

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

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

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

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED MARCH 5, 2013

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 3:56 P.M. Closed: 3:57 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:09 P.M. Closed: 3:56 P.M.

(Resolutions #2013-88 to 2013-131)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 4-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A.
(Local Law Introductory No. 4-2013)

ENACTMENT
RESOLUTION #2013-122

2. Consider adopting Local Law Introductory No. 5-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G.
(Local Law Introductory No. 5-2013)

ENACTMENT
RESOLUTION #2013-123

3. Consider executing a license agreement with Developmental Disabilities Institute for the use of a Town of Huntington Parking Facility. **(Re: Greenlawn Park; Monday through Friday from 7:30 AM until 4:30 PM; commencing on the date of the license agreement and ending 6/30/2013; also, an additional 30 parking spaces in the Broadway parking lot at Greenlawn Park, Monday through Friday from 7:30 AM until 4:30 PM, commencing on the date of the license agreement and ending on 3/31/2013)**
(2013-M-13)

REQUEST
WITHDRAWN
BY APPLICANT

HEARINGS (Continued):

ACTION

4. Consider issuing a Certificate of Approval in an Historic District
Re: 6 Country Meadow Court, Melville – Sweet Hollow Historic District.
(Applicant: Charles McGuffog) (SCTM #0400-256.00-01.00-019.008)
(2013-ZC-2-Ch. 198)

DECISION RESERVED

5. Consider issuing a Certificate of Approval in an Historic District
Re: 247 Park Avenue, Huntington – Old Huntington Green Historic District.
(Applicant: John Haight) (SCTM #0400-027.00-03.00-016.000)
(2013-ZC-3-Ch. 198)

DECISION RESERVED

6. Consider issuing a Certificate of Approval in an Historic District
Re: 356 West Hills Road, Huntington – Whitman Historic District.
(Applicant: Charles Sherman) (SCTM #0400-191.00-05.00-013.000)
(2013-ZC-4-Ch. 198)

DECISION RESERVED

7. Consider issuing a Certificate of Approval for an individually designated
historic site Re: 389 West Hills Road, Melville – The Valentine House.
(Applicant: Linda Kosefsky) (SCTM #0400-232.00-05.00-011.000)
(2013-ZC-5-Ch. 198)

DECISION RESERVED

8. Consider issuing a Certificate of Approval in an Historic District
Re: 478 Park Avenue, Huntington – Old Huntington Green Historic District.
(Applicant: Sunny Pond Farm, LLC) (SCTM # 0400-073.00-03.00-021.000)
(2013-ZC-6-Ch. 198)

DECISION RESERVED

9. Consider authorizing various actions be taken upon certain properties
designated as blighted in accordance with Chapter 156, Article VII, §156-60
(Blighted Property).
**(Re: SCTM #'S 0400-145.00-01.00-085.001, 0400-194.00-03.00-052.00,
0400-150.00-01.00-088.000)**
(2013-M-9)

DECISION RESERVED

10. Consider adopting Local Law Introductory No. 7-2013, amending
the Code of the Town of Huntington, Chapter 64 (Town Attorney's Office,
Department of) Section 64-4 (Powers and Duties).
(Local Law Introductory No. 7-2013)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - FP
Councilwoman Susan A. Berland - SB
Councilman Eugene Cook - EC
Councilman Mark A. Cuthbertson - MC
Councilman Mark Mayoka - MM

- | | | | | |
|-----------------|---|------------------|------------------|-----------------|
| 2013-88. | AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the provision of the EISEP Housekeeper/Chore and Caregiver Program nunc pro tunc. (Period: 4/1/2013-3/31/2014) | <u>SB</u> | | |
| | | <u>MM</u> | <u>EC</u> | <u>5</u> |
| | | | | |
| 2013-89. | AUTHORIZE the Supervisor to execute an agreement for funding from the Suffolk County Youth Bureau for the C.A.S.T. (Communities and Schools Together) Program. (Period: 1/1/2013-12/31/2013) | | <u>SB</u> | |
| | | <u>FP</u> | <u>EC</u> | <u>5</u> |
| | | | | |
| 2013-90. | AUTHORIZE the Supervisor to execute an agreement between the Town of Huntington and the Huntington Human Services Institute, Inc. for the purpose of implementing the 2013 Black History and Hispanic Heritage Programs. (Period: 1/1/2013-12/31/2013) | | | |
| | | <u>MM</u> | <u>FP</u> | <u>5</u> |
| | | | | |
| 2013-91. | AUTHORIZE the Supervisor to execute an agreement with the Long Island Growers Market for the purpose of allowing a Farmers Market to operate in the Town of Huntington. (Re: Elm Street municipal parking lot; Sundays between the hours of 7:00 am and 12:00 pm for the period 5/26/2013 and ending 11/24/2013) | | <u>SB</u> | |
| | | <u>FP</u> | <u>MM</u> | <u>5</u> |
| | | | | |
| 2013-92. | AUTHORIZE the Supervisor to execute a contract for renovations and improvements funded by the U.S. Department of Housing and Urban Development to the Northport American Legion Building, Northport, New York with North Star Concrete Construction, Corp. (Re: Post 694 located at 7 Woodside Avenue) (Period: 4 months commencing upon execution of contract) | | <u>SB</u> | |
| | | <u>MC</u> | <u>MM</u> | <u>5</u> |
| | | | | |
| 2013-93. | AUTHORIZE the Supervisor to execute a contract for the provision of professional ice skating instruction at the Dix Hills Park Ice Rink Facility. (Re: Alicia Narby) (Period: 1/1/2013-12/31/2013) | | | |
| | | <u>SB</u> | <u>MM</u> | <u>5</u> |
| | | | | |
| 2013-94. | REMOVED FROM AGENDA AT WORKSHOP. | | | |
| | | | | |
| 2013-95. | AUTHORIZE the Supervisor to execute an extension to the requirements contract for the removal and or disposal of dewatered or liquid sludge, emulsified grease, grit and screenings from the Huntington Sewage Treatment Plant with Spectraserv, Inc. (Extension one year commencing on 6/6/2013) | | <u>SB</u> | |
| | | <u>MC</u> | <u>FP</u> | <u>5</u> |
| | | <u>MM</u> | | |

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-96. AUTHORIZE the Supervisor to execute an extension to the Townwide requirements contract for pavement markings on various town roads with Safety Markings, Inc. (Extension one year commencing on 5/11/2013)	<u>MM</u>	<u>EC</u>	<u>5</u>
2013-97. AUTHORIZE the Supervisor to execute an extension to the Townwide requirements contract for hot surface recycling of various town roads with Highway Rehabilitation Corp. (Extension one year commencing on 5/18/2013)	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-98. AUTHORIZE the Supervisor to execute an extension to the contract for the photography services for camps with James A. Hall Photography. (Extension one year commencing on 6/1/2013)	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-99. AUTHORIZE the Supervisor to execute a license agreement and aquatics permit with Vicobe Productions for the use of Crab Meadow Beach for a Sprint Triathlon and Youth Event on September 21 and 22, 2013. (Re: Subject to terms and conditions listed) (Times: 9/21/2013 from 9:00 am to 6:00 pm and 9/22/2013 from 4:00 am to 12:00 pm)	<u>FP</u>	<u>SB</u> <u>MC</u>	<u>5</u>
2013-100. AUTHORIZE the Town of Huntington to participate in the “NY Solar Smart” Solar Rooftop Challenge Grant. (Re: Terese M. Kinsley, Town’s Chief Sustainability Officer)	<u>FP</u>	<u>MM</u>	4-AYES (FP) (MC) (SB) (MM) 1-ABST (EC)
2013-101. AUTHORIZE the execution of a contract for the Dix Hills Water District rehabilitation of Well 6-1 Contract W – Well Construction with A.C. Schultes, Inc. (Period: Upon execution of contract - 120 days)	<u>MM</u> <u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2013-102. AUTHORIZE the execution of a contract for the Dix Hills Water District conversion of Well 1-3 Contract E – Electrical Construction with L.E.B. Electric, Ltd. (Period: Upon execution of contract - 150 days)	<u>SB</u>	<u>FP</u>	<u>5</u>
2013-103. AUTHORIZE the execution of a contract for the Dix Hills Water District conversion of Well 1-3 Contract W – Well Construction with Eagle Control Corp. (Period: Upon execution of contract - 150 days)	<u>SB</u> <u>MM</u>	<u>EC</u> <u>FP</u>	<u>5</u>
2013-104. AUTHORIZE the execution of a requirements contract for repairs and new installation of wastewater treatment plant equipment at the treatment plant and pump stations with GMH Associates of America, Inc. (Period: One year)	<u>SB</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-105. AUTHORIZE the execution of an amendment to the contract with Bancker Construction Corp. for the installation of a low pressure sewer in NYS Route 110 nunc pro tunc. (Re: Contract No. HNSD 09-04)	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-106. AUTHORIZE the extension/retention of outside legal counsel. (Re: Laure C. Nolan, Esq., Law Office of Barry D. Lites, Ellen Schaffer, Esq., and Law Office of Stuart P. Besen)	<u>MC</u>	<u>FP</u> <u>SB</u>	4-AYES (FP) (MC) (SB) (EC) 1-NO <u>(MM)</u>
2013-107. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Gerald/Maryann Byrne, 9 East 17 th Street, Huntington Station, SCTM# 0400-144.00-03.00-066.001, Chapters 87, 133, 156; Derek D. John, 10 Fenwood Road, Huntington Station, SCTM# 0400-136.00-02.00-035.000, Chapter 133; William/Cynthia Giacone, 96 Laurel Hill Road, Northport, SCTM# 0400-114.00-03.00-025.003, Chapter 133)	<u>MM</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2013-108. AUTHORIZE the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts – various departments.	<u>SB</u>	<u>MM</u>	<u>5</u>
2013-109. AUTHORIZE the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its special district – Highway office.	<u>EC</u>	<u>MM</u>	<u>5</u>
2013-110. ACCEPT a donation from Covanta Energy Corporation for the promotion, marketing and operating expenses associated with “2013 Huntington Family Earth Day Expo” on April 20, 2013.	<u>FP</u> <u>MC</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2013-111. ACCEPT a donation from the Edwards Family of a park bench, to be installed in Halesite Marina Park with a memorial plaque in memory of Dennis Michael Edwards.	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-112. ACCEPT a donation from the Dowling Family of a park bench, to be installed in Crab Meadow Beach with a memorial plaque in memory of Patricia Dowling.	<u>MC</u>	<u>EC</u>	<u>5</u>
2013-113. APPOINT a Marriage Officer for the Town of Huntington for the purpose of solemnizing a marriage. (Re: Eugene Cook; from 3/5/2013 up to and including 4/1/2013)	<u>FP</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-114. APPOINT a member to the Town of Huntington Citizens Advisory Committee for Persons with Disabilities. (Re: Pearl Levy; term expires 3/5/2017)	<u>SB</u> <u>MM</u>	<u>EC</u>	<u>5</u>
2013-115. AUTHORIZE a parking violations amnesty period to begin April 1, 2013 and continue through April 30, 2013 on penalties levied on overdue traffic summonses and authorizing the Supervisor to execute a contract with Fundamental Business Services Inc. for administration of a parking ticket violation amnesty period.	<u>FP</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2013-116. DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-117. DIRECT the Departments of Information Technology, Planning and Environment, General Services and the Huntington Highway Department to develop a plan for use and deployment of 21 st Century communications technologies and procedures that maximize the capability of the Town to communicate with residents and for two-way communications between residents and the town.	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-118. GRANT permission for the Huntington YMCA to utilize the Town Hall parking lot for the purpose of parking for its annual Memorial Day Carnival. (Period: 5/23/2013 through 5/27/2013)	<u>FP</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2013-119. GRANT a permit for an Aquatic Event to Metropolitan Swimming, Inc. for their Open Water Swimming Championships. (Re: 7/14/2013)	<u>FP</u>	<u>MM</u> <u>SB</u>	<u>5</u>
2013-120. ENACTMENT: GRANT a franchise agreement to conduct youth sports programs for the Town of Huntington Department of Parks and Recreation with US Sports Institute. (Period: Two years)	<u>MC</u>	<u>MM</u>	<u>5</u>
2013-121. ENACTMENT: GRANT a franchise agreement to conduct science camps and programs for the Town of Huntington Department of Parks and Recreation with Scienstational Workshops for Kids, Inc. (Period: Two years)	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-122. ENACTMENT: ADOPT Local Law Introductory Number 4-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A. (Location: Walt Whitman Road at Canon entrance)	<u>FP</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-123. ENACTMENT: ADOPT Local Law Introductory Number 5-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. (Location: High Hold Drive/Round Swamp Road; Mannelto Hill Road/Round Swamp Road)	MM <u>SB</u>	EC <u>EC</u>	<u>5</u>
2013-124. REMOVED FROM AGENDA AT WORKSHOP.			
2013-125. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider granting a variance under Local Law 7-1989 (Coastal Erosion Management Regulations) Applicant: Kevin Bevilacqua Location: 28 Makamah Beach Rd. S.C.T.M. #0400-013.00-02.00-003.000.	FP <u>MC</u>	EC <u>SB</u>	<u>5</u>
2013-126. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider adopting Local Law Introductory No. 8-2013, amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), Article VII (Definitions) and Article VIII (General Restrictions and Requirements).		<u>EC</u> <u>MM</u>	<u>5</u>
2013-127. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider adopting Local Law Introductory No. 9-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article II (Zoning Districts; Maps; General Restrictions) and Article IX (Height, Area and Bulk Regulations).		<u>EC</u> <u>MM</u>	<u>5</u>
2013-128. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider issuing a Certificate of Approval in an Historic District Re: 471 Park Avenue, Huntington-Old Huntington Green Historic District. (Applicant: Kiruv Capital Corporation) (SCTM#0400-073.00-01.00-041.001and relocate to SCTM# 0400-073.00-03.00-021.000)	MM <u>SB</u>	EC <u>EC</u>	<u>5</u>
2013-129. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider issuing a Certificate of Approval in an Historic District Re: 598 Park Avenue, Huntington-Old Huntington Green Historic District. (Applicant: Young Israel of Huntington) (SCTM# 0400-102.00-01.00-005.003)	SB <u>MC</u>	MM <u>MM</u>	<u>5</u>
2013-130. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider executing a license agreement with the Family Service League of Suffolk County Inc. (Re: Field House at Manor Field Park)	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-131. SCHEDULE A PUBLIC HEARING: APRIL 9, 2013 at 6:30 PM To consider executing a license agreement with the Community Food Council. (Re: Field House at Manor Field Park)	<u>MM</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR LOCAL DEVELOPMENT CORPORATION BOARD
MEETING DATED: MARCH 5, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-LDC1 AUTHORIZE the Chairman to execute an extension to the contract with Israeloff, Trattner & Co. P.C., Certified Public Accountants, to conduct an independent audit for the fiscal year ending December 31, 2012.			4-AYES (FP) (MC) (SB) (MM) 1-NO <u>(EC)</u>
	<u>SB</u>	<u>FP</u>	

