

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 SEPTEMBER 17, 2013**

**COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING**

Opened: 3:11 P.M. Closed: 3:13 P.M.

**2:00 P.M. – TOWN HALL**

Opened: 2:04 P.M. Closed: 3:11 P.M.

(Resolutions #2013-415 to 2013-468)

**HEARINGS:**

**ACTION**

1. Consider adopting Local Law Introductory No. 25-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-3, Schedule C. Re: Broadway, Greenlawn – Prohibited Turns.

(Local Law Introductory No. 25-2013)

*Scheduled as per Resolution 2013-404 at 8-13-2013 Town Board Meeting*

**DECISION RESERVED**

2. Consider issuing a Certificate of Approval in an Historic District Re: 20 East Main Street, Huntington – Old Huntington Green Historic District.

(Applicant: Kelly DiVico) (SCTM #0400-073.00-02.00-005.001)

(2013-ZC-13-Ch. 198)

*Scheduled as per Resolution 2013-408 at 8-13-2013 Town Board Meeting*

**HEARING RESCHEDULED  
RESOLUTION 2013-466**

3. 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 0400-245-03-052,

0400-118.00-01.00-006.000, 0400-210.00-01.00-081.003,

0400-044.00-01.00-016.007, 0400-171.00-02.00-002.002)

(2013-M-80)

*Scheduled as per Resolution 2013-406 at 8-13-2013 Town Board Meeting*

**DECISION RESERVED**

**HEARINGS (Continued):**

**ACTION**

4. Consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137.

**Applicant: National Grid Generation LLC**

**Location: Northport Power-Plant, Eaton's Neck Rd., Northport**

**SCTM #0404-010.00-01.00-003.001 & 003.002**

(2013-M-81)

*Scheduled as per Resolution 2013-407 at 8-13-2013 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2013-461**

5. Consider executing an agreement with the Incorporated Village of Northport to furnish fire protection services for the Town of Huntington Fire Protection District No. 1, nunc pro tunc. **(Period: One year)**

(2013-M-82)

*Scheduled as per Resolution 2013-410 at 8-13-2013 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2013-462**

6. Consider adopting Local Law Introductory No. 26-2013, amending the Town Code of the Town of Huntington, Chapter 156, Property Maintenance; Nuisances, Article VII, Blighted Property.

(Local Law Introductory No. 26-2013)

*Scheduled as per Resolution 2013-405 at 8-13-2013 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2013-463**

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 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**

