare of the occupants or general public[.], and shall prepare a report of his or her findings. The report shall contain a report or affidavit from the Department of Engineering.

§ 191-06. Notice to remedy the unsafe, unsanitary or hazardous condition.

(A) A written notice shall be served upon the property owner, his agent, the occupant(s) or person-in-charge of the property, and any mortgagees and/or lienholders, or any person having a vested or contingent interest in the property [as shown on the most current assessment roll maintained by the Town Assessor,] directing the removal, remediation or abatement of the unsafe, hazardous or dangerous condition by the date specified on the notice. Such period may be extended for good cause shown, as long as it can be demonstrated that remedial measures have been started and the delay is not under the control of or due to the actions of the person to whom the notice has been issued.

(B) Contents of notice. The notice shall contain the following:

* * *

(5) A statement that in the event of the failure or refusal of the person to whom the notice is issued to bring the property into compliance by the date on the notice or approved date of extension, a [fact-finding] hearing will be held on the date, time and place specified in the notice before the Town Board [or an Administrative Hearing Officer] to determine whether the report of the code officer should be modified or withdrawn, and whether in the absence of any action by the owner, the Town may repair or secure, demolish and remove the building, staging, [or] structure or equipment.

(6) A statement that in the event of his failure to remedy the condition or appear at the [fact-finding] hearing, the building, staging, [or] structure or equipment will be secured or repaired demolished and removed by the Town and the costs and expenses thereof assessed against the land or the person responsible.

* * *

(D) Service of the notice. The notice shall be served either personally in accordance with the Civil Practice Law and Rules (CPLR) or by registered or certified mail, return receipt requested, and addressed to the property owner at the last known address [shown on the most current assessment roll of the Town Assessor,] or to the owner's agent at the last known address, or to the occupant of the property, or person having a vested or contingent interest in the property [as shown on the most current assessment roll of the Town Assessor]. If service is made by registered or certified mail, a copy of the notice shall be securely affixed upon the building, staging or structure which is the subject of the notice.

(E) § 191-07. Filing of Notice and other documents. The notice, together with the lis pendens and metes and bounds description of the property, and any other supporting documents deemed necessary, shall be filed in the Office of the Suffolk County Clerk by the Town Attorney in the same manner as a Notice of Pendency, and with a lis pendens, meets and bounds description of property, notice of unsafe building/notice of public hearing, resolution setting the hearing, the consultant's report, if any, or the code officer's report, pursuant to Article 65 of the Civil Practice Law and Rules (CPLR). The notice shall remain effective for a one (1) year from the date of filing pursuant to Town Law § 130(16), and may only be vacated by an order of the court or upon the consent of the Town Attorney.

[§191-07 through §191-08. (Reserved)]

§ 191-08. (Reserved)

§ 191-09. [Administrative] Hearing.

A[n] [administrative] hearing may be held by the Huntington Town Board or a duly appointed Administrative Hearing Officer, at the option of the Town. Hearings may be adjourned only upon good cause shown and at the discretion of the code officer.

(A) Town Board Action. The Town Board may consider the report and accept or reject, in whole or in part, the findings and recommendations of the code officer with or without conditions as it deems advisable. The Town Board shall render its findings and determination no later than the next regularly scheduled Town Board meeting following the public hearing and may make a determination on the same day as the hearing. Upon a finding that the building, staging, equipment or structure is or may become unsafe, unsanitary or hazardous, or a threat to the occupants or general public, the Board by resolution may direct the owner, his agent, the occupant(s) or person-in-charge of the

property, or any person having a vested or contingent interest in the property to secure and/or repair, or demolish and remove the building, staging, equipment or structure within the time specified in the resolution, and upon the failure, neglect or refusal of such person(s) to comply, the Town Board may authorize the [t]Town [personnel], upon reasonable notice, to enter the premises and perform the work, and the costs assessed in accordance with the provisions of this Chapter. A copy of the Town Board resolution shall be mailed by the Town Attorney to the person(s) named in the original notice by regular mail and by registered or certified mail, return receipt requested, and shall also be posted on the premises. The decision of the Town Board shall be filed with the Huntington Town Clerk and shall be final.