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: MARCH 5, 2013**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Gerardo Munar for Corp to be formed (847 Fort Salonga Road, Northport);
From: Hua Liu for To be determined (555 East Jericho Tpke, Huntington Station);
From: Henry Warokomski for Connolly’s Pub (6106 Jericho Tpke, Commack);
From: Li Li Lin for To be determined (555 East Jericho Turnpike, 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:
From: Giuseppe Tamburello for La Spada Cucina Italiana;

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

3. Cover letter received from James Cameron, Founder of Preserving Elwood Now, with form letters attached, (additional form letters received without cover letter) that are opposed to the Engel Burman Project for the Oak Tree Dairy Site. Letters received from: Anton Greiner, Marisa Knakal, Charles Schulz, Curtis Dix, Jennifer Kang, Theresa DeMarzo, R.J. DeMarzo, Stephen DiCarlo, John Iorio, Emilia Salerno Lauren Pepper, Paul Pepper, Michael Mletzko, Liz Rooney, Shahina Hussain, Nicholas Kerzner, Melvin Meyer, Barbara Ann Mennecke, Erna Grupp, Eric Wieboldt., Suzanne Blanton, Kim Rourke, Al/Pat Fusaro, Ellen Marcus, Elana Marcus, Anne Lizzo, Ed Kirby, Gerald/Jeanne Danzer, Paul Cantatore, Lawrence Feldman, Virginia/Fritz Fankhauser, Margaret Houde, Herman Lithgow, Elizabeth North, Margarete Gray, Barbara Miley, Eva Dixon, Zoraida Rodriguez, Steven Jiappell, Alisa Rizzo and Matt Viemeister

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

4. Letter received from Vincent Puleo, Town Clerk for Smithtown, regarding a Public Hearing to be held on February 28, 2013 at 7:00 PM at the Eugene Cannataro Senior Citizen Center. The hearing is regarding a Zone Change for property owned by Tim Yin, that is located on the southeast corner of Jericho Turnpike and Walter Court, Commack. Applicant is requesting a change from R-10 District (residential) to NB (Neighborhood Business).

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

5. Notice received from Lynn Pincomb, Village Administrator for Huntington Bay, regarding a Board of Trustee hearing to be held on February 13, 2013 at 7:30 PM at the Huntington Yacht Club for property located at 95 East Shore Road, to finish a basement with new bathroom, closet and additional finished space.

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

6. Email received from James Peluso regarding a tree removal request. The writer is requesting that Town owned trees that are in danger of falling be removed, by the Town.
- Supervisor
Town Board
Town Attorney
cc: Highway
7. Emails received from Claudine DiScala and Donald Zimmet supporting term limits legislation.
- Supervisor
Town Board
cc: Town Attorney
8. Post cards received in opposition to the down zoning and over development of the Oak Tree Farms on Elwood Road, Elwood. Cards received from: Margaret Brennan, Fran/Dave Thuro, Laura Maggio-Shtino, Gregg Shtino, Christopher/Emilia Salerno, Glenn/Claire Ketcham, Marcia Howard, Ann/Myles Podina, Karin Kouril, Patricia Van de Merlen, Gerard/Karen Giambruno, Chris Coronese, Lori/Kenneth Wend, Daniel/Eileen Hergenroether, Robert/Grace Woodward, Maureen/Christopher Brown, Matthew Van de Merlen, Pat Evreinov Kim/Chris Rourke, Patricia/Alexander Fusaro, Cynthia Paveglio Mariano Tomasi, Jerome/Andria Petrocelli Brenda/James Annunziata, Janet/ Nicholas Recchia, John/Marjorie Dowling. Rosemarie/Scott Schafer. Daniel/Thomas/ Michael Hergenroethe, Lisa/Neil Squillante, Daniel O'Connor, Milagna Marchese, Kara Theal, Katherine O'Connor, Dorothy Schock, Pegeen McGowan, and Megan O'Connor.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
9. Email received from Matt Harris regarding Sandy response issues. Attached was "Matt's Huntington Area Hurricane Prep Guide".
- Supervisor
Town Board
Town Attorney
cc: Highway
10. Email received from Joanna McCloskey regarding dangerous tree conditions on her block. The writer indicates that these are Town trees. The email also included photographs, a copy of a letter addressed to Mr. Naughton signed by herself and various neighbors regarding tree conditions and copies of invoices received for the removal of these trees.
- Supervisor
Town Board
Town Attorney
Highway
cc: Planning & Environment
11. Email forwarded by Councilman Cuthbertson's Office, from Mr. & Mrs. Caraturo regarding disaster preparedness for the storm on February 8, 2013.
- Supervisor
Town Board
Town Attorney
cc: Highway
12. Notice of Public Hearing received from the Village of Northport for the Board of Zoning Appeals. Hearing to be held on February 27, 2013 at 7:00 PM at Village Hall. Applications submitted for the following properties: 1. 4 Whispering Fields Road 2. 23 Grove Place 3. 64 Prospect Avenue 4. 809 Fort Salonga Road.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
13. Letter received from Joyce Logan, Deputy Treasurer for the Huntington Fire District. A copy of the 2012 Financial Audit Report was attached.
- Supervisor
Town Board
Town Attorney
cc: Comptroller

14. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding the Town of Huntington's resolution for the proposed moratorium on wind turbines and related facilities. Attached was a copy of a resolution adopted by the commission regarding the Town's resolution. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Letter received from Michael Kane, Chairman for the Town of Babylon, Zoning Board of Appeals, regarding a hearing to be held on March 7, 2013, at 6:00 PM at Town Hall. The property is located at 245 Osceola Avenue, Deer Park. This property is located within 500' of the Town of Huntington. Application, mailings and maps were attached. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
16. Letter received from Jack Palladino, President of the Huntington Village Business Improvement District Association Inc., regarding the increase in parking fines. They would like the increased fines to be reconsidered. A parking study is being done by Nelson Nygaard Consulting Associates and they would like to have the results before the increased fines are in place. Supervisor
Town Board
Town Attorney
cc: Public Safety
17. Emails forwarded from Councilman Cuthbertson's Office regarding conditions in Huntington after Superstorm Sandy. Emails received from Mark Baroni and Irene Berkman. Supervisor
Town Board
Town Attorney
cc: Highway
18. Letter received via email and Federal Express, from John J. Cooney, Named Spokesperson on behalf of Northport American Legion Post 694, Troop Support Committee and Past Commanders, regarding issues with the Cow Harbor Warriors. The letter indicates the Legion is concerned with the Cow Harbor Warriors lack of support for local wounded veterans and their families. Included was a letter from the Northport American Legion Post 694 to Cow Harbor Warriors, the response to the letter by Cow Harbor Warrior President, Rocco Donnino and a letter to the Northport Mayor and Trustees from the Northport American Legion Post 694. Supervisor
Town Board
Town Attorney
cc: Parks & Recreation
19. Letter received from Kristi Cartolano, District Secretary for Eaton's Neck Fire District, attached was a copy of the 2012 Financial Report. cc: Comptroller
20. Letter received from Nancy Magno, District Treasurer for the Dix Hills Fire District, attached was a copy of the 2012 Financial Report. cc: Comptroller
21. Public Notice received from the Incorporated Village of Laurel Hollow, Board of Zoning Appeals, regarding a hearing to be held on 3/21/2013 at 7:30 PM at Village Hall, for the following: 1. 225 Laurel Lane – maintain an existing shed
2. 1556 Laurel Hollow Road – disturb a slope and re-grade property. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
22. Email received from Anthony Centrone requesting assistance with getting his CO's for his building permit. Supervisor
Town Board
Town Attorney
cc: Engineering Services

23. Email received from Richard B. Ward opposing the Oak Tree Dairy Down Zoning. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
24. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Planning Commission regarding Town of Huntington Resolutions #2013-73 and #2013-77. Supervisor
Town Board
Town Attorney
Engineering Services
The Commission is considering these items to be a matter of local determination. cc: Planning & Environment
25. Email forwarded from Councilwoman Berland's Office from Sharon Sacks, regarding her support of the bamboo legislation. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Memorandum received from Terence McNally, Chief Fire Marshall for the Town of Huntington, attached was a resignation letter from Dr. John Anthony Allocca from his position as Radio Officer for the New York State Radio Amateur Civil Emergency Service (RACES). Supervisor
Town Board
cc: Town Attorney

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE PROVISION OF THE EISEP HOUSEKEEPER/CHORE AND CAREGIVER PROGRAM NUNC PRO TUNC

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated an EISEP/Housekeeper Chore and Caregiver Program for senior citizens; and

WHEREAS, the Town seeks funding from the County of Suffolk to assist in the provision of such services; and

WHEREAS, the 2013 Adopted Suffolk County Operating Budget includes TWENTY-FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS for funding of the Town of Huntington Caregiver Program and a fee of SIXTEEN (\$16.00) DOLLARS per unit of service for the EISEP Housekeeper/Chore Program for the period of April 1, 2013 through March 31, 2014.