<b>2013-415.</b>	<b>AUTHORIZE</b> the Supervisor to execute a contract with Laser Industries, Inc. for the Wolf Hill Road Pedestrian Safety Improvement Project. (Period: 12 months)	<b><u>FP</u></b> <b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-416.</b>	<b>AUTHORIZE</b> the Supervisor to execute an agreement with Cashin Associates, P.C. for construction inspection services necessary for the Wolf Hill Road Pedestrian Safety Improvement Project.	<b><u>FP</u></b> <b><u>SB</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>
<b>2013-417.</b>	<b>AUTHORIZE</b> the Supervisor to execute a contract for the electric chiller replacement for Huntington Town Hall, Town of Huntington, New York with Michael James Industries, Inc., nunc pro tunc. (Term: 12 months)	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-418.</b>	<b>REMOVED FROM THE AGENDA AT THE WORKSHOP.</b>			
<b>2013-419.</b>	<b>AUTHORIZE</b> the Supervisor to execute a contract for the design services for the reconstruction of Huntington Town Dock Route 110, Halesite, NY 11743 with L.K. McLean Associates, P.C. (Period: 12 months)	<b><u>MM</u></b>	<b><u>SB</u></b>	<b><u>5</u></b>
<b>2013-420.</b>	<b>AUTHORIZE</b> the Supervisor to execute a contract for the Heckscher Park Amphitheater improvements with Woodstock Construction Group, Ltd. (Period: 12 months)	<b><u>SB</u></b> <b><u>MC</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-421.</b>	<b>AUTHORIZE</b> the Supervisor to execute a contract for the 2013 requirements contract for streetlighting and electrical work with Anker's Electric Service, Inc. (Period: two years)	<b><u>MM</u></b>	<b><u>SB</u></b>	<b><u>5</u></b>
<b>2013-422.</b>	<b>AUTHORIZE</b> the Supervisor to execute a requirements contract for sports courts resurfacing and amenities with Landtek Group, Inc. (Period: 12 months)	<b><u>MC</u></b>	<b><u>SB</u></b> <b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-423.</b>	<b>AUTHORIZE</b> the Supervisor to execute a requirements contract with each of the lowest responsible bidders for the storm debris removal equipment services contract for bid items one through ten. (Period: One year)	<b><u>FP</u></b>	<b><u>SB</u></b>	<b>3-AYES</b> <b>(FP)</b> <b>(SB)</b> <b>(EC)</b> <b>1-NO</b> <b>(MM)</b> <b>1-ABST</b> <b>(MC)</b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-424.</b> AUTHORIZE the Supervisor to execute a requirements contract for storm related fence repair with The Landtek Group, Inc. (Period: One year)	<u>MM</u>	<u>SB</u>	<u>5</u>
<b>2013-425.</b> AUTHORIZE the Supervisor to execute a requirements contract with each of the lowest responsible bidders for the catch basin and drainage structure cleaning services for bid items one through four. (Period: One year)	<u>MC</u>	<u>MM</u>	<u>5</u>
<b>2013-426.</b> AUTHORIZE the Supervisor to execute an extension to the requirements contract for landfill gas monitoring and related engineering services at the Town of Huntington East Northport Landfill with R&C Formation, Ltd. (Extension period 12 months commencing 12/8/2013)	<u>FP</u>	<u>MM</u>	<u>5</u>
<b>2013-427.</b> AUTHORIZE the Supervisor to execute an extension to the requirements contract for the processing, recycling and marketing of commingled and discrete post consumer paper products with Omni Recycling of Westbury, Inc. (Extension one year commencing 12/14/2013)	<u>FP</u>	<u>MC</u> <u>SB</u>	<u>5</u>
<b>2013-428.</b> AUTHORIZE the Supervisor to execute an extension to the contract for insurance brokerage services with Borg & Borg Inc. as the broker of record. (Extension one year commencing 9/21/2013)	<u>MC</u> <u>MM</u>	<u>SB</u>	<u>5</u>
<b>2013-429.</b> AUTHORIZE the Supervisor to execute an extension to the requirements contract for hydraulic repairs and parts – selected items with Dependable Repair, Inc. (Extension one year commencing 12/21/2013)	<u>MM</u>	<u>SB</u>	<u>5</u>
<b>2013-430.</b> AUTHORIZE the Supervisor to execute an extension to the traffic signal maintenance and requirements contract with Welsbach Electric Corp. of L.I. (Extension one year commencing 10/25/2013)	<u>MC</u> <u>SB</u>	<u>MM</u>	<u>5</u>
<b>2013-431.</b> AUTHORIZE the Supervisor to execute an extension to the requirements contract for hydraulic repairs and parts with P&G Fleet Services, Inc. (Extension one year commencing 11/28/2013)	<u>MM</u>	<u>EC</u>	<u>5</u>
<b>2013-432.</b> AUTHORIZE the Supervisor to execute an agreement with Holzmacher, McLendon & Murrell, P.C. to provide engineering services for the installation of water mains and appurtenances on Heller Court/BOCES, Dix Hills, for the Dix Hills Water District.	<u>SB</u>	<u>MM</u>	<u>5</u>
<b>2013-433.</b> AUTHORIZE the Supervisor to execute an agreement with Suffolk County Community College for the provision of assistance to the senior population through a social work internship program. (Period: Two years)	<u>FP</u> <u>SB</u>	<u>MM</u>	<u>5</u>
<b>2013-434.</b> AUTHORIZE the Supervisor to execute an agreement with the Incorporated Village of Northport for the purpose of receiving funds to provide youth services.	<u>MC</u> <u>SB</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-435.</b> AUTHORIZE the Supervisor to execute an Inter-Municipal Agreement (IMA) with Asharoken and Northport Villages for the purpose of improving the water quality within the Northport Harbor Embayment. (Term: Five years)	<b><u>FP</u></b> <b><u>SB</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>
<b>2013-436.</b> AUTHORIZE the Supervisor to execute an agreement with VHB Engineering, Surveying and Landscape Architecture, P.C. to provide design engineering, surveying and mapping services for the Daly Road Traffic Calming Project. (Re: Grant funding from the NYS Department of Transportation Master Municipal MULTI-MODAL Program- MM Project ID # OMS163.30A)	<b><u>SB</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-437.</b> AUTHORIZE the Supervisor to execute an agreement with Christian Papa d/b/a Long Island Dog Specialists, Inc. for the remainder of the agreement for Broadview Dog Center, Inc.	<b><u>MM</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-438.</b> AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the AAA Transportation Program.	<b><u>MM</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-439.</b> AUTHORIZE the settlement of a lawsuit Re: 1345 New York Avenue, Huntington Station, NY, SCTM #0400-141-3-1. (New York Avenue Properties, LLC v the Town of Huntington) (Re: NYS eminent domain procedure law Index No. 2005/14265) (Re: Town of Huntington/Huntington Community Development Agency Index No. 2009-25027)	<b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-440.</b> AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Re: Stars Real Estate Holding Inc c/o A K Sharma, 110 East 10 <sup>th</sup> Street, Huntington Station, SCTM# 0400-146.00-03.00-127.000, Chapters 133, 156, 191; Nicholas/Linda D’Onofrio, 4 Carriage Court, Dix Hills, SCTM# 0400-262.00-01.00-145.000, Chapter 133, 156; Jung Don/Kyoung Mi Kim, 20 Kenmore Street, Dix Hills, SCTM# 0400-280.00-07.00-021.000, Chapters 133, 156, 191; Melvin/Regina Hurt, 6 Ryder Avenue, Dix Hills, SCTM# 0400-278.00-01.00-039.000, Chapter 133, 156; Philip/Deborah McLaughlin, 1 Denton Court, Huntington, SCTM# 0400-206.00-01.00-055.000, Chapter 156; Paulsen Realty Services LLC/CJ Associates Inc., 38 Gaines Street, Huntington, SCTM# 0400-096.00-03.00-053.002, Chapter 156; Richard Olivo Enterprises, Inc., 286A Nassau Road, Huntington, SCTM# 0400-098.00-01.00-025.000, Chapter 156)	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-441.</b> AUTHORIZE the Town of Huntington to sponsor a children’s Halloween Parade on Thursday, October 31, 2013. (Location: Gerard Street/Wall Street; Time: 4:00 PM – 5:00 PM)	<b><u>MC</u></b> <b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-442.</b> AUTHORIZE the issuance of a permit to extend the Operation of a “Haunted House” at 26 Pinelawn Road, Melville, New York. (Re: SCTM# 0400-255.00-01.00-012.000) (Extension includes the following dates & times: 10/26, 10/27, 10/30, 10/31, 11/1 and 11/2/2013 from 7:00 PM – 12:00 AM)	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-443.</b> <b>AUTHORIZE</b> the Director of Information Technology to enter into an agreement with Paypal, Inc. in connection with Huntington’s Geographic Information System (GIS) professional subscription service.	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2013-444.</b> <b>AUTHORIZE</b> the Town Attorney to continue the retention of an expert in Engineering (Conrad F. Pohlmann, P.E.). (Re: Modica v. Town of Huntington)	<u><b>MC</b></u>	<u><b>MM</b></u> <u><b>SB</b></u>	<u><b>5</b></u>
<b>2013-445.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts – various departments.	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2013-446.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts – Department of Environmental Waste Management.	<u><b>SB</b></u>	<u><b>MM</b></u>	<u><b>5</b></u>
<b>2013-447.</b> <b>AUTHORIZE</b> Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended green projects (multiple projects). (Re: Department of Engineering Services – Town South Parking Garage, Huntington LIRR Station/purchase and install induction lighting fixtures; Department of General Services-Town Hall, HART Bus, Boxer Court and Pulaski Road Maintenance Facility/purchase and install light emitting diode (LED) lighting fixtures)	<u><b>MC</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2013-448.</b> <b>AUTHORIZE</b> Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended park improvement (Woodbine Marina). (Re: Department of Maritime Services- dredging to ACOE-designed depth, 20 additional slips, new finger float design for ease of access, steel pilings, floating concrete dockage, and three boat pump-out stations)	<u><b>FP</b></u>	<u><b>MM</b></u> <u><b>SB</b></u>	<u><b>5</b></u>
<b>2013-449.</b> <b>AUTHORIZE</b> Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended Park Improvements (Coral Park). (Re: Develop new park with parking area, sidewalk, playground, basketball court, plaza/sitting area with picnic and chess/checker tables, perimeter pathway, fitness/cardio stations, irrigation, large open lawn/play area, traffic control/signal)	<u><b>SB</b></u> <u><b>EC</b></u> <u><b>FP</b></u> <u><b>MM</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2013-450.</b> <b>ACCEPT</b> a donation from the family and friends of Paul Maieski of a flagpole to be erected in Heckscher Park, Huntington with memorial bench and plaque in memory of Paul Maieski.	<u><b>FP</b></u>	<u><b>MM</b></u>	<u><b>5</b></u>
<b>2013-451.</b> <b>REMOVED FROM THE AGENDA AT THE WORKSHOP.</b>			
<b>2013-452.</b> <b>CO-SPONSOR</b> with the League for Animal Protection for free spay/neuter of Pit Bulls and Pit Bull mixes during National Pit Bull Awareness Month, October, 2013.	<u><b>MM</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-453.</b> <b>DIRECT</b> the Town of Huntington Highway Department and the Department of Engineering Services to inspect the roadways within the Map of Eaton Harbors Corp., Inc. (Re: North Harbor Road, South Harbor Road, Bayberry Road, Locust Lane, Winkle Point Drive, Old Winkle Point Drive, Cherry Lawn Lane and New Harbor Road)	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2013-454.</b> <b>DONATE</b> a surplus 1993 hard top regulator hull identification DJ123013C393 vessel to the Cold Spring Harbor Fire Department for now and the future to be used for fire department purposes.	<u><b>FP</b></u> <u><b>MM</b></u>	<u><b>SB</b></u>	<u><b>5</b></u>
<b>2013-455.</b> <b>ENACTMENT: AUTHORIZE</b> the Supervisor to execute a license agreement for the use of a portion of a Town recharge basin identified by SCTM No. 0400-143.00-02.00-(011.001 and 011.002) and establishing covenants and restrictions on property identified by SCTM No.: 0400-143.00-02.00-010.000 (100 8 <sup>th</sup> Avenue, Huntington Station, NY). (Re: Roger/Carol McNair)	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2013-456.</b> <b>ADOPT</b> the findings and determinations of the Administrative Hearing Officer and authorizing action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, actions by Town Board for failure to comply or abate violations. (Re: Thomas/Lisa LaTrace, 8 Stratford Avenue, Dix Hills, SCTM# 0400-281.00-02.00-007.000)	<u><b>SB</b></u>	<u><b>FP</b></u> <u><b>MM</b></u>	<u><b>5</b></u>
<b>2013-457.</b> <b>AUTHORIZE</b> appropriate actions(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & B: Kanic Realty Associates, 29 Little Neck Road, Centerport, SCTM# 0400-044.00-01.00-016.007; Eun Hee/Soon Ja Choi, 35 Vanderbilt Parkway, Dix Hills, SCTM# 0400-245-03-052; Alrose Larkfield LLC, 336 Larkfield Road, East Northport, SCTM# 0400-118.00-01.00-006.000; 1081 EJT LLC, 1055 East Jericho Turnpike, Huntington, SCTM# 0400-210.00-01.00-081.003)	<u><b>SB</b></u>	<u><b>MM</b></u> <u><b>FP</b></u>	<u><b>5</b></u>
<b>2013-458.</b> <b>ENACTMENT: ADOPT</b> Local Law Introductory No. 22-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions).	<u><b>FP</b></u> <u><b>MC</b></u>	<u><b>MM</b></u>	<u><b>5</b></u>
<b>2013-459.</b> <b>ENACTMENT: ADOPT</b> Local Law Introductory No. 23-2013, amending the Code of the Town of Huntington, Chapter 71 (Administrative Search Warrants), Section 71-3 (Application for Warrant).	<u><b>SB</b></u>	<u><b>EC</b></u> <u><b>MC</b></u> <u><b>FP</b></u>	<u><b>5</b></u>
<b>2013-460.</b> <b>ENACTMENT: ADOPT</b> Local Law Introductory Number 24-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A Re: Park Avenue at East Fifth Street and Telephonics Driveway, Huntington Station.	<u><b>FP</b></u> <u><b>SB</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-461. ENACTMENT: APPROVE</b> the issuance of a Special Use Permit pursuant to Chapter 137 (The Marine Conservation Law) Applicant: National Grid Generation LLC Location: Northport Power-Plant, Eaton's Neck Rd., Northport S.C.T.M. #0404-010.00-01.00-003.001 & 003.002.	<b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-462. ENACTMENT: APPROVE</b> the execution of an agreement with the Incorporated Village of Northport to furnish fire protection services for the Town of Huntington Fire Protection District No. 1, nunc pro tunc.	<b><u>FP</u></b>	<b><u>MM</u> <u>SB</u></b>	<b><u>5</u></b>
<b>2013-463. ENACTMENT: ADOPT</b> Local Law Introductory No. 26-2013, amending the Town Code of the Town of Huntington Chapter 156, Property Maintenance; Nuisances, Article VII, Blighted Property.	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-464. SCHEDULE A PUBLIC HEARING: October 15, 2013 at 6:00 PM</b> To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Leonard Alcosser/Jennifer Totten, 61 Bankside Drive, Centerport, SCTM# 0400-78-4-11.007; Maria Del Carmen Chavez, 307 Depot Road, Huntington Station, SCTM# 0400-151.00-01.00-047.000; One Thousand C LLC, 1000 West Jericho Turpike, Huntington, SCTM# 0400-189.00-01.00-001.000; Robert Bilski, 128 Wells Road, Northport, SCTM# 0400-114.00-03.00-099.000)	<b><u>SB</u></b>	<b><u>FP</u> <u>MC</u></b>	<b><u>5</u></b>
<b>2013-465. SCHEDULE A PUBLIC HEARING: October 15, 2013 at 6:00 PM</b> To consider adopting Local Law Introductory No. 27 - 2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Wolf Hill Road, Melville – Parking Restrictions.	<b><u>MM</u> <u>SB</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2013-466. RESCHEDULE A PUBLIC HEARING: October 15, 2013 at 6:00 PM</b> To consider issuing a Certificate of Approval in an Historic District Re: 20 East Main Street, Huntington – Old Huntington Green Historic District. (Applicant: Kelly DiVico) (SCTM# 0400-073.00-02.00-005.001)	<b><u>SB</u></b>	<b><u>MM</u></b>	<b><u>5</u></b>
<b>2013-467. AUTHORIZE</b> the Comptroller to appropriate funds from the Judgments and Claims Reserve – Town Attorney.	<b><u>SB</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>
<b>2013-468. DESIGNATE</b> November 30, 2013 as Small Business Saturday within the Town of Huntington.	<b><u>MM</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>

AGENDA FOR BOARD OF TRUSTEES'  
MEETING DATED: SEPTEMBER 17, 2013

RESOLUTIONS:

OFF. SEC. VOTE

2013-BT

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**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY  
MEETING DATED: SEPTEMBER 17, 2013**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2013-CD4. AUTHORIZE</b> the Chairman to execute an agreement with the Family Service League, Inc. for the provision of a Home Share Program for Huntington Residents. (Period: 4/1/2013 – 3/31/2014)	<u><b>FP</b></u>	<u><b>MM</b></u> <u><b>SB</b></u>	<u><b>5</b></u>
<b>2013-CD5. AUTHORIZE</b> the Chairman to execute an agreement with Long Island Housing Services, Inc. (Period: 4/1/2013 – 3/31/2014)	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2013-CD6. AUTHORIZE</b> the Chairman of the Community Development Agency to execute an agreement with Reach CYA, Inc. (Period: 4/1/2013 – 3/31/2014) (Re: Millennium Hills)	<u><b>MM</b></u> <u><b>MC</b></u> <u><b>SB</b></u>	<u><b>EC</b></u> <u><b>FP</b></u>	<u><b>5</b></u>
<b>2013-CD7. AUTHORIZE</b> the settlement of a Lawsuit (Re: 1345 New York Avenue, Huntington Station, NY SCTM #0400-141-3-1). (New York Avenue Properties, LLC v the Town of Huntington) (Re: NYS eminent domain procedure law Index No. 2005/14265) (Re: Town of Huntington/Huntington Community Development Agency Index No. 2009-25027)	<u><b>MC</b></u>	<u><b>MM</b></u> <u><b>FP</b></u>	<u><b>5</b></u>

# INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: SEPTEMBER 17, 2013

## COMMUNICATION

## ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:  
From: Eric Machado for 293 Main Inc., Corp. to be formed at 376 New York Avenue;  
From: Joseph Salvio for Goodfellows (602 Broadhollow Road, Melville);  
From: Jonathon Dawson for Corp to be formed (345 Main Street, Huntington);  

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:  
From: Dhanit Choladda for 273 New York Avenue Corp., Thai USA;  
From: Hae S. Park for HSP Holding Corp. Newstand Deli;  

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
3. Letter from Vincent Puleo, Town Clerk of the Town of Smithtown acknowledging receipt of notice of amendment to the Zoning Code and/or Map of the Town of Smithtown, adopted by the Town Board of Smithtown on August 15, 2013 re Zoning Petition #2012-09 submitted by Memorial Sloan Kettering Cancer Center, Inc. to amend certain conditions of approval for previous Change of Zone Petitions (#98-8 and #2000-13) so as to permit the construction of a 37,000 square foot expansion of an existing building and to remove some restrictions placed on the operation of the facility located on the east side of Commack Road, 200 feet north of Henry Street, Commack, NY, SCTM #0800-174-1-64.1.  