(B) Administrative Hearing Officer. The Hearing Officer may consider the [evidence] report and accept or reject, in whole or in part, the findings and recommendations of the code officer with or without conditions as it deems advisable and submit his or her findings and recommendations to the [Director] Town Board for ultimate determination. [A copy of the Hearing Officer's report shall be filed with the Town Clerk and served in the same manner as the notice to remedy, except that no posting shall be required if service is by regular, registered or certified mail. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the report.] The Hearing Officer shall render his or her findings and recommendations to the Town Board no later than thirty (30) days from the close of the hearing. The [Director] Town Board shall consider [the written objections and] the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as [he or she] it deems advisable or necessary under the circumstances. Upon a finding that the building, staging, equipment or structure is or may become unsafe, unsanitary or hazardous, or a threat to the occupants or general public, the [Director] Town Board may order the owner, his agent, the occupant(s) or person-in-charge of the property, or any person having a vested or contingent interest in the property to secure and/or repair, or demolish and remove the building, staging, equipment or structure within the time specified and upon the failure, neglect or refusal to comply, may authorize the Town [personnel], upon reasonable notice, to enter the premises and perform the work, and the costs assessed in accordance with the provisions of this chapter. [The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original notice was served by regular mail and by registered or certified mail, return receipt requested.] A copy of the Town Board resolution, with a copy of the hearing officer's report attached, shall be mailed by the Town Attorney to the person(s) named in the original notice by regular mail and by registered or certified mail, return receipt requested, and shall also be posted on the premises. The decision of the Town Board shall be filed with the Huntington Town Clerk and shall be final.

(C) Conduct of hearings. At the hearing the person to whom a notice has been issued shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. He may present the testimony of witnesses, experts and other evidence in his own behalf as he deems necessary and relevant to the subject matter of the hearing. All hearings shall be recorded.

* * *

§ 191-11. Liability for costs.

The owner, his agent, occupant, person-in-charge of the property, or person having a vested or contingent interest in the property shall be liable for the direct and indirect costs of abating the unsafe, unsanitary or hazardous condition, [including but not limited to an administrative fee equal to twenty-five (25%) percent of the total cost of said removal, remediation, abatement and disposal process,] intended to reimburse the Town for the time and expense of holding the hearing, abating the condition, notifying the appropriate parties, certifying the amounts due to the Town, and charging same against the property or person responsible.

* * *

§ 191-13. Emergency work.

(A) If, in the judgment of the code officer, an emergency exists as when a building, staging or structure is in imminent danger of collapse or an immediate peril to the public health and safety exists, he may issue a verbal or written order to the owner, his agent, occupant, person-in-charge of the property, or person having a vested or contingent interest in the property to remedy the dangerous, unsanitary or hazardous condition to the satisfaction of the town within [forty-eight (48)] twenty four (24) hours of service of the notice or the condition shall be remedied by the Town without further notice and the costs thereof filed as a lien against the property if not paid to the Town within five (5) days of receipt of a written demand for same. Service of the written order may be accomplished in any manner set forth in this chapter; or by posting the notice in a conspicuous portion of the property so as to be visible from the street; or by overnight express mail. Upon the failure, neglect and/or refusal of the person who has been notified to remedy or remove the condition to the satisfaction of the code officer, the officer shall report his findings and recommendations to the Town Supervisor who, upon such findings, may execute a declaration of emergency authorizing town personnel to enter the property and perform the work, and the costs assessed and levied in accordance with the provisions of this chapter.

* * *

§191-14. Transfer of Title.

The transfer of title by the owner (transferor) of the unsafe building, staging, structure, or equipment to another party (transferee) shall be no defense in any pending proceeding commenced by the Town. Upon receipt of proof by the transferor of a transferee, the transferor shall notify the Town and provide such proof containing the transferee's contact information. The owner of the unsafe building, staging, equipment or structure who is transferring title shall provide the name and address of the proposed

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 36 -2016, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (COMMERCIAL DISTRICTS), ARTICLE V (INDUSTRIAL DISTRICTS), ARTICLE VII (OFF-STREET PARKING), ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board is aware that there are documented health risks associated with the smoking of electronic cigarettes and vape pens containing flavored nicotine e-liquids and vapor, and waterpipes containing tobacco passed through water and, other legal marijuana derivatives or other substances; and

WHEREAS, there are inherent dangers to smoking including the exposure of second-hand smoke to children, as well as adults, and an increase in the potential for minors to associate smoking with a healthy lifestyle; and

WHEREAS, the location of this use in regard to areas where youth may regularly assemble is of great concern to the Town Board; and