WHEREAS, applying for and receiving funds for the EISEP Housekeeper/Chore Program and Caregiver Program is not an action as defined by 6 NYCRR § 617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funds from the County of Suffolk for the provision of the Caregiver Program in the amount of TWENTY-FIVE THOUSAND and NO/100 (\$25,000.00) DOLLARS for the Caregiver Program and a fee of SIXTEEN (\$16.00) DOLLARS per unit of service for the EISEP Housekeeper/Chore Program for the period of April 1, 2013 through March 31, 2014, to be recorded in Operating Budget Item A3778 and to execute any documents in connection therewith and upon such other terms and conditions as are 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 Cuthbertson			AYE
Councilman Mark Mayoka			AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT FOR FUNDING FROM THE SUFFOLK COUNTY YOUTH BUREAU FOR THE C.A.S.T. (COMMUNITIES AND SCHOOLS TOGETHER) PROGRAM

Resolution for Town Board Meeting dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

And seconded by: COUNCILWOMAN BERLAND, COUNCILMAN COOK

WHEREAS, the C.A.S.T. Program (Community and Schools Together) was developed and written by the Supervisor's Anti-Gang Committee and targets at-risk youth for gang involvement in the Huntington and South Huntington School Districts, providing them and their families with intensive case management services to prevent their becoming involved in gang violence; and

WHEREAS, the Suffolk County Youth Bureau wishes to provide funding in the amount of FORTY THOUSAND AND NO/100 (\$40,000.00) for the period January 1, 2013 through December 31, 2013; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Suffolk County Youth Bureau for funding in the amount FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS to be recorded in Operating Budget Item A3831 for the C.A.S.T. Program for the period January 1, 2013 through December 31, 2013; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-90

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HUNTINGTON AND THE HUNTINGTON HUMAN SERVICES INSTITUTE, INC. FOR THE PURPOSE OF IMPLEMENTING THE 2013 BLACK HISTORY AND HISPANIC HERITAGE PROGRAMS

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Huntington Human Services Institute, Inc. and the Town of Huntington mutually desire to enter into an agreement for the purpose of implementing special programs; and

WHEREAS, the execution of the agreement with the Huntington Human Services Institute, Inc., is not an action as per 6 N.Y.C.R.R. Section 617.2 (b) and therefore requires no further SEQRA review.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement, and any other documents in connection therewith, with the Huntington Human Services Institute, Inc. to implement special programs for the period January 1, 2013 through December 31, 2013; for an amount not to exceed the sum of THREE THOUSAND DOLLARS AND NO/100 (\$3,000.00) DOLLARS to be charged to the 2013 Operating Budget Item A7620.4001 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 Cuthbertson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 91

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE LONG ISLAND GROWERS MARKET FOR THE PURPOSE OF ALLOWING A FARMERS MARKET TO OPERATE IN THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, for the past several years, Long Island Growers Market has successfully operated a Farmers Market in the Town of Huntington municipal parking lot located at Elm Street in Huntington Village; and

WHEREAS, said Farmers Market has engendered much local support and patronage; and

WHEREAS, Long Island Growers Market has requested permission to once again operate a Farmers Market in the Town of Huntington for the 2013 harvest season commencing on May 26, 2013 and ending on November 24, 2013; and

WHEREAS, pursuant to Chapter 91 of the Huntington Town Code, Long island Growers Market shall pay to the Town of Huntington a permit fee in the amount of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS; and

WHEREAS, the operation of the Long Island Growers Market Farmers Market at a municipal parking lot in the Town of Huntington 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 agreement with the Long Island Growers Market, 35870 Main Road, Orient, New York 11957, for the use of a portion of the Elm Street municipal parking lot for the purpose of operation a Farmers Market pursuant to Chapter 91 of the Huntington Town Code, to be held on Sundays between the hours of 7:00 a.m. and 12:00 p.m., for the period commencing on May 26, 2013 and ending November 24, 2013, and pursuant to Chapter 91 of the Huntington Town Code, Long island Growers shall pay to the Town of Huntington a permit fee in the amount of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS to be recorded in Operating Budget Account A2410 and on such other terms and conditions as may be acceptable to the Town Attorney.

2013-91

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-92

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR RENOVATIONS AND IMPROVEMENTS FUNDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE NORTHPORT AMERICAN LEGION BUILDING NORTHPORT NEW YORK WITH NORTH STAR CONCRETE CONSTRUCTION, CORP.

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Councilman Cuthbertson

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

WHEREAS, the Congress of the United States has allocated U.S. Department of Housing and Urban Development (HUD) funding for construction and improvement of veterans community center facilities in Northport, New York, in a series of three separate grants; and

WHEREAS, Congressman Steve Israel sponsored grants for Village of Northport and Northport American Legion Post 694, and the final, and largest, of the funding applications submitted by Councilman Mark Cuthbertson was awarded to the Town of Huntington under the sponsorship of United States Senator Charles E. Schumer; and

WHEREAS, the Town of Huntington, Village of Northport and American Legion Post 694 have entered a series of agreements purposing the combined funding for construction and rehabilitation of the existing American Legion facility in Northport that serves war veterans, as a community gathering place and a safe shelter and staging area in times of emergency; and

WHEREAS, because the size and complexity of the project and administration of the grants, the Town of Huntington which possesses the requisite staff and professional expertise with respect to engineering, government purchasing and financial reporting agreed to serve as lead agency; and

WHEREAS, the American Legion project after years of effort has reach the point of fruition with plans for construction work having been properly noticed and qualified bids received; and

WHEREAS, the work associated with this project includes the interior renovation and alteration of the existing 2-story Northport American Legion Assembly Hall (Post 694) located at 7 Woodside Avenue, Northport. The building will be upgraded with all new building utilities; mechanical, new electrical service upgrade, new fire alarm system, backflow preventer device, lighting and finishes throughout both stories. Bathrooms will be upgraded with new finishes and expanded to include new handicap accessible fixtures. A new multi-stop traction elevator will be added to provide accessibility to all floors and a new storefront entrance with overhead canopy will be provided on north side of building to provide access from the existing parking area; and

2013-92

WHEREAS, sealed bids were received on January 31, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Northport American Legion – Post 694 building renovations located at 7 Woodside Avenue, Northport, New York, Contract No. ES 2013-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, North Star Concrete Construction, Corp., 37G Cedarhurst Avenue, Medford, New York 11763 is the lowest responsive, responsible bidder; and

WHEREAS the Northport American Legion – Post 694 building renovations located at 7 Woodside Avenue, Northport, New York is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract and any documents in connection and related therewith, with North Star Concrete Construction, Corp. for the Northport American Legion – Post 694 building renovations located at 7 Woodside Avenue, Northport, New York. The contract period shall be effective for a four (4) month term commencing upon execution of the contract, for an amount not to exceed the sum of NINE HUNDRED NINETY SEVEN THOUSAND NINE HUNDRED EIGHT SEVEN AND 04/100 DOLLARS (\$997,987.04), to be charged to Federal Grants B-10-NI-NY-0033, B-09-SP-NY-0347, B-05-SP-HY-0888, and authorizes the Director of Engineering to execute change orders up to 2% of the bid amount, and upon such other terms and conditions as may be acceptable to the Town Attorney.

HEREBY AUTHORIZES the Comptroller to amend the 2013 Capital Budget as follows:

Increase the following appropriation:

EG1997-2101	Buildings	\$997,987.04
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Increase the following revenue:

H974089-4089	Federal Aid	\$997,987.04
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-93

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

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

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

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

WHEREAS, contracts with the skating professionals expired on December 31, 2012; and

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

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the following Ice Skating Professional for the provision of ice skating lessons and instructional programs at the Dix Hills Park Ice Rink for the period January 1, 2013 through December 31, 2013:

Alicia Narby, 4 Knollwood Road, Huntington, New York 11743

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-95

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE REMOVAL AND OR DISPOSAL OF DEWATERED OR LIQUID SLUDGE, EMULSIFIED GREASE, GRIT AND SCREENINGS FROM THE HUNTINGTON SEWAGE TREATMENT PLANT WITH SPECTRASERV, INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

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

WHEREAS, it is the intent of this procurement to provide for the satisfactory removal and/or disposal of anaerobically digested and dewatered sewage sludge and emulsified grease, grit and screenings from the Huntington Sewer District's Sewage Treatment Plant located at Creek Road, Halesite, New York to an approved disposal facility and/or transfer station; and

WHEREAS, in January 2011 the Town entered into an Inter Municipal Agreement with the Town of Brookhaven for the disposal of dewatered sludge from the Huntington Sewage Treatment Plant. On March 29, 2011 the Town received a letter from the Commissioner of Waste Management for the Town of Brookhaven indicating that they will no longer be permitted to accept sludge. The NYSDEC has modified their operating permit and removed sludge as an acceptable material. This unexpected occurrence has forced the Town to solicit bids for the removal and or disposal of dewatered sludge; and

WHEREAS, Town Board Resolution 2011-215 authorized the execution of a contract with Spectraserv, Inc. for the removal and or disposal of dewatered or liquid sludge, emulsified grease, grit, screenings from the Huntington Sewage treatment plant, Bid No. TOH 11-04R-035; and

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

WHEREAS, Spectraserv, Inc., 75 Jacobus Avenue, South Kearny, New Jersey 07032 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

2013-95

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Spectraserv, Inc. for the removal and or disposal of dewatered or liquid sludge, emulsified grease, grit, screenings from the Huntington Sewage treatment plant, The extension period shall be effective for one (1) year commencing on June 6, 2013, to be charged to Operating Budgets SS1 8131.4990 and SS3 8133.4990, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 96

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE TOWNWIDE REQUIREMENTS CONTRACT FOR PAVEMENT MARKINGS ON VARIOUS TOWN ROADS WITH SAFETY MARKING, INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to install pavement markings on Town roadways in accordance with Town of Huntington requirements and construction specifications; and

WHEREAS, Town Board Resolution 2012-154 authorized the execution of a contract with Safety Marking, Inc. for pavement markings on various town roads, Contract No. HWY 2012-03/O-E; and

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

WHEREAS, Safety Marking, Inc., 460 Bostwick Avenue, Bridgeport, CT 06605 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Safety Marking, Inc. for pavement markings on various town roads. The extension period shall be effective for one (1) year commencing on May 11, 2013, to be charged to DB 5110 4670, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 97

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE TOWNWIDE REQUIREMENTS CONTRACT FOR HOT SURFACE RECYCLING OF VARIOUS TOWN ROADS WITH HIGHWAY REHABILITATION CORP.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to perform hot surface recycling of roadways throughout the Town of Huntington in accordance with Town requirements and construction; and

WHEREAS, Town Board Resolution 2012-156 authorized the execution of a contract with Highway Rehabilitation corp. for hot surface recycling of various town roads, Contract No. HWY 2012-04/O-E; and

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

WHEREAS, Highway Rehabilitation Corp., 2258 Route 22, Brewster, New York 10509 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Highway Rehabilitation Corp. for hot surface recycling of various town roads. The extension period shall be effective for one (1) year commencing on May 18, 2013, to be charged to HW 5197-2776-12502, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-98

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR THE PHOTOGRAPHY SERVICES FOR CAMPS WITH JAMES A. HALL PHOTOGRAPHY.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington, Department of Parks & Recreation provides camp photographs to their camp participants for the 2013 summer camp programs; and

WHEREAS, the successful vendor will provide a camp photograph to each camper within the session they were photographed. Additionally, the vendor will provide a promotional mounted board with candid and group photographs for the Town to display when marketing the summer camp programs. As an additional service to camp participants the vendor also agrees to sell and invoice directly additional group or candid photos to parents who request them; and

WHEREAS, Town Board Resolution 2011-82 authorized the execution of a contract with James A. Hall Photography the photography services for camps, TOH 11-02R-015; and