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
4. Letter received from Greenlawn Water District Board of Commissioners; attached for approval was a copy of the budget for 2014.  

cc: Comptroller
5. Letter received from Virginia Greene resigning from the Historic Preservation Commission.  

Supervisor  
Town Board  
Town Attorney  
cc: Town Historian
6. Letter received, addressed to Supervisor Petrone and members of the Town Board, from Richard Koubek, PhD., President of the Huntington Township Housing Coalition, expressing disappointment that the resolution accepting a settlement to build affordable, non-age restricted housing at the Sanctuary, Ruland Road, was removed from the August 13, 2013 Agenda.  

Supervisor  
Town Board  
Town Attorney  
cc: Community Development
7. Letter received from Richard B. Ward, requesting that the Town of Huntington exercise eminent domain to acquire Oak Tree Dairy, Inc. Property, Elwood.  

Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment

8. Letter received from Dr. Gregory Leteca, Mayor of the Village of Asharoken, urging the Town to approve the special use permit for National Grid to dredge the discharge channel seaward of mean high water line to re-establish design depth, etc.
- Supervisor  
Town Board  
Town Attorney  
Maritime Services  
cc: Planning & Environment
9. Notification received from Kerri O'Brien, Deputy Commissioner of the New York State Liquor Authority, advising of a Public Hearing to be held on 9/5/2013 at 11:00 am at 371 Lenox Avenue, NY, NY – 4<sup>th</sup> Floor regarding an on premise liquor license for Ideal Cheese Huntington d/b/a Ideal Cheese and Wine Café located at 308 Main Street in Huntington. The premises is located within a 500 foot radius of at least three other licensed and operating on-premise liquor establishments.
- Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Sewage Treatment Facility  
cc: Planning & Environment
10. Letter received from Sarah Lansdale, AICP, Director of the Suffolk County Department of Economic Development and Planning, advising of a scheduled informational meeting for prospective lease applicants. Attached was a copy of the Notice of Public Meeting, regarding Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay. The meeting will be held on 9/25/2013 from 4:00 PM – 6:00 PM in the first floor conference room of the Cornell Cooperative Extension Kermit W. Graf Building, 423 Griffing Avenue, Riverhead, New York.
- Supervisor  
Town Board  
Town Attorney  
Maritime Services  
Parks & Recreation  
cc: Planning & Environment
11. Postcard received from Frances and John Borrelli, opposing the down zoning and over development of the Oak Tree Farms on Elwood Road, Elwood.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
12. Memoranda received from Gail Devol, Village Administrator for Huntington Bay, regarding a Public Hearing to be held on September 9, 2013 at 7:30 PM at Huntington Yacht Club for A) 192 East Shore Road – replace existing bulkhead; requires site plan review B) 356 Bay Avenue – replace decking, siding and construct interior alterations; requires site plan review.
- Supervisor  
Town Board  
Town Attorney  
Maritime Services  
Engineering Services  
cc: Planning & Environment
13. Copy of the Public Notices from Richard Marino, Chairman of the Board of Zoning Appeals for the Incorporated Village of Laurel Hollow. The meeting will be held on 9/16/2013 at 7:00 PM at Village Hall. There will be 6 hearings involving the following properties: 1) 39 Woodvale Drive – setback issues; 2) 399 Cold Spring Road – setback issues; 3) 398 Cold Spring Road – setback issues; 4) 1256 Moore's Hill Road – floor area ratio issues; 5) 1244 Moore's Hill Road – building area/ floor area ratio issues; 6) 1454 Ridge Road – disturb a slope, floor area ratio, lot area ratio, and setback issues.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
14. Notice of Public Hearing received from the Village of Northport Board of Zoning Appeals, to be held on 9/18/2013 at 7:00 PM at Village Hall regarding variances for the following addresses in Northport: 119 Sea Cove Road, 11 Steers Avenue, 101 Oak Street, 156 Bayview Avenue, 41 Nautilus Avenue, 175 Bayview Avenue and 15 Bluff Point Road.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
15. Email forwarded from Councilman Cook's office from Abby Pariser in support of the Ruland Road agreement.
- Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment

16. Letter received from Susan Mullen, Clerk to the Board of Zoning Appeals for the Town of Smithtown, regarding an application received for property located at N/s Sunken Meadow Road, 451' E/o Bread & Cheese Hollow Road, Fort Salonga. The property is within 500' of the Town of Huntington boundary. Attached was a copy of the application, copy of the memorandum from the Smithtown Building Department to the Board of Zoning Appeals, a copy of the short environmental assessment form and a map. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
17. Email received from Liz Beach, Secretary/Treasurer for the Cold Spring Harbor Fire District, with a copy of a Public Notice for the Cold Spring Harbor Fire District Budget Workshop Meeting on September 16, 2013 at 6:30 PM at the firehouse. Supervisor  
Town Board  
cc: Town Attorney
18. Public Notices received from Board of Water Commissioners: A) Public Hearing scheduled on 9/5/2013 at 8:00 AM at the South Huntington Water District Office regarding the 2014 budget. B) Annual election for the Office of Commissioner of the South Huntington Water District (3 year term) to be held on 12/10/2013 at 75 Fifth Avenue South, Huntington Station from 3:00 PM – 9:00 PM. Supervisor  
Town Board  
cc: Town Attorney
19. Notice of Public Hearing received from Joy Nygren, Secretary to the Planning Board for Northport Village regarding a hearing to be held on 9/24/2013 at 7:00 PM at Village Hall. Hearing is to consider a site plan application for 809 Fort Salonga Road for a proposed use of retail and personal service space. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
20. Email received from NYS Division of Homeland Security and Emergency Services. Attached was a letter regarding an audit notification along with a Certification Form. Single audit requirements are necessary if the municipality expends \$500,000 or more in federal funding from ALL FEDERAL SOURCES during their fiscal period. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
21. Notification received from the Board of Commissioners of the Greenlawn Water District to amend Resolution number 28. The commissioners appointed Dorota Oliveau as a part time secretary for the Board of Commissioners for the Greenlawn Water District effective 7/8/2013 and appointed Dorota Oliveau as full time secretary to the Board of Commissioners for the Greenlawn Water District effective 8/29/2013. Supervisor  
Town Board  
cc: Town Attorney
22. Email received from Alex Lewis, Junior Associate of M Public Affairs, Inc. Attached was a copy of a letter from Clarke Bruno, Senior Vice President of Anabaric Transmission. The letter introduces and outlines the Poseidon Project and its benefit for the downstate region. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
23. Public Notice received from Liz Beach, Secretary/Treasurer for the Cold Spring Harbor Fire District advising the Budget Meeting will be held on 9/20/2013 at 5:30 PM at the Firehouse. Supervisor  
Town Board  
Town Attorney  
cc: Fire Prevention
24. Notice of Public Hearing received from the Huntington Manor Fire District for the annual 2014 budget. The meeting will be held on 10/15/2013 at 7:00 PM at the Fire Headquarters located at 1650 New York Avenue. Supervisor  
Town Board  
Town Attorney  
cc: Fire Prevention
25. Copy of the proposed 2014 Budget for the Melville Fire District was hand delivered. Supervisor  
Town Board  
Town Attorney  
cc: Fire Prevention

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH LASER INDUSTRIES, INC. FOR THE WOLF HILL ROAD PEDESTRIAN SAFETY IMPROVEMENT PROJECT

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Wolf Hill Road Safety Improvements Project will make Wolf Hill Road a more walkable community through the installation of continuous sidewalk along the north side of Wolf Hill Road between Old Country Road and Melrose Road. It is expected that the installation of sidewalk will promote non-vehicular traffic due to the increased safety provided for walking; and

WHEREAS, sealed bids were received on July 11, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the pedestrian improvements to Wolf Hill Road, Town of Huntington, New York Contract No. TTTS 2013-01/O-E, P.I.N. OT2492 and the same were opened publicly and read aloud; and

WHEREAS, Laser Industries, Inc., 1775 Route 25, Ridge, New York 11961 is the lowest responsive, responsible bidder; and

WHEREAS, the EOSPA Committee reviewed and voted to support a neighborhood enhancement nomination from the Director of Transportation and Traffic Safety at their August 13, 2013 meeting to provide partial funding to augment New York State grant and Town capital funding for pedestrian safety improvements to include sidewalk and curbs along Wolf Hill Road, in an amount not to exceed \$165,000; and

WHEREAS, these sidewalk improvements have been classified as an unlisted action under the State Environmental Quality Review Act; and

WHEREAS, the Department of Planning and the Environment has drafted an Environmental Assessment Form, Parts I, II and III and has not identified any significant adverse environmental impacts; 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.