WHEREAS, the Town Board seeks to manage the proliferation of indoor smoking establishments known as hookah lounges and vape lounges within the Town of Huntington and to restrict accessibility to minors in order to serve the public health, safety, and welfare of the residents of the Town of Huntington; 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, that the Town Board hereby schedules a public hearing for the 16th day of **AUGUST**, 2016 at 2 p.m., at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 36 -2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts), Article V (Industrial Districts), Article VII (Off-Street Parking), Article XI (Conditional Use; Supplementary Regulations) as follows:

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

LOCAL LAW INTRODUCTORY NO. 36-2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,

CHAPTER 198 (ZONING),
ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (COMMERCIAL DISTRICTS),
ARTICLE V (INDUSTRIAL DISTRICTS), ARTICLE VII (OFF-STREET PARKING),
ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Section 1. Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts), Article V (Industrial Districts), Article VII (Off-Street Parking), Article XI (Conditional Use; Supplementary Regulations) is hereby amended, as follows:

CHAPTER 198
ZONING

* * *

ARTICLE I
General Provisions

* * *

§198-2. Definitions and word usage.

* * *

HOOKAH LOUNGES AND VAPE LOUNGES-Any facility or location whose business operation, and its principal use, include the on-site indoor smoking of electronic cigarettes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances.

SMOKING - Smoking is the inhalation of the smoke/ liquid nicotine/vapors/water pipe tobacco and other substances encased in electronic cigarettes, vape pens, and pipes commonly known as “hookah”, “waterpipe”, “shisha”, and “narghile” or any similar device.

* * *

ARTICLE IV
Commercial Districts

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

The regulations set forth in this section or set forth elsewhere and referring to this section are established to provide for retail shopping facilities composed principally of groups of retail and service establishments of integrated design, intended to serve community-wide or regional needs as well as those of local neighborhoods.

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

* * *

(15) Hookah Lounges and Vape Lounges subject to the restrictions set forth in §198-71 F.

* * *

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

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

* * *

(25) Hookah Lounges and Vape Lounges subject to the restrictions set forth in §198-71 F.

* * *

ARTICLE V
Industrial Districts

§198-34. I-1 Light Industry District.

A. Use regulations. In a light industry district, no building or premises shall be used and no building shall be erected or structurally altered to be used for any other than one (1) of the following uses:

* * *

(13) Hookah Lounges and Vape Lounges subject to the restrictions set forth in §198-71 F.

* * *

ARTICLE VII
Off-Street Parking

* * *

§198-47 Table of Minimum Spaces Required.

Use or Use Category

Basic Unit of Measurement

* * *

Department store, personal service store not specifically designated elsewhere in this section and food shop as defined in §198-2, and hookah lounges and vape lounges 1 per 200 square feet of gross floor area

* * *

Article XI Conditional Uses; Supplementary Regulations

* * *

§198-71. Location restrictions for certain uses. [Amended 9-28-1982 by Ord. No. 82-ZC-119]

* * *

F. Hookah Lounges and Vape Lounges

- (1) Shall be prohibited within one-thousand five-hundred (1,500) feet of the lot line of any park, playground, religious institution, or school; and
(2) Shall be prohibited where there are residences within a mixed-use building; and
(3) No more than one Hookah Lounge or Vape Lounge shall be located on any lot; and
(4) Hookah Lounges and Vape Lounges may be established in C-5 and C-6 commercial districts and in I-1 industrial districts.

* * *

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.

2016-365

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 38 -2016, CONSIDERING ZONE CHANGE APPLICATION #2016-ZM-422, PLATT'S PARK AVENUE LLC II, TO CHANGE THE ZONING FROM R-15 RESIDENCE DISTRICT TO C-1 OFFICE RESIDENCE DISTRICT FOR PROPERTY LOCATED ON THE EAST CORNER OF EAST MAIN STREET AND PARK AVENUE, HUNTINGTON, SCTM# 0400-073-02-(001, 003.002, 003.003).