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

WHEREAS, James A. Hall Photography, 60 Woodside Avenue, Northport, New York 11768 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with James A. Hall Photography for the photography services for camps. The extension period shall be effective for one (1) year commencing on June 1, 2013, to be charged to various operating Budgets in object 4481, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-98

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT AND AQUATICS PERMIT WITH VICOBE PRODUCTIONS FOR THE USE OF CRAB MEADOW BEACH FOR A SPRINT TRIATHLON AND YOUTH EVENT ON SEPTEMBER 21 AND 22, 2013

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, Vicobe Productions has successfully conducted sprint triathlons and youth events in several Long Island Towns, including Huntington, and such events help promote physical fitness and a healthy lifestyle; and

WHEREAS, Vicobe Productions has requested permission to utilize Crab Meadow Beach, parking lot and pavilion to conduct a youth race event and registration on Saturday, September 21, 2013 from 9 a.m. to 6 p.m. and a sprint triathlon from 4:00 a.m. to 12 p.m. on Sunday, September 22, 2013 and;

WHEREAS, a portion of proceeds from both events will benefit two local not-for-profit organizations with strong ties to the Northport community; and

WHEREAS, the execution of this license agreement and aquatics permit is a Type II action pursuant to 6 N.Y.C.R.R 617.(c)(15), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby authorizes the Supervisor to execute a License Agreement and an Aquatics Permit with Vicobe Productions for the use of the northeast portion of the parking lot and the pavilion of Crab Meadow Beach for a youth race event on Saturday, September 21, 2013 from 9 a.m. to 6 p.m. and a sprint triathlon from 4:00 a.m. to 12 p.m. on Sunday, September 22, 2013; and

BE IT FURTHER RESOLVED, that said authorization is subject to compliance with the following terms and conditions:

1. That Vicobe Productions shall coordinate the activities and secure all necessary approvals from the Town Department of Parks & Recreation, the Town Highway Department, the Town Department of Maritime Services, Town Department of General Services, the Town Department of Public Safety/Code Enforcement and any other Town, County, State or Federal agency having jurisdiction.
2. That Vicobe Productions executes a License Agreement, which shall contain provisions indemnifying and holding the Town of Huntington and Huntington Board of Trustees harmless from and against any and all claims for personal injury and/or property damage, including death, and reasonable attorney fees arising from or as a result of the events.

3. Vicobe Productions will be required to contact the Suffolk County Police Department and the Northport Village Police Department and provide all details of the race, including a comprehensive outline of what streets will be utilized by triathlon participants.
4. Vicobe Productions will be required to post employees and/or volunteers throughout the triathlon racecourse to assist and guide participants.
5. Vicobe Productions will be responsible for restoring all areas of Crab Meadow Beach used for the events to its pre-event condition. They shall be required to accompany the Director of Parks and Recreation or his designee on an inspection of the beach, parking area and pavilion prior to and following the event. Any and all costs associated with any restoration work shall be the sole responsibility of Vicobe Productions.
6. Vicobe Productions must provide insurance coverage for the event with minimum policy limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate for bodily injury, including death, and \$1,000,000.00 for property damage. Prior to the execution of the Agreement, Vicobe Productions shall furnish to the Town of Huntington Attorney's Office a Certificate of Insurance evidencing the aforesaid insurance requirements. Said Certificate shall: 1) name the Town of Huntington and the Board of Trustees as additional insures; 2) provide for the Town and Board of Trustees as Certificate Holder by endorsement; and 3) further provide that the Certificate Holder shall be notified thirty (30) days prior to any cancellation, non-renewal or material change of action.
7. That all costs incurred for labor, services, and materials in connection with or resulting from said events shall be the sole responsibility of Vicobe Productions, including, but not limited to, the timely removal of all equipment, apparatus and debris.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON TO PARTICIPATE
IN THE "NY SOLAR SMART" SOLAR ROOFTOP CHALLENGE GRANT

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Huntington Town Board is committed to the goal to increasing the availability of renewable energy by accelerating the deployment and use of solar energy systems by both the public and private sectors; and

WHEREAS, City University of New York CUNY is submitting to the United States Department of Energy an application entitled "NY Solar Smart" for a Solar Rooftop Challenge II grant (DE-FOA-0000788) in the open competitive category; and

WHEREAS, CUNY must engage municipal partners and has invited the Town of Huntington to join as one of its more than thirty from around the State, whose goal will be to reduce the non-hardware "balance of system costs" for the deployment of solar photovoltaic systems; and

WHEREAS, Huntington's in-kind contribution to the project shall be limited to the time and expertise of the Town's Chief Sustainability Officer, Terese M. Kinsley, PE, LEED AP BD+C, who will meet in monthly Working Group planning sessions; and

WHEREAS, Huntington's participation in the NY Solar Smart project is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES Town of Huntington to participate in the "NY Solar Smart" solar rooftop challenge grant and authorizes the Supervisor to execute any documents in connection and related therewith, 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 Mark A. Cuthbertson	AYE
Councilman Mark Mayoka	AYE
Councilman Eugene Cook	ABSTAIN

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-101

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE DIX HILLS WATER DISTRICT REHABILITATION OF WELL 6-1 CONTRACT W – WELL CONSTRUCTION WITH A.C. SCHULTES, INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

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

WHEREAS, the purpose of the project is to replace the vertical turbine pump and motor at Well No. 6-1. Contract DHWD 2013-03/O-E (Contract W – Well Construction) work includes, but is not limited to, removing the existing pumping unit and motor, furnishing and installing new column pipe, new suction pipe, new pumping unit and motor, new well prelube and new well discharge head, and performing an inspection of the well to determine if cleaning is necessary. Upon review of the inspection, the contractor may be requested to wire brush, clean and bail the well, and conduct a follow up inspection; and

WHEREAS, sealed bids were received on February 7, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Dix Hills Water District rehabilitation of well no. 6-1 Contract W- Well Construction, Contract No. DHWD 2013-03/O-E and the same were opened publicly and read aloud; and

WHEREAS, A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, New Jersey 08097 is the lowest responsive, responsible bidder; and

WHEREAS, well construction 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 execution of a contract, and any documents in connection and related therewith, with A.C. Schultes, Inc. for the Dix Hills Water District rehabilitation of well no. 6-1 Contract W- Well Construction. The contract shall be effective upon execution for a period of one hundred and twenty days (120) from the notice to proceed, for an amount not to exceed the sum of NINETY-SIX THOUSAND FOUR HUNDRED FIFTY AND NO/100 (\$96,450.00) DOLLARS, to be charged to EG8397-2102, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-101

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2013 Operating and Capital Budget as follows:

Increase the following revenue account:

SW10599-0599R	Appropriated Fund Balance	\$96,450
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Increase the following appropriation:

EG8397-2102	Building Improvements	\$96,450
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **AYE**

Councilwoman Susan A. Berland **AYE**

Councilman Eugene Cook **AYE**

Councilman Mark A. Cuthbertson **AYE**

Councilman Mark Mayoka **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-102

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE DIX HILLS WATER DISTRICT CONVERSION OF WELL 1-3 CONTRACT E – ELECTRICAL CONSTRUCTION WITH L.E.B. ELECTRIC, LTD.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the purpose of the project is to convert Well No. 1-3 to a vertical turbine well inside a precast concrete wellhouse. Contract DHWD 2013-01/O-E (Contract E – Electrical Construction) work includes, but is not limited to, disconnection and/or removal of existing equipment, furnishing and installing main secondary feeders, power distribution and instrumentation control wiring, furnishing and installing motor control center cubicles, power distribution panels, breakers, lights, switches, primary flow elements, transmitters, flow recorders and PLC and associated accessories, providing electrical connections (final termination) to all equipment, and perform all required programming and controls modifications; and

WHEREAS, sealed bids were received on February 7, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Dix Hills Water District Conversion of Well No. 1-3 Contract E- Electrical Construction, Contract No. DHWD 2013-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, L.E.B. Electric, Ltd., 85 Ralph Avenue, Copiague, New York 11726 is the lowest responsive, responsible bidder; and

WHEREAS, electrical construction 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 execution of a contract, and any documents in connection and related therewith, with L.E.B. Electric, Ltd. for the Dix Hills Water District Conversion of Well No. 1-3 Contract E- Electrical Construction, Contract No. DHWD 2013-01/O-E. The contract period shall be effective from the date of execution for a period of one hundred and fifty (150) days from the issuance of the notice to proceed, for an amount not to exceed the sum of NINETY-SIX THOUSAND THREE HUNDRED FORTY-ONE AND NO/100 (\$96,341.00) DOLLARS, to be charged to EG8397-2102, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-182

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2013 Operating and Capital Budget as follows:

Increase the following revenue account:

SW10599-0599R	Appropriated Fund Balance	\$96,341
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Increase the following appropriation:

EG8397-2102	Building Improvements	\$96,341
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-103

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE DIX HILLS WATER DISTRICT CONVERSION OF WELL 1-3 CONTRACT W – WELL CONSTRUCTION WITH EAGLE CONTROL CORP.

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA**
and seconded by: **COUNCILMAN COOK, SUPERVISOR PETRONE**

WHEREAS, the purpose of the project is to convert Well No. 1-3 to a vertical turbine well inside a precast concrete wellhouse. Contract DHWD 2013-02/O-E (Contract W – Well Construction) work includes, but is not limited to, removal and disposal of the existing discharge piping, raising the existing well base, furnishing and installing a new pumping unit and motor, furnishing and installing new discharge piping, placement of the concrete slabs, and furnishing and installing the new precast well house with all appurtenances; and

WHEREAS, sealed bids were received on February 7, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Dix Hills Water District Conversion of Well No. 1-3 Contract W- Well Construction, Contract No. DHWD 2013-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, Eagle Control Corp., 23 Old Dock Road, Yaphank, New York 11980 is the lowest responsive, responsible bidder; and

WHEREAS, well construction 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 execution of a contract, and any documents in connection and related therewith, with Eagle Control Corp. for the Dix Hills Water District Conversion of Well No. 1-3 Contract W- Well Construction, Contract No. DHWD 2013-02/O-E. The contract period shall be effective upon execution for a period of one hundred and fifty (150) days from the issuance of the notice to proceed, for an amount not to exceed the sum of ONE HUNDRED NINETY-FOUR THOUSAND FIVE HUNDRED AND NO/100 (\$194,500.00) DOLLARS, to be charged to EG8397-2102, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-103

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendment to the 2013 Operating and Capital Budget as follows:

Increase the following revenue account:

SW10599-0599R	Appropriated Fund Balance	\$194,500
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Increase the following appropriation:

EG8397-2102	Building Improvements	\$194,500
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-104

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT FOR REPAIRS AND NEW INSTALLATION OF WASTEWATER TREATMENT PLANT EQUIPMENT AT THE TREATMENT PLANT AND PUMP STATIONS WITH GMH ASSOCIATES OF AMERICA, INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS: the Town of Huntington owns and operates a Sewer Treatment Facility within the Huntington Sewer District. This facility has recently been upgraded and on occasion mechanical equipment failures may occur for which specialized skills and outside support are required; and

WHEREAS, sealed bids were received on February 14, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the repairs and new installation of wastewater treatment plant equipment at the treatment plant and pump stations, Bid No. TOH 13-02R-010 and the same were opened publicly and read aloud; and

WHEREAS, GMH Associates of America, Inc., 5 Chelton Way, Building #15, Trenton, New Jersey 08638 is the lowest responsive, responsible bidder; and

WHEREAS, repairs and new installation of wastewater treatment plant equipment at the treatment plant and pump stations 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 execution of a requirements contract, and any documents in connection and related therewith, with GMH Associates of America, Inc. for repairs and new installation of wastewater treatment plant equipment at the treatment plant and pump stations. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to funds SS1 8131-4650 and SS3 8133-4650 and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-104

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONTRACT WITH BANCKER CONSTRUCTION CORP. FOR THE INSTALLATION OF A LOW PRESSURE SEWER IN NYS ROUTE 110 NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, sealed bids were received on January 28, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the installation of a low pressure sewer in NYS Route 110, Contract No. HNSD 09-04 and the same were opened publicly and read aloud; and

WHEREAS, Bancker Construction Corp. 218 Blydenburgh Road, Islandia, New York 11749 was the low bidder and awarded the contract; and

WHEREAS, in order to perform the work on NYS Route 110 the NYSDOT required Bancker Construction Corp. to apply for a permit application for utility work and submit a \$100,000.00 bond; and

WHEREAS, payment for the application fee and bond associated with the work permit from the NYSDOT was not included in the scope of the contract; and

WHEREAS, these actions have been classified as Type II pursuant 6 NYCRR 617.5 (c)(19) and (c)(20) therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an amendment to Contract No. HNSD 09-04 Installation of a Low Pressure Sewer In New York State Route 110 for an amount not to exceed the sum of ONE THOUSAND, FOUR HUNDRED FIFTY FOUR AND 75/100 (\$1,454.75) DOLLARS to be charged to Capital Budget Item No. WM8197-2780-FB808.