NOW, THEREFORE, THE TOWN BOARD,

HEREBY FINDS that based upon a review of the EAF, Parts I, II and III, there will be no significant adverse impacts associated with these improvements and hereby issues a negative declaration; and

# 2013-415

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Laser Industries, Inc. for the pedestrian improvements to Wolf Hill Road, Town of Huntington, New York. The contract period shall be effective upon the execution of the contract for a twelve (12) month period, for an amount not to exceed the sum of FOUR HUNDRED THIRTEEN THOUSAND FIVE HUNDRED NINETY-SIX AND NO/100 (\$413,596.00) DOLLARS, and authorizes the Director of Transportation and Traffic Safety to execute change orders with an aggregate value up to 10%, to be charged to GT038 (Wolf Hill Road Pedestrian Safety) in an amount not to exceed TWO HUNDRED FORTY FIVE THOUSAND (\$245,000.00) DOLLARS, to TT5410-2783-GT038 in an amount not to exceed SEVENTY THOUSAND (\$70,000.00) dollars and to a neighborhood enhancement capital account to be funded from A-0870 Open Space Land and Park Improvements Reserve Fund in an amount not to exceed ONE HUNDRED SIXTY-FIVE THOUSAND (\$165,000.00) DOLLARS, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

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

Decrease the following appropriations:

B1990-1100	Contingency	\$46,000
B1990-4010	Contingency	\$24,000

Increase the following appropriations:

TT5410-2783	Curbs & Sidewalks	\$70,000
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VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013 - 416

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

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Town Board resolution 2010-330 authorized the Supervisor to apply for and receive grant funding from the New York State Department of Transportation Local Safe Streets and Traffic Calming (LSSTC) grant program; and

WHEREAS, the Town of Huntington was selected to receive grant funding from the New York State Department of Transportation LSSTC and has been assigned P.I.N. #OT2492 for the Wolf Hill Road Pedestrian Safety Improvement Project; and

WHEREAS, the Director of the Department of Transportation and Traffic Safety has recommended that the Town utilize a professional civil engineering consultant to provide construction support services for the Wolf Hill Road Pedestrian Safety Improvement; and

WHEREAS, the Department of Transportation and Traffic Safety solicited proposals from twelve (12) engineering firms selected from the Suffolk County Locally Driven Selection Arrangement (LDSA) List; and

WHEREAS, CASHIN ASSOCIATES, P.C. submitted the lowest responsive, responsible proposal to provide construction inspection services related to the Wolf Hill Road Pedestrian Safety Improvement Project ; and

WHEREAS, this contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18), and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with CASHIN ASSOCIATES, P.C. located at 1200 Veterans Memorial Highway, Hauppauge, NY 11788 to provide construction support services associated with the Wolf Hill Road Pedestrian Safety Improvement Project as set forth in the Scope of Services, in an amount

2013-416

not to exceed THIRTY ONE THOUSAND, EIGHT HUNDRED DOLLARS AND 00/100 (\$31,800.00) DOLLARS, and authorizes the Director of Transportation and Traffic Safety to execute change orders with an aggregate value up to 10% of the construction support services costs to be charged to the Capital Account # TT5410-2783-GT038, and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 417

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE ELECTRIC CHILLER REPLACEMENT FOR HUNTINGTON TOWN HALL, TOWN OF HUNTINGTON, NEW YORK WITH MICHAEL JAMES INDUSTRIES, INC, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the intent of this contract is to replace an existing electric chiller at the Town Hall Facility located at 100 Main Street, Huntington, New York; and

WHEREAS, sealed proposals were received on August 16, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the electric chiller replacement for Huntington Town Hall, Town of Huntington, New York, RFP 2013-08-009 and the same were opened and read aloud; and

WHEREAS, Michael James Industries, Inc., 11 Drew Ct., Ronkonkoma, New York 11779 is the lowest responsive, responsible proposer; and

WHEREAS, electric chiller replacement for Huntington Town Hall, Town of Huntington, 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, nunc pro tunc, to execute a contract, and any documents in connection and related therewith, with Michael James Industries, Inc. for electric chiller replacement for Huntington Town Hall, Town of Huntington, New York. The contract period shall be effective upon the execution of the contract for a twelve month term, for an amount not to exceed the sum of FOUR HUNDRED SEVENTY-EIGHT THOUSAND AND NO/100 (\$478,000.00) DOLLARS, to be charged to GS1997-2102 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-419

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE DESIGN SERVICES FOR THE RECONSTRUCTION OF HUNTINGTON TOWN DOCK ROUTE 110, HALESITE, NY 11743 WITH L.K. MCLEAN ASSOCIATES, P.C.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Dock consists of several floating timber dock structures and a long bulk head of approximately 1100 Feet in length. The Town dock consists of a transient float located between Harbor Club Restaurant and Ketewomoke Yacht Club (KYC), the KYC itself (Town land leased to the Club), Halesite Marina, and commercial dock to the North of Halesite Marina. The facility is owned by the Town of Huntington, operates from April 1 through November 1 of each year, and accommodates multiple transient boaters each day. Currently the decades old timber Town Dock is in disrepair; in particular the southernmost wooden bulkhead is in need of rehabilitation; and

WHEREAS, Professional Engineering Services are required to obtain a survey and NYSDEC permit for the entire Town Dock from Harbor Club Restaurant (Southern Survey Limit to the Halesite Fire Department (Northern Survey Limit); and

WHEREAS, Professional Engineering Services are required to Design and prepare Public Bid Documents to reconstruct the 340 foot long section of bulkhead located between Harbor Club Restaurant and Ketewomoke Yacht Club; and

WHEREAS, sealed proposals were received on August 30, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for Professional Engineering services for the reconstruction of Huntington Town Dock, Route 110, Halesite, NY 11743, RFP 2013-08-006 and the same were opened and read aloud; and

WHEREAS, L.K. McLean Associates, P. C. 437 South Country Road, New York 11719 is the lowest responsive, responsible proposer; and

WHEREAS, the EOSPA Committee reviewed and voted to support a park improvement nomination from the Director of Engineering Services at their September 10, 2013 meeting to fund professional engineering services, including surveying, borings, design, permitting, and preparation of bid documents as specified in L.K. McLean's proposal, in an amount not to exceed \$49,000, and

WHEREAS, information gathering (surveying) and design services for the reconstruction of Huntington town dock route 110, Halesite, NY 11743 is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1)(2) and (18), and therefore no further SEQRA review is required.

2013-419

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with L.K. McLean Associates, P. C. for the Professional Engineering services for the reconstruction of Huntington Town Dock, Route 110, Halesite, NY 11743. The contract period shall be effective upon the execution of the contract for 12 months, for an amount not to exceed the sum of FORTY NINE THOUSAND AND NO/100 (\$49,000.00) DOLLARS, to be charged to a park improvement capital account to be funded from A-0870 (Open Space Land and Park Improvements Reserve Fund) in an amount not to exceed FORTY NINE THOUSAND AND NO/100 (\$49,000.00) DOLLARS, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE HECKSCHER PARK AMPHITHEATER IMPROVEMENTS WITH WOODSTOCK CONSTRUCTION GROUP, LTD.

Resolution for Town Board Meeting Dated: September 17, 2013

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

WHEREAS, the Heckscher Park Amphitheater requires improvement in order to maintain the integrity of the structure and the area surrounding the building. The proposed work would include but not be limited to; PVC membrane flat roof, drainage, walkways, permeable pavers, grading, grass seating area, replacement of orchestra pit, irrigation and landscaping; and

WHEREAS, sealed bids were received on September 12, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Heckscher Park Amphitheater Improvements, Contract No. GS 2013-03/O-E and the same were opened publicly and read aloud; and

WHEREAS, Woodstock Construction Group, Ltd., 350 Lexington Ave, Oyster Bay, New York 11771 is the lowest responsive, responsible bidder; and

WHEREAS, pursuant to Town Board Resolution 2012-488, the improvements to the Heckscher Park Amphitheater was classified as a Type II action 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 Woodstock Construction Group, Ltd. for the Heckscher Park Amphitheater Improvements. The contract period shall be twelve (12) months effective upon the execution of the contract, for an amount not to exceed the sum of THREE HUNDRED FIFTY SIX THOUSAND FIVE HUNDRED SEVENTEEN AND 60/100 (356,517.60) DOLLARS, and authorizes the Director of Engineering to execute change orders with an aggregate value up to 5%, to be charged to GS7197-2103-03118, GS7197-2103-RS118, and EOSPA fund OS093, 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			<b>AYE</b>
Councilwoman Susan A. Berland			<b>AYE</b>
Councilman Eugene Cook			<b>AYE</b>
Councilman Mark A. Cuthbertson			<b>AYE</b>
Councilman Mark Mayoka			<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-421

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE 2013 REQUIREMENTS CONTRACT FOR STREETLIGHTING AND ELECTRICAL WORK WITH ANKER'S ELECTRIC SERVICE, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, sealed bids were received on August 29, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the 2013 requirements contract for streetlighting and electrical work, contract no. ES 2013-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, Anker's Electric Service, Inc., 10 South 5<sup>th</sup> Street, Locust Valley, New York 11560 is the lowest responsive, responsible bidder; and

WHEREAS, 2013 requirements contract for streetlighting and electrical work is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), (c)(2), and (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Anker's Electric Service, Inc. for the 2013 requirements contract for streetlighting and electrical work. The contract period shall be effective for a two (2) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-421

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-422

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

Resolution for Town Board Meeting Dated: September 17, 2013

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

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

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

WHEREAS, sealed bids were received on September 5, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the requirements contract for sports courts resurfacing and amenities, Contract No. GS 2013-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701 is the lowest responsive, responsible bidder; and

WHEREAS, requirements contract for sports courts resurfacing and amenities 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 requirements contract, and any documents in connection and related therewith, with The LandTek Group, Inc. for the requirements contract for sports courts resurfacing and amenities. The contract period shall be effective for a two (2) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-423

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

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

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

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

WHEREAS, the Highway Department, in conjunction with the Department of Purchasing, have reviewed and analyzed the aforementioned bids and is recommending the award of a contract to the lowest responsive, responsible bidder for each of the ten (10) bid items as detailed in Schedule A; and

WHEREAS, storm debris removal equipment services is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1) and (25), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, pursuant to Schedule A for storm debris removal equipment services. 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 three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 3            NOES: 1            ABSTENTIONS: 1

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>ABSTAINED</b>
Councilman Mark Mayoka	<b>NO</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-423

## SCHEDULE A

Bid No. TOH 13-09R-052

## Awardees:

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

2013- 423

**SCHEDULE A**

**Bid No. TOH 13-09R-052**

**Awardees:**

<b><u>Bid Item No.</u></b>	<b><u>Description</u></b>	<b><u>Company Name and Address</u></b>	<b><u>Hourly Rate Per Unit (Includes Equipment and Operator)</u></b>
8	Ten Wheel Truck with dump with, body in excess of sixteen cubic yards, and swing/demolition gate.	A & J Antorino Co., Inc. P.O. Box 557 183 New York Avenue Huntington, NY 11743	\$ 137.50/hr
9	Tractor/Trailer Truck with dump body in excess of thirty cubic yards and swing/demolition gate.	A & J Antorino Co., Inc. P.O. Box 557, 183 New York Avenue Huntington, NY 11743	\$ 150.00/hr
10	Tractor/Trailer Truck with dump body in excess of sixty cubic yards and swing/demolition gate. Walking floor not acceptable.	PrimeTime Trucking & Transportation Inc. 39A Park Lane Place Massapequa, NY 11758	\$ 235.00/hr

2013-423

**SCHEDULE A**

**Bid No. TOH 13-09R-052**

**Awardees:**

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

2013- 424

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR STORM RELATED FENCE REPAIR WITH THE LANDTEK GROUP, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, under this requirements contract, the Contractor shall provide all necessary labor, equipment and materials to perform fence repairs due to storm damage, typically in recharge basins. The items in this contract also include any clearing and subsequent restoration required to access the work site in accordance with Town of Huntington requirements and construction specifications; and

WHEREAS, sealed bids were received on September 5, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for storm related fence repair, contract no. TOH 13-09R-053 and the same were opened publicly and read aloud; and