Resolution for Town Board Meeting Dated: July 12, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, PLATT'S PARK AVENUE LLC, 71 North 1st St., Deer Park, NY 11729, owner/contract vendee, submitted application #2016-ZM-422 for a change of zone from R-15 Residence District to C-1 Office-Residence District for property located on the east corner of East Main Street (NYS 25A) and Park Avenue (CR 35), Huntington, designated as 0400-073-02-(001, 003.002, 003.003) 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 is a Type I action in accordance with SEQRA, 6 NYCRR Part 617.4(b)(9), as it involves property in the Old Town Green National Historic District; and

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

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 16th day of AUGUST, 2016, at 2:00 PM to consider adopting Local Law Introductory No. 38 -2016 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-15 Residence District to C-1 Office-Residence District the property designated on the Suffolk County Tax Map as 0400-073-02-(001, 003.002, 003.003), as follows:

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

LOCAL LAW INTRODUCTORY NO. 38 - 2016
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 corner of East Main Street (NYS 25A) and Park Avenue (CR 35), Huntington, designated on the Suffolk County Tax Map as 0400-073-02-(001, 003.002, 003.003), to be rezoned from R-15 Residence District to C-1 Office-Residence District, more particularly described as:

BEGINNING at a POINT being the corner formed by the intersection of the southeasterly side of East Main Street (NYS 25A) with the northeasterly side of Park Avenue (CR 35),

THENCE from said POINT OF BEGINNING North 56 degrees 02 minutes 40 seconds East, 225.00 feet,

THENCE South 33 degrees 57 minutes 20 seconds East, 100.00 feet,

THENCE South 56 degrees 02 minutes 40 seconds West, 15.25 feet,

THENCE South 33 degrees 57 minutes 20 seconds East 132.45 feet,

THENCE South 54 degrees 04 minutes 00 seconds West, 168.30 feet,

THENCE North 43 degrees 50 minutes 50 seconds West, 241.86 feet to the POINT OF BEGINNING.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE:	AYES: 4	NOES: 1	ABSTENTIONS: 0
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		NO	
Councilman Eugene Cook		AYE	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Tracey A. Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-BT 17

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION & REGULATION OF MARINE STRUCTURES LAW, TOWN CODE CHAPTER 137, FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY
APPLICANT: SHORE SOLUTIONS INC., ON BEHALF OF
OWNER: RANDALL & ANTOINETTE LICO
LOCATION: 32 HAWKINS DR., NORTHPORT
S.C.T.M. #: 0404-001.00-01.00-012.000

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **TRUSTEE COOK**

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

Shore Solutions Inc.
On behalf of
Randall & Antoinette Lico
32 Hawkins Dr.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Board of Trustees 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.

THE BOARD OF TRUSTEES, having held a public hearing on the 7th day of June, 2016, at 2:00 pm to consider the issuance of a special use permit to Randall & Antoinette Lico to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000. Construction equipment/material is to access the

project site via a sea barge; 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 APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington to Randall & Antoinette Lico to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000 and subject to such terms and conditions follows;

1. 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
2. A License Agreement for the use of Town of Huntington underwater land is required for this project; and
3. The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits; 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 local 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 Board of Trustees and the Town of Huntington; and
7. No Materials or debris shall be discharged or otherwise permitted in tidal waters, tidal wetlands and/or protected buffer areas; and
8. All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas or via sea barge; and
9. 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

10. There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
11. The applicant is responsible for scheduling all required Town of Huntington inspections at the appropriate intervals during the course of demolition/ construction (See permit for required inspections and contact phone number); and
12. The applicant, owner and their duly authorized representatives (such as contractors, 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
13. Upon the completion of the proposed activity, any debris or excess material shall be removed from the site in a timely manner and property disposed of at a state approved disposal area; and
14. Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743; and
15. Such other term/conditions as required by the Town Attorney's Office.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016-BT/8

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: SHORE SOLUTIONS INC., ON BEHALF OF

OWNER: RANDALL & ANTOINETTE LICO

LOCATION: 32 HAWKINS DR., NORTHPORT

S.C.T.M. #: 0404-001.00-01.00-012.000

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **TRUSTEE COOK**

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

Shore Solutions Inc.
On behalf of
Randall & Antoinette Lico
32 Hawkins Dr.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; and

WHEREAS, a license agreement for the construction of a one hundred 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 Board of Trustees 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.