FURTHER AUTHORIZE

2013-105

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXTENSION/RETENTION OF OUTSIDE LEGAL COUNSEL

Resolution for Town Board Meeting Dated: March 5, 2013

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

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

WHEREAS, the Town of Huntington desires to enter into agreements for legal consulting services to better serve the needs of the Town Board and Town Attorney; and

WHEREAS, it would be in the best interest of the Town to continue and/or retain the legal services of Laure C. Nolan, Attorney at Law, Law Office of Barry D. Lites, Ellen Schaffer, Esq. and the Law Office of Stuart P. Besen, to assist the Office of the Town Attorney and to assist and advise the Town Board on matters including, but not limited to enforcement proceedings, general liability, commercial litigation, land use, real estate, contracts and personal injury litigation; and

WHEREAS, the extension and/or retention of legal representation is not an action as defined by NYCRR §617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY AUTHORIZES the extension/retention of the legal services of Laure C. Nolan, Attorney at Law, 10 Laurel Avenue, Northport, New York 11768; Law Office of Barry D. Lites, 515 Route 111, 2nd Floor, Hauppauge, New York 11788; and Ellen Schaffer, Esq., 6 Cold Spring Lane, Huntington, New York 11743, for the term March 5, 2013 through March 5, 2014, to assist the Town Attorney and Huntington Town Board in such matters as may be referred to them by the Town Attorney, including but not limited to, real estate transactions, general litigation, negligence, commercial litigation, criminal prosecutions, land use, contracts and enforcement proceedings at a cost not to exceed the amount of THIRTY THOUSAND AND NO/100 (\$30,000.00) DOLLARS each; and for the extension/retention of the legal services for the term March 5, 2013 through March 5, 2014, of the Law Office of Stuart P. Besen, for the aforementioned legal services at a cost not to exceed the amount of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS; all to be charged to Operating Budget Line Item No. A-1420-4551 (Outside Professional-Legal) in accordance with such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

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: March 5, 2013

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

And seconded by: **COUNCILMAN COOK**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>SUMMONS</u>	<u>MAILING ADDRESS</u>
9 East 17 th St. Huntington Sta., NY 11746	0400-144.00-03.00-066.001	Gerald F. Byrne Maryann C. Byrne	02/27/2013	N/A

Chapter 133, Section 2 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>
9 East 17th St. Huntington Sta., NY 11746	0400-144.00-03.00-066.001	Gerald F. Byrne Maryann C. Byrne	02/27/2013	N/A
10 Fenwood Rd. Huntington Sta., NY 11746	0400-136.00-02.00-035.000	Derek D. John	02/13/2013	N/A
96 Laurel Hill Rd. Northport, NY 11768	0400-114.00-03.00-025.003	William Giacone Cynthia Giacone	02/06/2013	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>
9 East 17th St. Huntington Sta., NY 11746	0400-144.00-03.00-066.001	Gerald F. Byrne Maryann C. Byrne	02/27/2013	N/A

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

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 2013 Operating Budget as follows:

Reinstate the following positions:

A-1420-1100	Assistant Town Attorney	\$69,043
A-1420-1100	Confidential Secretary	48,736
A-3120-1100	Bay Constable	37,699
B-1620-1100	Building Permits Examiner	36,754
B-1620-1100	Clerk Typist	29,158
DB-5110-1100	Automotive Equipment Operator	28,890
DB-5110-1100	Heavy Equipment Operator I	55,579
DB-5110-1100	Labor Crew Leader	64,610
DB-5110-1100	Maintenance Mechanic III (D)	59,983
SR-8158-1100	Laborer (Refuse)	31,040
SW1-8321-1100	Automotive Equipment Operator	28,890

Adjust the following Appropriations:

A-1990-1100	Contingency	(\$155,478)
B-1990-1100	Contingency	(65,912)
DB-1990-1100	Contingency	(209,062)
SR-8158-1100	Contingency	(31,040)
SW1-8321-1100	Contingency	(28,890)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICT – HIGHWAY OFFICE

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Councilman Cook

and seconded by: **COUNCILMAN MAYOKA**

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

WHEREAS, funds are needed to hire rental equipment to clean catch basins throughout the Town of Huntington; and

WHEREAS, amending the 2013 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no further review is required; and

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2013 Operating Budget as follows:

Increase the following Revenue:

DB-0599R Fund Balance \$150,000

Increase the following Appropriation:

DB-5142-4270 Motor Vehicle Rentals \$150,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING A DONATION FROM COVANTA ENERGY CORPORATION FOR THE PROMOTION, MARKETING AND OPERATING EXPENSES ASSOCIATED WITH THE "2013 HUNTINGTON FAMILY EARTH DAY EXPO" ON APRIL 20, 2013

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: COUNCILWOMAN BERLAND, COUNCILMAN MAYOKA

WHEREAS, the Town would like to continue to expand on the success of its environmental programs and provide a forum for residents to learn about ways of conserving our natural resources through reduction, reuse and recycling measures by promoting a special event in conjunction with Earth Day 2013; and

WHEREAS, Covanta Energy Corporation, 99 Townline Road, East Northport, New York 11731 has offered to donate \$2,000 towards the costs of promoting, marketing and operating this event; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donations from Covanta Energy Corporation in the amount of TWO THOUSAND AND 00/100 (\$2,000.00) DOLLARS for the promotion, marketing and operating expenses associated with the "2013 Huntington Family Earth Day Expo" and thanks them for their generosity; and

HEREBY AUTHORIZES the Comptroller to amend the 2012 operating budget as follows:

Increase the following revenue:

A-2705-2705	Gifts and Donations	\$ 2,000.00
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Increase the following appropriation:

A-8565-4700	Advertising	\$ 2,000.00
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2013-110

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-111

RESOLUTION ACCEPTING A DONATION FROM THE EDWARDS FAMILY OF A
PARK BENCH, TO BE INSTALLED IN HALESITE MARINA PARK WITH
MEMORIAL PLAQUE IN MEMORY OF DENNIS MICHAEL EDWARDS

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Edwards Family has offered to donate one (1) park bench to the Town of Huntington to be installed in Halesite Marina Park, Huntington, NY with memorial plaque in his memory; and

WHEREAS, Dennis Michael Edwards was a frequent user of the marina and park; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY ACCEPTS a donation of one park bench and memorial plaque from the Edwards Family to be installed at Halesite Marina Park and thanks them for their generosity.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-112

RESOLUTION ACCEPTING A DONATION FROM THE DOWLING FAMILY OF A
PARK BENCH, TO BE INSTALLED IN CRAB MEADOW BEACH WITH
MEMORIAL PLAQUE IN MEMORY OF PATRICIA DOWLING

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Dowling Family has offered to donate one (1) park bench to the Town of Huntington to be installed in Crab Meadow Beach, Northport, NY with memorial plaque in her memory; and

WHEREAS, Patricia Dowling was a frequent user of the beach and park; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY ACCEPTS a donation of one park bench and memorial plaque from the Dowling Family to be installed at Crab Meadow Beach and thanks them for their generosity.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 113

RESOLUTION APPOINTING A MARRIAGE OFFICER FOR THE TOWN OF HUNTINGTON FOR THE PURPOSE OF SOLEMNIZING A MARRIAGE

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, pursuant to Domestic Relations Law §11, the Town Board may appoint a Marriage Officer(s) to solemnize marriages in the Town of Huntington; and

WHEREAS, Councilman Eugene Cook has been requested to act as a Marriage Officer for the purposes of solemnizing a marriage; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS Councilman Eugene Cook as a Marriage Officer for the Town of Huntington serving without salary or wage, from Tuesday, March 5, 2013, up to and including April 1, 2013 for the purpose of solemnizing a marriage.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-114

RESOLUTION APPOINTING A MEMBER TO THE TOWN OF HUNTINGTON CITIZENS
ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the appointment of individuals to an advisory board is not an action as defined by 6 NYCRR of 617.2(b) and therefore no SEQRA review is required; and

WHEREAS, the Town Board, upon the recommendation of the Citizens Advisory Committee for Persons with Disabilities,

NOW, HEREBY APPOINTS the following individual to a vacancy on the Town of Huntington Citizens Advisory Committee for Persons with Disabilities for a term to expire as indicated:

Pearl Levy
27 Eastfield Lane
Melville, NY 11747

Term Expires: 03/05/17

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-115

RESOLUTION AUTHORIZING A PARKING VIOLATIONS AMNESTY PERIOD TO BEGIN APRIL 1, 2013 AND CONTINUE THROUGH APRIL 30, 2013 ON PENALTIES LEVIED ON OVERDUE TRAFFIC SUMMONSES AND AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH FUNDAMENTAL BUSINESS SERVICES INC. FOR ADMINISTRATION OF A PARKING TICKET VIOLATION AMNESTY PERIOD

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town of Huntington operates a Traffic Violations Bureau (TVB) pursuant to the provisions of the Traffic Code of the Town of Huntington, and issues summonses for violations of said code, many of which are currently outstanding, incurring penalties and late fees; and

WHEREAS, it has been demonstrated that a periodic amnesty program is beneficial to both the Town of Huntington and those individuals to whom parking violations have been issued; and

WHEREAS, an amnesty program has not been held in the Town of Huntington for over five (5) years; and

WHEREAS, the Town has received a proposal dated January 29, 2013 by Fundamental Business Services, Inc. to undertake the program as it has done for the Towns of Babylon, Brookhaven and Islip; and

WHEREAS, Fundamental Business Service, Inc. will process the mailing for overdue summonses of the amnesty program and provided special services to facilitate amnesty and compliance; and

WHEREAS, the amnesty program is at no additional cost to the Town; and

WHEREAS, the declaration of an amnesty period for overdue traffic summonses is not an action as defined by 6 N.Y.C.R.R. 617.2(b) and therefore no further SEQRA review is required; and

NOW THEREFORE BE IT RESOLVED, THE TOWN BOARD

HEREBY AUTHORIZES:

- (1) the implementation of an amnesty program for all parking violations issued between January 1, 2005 through December 31, 2012; and

2013-115

- (2) the amnesty program shall commence on April 1, 2013 and end April 30, 2013 and shall provide a forty percent (40%) reduction of all fines and penalties owed for the aforesaid parking violations; and
- (3) that the Town of Huntington Traffic Violations Bureau (TVB) shall accept payments of sixty (60%) of all fines and penalties owed by a participant and the acceptance of the same by the TVB shall be deemed full and complete satisfaction of the violation; and
- (4) the Town Attorney to review and approve all materials utilized in connection with the amnesty program; and
- (5) the Supervisor to execute a contract with Fundamental Business Services, Inc. for the administration of an amnesty program in accordance with the January 29, 2013 proposal attached hereto, at no additional cost to the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

BE IT FURTHER RESOLVED that the revenue from the aforesaid amnesty program shall be deposited into account A2611 Parking Violations.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013- 116

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: March 5, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