WHEREAS, The LandTek Group, Inc., 235 County Line Road, Amityville, New York 11701 is the lowest responsive, responsible bidder; and

WHEREAS, storm related fence repair 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 requirements contract, and any documents in connection and related therewith, with The LandTek Group, Inc. for storm related fence repair. 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 three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-425

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH EACH OF THE LOWEST RESPONSIBLE BIDDERS FOR THE CATCH BASIN AND DRAINAGE STRUCTURE CLEANING SERVICES FOR BID ITEMS ONE THROUGH FOUR.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

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

WHEREAS, sealed bids were received on September 5, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the catch basin and drainage structure cleaning services, Bid No. TOH 13-09R-054 and the same were opened publicly and read aloud; and

WHEREAS, the Highway Department, in conjunction with the Department of Purchasing, have reviewed and analyzed the aforementioned bids and is recommending the award of a contract to the lowest responsive, responsible bidder for each of the four (4) bid items as detailed in Schedule A; and

WHEREAS, catch basin and drainage structure cleaning services is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, pursuant to Schedule A, for the catch basin and drainage structure cleaning services. 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 three (3) additional one (1) year periods under the same prices, terms and conditions, to be charged to those budgets required to implement the work, on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 425

**SCHEDULE A**

**Bid No. TOH 13-09R-054**

**Awardees:**

<b><u>Bid Item No.</u></b>	<b><u>Description</u></b>	<b><u>Company Name and Address</u></b>	<b><u>Hourly Rate Per Unit (Includes Equipment, Operator and Laborer)</u></b>
I	Clam-Shell Truck Type Service Zone 1	Uliano Enterprises, Inc. 50 Clinton Avenue Huntington, NY 11743	\$ 242.00/hr
II	Clam-Shell Truck Type Service Zone 2	P.C.W. Maintenance Corp. 114 Hillwood Drive Huntington Station, NY 11743	\$ 245.00/hr
III	Vacuum Truck type Service	Goff Trucking, Inc. 446A Lenox Road Huntington Station, NY 11746	\$ 224.50/hr
			<b><u>Hourly Rate Per Unit (Includes Equipment and Operator)</u></b>
IV	Dump Truck Type Service	A & J Antorino Co., Inc. P.O. Box 557 183 New York Avenue Huntington, NY 11746	\$ 135.00/hr

2013-426

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR LANDFILL GAS MONITORING AND RELATED ENGINEERING SERVICES AT THE TOWN OF HUNTINGTON EAST NORTHPORT LANDFILL WITH R & C FORMATION, LTD.

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington is required by a Record of Decision (ROD) to provide monitoring reports on Landfill Gas (LFG), as well as on the operation of LFG monitoring and control systems at its East Northport Landfill. This work has been provided by an outside consultant since the installation of an LFG control system in 1974, and the Town of Huntington periodically solicits competitive pricing; and

WHEREAS, Town Board Resolution 2011-503 authorized the execution of a contract with R & C Formation, Ltd. for landfill gas monitoring and related engineering services at the Town of Huntington East Northport Landfill and Town Board Resolution 2012-402 authorized the first one (1) year extension; and

WHEREAS, said requirements contract provides for two (2) additional twelve (12) month periods with no increase in the contract price or change in the terms and conditions; and

WHEREAS, R & C Formation, Ltd., 705 Bedford Avenue, Suite 2B, Bellmore, New York 11710 has requested the final 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 a final extension to the requirements contract, and any documents in connection and related therewith, with R & C Formation, Ltd. for landfill gas monitoring and related engineering services at the Town of Huntington East Northport Landfill. The extension period shall be effective for a twelve (12) month period commencing on December 8, 2013 to be charged A8166.4550, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013- 426

VOTE:                    AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE PROCESSING, RECYCLING AND MARKETING OF COMMINGLED AND DISCRETE POST CONSUMER PAPER PRODUCTS WITH OMNI RECYCLING OF WESTBURY, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town of Huntington will either collect or make available on a regular basis, commingled and discrete post-consumer paper products that are to be recycled rather than be disposed of by landfilling or incineration; and

WHEREAS, Town Board Resolution 2012-451 authorized the execution of a contract with Omni Recycling of Westbury, Inc. for the processing, recycling and marketing of commingled and discrete post-consumer paper products, RFP No. 2012-10-009; and

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

WHEREAS, Omni Recycling of Westbury, Inc., 7 Portland Ave., Westbury, New York 11590 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 Omni Recycling of Westbury, Inc. for the processing, recycling and marketing of commingled and discrete post-consumer paper products. The extension period shall be effective for one (1) year commencing on December 14, 2013, the revenue of which is to be deposited into Account No. SR 2651 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-428

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR INSURANCE BROKERAGE SERVICES WITH BORG & BORG INC. AS THE BROKER OF RECORD

Resolution for Town Board Meeting Dated: September 17, 2013

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

WHEREAS, the Town sought proposals from qualified insurance brokers to provide broker and consulting services for the Town's insurance needs and requirements for the Town's various properties, operations and organizations; and

WHEREAS, various types and levels of insurance are needed to protect the Town while meeting the enhanced level of operational service required in an efficient and cost effective manner; and

WHEREAS, Town Board Resolution 2010-338 authorized the execution of a contract with Borg & Borg Inc. for insurance brokerage services, RFP 2010-04-005; and

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

WHEREAS, Borg & Borg Inc., 148 East Main Street, Huntington, New York 11743-2909 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 contract, and any documents in connection and related therewith, with Borg & Borg Inc. for insurance brokerage services. The extension period shall be effective for one (1) year commencing on September 21, 2013, for an amount not to exceed the sum of THIRTY THOUSAND AND NO/100 (\$30,000.00) DOLLARS to be charged A1910-4150, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-429

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR HYDRAULIC REPAIRS AND PARTS – SELECTED ITEMS WITH DEPENDABLE REPAIR, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, in order to assure safe operation and performance of hydraulic equipment, the Town of Huntington is committed to maintaining safe and efficient vehicles and equipment that utilizes these specialty services; and

WHEREAS, Town Board Resolution 2012-429 authorized the execution of a contract with Dependable Repair, Inc., 18 Ranick Drive West, Amityville, New York 11701 for hydraulic repairs and parts – selected items, Bid No. TOH 12-09R-053; and

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

WHEREAS, Dependable Repair, Inc. 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 Dependable Repair, Inc. for hydraulic repairs and parts – selected items. The extension period shall be effective for one (1) year commencing on December 21, 2013 to be charged to the various operating budgets of the Town, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-430

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE TRAFFIC SIGNAL MAINTENANCE AND REQUIREMENTS CONTRACT WITH WELSBACH ELECTRIC CORP. OF L.I.

Resolution for Town Board Meeting Dated: September 17, 2013

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

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

WHEREAS, Town Board Resolution 2011-418 authorized the execution of a contract with Welsbach Electric Corp. of L.I. for traffic signal maintenance and requirements contract for the Town of Huntington, New York, Contract No. TTTS 2011-02 and Town Board Resolution 2012-368 authorized the first one (1) year extension; and

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

WHEREAS, Welsbach Electric Corp. of L.I., 300 Newton Road, Plainview, New York 11803 has requested the final 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 Welsbach Electric Corp. of L.I. for traffic signal maintenance and requirements contract for the Town of Huntington, New York. The extension period shall be effective for one (1) year commencing on October 25, 2013 to be charged to account B3310.4560 and/or TT3397-RS309-2775, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-431

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR HYDRAULIC REPAIRS AND PARTS WITH P & G FLEET SERVICES, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, Federal regulations require annual inspection, testing and certification of Hydraulic Bucket Trucks to assure safe operation and performance and the Town of Huntington is committed to maintaining safe and efficient vehicles and equipment that utilizes these specialty services; and

WHEREAS, Town Board Resolution 2012-369 authorized the execution of a contract with P & G Fleet Services, Inc., 40 Corporate Drive, Holtsville, New York 11742 for hydraulic repairs and parts, Bid No. TOH 12-06R-038; and

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

WHEREAS, P & G Fleet Services, Inc. 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 P & G Fleet Services, Inc. for hydraulic repairs and parts. The extension period shall be effective for one (1) year commencing on November 28, 2013 to be charged to the various operating budgets of the Town, 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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HOLZMACHER, MCLENDON & MURRELL, P.C. TO PROVIDE ENGINEERING SERVICES FOR THE INSTALLATION OF WATER MAINS AND APPURTENANCES ON HELLER COURT/BOCES, DIX HILLS, FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, the project will eliminate two dead-end water mains in the Dix Hills Water District connecting an existing dead-end main on BOCES property to another dead-end main through Heller Court creating a looped water main; and

WHEREAS, the creation of a looped water main will increase fire flow and improve the water quality; and

WHEREAS, H2M Group has submitted a project evaluation and proposal for engineering services to include: preliminary planning, easement acquisition & easement documents, field survey, design & bidding services, contract administration, construction observation, and map updates & valve sketches; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Holzmacher, McLendon & Murrell, P.C. (H2M Group), 575 Broad Hollow Road, Melville, New York 11747 to provide engineering services for the installation of water main and appurtenances for the Dix Hills Water District; for an amount not to exceed the sum of FIFTEEN THOUSAND NINE HUNDRED AND NO/100 (\$15,900.00) DOLLARS, to be charged to Capital Budget Item No. EG8397-2778-FB302, upon such terms and conditions acceptable to the Town Attorney.