THE BOARD OF TRUSTEES, having held a public hearing on the 7th day of June, 2016, at 2:00 pm to consider the issuance of a special use permit to Randall & Antoinette

2016-BT-18

Lico to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000. Construction equipment/material is to access the project site via a sea barge; 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 Randall & Antoinette Lico to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The residential fixed pier and floating dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; 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: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016-BT 19

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION & REGULATION OF MARINE STRUCTURES LAW, TOWN CODE CHAPTER 137, FOR THE CONSTRUCTION OF AN INTERLOCKING VINYL "NAVY STYLE" BULKHEAD
APPLICANT: SHORE SOLUTIONS INC., ON BEHALF OF
OWNER: TARJA KOSKELA
LOCATION: 67 EAST SHORE RD., HUNTINGTON
S.C.T.M. #: 0400-032.00-01.00-005.000

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **PRESIDENT PETRONE**

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

Shore Solutions Inc.
On behalf of
Tarja Koskela
67 East Shore Rd.
Huntington, N.Y. 11743

To replace a deteriorating stone and concrete bulkhead with 136 linear ft. of timber & interlocking vinyl "Navy style" bulkhead. Elevation of bulkhead to be raised 18" and backfilled with clean fill at 67 East Shore Rd., Huntington, N.Y. 11743, S.C.T.M. # 0400-032.00-01.00-005.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Board of Trustees 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.

THE BOARD OF TRUSTEES, having held a public hearing on the 7th day of June, 2016, at 2:00 pm to consider the issuance of a special use permit to Tarja Koskela to replace a deteriorating stone and concrete bulkhead with 136 linear ft. of timber & interlocking vinyl navy style bulkhead. Elevation of bulkhead to be raised 18" and backfilled with clean fill at 67 East Shore Rd., Huntington, N.Y. 11743, S.C.T.M. # 0400-032.00-01.00-005.000; 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 APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington to Tarja Koskela to replace a deteriorating stone and concrete bulkhead with 136 linear ft. of timber & interlocking vinyl navy style bulkhead. Elevation of bulkhead to be raised 18" and backfilled with clean fill at 67 East Shore Rd., Huntington, N.Y. 11743, S.C.T.M. # 0400-032.00-01.00-005.00 and subject to such terms and conditions follows;

- 1) 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
- 2) All construction equipment, vehicles and materials shall access the project site via a sea barge or the applicant's own property. No construction equipment, vehicles or material deliveries shall transverse adjacent properties; and
- 3) The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits; 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 local permits and associated approved plans; and
- 5) No Materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas; and
- 6) Any debris or excess material from construction of this project shall be completely contained on the subject property and shall be removed from the site in a timely manner to an approved upland area for disposal; and
- 7) 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
- 8) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and

- 9) All required Town of Huntington inspections are scheduled at appropriated intervals during the course of demolition/construction; and
- 10) All backfill material shall be “clean” sand free of asphalt, concrete or any other construction debris; and
- 11) The applicant, owner and their duly authorized representatives (such as contractors, 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; and
- 12) Prior to the commencement of any construction activities any modification or deviation from the approved plans, methodology and/or terms/conditions made part of this permit must be reviewed and approved by all departments, agencies having jurisdiction over this project: and
- 13) Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE EXTENSION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

OWNER: JOSEPH & MELODY SCIACCA

LOCATION: 36 SEA SPRAY DR., CENTERPORT

S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **TRUSTEE EDWARDS**

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

Joseph & Melody Sciacca
36 Sea Spray Dr.
Centerport, N.Y. 11721

to install an additional 8' X 16' float and maintain use of an existing residential fixed pier and floating dock assembly to accommodate recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Board of Trustees 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.

THE BOARD OF TRUSTEES, having held a public hearing on the 7th day of June, 2016, at 2:00 pm to consider the issuance of a special use permit to Joseph & Melody Sciacca to install an additional 8' X 16' float and maintain use of an existing residential fixed pier and floating dock assembly to accommodate recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000. Construction equipment/material is to access the project site via a sea barge; 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 APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington to Joseph & Melody Sciacca to install an additional 8' X 16' float and maintain use of an existing residential fixed pier and floating dock assembly to accommodate recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.0 and subject to such terms and conditions follows;

1. 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
2. A License Agreement for the use of Town of Huntington underwater land is required for this project; and
3. The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits; 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 local 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 Board of Trustees; and
7. No Materials or debris shall be discharged or otherwise permitted in tidal waters, tidal wetlands and/or protected buffer areas; and
8. All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas or via sea barge; and
9. 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