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 held on an as-needed basis at various locations that prove 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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**TOWN OF HUNTINGTON
DEPARTMENT OF AUDIT & CONTROL
DIVISION OF PURCHASING
SCHEDULE A**

**SURPLUS INVENTORY ITEMS
3/5/2013**

MARITIME SERVICES					
ITEM	SERIAL #	MAKE			TOWN ASSET #
1	LF150TXR64PX1007112	150 YAMAHA - LEFT HANDED OUTBOARD MOTOR			006154
2	F150TXR63PX1052563	151 YAMAHA - RIGHT HANDED OUTBOARD MOTOR			006155
3	J150EXEDBGORSO1776	150 JOHNSON - HP RIGHT HANDED OUTBOARD MOTOR			006432
4	150XLOPTOT390152	MERCURY - 150 - SURPLUS - FOR DISPOSAL			006435
5	LF150TXR64PX1009653	150 YAMAHA - LEFT HANDED OUTBOARD			007203
6	DJ123013C393	23' 1992 REGULATOR CENTER CONSOLE BOAT - NO MOTORS - AS IS			005849

HIGHWAY DEPARTMENT					
ITEM	VIN NO.	MODEL	MAKE	YEAR	TOWN ASSET #
7	1FDYD8045KVA17144	MB ROAD STRIPPER F800 6	FORD	1989	4299
8	1FDYK84A8JVA33441	WHEEL DUMP L8000 100	FORD	1988	4030
9	1FDYU80UXFVA70847	WHEEL 2TE4	FORD	1985	4028
10	1A9A2RDB9LR059005	SWEEPER T7500	MOBIL	1990	4094
11	1GDM7C1C22J512066	CHASSIS	GMC	2002	3881

RESOLUTION DIRECTING THE DEPARTMENTS OF INFORMATION TECHNOLOGY, PLANNING AND ENVIRONMENT, GENERAL SERVICES AND THE HUNTINGTON HIGHWAY DEPARTMENT TO DEVELOP A PLAN FOR USE AND DEPLOYMENT OF 21ST CENTURY COMMUNICATIONS TECHNOLOGIES AND PROCEDURES THAT MAXIMIZE THE CAPABILITY OF THE TOWN TO COMMUNICATE WITH RESIDENTS AND FOR TWO-WAY COMMUNICATIONS BETWEEN RESIDENTS AND THE TOWN

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, events in recent months like Hurricane Sandy and the February blizzard demonstrated the need to improve communication systems between the Town and its residents, particularly in the lead up to, during and after storms and other emergencies when the need for current and accurate information is at its highest; and

WHEREAS, 21st Century technology is in use on an internal basis to manage data and promote efficient communication, in many cases resident out-reach still depends on 20th Century solutions, the most notable example being Highway Department's telephone Hotline to which it direct residents to initiate service and information requests and which became overwhelmed during the recent storm; and

WHEREAS, as the Town of Huntington has in place several systems to gather, store and communicate information, including geographic information systems (GIS), global positioning systems (GPS) that can be leveraged to easily deliver information to residents through smart phones, tablets and personal computers via Internet, e-mail and/or social media; and

WHEREAS, the systems described above are currently operated and maintained by several Town departments, principally Information Technology, Planning and Environment, General Services and the Highway Department; and

WHEREAS, it is the Town Board's determination that a plan for the consolidation of design, procurement, maintenance and upgrade of systems above described will provide the most efficient and most cost effective means of upgrading communications between the Town and its residents; and

WHEREAS, in addition to organizing and managing information, technologies like GIS and GPS allow departments with heavy equipment, like Highway, to map the progress of its equipment in "real-time" so not only can supervisory personnel track the progress of its snowplows, but the public can track the progress on the Department's webpage, which technology further can be required to be installed in the equipment of any outside contractors who may be employed during a snow storm or other cleanup giving residents a complete view of clearing operations in real-time; and

WHEREAS, in addition to allowing residents to follow the progress of Town operations in real-time, modern technology provides capacity for two-way communications by which residents can provide feedback that Town departments can use to adjust and improve operations as they are being carried out, which can be done in the form of a well-publicized e-mail address where residents can reach major departments like the Highway department, twenty-four hours a day, seven days a week; and

WHEREAS, the Town Board believes that cooperative planning effort that directly engages the Director of Information Technology, the Director of Planning and Environment, the Director of General Services and the Superintendent of Highways is the bestway though not the only way to achieve these goals, it should be employed in the first instance; and

WHEREAS, directing Department Directors and the Highway Superintendent to develop a plan for the use and deployment of modern communications technologies is a Type II action pursuant to 6 N.Y.C.R.R. §617.2(b)and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Departments of Information Technology, Planning and Environment, General Services and the Huntington Highway Department to develop a plan for use and deployment of 21st century communications technologies and procedures that maximize the capability of the Town to communicate with residents and for two-way communications between residents and the Town.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION GRANTING PERMISSION FOR THE HUNTINGTON YMCA TO UTILIZE THE TOWN HALL PARKING LOT FOR THE PURPOSE OF PARKING FOR ITS ANNUAL MEMORIAL DAY CARNIVAL

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Huntington YMCA will be sponsoring its annual Memorial Day Carnival, as a fund-raiser for the YMCA Scholarship Fund, from May 23, 2013 through May 27, 2013, and

WHEREAS, the Huntington YMCA anticipates the need for additional parking and has requested permission to utilize the Town Hall parking lot for that purpose during its annual Memorial Day Carnival; and

WHEREAS, such permission is contingent upon the execution of a Hold Harmless Agreement which includes provisions requiring the Huntington YMCA to hold harmless and indemnify the Town of Huntington; and

WHEREAS, the execution of a Hold Harmless Agreement for this purpose is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby grants permission to the Huntington YMCA for the use of the Town Hall parking lot for the purpose of parking during its annual Memorial Day Carnival from May 23, 2013 through May 27, 2013, subject to the submission of a Hold Harmless Agreement and appropriate insurance documents in a form satisfactory to the Town Attorney, 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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-119

RESOLUTION GRANTING A PERMIT FOR AN AQUATIC EVENT TO METROPOLITAN SWIMMING, INC. FOR THEIR OPEN WATER SWIMMING CHAMPIONSHIPS

Resolution for Town Board Meeting Dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, Metropolitan Swimming, Inc., 19 Mt. Rainer Avenue, Farmingville, New York 11738, has requested a permit for an aquatic event to hold their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships on Sunday, July 14, 2013; and

WHEREAS, Metropolitan Swimming, Inc. has applied to the U.S. Coast Guard (USCG) for a Marine Event Permit and assistance; the Halesite Fire Department to provide ambulance coverage; and the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau to provide assistance in patrolling the waters and to provide rescue craft; and

WHEREAS, the Town Board has previously approved similar swimming events and wishes to continue to promote and encourage the Metropolitan Open Water Swimming Championships; and

WHEREAS, the granting of a permit for an aquatic event 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 GRANTS, pursuant to the Code of the Town of Huntington §120-15, an aquatic event permit to Metropolitan Swimming, Inc., for their Open Water Swimming Championships, consisting of the Metropolitan Swimming 5k and Age Group Championships, on Sunday, July 14, 2013, subject to: 1) the submission of a hold harmless agreement and appropriate insurance in a form satisfactory to the Town Attorney; 2) the provision of a Marine Event Permit by the USCG; 3) the provision of ambulance coverage by the Halesite Fire Department; and 4) the provision of patrol boats by the USCG, USCG Auxiliary, Huntington Harbor Master and Suffolk Police Marine Bureau for swimmer safety; and

HEREBY AUTHORIZES the Department of Parks and Recreation and the Harbor Master's Office to take such steps as are necessary to facilitate said event.

2013-119

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 120

ENACTMENT: GRANTING A FRANCHISE AGREEMENT TO CONDUCT YOUTH SPORTS PROGRAMS FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION WITH US SPORTS INSTITUTE.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington is desirous of utilizing the instructional services of a qualified, trained vendor to organize, coordinate and supervise year round instructional soccer and multiple sports programs for youths at various parks throughout the Town; and

WHEREAS, requests for proposals were received on December 21, 2012, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for conducting 2013 youth sports programs for the Town of Huntington Department of Parks and Recreation, RFP No. 2012-12-012 and the same were opened and read aloud; and

WHEREAS, the execution of a franchise agreement 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, having held a public hearing on the 5th day of February 2013, to consider granting a franchise agreement to US Sports Institute and due deliberation having been made,

HEREBY GRANTS a franchise agreement to US Sports Institute, Inc., 12 Maiden Lane, Bound Brook, New Jersey 08805 for conducting youth sports programs for the Town of Huntington Department of Parks and Recreation. The program fees for (1 hour session) for the Soccer Squirts, T-Ball Squirts, and Sports Squirts programs will be \$120.00. The program fees per winter program (1 hour session) for the Soccer Squirts and Sports Squirts programs will be \$105.00. The program fees (1 hour summer session) for the Soccer Squirts and Sports Squirts programs will be \$79.00. The program fees for the Soccer Camp (4 hour session) will be \$179.00. The program fees for the Parent and Me Sports programs (45 minute session) will be \$95.00. The program fees for the Multi-sports program (4 hour session) will be \$145.00. The Town will receive 20% of the total revenue generated and will be recorded into Operating Budget Item A2001. The contract period shall be effective for a two (2) year term commencing upon the execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-120

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: GRANTING A FRANCHISE AGREEMENT TO CONDUCT SCIENCE CAMPS AND PROGRAMS FOR THE TOWN OF HUNTINGTON DEPARTMENT OF PARKS AND RECREATION WITH SCIENSATIONAL WORKSHOPS FOR KIDS, INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is desirous of utilizing the instructional services of a qualified, trained vendor to organize, coordinate and supervise various science programs at various facilities throughout the Town; and

WHEREAS, requests for proposals were received on December 21, 2012, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for conducting science camp and programs for the Town of Huntington Department of Parks and Recreation, RFP No. 2012-12-011 and the same were opened and read aloud; and

WHEREAS, the execution of a franchise agreement 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, having held a public hearing on the 5th day of February 2013, to consider granting a franchise agreement to Sciensational Workshops for Kids, Inc. and due deliberation having been made,

HEREBY GRANTS a franchise agreement to Sciensational Workshops for Kids, Inc., 6 Doe Drive, Columbia, New Jersey 07832 for conducting science camp and programs for the Town of Huntington Department of Parks and Recreation. The program fees for the Saturday science program will be \$88.00 per person for the session and the science camp will be \$128.00 per person for the session. The Town will receive 20% of the total revenue generated which will be recorded into Operating Budget Item A2006. The contract period shall be effective for a two (2) year term commencing upon the execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-121

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 122

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 4-2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

Resolution for Town Board Meeting dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 5th day of March, 2013 at 2:00 p.m. to consider adopting Local Law Introductory No. 4-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE I, §2-1, SCHEDULE A., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 4-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE I, §2-1, SCHEDULE A.; as follows:

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

LOCAL LAW NO. 4 - 2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

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

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.