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY COMMUNITY COLLEGE FOR THE PROVISION OF ASSISTANCE TO THE SENIOR POPULATION THROUGH A SOCIAL WORK INTERNSHIP PROGRAM

Resolution for Town Board Meeting dated: September 17, 2013

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

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the provision of assistance through a social work internship program with Suffolk County Community College will positively impact the senior population; and

WHEREAS, the Town of Huntington desires to assist students in obtaining hands on experience in particular clinical skills being taught in the classroom; and

WHEREAS, Suffolk County Community College will assume responsibility for planning, directing and implementing the educational program of the social work students; and

WHEREAS, entering into this contract for educational purposes is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Suffolk County Community College for the provision of assistance to the senior population through a social work internship program for a period of two years, and to execute any documents in connection and related therewith 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	<b>AYE</b>
Councilwoman, Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-434

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE INCORPORATED VILLAGE OF NORTHPORT FOR THE PURPOSE OF RECEIVING FUNDS TO PROVIDE YOUTH SERVICES

Resolution for Town Board Meeting Dated: September 17, 2013

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

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington Youth Bureau provides services to at-risk youth in the Incorporated Village of Northport through the Town's Youth Directions and Alternatives Youth Agency; and

WHEREAS, these services promote positive youth, family and community development with an emphasis on hard to reach youth through hands-on outreach methods; and

WHEREAS, the Incorporated Village of Northport has expressed its desire for the Huntington Youth Bureau through Youth Directions and Alternatives Youth Agency, to continue to provide these important and beneficial services to youth and families of the Village; and

WHEREAS, the execution of an agreement for the provision of youth services is not an action as defined by 6NYCRR 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Incorporated Village of Northport, 224 Main Street, Northport, NY, for the provision of youth services for an amount not to exceed the sum of SEVEN HUNDRED FIFTY AND NO/100 (\$750.00) DOLLARS to be recorded in Operating Budget Item A3833 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTER-MUNICIPAL AGREEMENT (IMA) WITH ASHAROKEN AND NORTHPORT VILLAGES FOR THE PURPOSE OF IMPROVING THE WATER QUALITY WITHIN THE NORTHPORT HARBOR EMBAYMENT

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, the Northport Harbor Water Quality Protection Committee (NHWQPC) is co-chaired by Frank Petrone, Supervisor, Town of Huntington, and Adrienne Esposito, Executive Director, Citizens Campaign for the Environment, and its municipal members included the Incorporated Village of Northport and the Incorporated Village of Asharoken; and

WHEREAS, affiliates on NHWQPC include representatives from Federal, State and County elected officials, as well as agencies from all three levels of government, environmental groups and organizations, community stakeholders and interested citizens who have been working together for more than three years in a collaborative effort to bring about an improvement in the water quality of the Northport Harbor Embayment and surrounding habitat; and

WHEREAS, one of the primary action-items on the NHWQPC goals matrix has been the execution of an IMA through which the Town and the Villages of Asharoken and Northport, as the municipal entities coterminous with the Northport Harbor Embayment, may act together to apply for various grants and undertake improvement projects for the benefit of the Northport Harbor Embayment; and

WHEREAS, this IMA is consistent with General Municipal Law of the State of New York, Section 119-o, which authorizes municipal entities to act jointly to take action on matters that impact residents across municipal boundaries; and

WHEREAS, Town Board believes improving water quality in the Northport Harbor Embayment, reducing pollution and protecting and enhancing our surrounding tidal wetlands, and actions such as preparation of a joint water quality improvement, protection and management plan with Northport and Asharoken, as well as developing uniform codes and similar activities as provided for in the IMA are in keeping with the spirit and intent of the General Municipal Law and in the interest of our residents; and

WHEREAS, the execution of this IMA is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.59(c)(18), (21) and (27), and therefore, no further SEQRA review is required.

NOW, THEREFORE

## THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute on behalf of the Town of Huntington a contract entitled, "Inter-Municipal Agreement, By, Between and Among, the Town of Huntington, the Village of Asharoken, and the Village of Northport" and any documents related therewith, for the purpose of improving the water quality of the Northport Harbor Embayment, for a term of five (5) years, subject to two (2) five-year extensions periods, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSENTIONS: 0

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark L. Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH VHB ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, P.C. TO PROVIDE DESIGN ENGINEERING, SURVEYING AND MAPPING SERVICES FOR THE DALY ROAD TRAFFIC CALMING PROJECT

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Town Board resolution 2006-716 authorized the Supervisor to apply for and receive grant funding from the New York State Department of Transportation Master Municipal MULTI-MODAL program; and

WHEREAS, the Town of Huntington was selected to receive grant funding from the New York State Department of Transportation Master Municipal MULTI-MODAL program (MM Project ID# OMS163.30A); and

WHEREAS, the Director of the Department of Transportation and Traffic Safety has recommended that the Town utilize a professional civil engineering consultant to provide survey and design services for the Daly Road Traffic Calming Project associated with the installation of new curb, sidewalk, traffic signals and additional traffic calming devices along Daly Road and Hauppauge Road; and

WHEREAS, the Department of Transportation and Traffic Safety solicited proposals from five (5) engineering firms; and

WHEREAS, VHB Engineering, Surveying and Landscape Architecture, P.C. submitted the lowest responsive, responsible proposal to provide engineering and surveying services related to the Daly Road Traffic Calming Project; and

WHEREAS, this contract is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18) and (c)(21), and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with VHB ENGINEERING, SURVEYING AND LANDSCAPE ARCHITECTURE, P.C. located at 2150 Joshua's Path, Suite 300 Hauppauge, NY 11788 to provide survey and design services associated with the installation of new curb, sidewalk, traffic signals and additional traffic calming devices as set forth in the Scope of Services, in an amount not to exceed THIRTY ONE THOUSAND, SIX HUNDRED DOLLARS AND 00/100 (\$31,600.00) DOLLARS, and authorizes the Director of Transportation and Traffic Safety

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to execute change orders with an aggregate value up to 10% of the design services costs to be charged to the Capital Budget Account # TT3397-2775-01305, and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH CHRISTIAN PAPA d/b/a LONG ISLAND DOG SPECIALISTS, INC. FOR THE REMAINDER OF THE AGREEMENT FOR BROADVIEW DOG CENTER, INC.

Resolution for Town Board Meeting Dated: September 17, 2013

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, Town Board Resolution 2012-401, authorized the Supervisor to execute an agreement with Broadview Dog Center, Inc. 25 Broadview Avenue, Kings Park, New York 11754, for dog behavior training and temperament testing for dogs at the Town of Huntington Animal Shelter, at the hourly rate of THIRTY (\$30.00) DOLLARS, and a maximum of THIRTY THOUSAND AND 00/100 (\$30,000) DOLLARS for a term of one (1) year; and

WHEREAS, Dominique Cipriani, President of Broadview Dog Center, 25 Broadview Avenue, Kings Park, New York 11754, has given notice to the Town of her request to assign this agreement to Christian Papa, d/b/a Long Island Dog Specialists, 559 DeWitt Avenue, North Babylon, New York 11703; and

WHEREAS, Christian Papa d/b/a Long Island Dog Specialists, Inc. has requested an agreement for dog behavior training and temperament testing of dogs in the Town of Huntington Animal Shelter for the remainder of the agreement to December 31, 2013 upon the same terms and conditions as the existing agreement; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Christian Papa d/b/a Long Island Dog Specialists, Inc., 559 DeWitt Avenue, North Babylon, New York 11703, for the remainder of the agreement authorized by Town Board Resolution 2012-401, with Broadview Dog Center, Inc. which terminates on December 31, 2013, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-438

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE AAA TRANSPORTATION PROGRAM

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the 2013 Adopted Suffolk County Budget includes SEVEN THOUSAND TWO HUNDRED AND EIGHTY SEVEN AND NO/100 DOLLARS (\$7,287.00) to expand essential transportation activities for seniors (shopping and medical appointments); and

WHEREAS, the funding for this service is being provided by the New York State Office for the Aging; and

WHEREAS, the Town wishes to secure the funding to allow the continuation and expansion of these services for the period of April 1, 2013 through March 31, 2014; and

WHEREAS, applying for and receiving funds, and the execution of documents in association with this program 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 apply for and receive funds from the County of Suffolk, in the amount of SEVEN THOUSAND TWO HUNDRED AND EIGHTY SEVEN AND NO/100 DOLLARS (\$7,287.00) to be recorded in the 2013 Operating Budget Account A4773 and to execute any documents in connection and related therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE:           AYES: 5   NOES: 0   ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SETTLEMENT OF A LAWSUIT  
(Re: 1345 NY Avenue, Huntington Station, NY, SCTM# 0400-141-3-1)

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, title to the above referenced property was the subject of a condemnation proceeding entitled, In the Matter of the Application of the Huntington Community Development Agency and the Town of Huntington to acquire certain real property located at 1345 New York Avenue, Huntington Station, New York, also known as SCTM# 0400-141-3-1 pursuant to the New York eminent domain procedure law (Index No. 2005/14265); and

WHEREAS, New York Avenue Properties, LLC (claimant) made a claim for compensation in connection with the condemnation of said property, title to which vested in the Town of Huntington on January 23, 2006, in a proceeding entitled, In the Matter of New York Avenue Properties, LLC. v. the Town of Huntington and the Huntington Community Development Agency (Index No. 2009-25027); and

WHEREAS, a demand was made by claimant in the approximate amount of \$3,245,955.00, inclusive of interest as of July 16, 2012; and

WHEREAS, an offer of settlement was made in the approximate amount of \$1,650,000.00, and

WHEREAS, the parties desire to settle said proceedings and a proposed Stipulation of Settlement has been negotiated on behalf of the Town of Huntington and the Huntington Community Development Agency by outside counsel, Twomey, Latham, Shea, Kelly, Dubin & Quartararo, LLP.; and

WHEREAS, this settlement is subject to the approval of the Town Board; and

WHEREAS, pursuant to the Community Development Agency Resolution 2002-CD4, on July 2, 2002, the Community Development Agency issued a negative declaration for the condemnation of 1345 New York Avenue, Huntington, New York, and therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue the following payments by check in settlement of this matter, as follows: Two Hundred Thousand and 00/100 (\$200,000.00) Dollars on November 15, 2013 to be applied against Operating Budget Item No. EG1997-2108-RS313; Two Hundred Thousand and 00/100 (\$200,000.00) Dollars on

December 15, 2013 to be applied against Operating Budget Item No. EG1997-2108-RS313; and, One Million Two Hundred and Fifty Thousand and 00/100 (\$1,250,000.00) Dollars plus Thirty-Seven Thousand Five Hundred 00/100 and (\$37,500.00) Dollars as and for interest, for a total amount of One Million Two Hundred and Eighty Seven Thousand Five Hundred and 00/100 (\$1,287,500.00) Dollars on March 31, 2014, upon receipt of settlement papers, therein, and upon such other terms and conditions as may be acceptable to the Town Attorney and authorizes the Town Attorney to execute or cause there to be executed all documents required to effectuate this settlement.