10. There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and

11. The applicant is responsible for scheduling all required Town of Huntington inspections at the appropriate intervals during the course of demolition/ construction (See permit for required inspections and contact phone number); and
12. The applicant, owner and their duly authorized representatives (such as contractors, 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
13. Upon the completion of the proposed activity, any debris or excess material shall be removed from the site in a timely manner and property disposed of at a state approved disposal area; and
14. Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743; and
15. Such other term/conditions as required by the Town Attorney's Office.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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
OWNER: JOSEPH & MELODY SCIACCA
LOCATION: 36 SEA SPRAY DR., CENTERPORT
S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **PRESIDENT PETRONE**

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

Joseph & Melody Sciacca
36 Sea Spray Dr.
Centerport, N.Y. 11721

to install an additional 8' X 16' float to an existing residential fixed pier and floating dock assembly to accommodate a recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000; and

WHEREAS, a license agreement for the 8' x 16' extension of a 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 Board of Trustees 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.

THE BOARD OF TRUSTEES, having held a public hearing on the 7th day of June, 2016, at 2:00 pm to consider the issuance of a special use permit to Joseph & Melody Sciacca to install an additional 8' X 16' float and maintain use of an existing residential fixed pier and floating dock assembly to accommodate recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000.

Construction equipment/material is to access the project site via a sea barge; 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 Joseph & Melody Sciacca for the installation, maintenance and use of an additional 8' X 16' float and the maintenance and the maintenance and use of an existing residential fixed pier and floating dock assembly to accommodate recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000; 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: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD OF TRUSTEES TO EXECUTE ASSIGNMENT AND ASSUMPTION AGREEMENTS AND/OR CONSENT FOR THE ASSIGNMENT OF A LICENSE AGREEMENT FROM PATRICIA K. ROCHE TO DAVID EVANS AND JENNIFER WADE REGARDING EXISTING IMPROVEMENTS AT 205 PROSPECT ROAD, CENTERPORT, NEW YORK

Resolution for Board of Trustees Meeting Dated: July 12, 2016

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

and seconded by: **TRUSTEE BERLAND, TRUSTEE COOK**

WHEREAS, on April 3, 2015, the Town of Huntington Board of Trustees executed a license agreement with Patricia K. Roche, with a current mailing address at 205 Prospect Road, Centerport, New York 11721 (Suffolk County Tax Map No. 0400-048.00-02.00-016.001) with regard to the maintenance of the following existing improvements/structures on Town of Huntington Board of Trustee underwater land: (i) the portion of the fixed dock and concrete pier that is located seaward of the mean high water line; (ii) the portion of the framed boat house that is located seaward of the mean high water line (authorized by a letter-in-lieu dated September 6, 2011); and (iii) the wood piers, ramp and float and any other structure shown on the July 15, 2010 survey of Fauser Associates, P.C. that is located seaward of the mean high water line; and

WHEREAS, the attorney for Patricia K. Roche has advised the Town Attorney's Office that Ms. Roche is selling her home at 205 Prospect Road, Centerport, New York 11721, to David Evans and Jennifer Wade; and

WHEREAS, the sale of the property and premises, known as 205 Prospect Road, Centerport, New York 11721, including the portions of the fixed dock, concrete pier, framed boat house and the piers, ramps and float is scheduled to go to closing in August 2016; and

WHEREAS, the assignment and assumption agreements relating to the license agreement for the above-referenced pier assemblage 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 BOARD OF TRUSTEES authorizes the President of the Board of Trustees to execute assignment and assumption agreements and/or such consent for the assignment of a license agreement with regard to maintenance of the following existing improvements/structures on Town of Huntington Board of Trustee underwater land for property owned by Patricia K. Roche located at 205 Prospect Road, Centerport, NY 11721 (Suffolk County Tax Map No.0400-048,00-02.00-016.001): (i) the portion of the fixed dock and concrete pier that is located seaward of the mean high water line; (ii) the

RESOLUTION ACCEPTING FURNITURE DONATIONS FROM AVALONBAY COMMUNITIES, INC.

Resolution for Community Development Agency Meeting of: July 12, 2016

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER CUTHBERTSON**

WHEREAS, Huntington Community Development Agency (HCDA), provides housing assistance and offers various other programs to assist the low to moderate income population in the Town of Huntington; and

WHEREAS, AvalonBay Communities, Inc. has provided HCDA with a donation of surplus furnishings and assorted household items from one of its model units to aid the Agency in fulfilling its mandate; and

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

NOW, THEREFORE

THE AGENCY BOARD

HEREBY gratefully acknowledges and accepts from AvalonBay Communities, Inc. various furnishings and household items.

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.