LOCATION

Walt Whitman Road at Canon Entrance
(MVL)

DESCRIPTION OF SIGNAL

Semi-traffic-actuated

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2013 - 123

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 5-2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Resolution for Town Board Meeting dated: March 5, 2013

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 5th day of March, 2013 at 2:00 p.m. to consider adopting Local Law Introductory No. 5-2013 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. 5-2013 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. 5 - 2013
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

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

<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
[High-Hold Drive (HUS)]	[STOP]	[WEST]	[Round Swamp Road]
[Mannetto Hill Road (MVL)]	[STOP]	[EAST]	[Round Swamp Road]

2013- 125

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER GRANTING A VARIANCE UNDER LOCAL LAW 7-1989 (COASTAL EROSION MANAGEMENT REGULATIONS)

APPLICANT: KEVIN BEVILACQUA
LOCATION: 28 MAKAMAH BEACH RD.
S.C.T.M. #: 0400-013.00-02.00-003.000

Resolution for Town Board meeting dated: March 5, 2013

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

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

WHEREAS, pursuant to Local Law 7-1989, Coastal Erosion Management Regulations of the Town of Huntington, an application has been submitted by

Kevin Bevilacqua
28 Makamah Beach Rd.
Northport, N.Y. 11768

for a building permit and coastal erosion management permit to rebuild a 2 story, 1568 sq. ft. storm damaged dwelling with a 928 sq. ft. 1st floor, 640 sq. ft. 2nd floor, 384 sq. ft. open rear deck & 65 sq. ft. open front entry porch with stairs at 28 Makamah Beach Rod., Northport, N.Y. S.C.T.M. # 0400-013.00-02.00-003.000; and

WHEREAS, said property is located within a Coastal Erosion Hazard area and therefore subject to the provisions of Local Law 7-1989 (Coastal Erosion Management Regulations); and

WHEREAS, the subject application for a Coastal Erosion Management Permit has been denied by the Department of Engineering Services due to the fact that it involves regulated activities that are not authorized by Local Law 7 of 1989; and

WHEREAS, the regulated activities that are prohibited by Local Law 7 of 1989 are the reconstruction of a 2 story, 1568 sq. ft. one family dwelling with a 928 sq. ft. 1st floor, 640 sq. ft. 2nd floor, 384 sq. ft. open rear deck & 65 sq. ft. open front entry porch with stairs within a structural hazard area; and

WHEREAS, the applicant has filed a request for a variance in accordance with the provisions of Section 4 of Local 7 of 1989; and

WHEREAS, the Town Board has been designated as the Coastal Erosion Hazard Board of Review for the purpose of hearing, approving, approving with modification, or denying requests for variances or other forms of relief from the requirements of Local Law 7 of 1989; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required at this time for the scheduling of said public hearing.

2013 - 126

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 8 -2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS), ARTICLE VII (DEFINITIONS) AND ARTICLE VIII (GENERAL RESTRICTIONS AND REQUIREMENTS)

Resolution for Town Board Meeting dated: March 5, 2013

The following resolution was offered by: Councilman Cook
and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board desires to remove ambiguities and update the Code of the Town of Huntington; and

WHEREAS, the Town Board, as the only agency authorized to amend the Huntington Town Code, is the Lead Agency pursuant to the SEQRA regulations; 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 no SEQRA review is required at this time;

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 9th day of April, 2013 at 6:30 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 8 -2013 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), Article VII (Definitions) and Article VIII (General Restrictions and Requirements); as follows:

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

LOCAL LAW INTRODUCTORY NO. 8 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS),
ARTICLE VII (DEFINITIONS) AND ARTICLE VIII (GENERAL RESTRICTIONS
AND REQUIREMENTS)

CHAPTER 87
BUILDING CONSTRUCTION

[Part 1]
[Administration and Enforcement]

* * *
ARTICLE III
BUILDING PERMITS

* * *
§ 87-14. Permit required; exemptions.

* * *
B. Exemptions. An exemption from the requirement of a permit shall not be deemed an authorization for work to be performed in violation of the Code of the Town of Huntington or the New York State Uniform Fire Prevention and Building Code. The following categories of work shall not require a building permit.

* * *
(2) Construction or installation of detached structures associated with one or two family dwellings which are used for tool and storage sheds, playhouses or similar uses, but excluding arbors, gazebos, pergolas and other similar ornamental or decorative structures, provided:

* * *
(d) The location of the structures shall be subject to the following:

* * *
(3) On a through lot, no accessory structure shall be located within the required or existing front-yard setback, whichever is greater, the required rear-yard setback, or within two (2) feet of the side yard property lines, except that sheds under two hundred (200) square feet shall be permitted in the front yard of the house on the street side not used to determine the physical or mailing address of the house, but shall not be closer than ten (10) feet from the street line.

* * *
§87-15. Application requirements. All applications for a permit shall be accompanied by the requisite application fee and shall include the following:

(A) Pre-application conference. A pre-application conference is required in all instances where the project has received site plan or subdivision approval and bonded improvements have not been completed in their entirety, or in any instance deemed appropriate by the Director. An applicant must attend a pre-application conference before an application for a building permit is accepted for filing by the Department of Engineering Services. These meetings shall be scheduled by the applicant in order to review the proposed development of the site with representatives of all applicable town departments. Proposed applicants shall provide such documents and plans as the Director may reasonably require in advance of the conference for the purpose of providing comments and recommendations. The pre-application conference shall be held as soon as practicable after the Department receives a written request for such conference from the

applicant and all documents and plans requested by the Director in preparation for the meeting are submitted.

(B) [A] New work, alterations or repairs. Each application for a permit for new work, alteration or repair shall be signed by the applicant, and shall:

* * *

(C) [B] Moving of buildings. If the application contemplates the moving of an existing building or structure from one (1) location to another, it shall be accompanied by a description of the method to be used and the route to be followed. Permits from the state, county, Town and village authorities, if required by them, shall be submitted at the time of making application for a permit.

(D) [C] Demolition of buildings. An application to demolish a building shall include the following:

* * *

(E) [D] Accessibility for the handicapped. In addition to the foregoing, all applications for construction shall comply with and contain a sworn statement by the owner and engineer/architect, if any, that said construction complies with the federal and New York State laws which govern accessibility for the handicapped and are applicable to construction of the type and extent proposed. Said laws include, but are not limited to, the Americans with Disabilities Act, the Fair Housing Act, the Rehabilitation Act of 1973, the Architectural Barriers Act and the New York State Human Rights Law, as subsequently amended.

* * *

[Part 2]
[Regulations]

ARTICLE VII
DEFINITIONS

§87-46. Definition of terms.

As used in this [Part 2] Chapter, the following words shall have the meanings indicated:

* * *

APARTMENT - [Sec] See Chapter 198 (Zoning), §198-2.

[APPROVED] - [As applied to material, device or mode of construction, means recognized as satisfactory by the Building Inspector under the provisions of this chapter or by other authority designated by law to give approval in the matter in question.]

[AREA] - [As applied to a form of construction means an uncovered subsurface space adjacent to a building. As applied to the dimensions of a building, means the maximum horizontal projected area of a building at grade.]

ATTIC - See Chapter 198 (Zoning), §198-2.

BASEMENT - [A story partly underground, but having at least one-half (1/2) of its height, measured from finished floor to finished ceiling, above the curb level or the established grade at the center of the street front.] See Chapter 198 (Zoning), §198-2.

* * *

CELLAR] - [A story having more than one-half (1/2) its height, measured from finished floor to finished ceiling, below the curb level or the established grade at the center of the street front of the building.]

* * *

CRAWL SPACE - See Chapter 198 (Zoning), §198-2.

CURB LEVEL] - [The elevation of a street grade as fixed by the Town authorities. As applied to a building, that point of the street grade opposite the center of the wall nearest to and facing the street line of the street having the highest grade. As applied to an excavation, that point of the street grade nearest to the excavation in question. (See "established grade.")]

* * *

ESTABLISHED GRADE] - [The mean elevation of the curb level opposite those walls of a building on or parallel with and within fifteen (15) feet of street lines. (See "curb level.")]

* * *

FENCE -- See Chapter 198 (Zoning), §198-2

* * *

FREESTANDING WALL -- See Chapter 198 (Zoning), §198-2

GARAGE, RESIDENTIAL - [A building, shed or enclosure or any part thereof, used to house, store or repair (1) one or more motor vehicles containing flammable fluids in their fuel tank.] See Chapter 198 (Zoning), §198-2.

GARAGE, NON-RESIDENTIAL - See Chapter 198 (Zoning), §198-2.

GRADE - See Chapter 198 (Zoning), §198-2.

GRADE PLANE - See Chapter 198 (Zoning), §198-2.

HABITABLE ROOM] - [A room occupied by one (1) or more persons for living, eating or sleeping. It includes kitchens serving individual households, but not bathrooms, water closet compartments, laundries, pantries, corridors, cellars and similar spaces, but does include basement and cellar recreation rooms.]

HABITABLE SPACE - See Chapter 198 (Zoning), §198-2.

HEIGHT OF ACCESSORY BUILDINGS -- See Chapter 198 (Zoning), §198-2.

HEIGHT OF ACCESSORY STRUCTURES – See Chapter 198 (Zoning), §198-2.

HEIGHT OF BUILDING - [The vertical distance from curb level, established or finished grade, to a point midway between the highest and lowest points of the roof of a building. As applied to a story, the vertical distance from top to top of two (2) successive tiers of floor beams.] See Chapter 198 (Zoning), §198-2.

* * *

[REQUIRED] – [Required by some provision of the Building Code.]

RETAINING WALL -- See Chapter 198 (Zoning), §198-2.

RETAINING WALL, TIERED – See Chapter 198 (Zoning), §198-2.

* * *

STORY – [That part of a building comprised between a floor and the floor or roof next above, including a basement but not cellar.] See Chapter 198 (Zoning), §198-2.

STORY ABOVE GRADE PLANE – See Chapter 198 (Zoning), §198-2.

* * *

ARTICLE VIII
GENERAL RESTRICTIONS AND REQUIREMENTS

* * *

§87-52. Fences, freestanding and retaining walls.

[(A)] [Definitions. For the purpose of this Chapter the following terms shall have the meanings indicated.]

[FENCE -- An enclosing framework bearing pickets, boards, rails, chainlink or other material as a means of barring passage or for aesthetic purposes.]

[RETAINING WALL -- A structure built to permanently retain or support adjoining earth.]

[FREESTANDING WALL -- A wall or partition (other than a fence) which is constructed of masonry, concrete, stone or other material of similar mass and which is

not part of a building, does not retain or support adjoining earth, and is customarily used, by its design, location or construction, to bar passage or for aesthetic or privacy-seeking purposes.]

(A) [B] Fences.

* * *

(2) The height of a fence shall be measured from grade to the highest component of the fence. Where a fence is mounted on top of a retaining wall the height of the fence shall be measured from the grade of the bottom of the retaining wall to the highest component of the fence.

(3) Where a retaining wall is located within ten (10) feet of a property line, the height of any fence within five (5) feet of the retaining wall shall be measured from the top of the fence to either the grade at the base of the fence or the base of the retaining wall, whichever height is greater.

(B) [C] Retaining walls.

(1) No retaining wall[,] or [combination of] tiered retaining walls [on the same slope,] with a combined height of more than four (4) feet[,] shall be constructed, installed or modified without a building permit having been issued by the Department of Engineering Services.

* * *

(4) At the discretion of the Town, if the height of a retaining wall creates a hazardous condition a guard must be installed at the top of the wall to ensure public safety. The guard shall not be less than 36 inches in height. Guards shall have intermediate rails or ornamental closures which do not allow passage of a sphere four (4) inches or more in diameter.

(C) [D] Freestanding walls.

* * *

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.

2013 - 126

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 Mark A. Cuthbertson	AYE
Councilman Eugene Cook	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 9 -2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS), ARTICLE II (ZONING DISTRICTS; MAPS; GENERAL RESTRICTIONS) AND ARTICLE IX (HEIGHT, AREA AND BULK REGULATIONS)

Resolution for Town Board Meeting dated: March 5, 2013

The following resolution was offered by: Councilman Cook
and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board desires to remove ambiguities and update the code to reflect recent trends in the design of accessory structures; and

WHEREAS, the Town Board, as the only agency authorized to amend the Huntington Town Code, is the Lead Agency pursuant to the SEQRA regulations; 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 no SEQRA review is required at this time;

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 9th day of April, 2013 at 6:30 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 9 -2013 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article II (Zoning Districts; Maps; General Restrictions) and Article IX (Height, Area and Bulk Regulations); as follows:

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

LOCAL LAW INTRODUCTORY NO. 9 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS),
ARTICLE II (ZONING DISTRICTS; MAPS; GENERAL RESTRICTIONS) AND
ARTICLE IX (HEIGHT, AREA AND BULK REGULATIONS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article II (Zoning Districts;

Maps; General Restrictions), and Article IX (Height, Area and Bulk Regulations); as follows:

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *

§198-2 Definitions and word usage.