VOTE:                      AYES: 5                      NOES: 0                      ABSENTIONS: 0

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark L. Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-440

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: September 17, 2013

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

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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule 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>
110 East 10 <sup>th</sup> St. Huntington Sta., NY 11746	0400-146.00-03.00-127.000	Stars Real Estate Holding Inc. c/o A K Sharma	08/12/2013	PO Box 721 Syosset, NY 11791
4 Carriage Ct. Dix Hills, NY 11746	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio	09/09/2013	194 Smith St. Deer Park, NY 11729
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	08/16/2013	N/A
6 Ryder Ave. Dix Hills, NY 11746	0400-278.00-01.00-039.000	Melvin B. Hurt Regina T. Hurt	08/27/2013	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
6 Ryder Ave. Dix Hills, NY 11746	0400-278.00-01.00-039.000	Melvin B. Hurt Regina T. Hurt	08/27/2013	N/A

2013-440

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>
110 East 10th St. Huntington Sta., NY 11746	0400-146.00-03.00-127.000	Stars Real Estate Holding Inc. c/o A K Sharma	08/12/2013	PO Box 721 Syosset, NY 11791
4 Carriage Ct. Dix Hills, NY 11746	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio	09/09/2013	194 Smith St. Deer Park, NY 11729
1 Denton Ct. Huntington, NY 11747	0400-206.00-01.00-055.000	Philip T. Mc Lauchlin Deborah A. Mc Lauchlin	09/05/2013	N/A
38 Gaines St. Huntington, NY 11743	0400-096.00-03.00-053.002	Paulsen Realty Services LLC C J Associates Inc.	08/12/2013	PO Box 905 Farmingdale, NY 11735
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	08/16/2013	N/A
286A Nassau Rd. Huntington, NY 11743	0400-098.00-01.00-025.000	Richard Olivo Enterprises, Inc.	08/28/2013	285 Route 25A Rocky Point, NY 11778

2013-440

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
110 East 10th St. Huntington Sta., NY 11746	0400-146.00-03.00-127.000	Stars Real Estate Holding Inc. c/o A K Sharma	08/12/2013	PO Box 721 Syosset, NY 11791
20 Kenmore St. Dix Hills, NY 11746	0400-280.00-07.00-021.000	Jung Don Kim Kyoung Mi Kim	08/16/2013	N/A

2013-441

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON TO SPONSOR A CHILDREN'S HALLOWEEN PARADE ON THURSDAY, OCTOBER 31, 2013

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilman Cuthbertson, **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, in conjunction with the Huntington Village Business Improvement District, which will be sponsoring a "Safe Trick-or-Treat Program" on Halloween, Thursday, October 31<sup>st</sup>; the Town of Huntington will sponsor a Halloween Parade for children of all ages to march in and show their costumes; and

WHEREAS, participants will assemble at 4:00 p.m. in front of the Huntington Post Office and proceed to parade down Gerard Street, at 4:15 p.m. and conclude at the intersection of Main Street (25A) and Wall Street; and

WHEREAS, the sponsoring of a children's parade is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Town of Huntington to sponsor and conduct a Children's Halloween Parade to be held on Gerard Street and Wall Street in Huntington on Thursday, October 31, 2013 from 4:00 p.m. until 5:00 p.m.; and

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilma Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO EXTEND THE OPERATION OF A "HAUNTED HOUSE" AT 26 PINELAWN ROAD, MELVILLE, NEW YORK

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to operate a "haunted house" at 26 Pinelawn Road, Melville, New York 11747 bearing Suffolk County Tax Map #0400-255.00-01.00-012.000 on the 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, and 13<sup>th</sup> of October, 2013, from 7:00 p.m. until 12:00 a.m. and on the 14<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup>, 24<sup>th</sup> and 25<sup>th</sup> of October, 2013 from 7:00 p.m. until 12:00 a.m.; and

WHEREAS, §91-3 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events) provides that each permit for such an event may be issued for a term not to exceed six (6) days and that no more than two (2) permits may be issued per person or organization for each calendar year; and

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to extend the operation of the "haunted house" for the 26<sup>th</sup>, 27<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup> of October, 2013 and the 1<sup>st</sup> and 2<sup>nd</sup> of November, 2013, from 7:00 p.m. until 12:00 a.m.; and

WHEREAS, the issuance of a permit to extend the operation a haunted house is not an action as defined by 6 N.Y.C.R.R. 617.2(b), and therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the issuance of a permit to F & W Schmitts Farm for the operation of a haunted house on the 26<sup>th</sup>, 27<sup>th</sup>, 30<sup>th</sup>, and 31<sup>st</sup> of October, 2013 and the 1<sup>st</sup> and 2<sup>nd</sup> of November, 2013, from 7:00 p.m. until 12:00 a.m., upon the following terms and conditions:

1. F & W Schmitts Farm shall secure an extension of the bond to cover the event including the period of extension; and
2. There shall be full compliance with the Code of the Town of Huntington including but not limited to the requirements of the Department of Public Safety, the Department of Engineering Services, the Huntington Fire Marshal, the Melville Fire Department and the rules and regulations of all County, State and Federal agencies having jurisdiction; and

3. F & W Schmitts Farm shall secure a policy of insurance covering the event which names the Town as certificate holder and as an additional insured, by endorsement, on the policy, with a policy limit in the minimum amount of \$2,000,000.00 per occurrence and a Certificate of Insurance evidencing same shall be provided to the Town Attorney's Office; and
4. F & W Schmitts Farm shall execute a hold harmless agreement in favor of the Town of Huntington, its agents and employees in a form acceptable to the Town Attorney; and
5. All applicable permit and/or application fees and/or deposits shall be fully paid in accordance with the Code of the Town of Huntington; and
6. Any additional costs incurred by the Town of Huntington for labor; services and/or inspections in connection with or resulting from the event shall be fully reimbursed by F & W Schmitts Farm and shall be paid to the Huntington Town Clerk no later than November 8, 2013; and
7. Patrons of the haunted house attraction at F & W Schmitts Farm shall not be permitted to park vehicles on the property identified as Suffolk County Tax Map # 0400-257-03-009.005; 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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RESOLUTION AUTHORIZING THE DIRECTOR OF INFORMATION TECHNOLOGY TO ENTER INTO AN AGREEMENT WITH PAYPAL, INC. IN CONNECTION WITH HUNTINGTON'S GEOGRAPHIC INFORMATION SYSTEM (GIS) PROFESSIONAL SUBSCRIPTION SERVICE.

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town has developed a geographic information system (GIS) for use by the professional land use community which utilizes a convenient online payments and registration process that is efficient and reliable and designed to be supported, maintained, implemented and further developed exclusively on a user fees basis; and

WHEREAS, upon review of the present system's design features and examination of other comparable payment programs it has been determined that Paypal, Inc., has a greater capability of providing a higher level of online quality payment services than other providers in the industry; and

WHEREAS, Paypal, Inc., with its place of business at 2211 North First Street, San Jose, California, offers online payment services that provide a broader spectrum of technology that is compatible with the Town's GIS system and is superior in functionality to other providers in the industry; and

WHEREAS, the execution of this agreement 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 the Director of Information Technology to enter into an agreement for online payment services with Paypal, Inc., and any and all documents in connection therewith and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                      AYES: 5                      NOES: 0                      ABSENTIONS: 0

Supervisor Frank P. Petrone	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark L. Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: September 17, 2013

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

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

WHEREAS, Conrad F. Pohlmann, P.E. was previously retained by Town Board Resolution 2012-434 as an expert in the construction of a road runoff drainage system related to the matter of Modica v. Town of Huntington; and

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

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

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

NOW, THEREFORE,

THE TOWN BOARD

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

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

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  
DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

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 position:

A-1680-1100	Senior Programmer Analyst	\$16,279
B-3510-1100	Kennel Attendant	9,812
DB-5110-1100	Heavy Equipment Operator I	10,542
DB-5110-1100	Heavy Equipment Operator I	10,542
SR-8158-1100	Heavy Equipment Operator II	19,623

Adjust the following Appropriations:

A-1990-1100	Contingency	(\$16,279)
B-1990-1100	Contingency	(9,812)
DB-1990-1100	Contingency	(21,084)
SR-1990-1100	Contingency	(19,623)

2013-

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

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 DISTRICTS – DEPARTMENT OF ENVIRONMENTAL WASTE MANAGEMENT

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington Wastewater Disposal District maintains and operates a cesspool truck which is used to pump out the septic systems of twenty-six Town facilities including beaches and parks on a weekly basis; and

WHEREAS, the engine on this truck seized and requires replacement; and

WHEREAS, the Town facilities serviced by the truck still require regular pump outs during the time period needed to order and install the replacement engine; and

WHEREAS, the Town of Huntington owns, operates and maintains a Scavenger Waste Receiving Station at 65 Creek Road. A subcontractor was hired to remove and replace RBS #1, during the process unforeseen additional repairs were required; and

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

WHEREAS, this matter 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 Comptroller to amend the 2013 Operating Budget as follows:

Increase the following appropriation:

SS38133-4270	Motor Vehicle Repairs	\$15,000
SS38133-4520	Vehicle Repairs	\$15,000
SS38133-4990	Refuse Disposal Charges	\$25,000

Increase the following revenue:

SS32130-2130	Refuse & Garbage Charges	\$55,000
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VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED GREEN PROJECTS (MULTIPLE PROJECTS)

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Resolution No. 2008-481 was adopted at a meeting of the Town Board on August 26, 2008 and said resolution authorized the issuance of \$15,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$1 million was to be used for green renewable energy improvement projects, and

WHEREAS, the Town of Huntington Horizons 2020 Comprehensive Plan encourages implementation of green initiatives that promote desirable goals, such as reduced energy consumption and waste generation, and

WHEREAS, potential green projects are screened through the Huntington Renewable Energy Task Force (RETF), as provided by the Town Board-adopted criteria for the EOSPA Green Renewable Energy Improvement Projects Program, and

WHEREAS, the Director of Transportation and Traffic Safety prepared a nomination for 520 induction lights to replace high pressure sodium fixtures at the Huntington Train Station South Parking Garage for consistency with the North Parking Garage, for which LIPA rebates are available reducing potential project cost by \$50,960, that was supported by the RETF, and the EOSPA Committee reviewed and voted to support the green project nomination at its meeting of May 14, 2013 to provide funding in an amount not to exceed \$114,400, and

WHEREAS, the Director of General Services prepared a nomination for light emitting diode (LED) lights to replace 135 metal halide and old T-12 fluorescent fixtures at Town Hall, HART Bus Facility, Pulaski Maintenance Facility, and the Boxer Court Maintenance Facility, for which substantial LIPA rebates are available reducing potential project cost by \$42,040, that was supported by the RETF, and the EOSPA Committee reviewed and voted to support the green project nomination at its meeting of August 13, 2013 to provide funding in an amount not to exceed \$10,300, and

WHEREAS, the actions are classified Type II pursuant to SEQRA 6 NYCRR 617.5(c) (2 and 25) as they involve rehabilitation of existing buildings and purchase of furnishings and equipment and, therefore, no further SEQRA is required;

NOW, THEREFORE, BE IT

NOW, THEREFORE, BE IT

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

**DEPARTMENT OF ENGINEERING SERVICES**

*Town South Parking Garage, Huntington (LIRR) Station, not to exceed \$114,400*  
Purchase and install induction lighting fixtures

**DEPARTMENT OF GENERAL SERVICES**

*Town Hall, HART Bus, Boxer Court, and Pulaski Road Maintenance Facility, not to exceed \$10,300*  
Purchase and install light emitting diode (LED) lighting fixtures

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 448

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED PARK IMPROVEMENT (WOODBINE MARINA)

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town Board allocated EOSPA Program funding for the design of the Woodbine Marina by resolution #2011-220 on May 3, 2011, and