* * *

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

ACCESSORY BUILDING -- A subordinate building, the use of which is clearly incidental to or customarily found in connection with the main building or principal use and which is located on the same lot as such main building or principal use. An accessory building shall not exceed the size of the main building. Accessory buildings, except for detached residential garages, shall not include features which would allow habitation within the structure such as plumbing, heating, fixed stairs, [and] interior walls[.], insulation, wall coverings on the inside of exterior walls, or design features such as a basement or crawl space, a second story or an upper level. Nothing contained herein shall be construed to permit the use of detached residential garages as habitable space, and same is specifically prohibited.

* * *

ATTIC - The unfinished space located, in whole or in part, between the ceiling joists of the top habitable story of a building and the roof rafters.

* * *

BASEMENT - That space of a building that is partly or completely below grade [which] and does not meet the definition of a story above grade plane. The term "basement" is used interchangeably with the term "cellar".[has more than half (1/2) its height, measured from floor to ceiling, above the average established curb level or finished grade of the ground adjoining the building.]

* * *

[CELLAR] – [That space of a building that is partly or entirely below grade which has more than half (1/2) of its height, measured from floor to ceiling, below the average established curb level or finished grade of the ground adjoining the building.]

* * *

CRAWL SPACE – An area under a building that is unenclosed by walls or is enclosed by walls and at no point are the walls greater than three (3) feet in height. Any enclosed space with walls greater than three (3) feet in height is a basement.

* * *

FLOOR AREA, GROSS

(1) Commercial, business and industrial buildings, [or] buildings containing mixed uses, or any non-residential use. The sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings[.]. Gross floor area includes stories above grade and garages but does not include[ing] attic space providing headroom of less than seven (7) feet or [cellar]basement space used for utility installation or for storage, except that the area of [cellar]basement space occupied by a minor accessory use such as an employee lounge, employee day-care center or employee gym facility shall not be included in the calculation where [none] no such use, either combined or individually, occupies an area totaling more than five (5%) percent of the gross floor area of all the other floors and where the use shall be limited to the building's employees only. Included in the calculation for gross floor area shall be any and all outside areas used for public assembly accessory to the primary use of the building.

(2) Residential buildings. The gross horizontal area of the several floors of a [dwelling]house or multi-family residential building, excluding[sive of garages, basements,] attics, basements, [cellars] and open porches, measured from the exterior walls. The gross horizontal area of the first floor of a residential garage.

* * *

GARAGE, [PRIVATE] RESIDENTIAL -- An accessory building or part of a building traditionally designed or used for the storage of motor vehicles owned and used by the occupants of the residential building to which it is accessory. [In any residence district] In R-15, R-10, R-7 and R-5 Districts, garage space for three (3) motor vehicles may be provided for a one-family or two-family [dwelling] home. In R-80, R-40 and R-20 Districts, garage space for four (4) motor vehicles may be provided for a one-family or two-family dwelling home. In any other zoning district, garage space for two (2) motor vehicles may be provided for each dwelling unit. In any residence district, a detached garage [shall be one (1) story and have only one (1) floor level,] shall provide not more than three hundred (300) square feet for each motor vehicle accommodated and shall not exceed the gross floor area of a permitted accessory building. Residential detached garages may have space that is conditioned which shall be brought into compliance with the New York State Energy Code, as amended or any successor law, and may have water supply but no wastewater plumbing. Nothing contained herein shall be construed to permit the use of detached residential garages as habitable space, and same is specifically prohibited. A residential detached garage may provide space for storage on the same floor

[.] and on a second story. Such second story shall not exceed 75% of the gross floor area of the ground floor.

GARAGE, [PUBLIC] NON-RESIDENTIAL – A building or portion thereof, other than a [private] residential or municipal garage, designed or used for equipping, repairing, renting, parking or storing motor vehicles.

GRADE – The elevation above or below mean sea level of the finished surface of the ground at a particular point. [from which the height of a building or structure is measured.]

[(1)] [For buildings having a wall or walls facing one (1) street only, the elevation of the curb or crown of the roadway at the center of the wall facing the street.]

[(2)] [For buildings having a wall or walls facing more than one (1) street, the average elevation of the curb or crown of the roadway at the centers of all walls facing the streets.]

[(3)] [For buildings having no wall facing a street, the average level of the finished surface of the ground adjacent to the exterior walls of the building. Any wall located within one hundred (100) feet of a street line shall be considered as facing the street.]

[(4)] [In any case where the proposed finished ground elevation between a wall of the building and any street bounding the lot differs by more than ten (10) feet from the natural grade, the height of the building shall be measured from such natural grade at the center of such wall.]

GRADE PLANE - A reference plane representing the average grade adjacent to the exterior walls of a building. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.

HABITABLE SPACE - Space in a structure for living, sleeping, eating or cooking. Closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

* * *

HEIGHT OF ACCESSORY BUILDINGS -- The vertical distance measured from the grade plane as follows: to the highest point of a flat roof; to the ridge for gable and hiproofs; or to the ridge for gambrel and mansard roofs in all zoning classifications.

HEIGHT OF ACCESSORY STRUCTURES -- The greatest vertical distance measured from any grade under or adjacent to the structure to the highest portion of the structure above that point.

HEIGHT OF BUILDING -- The vertical distance measured from the grade plane as follows: to the highest point of a flat roof; to the mean point between the plate line and ridge for gable and hip roofs; or to the mean point between the purlin and ridge for gambrel and mansard roofs. [In connection with an urban renewal plan for all or part of an urban renewal area which has been designated as such under the provisions of Article 15 of the General Municipal Law, the Town Board may approve a plan providing for the height of a building to be measured from a point sixteen (16) feet above grade wherever automobile parking is provided on grade level within that building.] This definition does not apply to the height of accessory buildings including detached garages.

* * *

RETAINING WALL, TIERED -- A combination of retaining walls on the same slope. Retaining walls will not be considered a tiered wall when the horizontal distance between any two (2) walls is greater than or equal to ten (10) times the height of the taller of the two walls, or when the combined height of the walls does not exceed eight (8) feet with a minimum horizontal distance of twenty (20) feet between any two walls. The load from the upper wall cannot influence the stability of the lower wall as determined by the Director. In no event shall the final grade between two walls be greater than a one (1) on three (3).

* * *

STORY -- [That] The portion of a building which is between one (1) floor level and the next higher floor level or the roof, not including an attic or crawl space.

STORY ABOVE GRADE PLANE -- Any story having its finished floor surface entirely above grade plane, except that a basement shall be considered as a story above grade plane where the finished surface of the floor above the basement is either more than six (6) feet above grade plane or more than twelve (12) feet above grade at any point.

* * *

ARTICLE II
(ZONING DISTRICTS; MAPS; GENERAL RESTRICTIONS)

* * *

§198-10. General restrictions. Except as hereinafter provided:

* * *

(I) Habitable Space. No person shall use, operate or maintain a detached residential garage as habitable space.

* * *

ARTICLE IX
HEIGHT, AREA AND BULK REGULATIONS

* * *

§198-59. Accessory buildings and structures.

* * *

(I) In the case of a through lot, sheds under two hundred (200) square feet shall be permitted in the front yard of the house on the street side not used to determine the physical or mailing address of the house, but shall not be closer than ten (10) feet from the street line.

* * *

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 Mark A. Cuthbertson	AYE
Councilman Eugene Cook	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2013-128

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 471 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: March 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Kiruv Capital Corp., 368 Veterans Memorial Highway, Suite 7, Commack, NY 11725, for a Certificate of Approval to remove a historic house from 471 Park Avenue, Huntington, NY 11743 (SCTM # 0400-073.00-01.00-041.001) and relocate it to 478 Park Avenue, Huntington, NY 11743 (SCTM # 0400-073.00-03.00-021.000), pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, both said premises are located in the Old Huntington Green Historic District and bear Suffolk County Tax Map #0400-073.00-01.00-041.001, #0400-073.00-03.00-021.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **9th** day of **April**, 2013, at **6:30** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Kiruv Capital Corp.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 129

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 598 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: March 5, 2013

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

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Young Israel of Huntington, 598 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to legalize the conversion of a garage into a family room and bathroom at the one family dwelling at 598 Park Avenue, Huntington, NY 11743, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map #0400-102.00-01.00-005.003, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **9th** day of **April**, 2013, at **6:30** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Young Israel of Huntington.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER EXECUTING A LICENSE AGREEMENT WITH THE FAMILY SERVICE LEAGUE OF SUFFOLK COUNTY INC.

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Family Service League of Suffolk County Inc. has requested the use of a portion of the Town of Huntington's Field House located at 90 East Fifth Street, Huntington Station, New York 11746 in Manor Field Park for the operation of various programs; and

WHEREAS, the Town of Huntington is desirous of making a portion of said Field House available to the Family Service League of Suffolk County Inc. to enable the continued provision of important services to Huntington residents; and

WHEREAS, scheduling a public hearing is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **9th** day of **April**, 2013 at **6:30 pm** Huntington Town Hall, 100 Main Street, Huntington, New York 11743, to consider entering into a License Agreement with the Family Service League of Suffolk County Inc., 790 Park Avenue, Huntington, New York 11743, for the use of a portion of the Field House located at Manor Field Park for the operation of various programs, on a month-to-month basis commencing on the date of execution of the License Agreement by both parties, and terminating on thirty (30) days written notice by either party, 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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER EXECUTING
A LICENSE AGREEMENT WITH THE COMMUNITY FOOD COUNCIL

Resolution for Town Board Meeting Dated: March 5, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Community Food Council has requested the use of a portion of the Town of Huntington's Field House located at 90 East Fifth Street, Huntington Station, New York 11746 in Manor Field Park for the operation of a food pantry program; and

WHEREAS, the Town of Huntington is desirous of making a portion of said Field House available to the Community Food Council to enable the continued provision of important services to Huntington residents; and

WHEREAS, scheduling a public hearing is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **9th** day of **April**, 2013 at **6:30 pm** Huntington Town Hall, 100 Main Street, Huntington, New York 11743, to consider entering into a License Agreement with the Community Food Council, 90 East Fifth Street, Huntington Station, New York 11746, for the use of a portion of the Field House located at Manor Field Park for the operation of its food pantry program, on a month-to-month basis commencing on the date of execution of the License Agreement by both parties, and terminating on thirty (30) days written notice by either party, 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
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- LDC1

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH ISRAELOFF, TRATTNER & CO. P.C., CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012

Resolution for Local Development Corporation Board meeting dated: March 5, 2013

The following resolution was offered by Board Member **BERLAND**

and seconded by **CHAIRMAN PETRONE**

WHEREAS, the Huntington Town Board has solicited written quotes to conduct an independent audit of the Town of Huntington Local Development Corporation and based on experience with the Town and pricing, it is both advantageous and cost effective for the Local Development Corporation to contract for and be audited in conjunction with the Town's audit; and

WHEREAS, Israeloff, Trattner & Co., P.C., Certified Public Accountants, has provided auditing services for that last four years with the Town and has extensive knowledge of the Town; and

WHEREAS, the requirements of the New York State Comptroller's Office requires Local Development Corporations to obtain an annual independent audit; and

WHEREAS, pursuant to Section 1411 of the Not-for-Profit Corporation Law the Town of Huntington Local Development Corporation was established in 2010 as a not-for-profit local development corporation of the State to enhance economic development and business opportunities within the Town of Huntington;

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

NOW, THEREFORE

THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

HEREBY AUTHORIZES the Chairman to execute the fifth extension to the contract with Israeloff, Trattner & Co., P.C., 1225 Franklin Avenue, Garden City, NY 11530, to conduct an audit for the fiscal year ending December 31, 2012, for an amount not to exceed the sum of TWO THOUSAND FIVE HUNDRED NO/100 (\$2,500.00) DOLLARS, for a term commencing January 1, 2013 and terminating December 31, 2013.

2013- LDC1

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	NO
Member Mark A. Cuthbertson	AYE
Member Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.