WHEREAS, the EOSPA Committee reviewed and voted to support a nomination from the Director of Maritime Services at its meeting of August 13, 2013 for EOSPA Park Improvement Program funding to support reconstruction of the Woodbine Marina, for which other capital funding was allocated by the Town Board on August 13, 2013, and

WHEREAS, the Town Board recognizes the Woodbine Marina is a significant park resource as one of only three Town marinas, and its reconstruction will involve dredging to Army Corps of Engineers (ACOE)-designed depth, facilitate boater movements and greater tidal flushing, enable additional slips and better boater access to them and to services, allow winter boat storage, and triple opportunity for what is presently the only public boat pump-out in Northport Harbor, thus will serve the needs of many Town residents and help improve harbor water quality, and

WHEREAS, the Town Board considered an environmental assessment form for an unlisted action to construct Woodbine Marina improvements by resolutions #2011-180 and #2011-185 for design and reconstruction and issued a Negative Declaration by resolution #2011-220 on May 3, 2011;

NOW THEREFORE, BE IT

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

**DEPARTMENT OF MARITIME SERVICES**

*Redevelopment of Woodbine Marina, Northport not to exceed \$125,000*

Provide partial funding to support development of new marina with improvements including, but not limited to dredging to ACOE-designed depth, 20 additional slips, new finger float design for ease of access, steel pilings, floating concrete dockage, and three boat pump-out stations

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 449

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

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland, **COUNCILMAN COOK,**  
**SUPERVISOR PETRONE, COUNCILMAN MAYOKA**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, by resolution #2012-259 on May 22, 2012 the Town Board appropriated funding toward development of Coral Park, including \$85,000 from the Neighborhood Parks Fund and \$50,000 from EOSPA Neighborhood Enhancement Program toward design and installation of a traffic signal and the Department of Engineering Services requested the necessary review and permits of the Suffolk County Department of Public Works (SCDPW) and the Town's request for the signal was denied, and

WHEREAS, the Coral Park design was modified to incorporate elements that will assist traffic calming at the park frontage and the Suffolk County Department of Public Works has issued a permit for the work, and

WHEREAS, the Director of Engineering Services has received a final estimate for the scope of work at Coral Park and additional funding was necessary for which a nomination was made to the EOSPA Committee, and

WHEREAS, the EOSPA Committee reviewed and voted to support a nomination from the Director of Engineering Services at its meeting of September 10, 2013 to reallocate the \$135,000 in traffic signal funding toward overall Coral Park development and to recommend an additional allocation not to exceed \$70,000 from the EOSPA Park Improvement Program to complete the project, and

WHEREAS, the Town Board issued a Negative Declaration for the development of Coral Park by resolution #2012-259 on May 22, 1012;

NOW THEREFORE, BE IT

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

**DEPARTMENT OF ENGINEERING SERVICES**

*Reallocation of \$135,000 signal funding to general project and provide additional funding to complete development of Coral Park, not to exceed \$70,000*

Develop new park with parking area, sidewalk, playground, basketball court, plaza/sitting area with picnic and chess/checker tables, perimeter pathway, fitness/cardio stations, irrigation, large open lawn/play area, traffic control/signal, and associated improvements at Coral Park, Huntington. Reallocation of \$85,000 from the Neighborhood Parks Fund and \$50,000 from EOSPA Neighborhood Enhancement for overall park development, plus an additional \$70,000 from EOSPA Park Improvement Program,

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2013-450

RESOLUTION ACCEPTING A DONATION FROM THE FAMILY AND FRIENDS OF PAUL MAIESKI OF A FLAGPOLE TO BE ERECTED IN HECKSCHER PARK, HUNTINGTON WITH MEMORIAL BENCH AND PLAQUE IN MEMORY OF PAUL MAIESKI

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, The Maieski Family and Friends has offered to donate one (1) flagpole to the Town of Huntington to be erected in Heckscher Park, Huntington, N.Y. Memorial bench and plaque will be installed at the base of the flagpole, In memory of Paul Maieski.

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 flagpole and memorial bench and plaque from The Maieski Family and Friends to be erected at Heckscher Park and thanks them for their generosity.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION TO CO-SPONSOR WITH THE LEAGUE FOR ANIMAL PROTECTION FOR FREE SPAY/NEUTER OF PIT BULLS AND PIT BULL MIXES DURING NATIONAL PIT BULL AWARENESS MONTH, OCTOBER, 2013.

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington recognizes that pet ownership is an experience of unconditional love and acceptance; and

WHEREAS, pet ownership is a responsibility of the owner to both the animal and to the community at large; and

WHEREAS, the Town of Huntington is desirous of encouraging the residents of Huntington to be responsible pet owners by reducing the unwanted pet population; and

WHEREAS, Town Board Resolution 2012-415 provided for the co-sponsoring with the League for Animal Protection for free spay/neuter of pit bulls and pit bull mixes during National Pit Bull Awareness Month which resulted in the successful placement of pit bulls in loving families; and

WHEREAS, in recognition of October 2013 as National Pit Bull Awareness Month, the Town of Huntington in cooperation with the League for Animal Protection seeks to sponsor a free spay/neuter program for Pit Bulls and Pit Bull mixes during the month of October, 2013; and

WHEREAS, co-sponsoring a free spay/neuter program in cooperation with the League for Animal Protection during National Pit Bull Awareness Month, October 2013 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 co-sponsors, with the League for Animal Protection, a program for the free spay/neuter of Pit Bull and Pit Bull mixes during National Pit Bull Awareness Month, October, 2013.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-453

RESOLUTION DIRECTING THE TOWN OF HUNTINGTON HIGHWAY DEPARTMENT AND THE DEPARTMENT OF ENGINEERING SERVICES TO INSPECT THE ROADWAYS WITHIN THE MAP OF EATON HARBORS CORP., INC. .

Resolution for Town board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, eight roadways within the Map of Eaton Harbors Corp., Inc. (North Harbor Road, South Harbor Road, Bayberry Road, Locust Lane, Winkle Point Drive, Old Winkle Point Drive Cherry Lawn Lane and New Harbor Road) require inspection by the Town of Huntington Highway Department and the Department of Engineering Services prior to dedication by the Town of Huntington; and

WHEREAS, Town Board acceptance is required for designation of roadways within the Town; and

WHEREAS, an inspection and assessment is required prior to acceptance by the Town of Huntington; and

WHEREAS, an inspection 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 DIRECTS the Town of Huntington Highway Department and the Town of Huntington Department of Engineering Services to inspect the roadways within the Map of Eaton Harbors, Corp.,

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-454

RESOLUTION DONATING A SURPLUS 1993 HARD TOP REGULATOR HULL IDENTIFICATION DJI23013C393 VESSEL TO THE COLD SPRING HARBOR FIRE DEPARTMENT FOR NOW AND THE FUTURE TO BE USED FOR FIRE DEPARTMENT PURPOSES

Resolution for Town Board Meeting dated: September 17, 2013

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

WHEREAS, the Town of Huntington Maritime Services Department recently procured new vessels; and

WHEREAS, the Maritime Services Department utilizes four vessels in monitoring of waterways;

WHEREAS, with the addition of the recent vessels the Maritime Services Department has five vessels rendering the fifth, the 1993 Hard Top Regulator Hull Identification DJI23013C393, as surplus; and

WHEREAS, the Cold Spring Harbor Fire Department indicated to the Town of Huntington that the Fire Department required a vessel for the Fire Department's duties and operations; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby donates to the Cold Spring Harbor Fire Department the 1993 Hard Top Regulator Hull Identification DJI23013C393 Vessel to the Cold Spring Harbor Fire Department for now and the future to be used for fire department purposes.

VOTE:	AYES: 5	NOES: 0	ABSTENTIONS: 0
Supervisor Frank P. Petrone		<b>AYE</b>	
Councilwoman Susan A. Berland		<b>AYE</b>	
Councilman Eugene Cook		<b>AYE</b>	
Councilman Mark A. Cuthbertson		<b>AYE</b>	
Councilman Mark Mayoka		<b>AYE</b>	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT FOR THE USE OF A PORTION OF A TOWN RECHARGE BASIN IDENTIFIED BY SCTM NO.: 0400-143.00-02.00-(011.001 and 011.002) AND ESTABLISHING COVENANTS AND RESTRICTIONS ON PROPERTY IDENTIFIED BY SCTM NO.: 0400-143.00-02.00-010.000 (100 8<sup>th</sup> AVENUE, HUNTINGTON STATION, NY)

Resolution for Town Board Meeting dated: September 17, 2013

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Roger and Carol McNair are the owners of property located at 100 8<sup>th</sup> Avenue, Huntington Station, New York and bearing SCTM No.: 0400-143.00-02.00-010.000; and

WHEREAS, the Town of Huntington is the owner of adjoining land located along 8<sup>th</sup> Avenue in Huntington Station, identified by SCTM No.: 0400-143.00-02.00-(011.001 and 011.002) which is currently being used as a recharge basin by the Highway Superintendent; and

WHEREAS, a portion of a 4.75 feet by 5.5 feet concrete slab; an exterior electrical outlet box and associated wiring/equipment; and a portion of the concrete patio surrounding an inground swimming pool has been determined to be at a location that is beyond the easterly boundary line of the McNair property and intrudes into land owned by the Town of Huntington; and

WHEREAS, the Superintendent of Highways has indicated that the existence of these encroachments upon land used as a recharge basin does not, at the present time, create an obstruction or impedes the ability of the Superintendent to adequately operate and maintain the recharge basin; and

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 9th day of July, 2013 at 2:00 p.m. to consider entering into a License Agreement so as to authorize Roger and Carol McNair, owners of adjoining property identified by SCTM No.: 0400-143.00-02.00-010.000, their heirs and assigns, to continue to maintain a portion of a 4.75 feet by 5.5 feet concrete slab; an exterior electrical outlet box and associated wiring/equipment; and a portion of the concrete patio surrounding an inground swimming pool, all beyond the easterly property line of their premises onto land identified by SCTM No.: 0400-143.00-02.00-(011.001 and 011.002) owned by the Town of Huntington; and due deliberation having been had,

HEREBY authorizes the Supervisor to execute a license agreement, under a reservation of rights, so as to authorize Roger and Carol McNair, owners of adjoining property identified by SCTM No.: 0400-143.00-02.00-010.000, their heirs and assigns, to continue to maintain a portion of a 4.75 feet by 5.5 feet concrete slab; an exterior electrical outlet box and associated

wiring/equipment; and a portion of the concrete patio surrounding an inground swimming pool, all beyond the easterly property line of their premises onto land identified by SCTM No.: 0400-143.00-02.00-(011.001 and 011.002) owned by the Town of Huntington, on the following terms and conditions:

- (1) The encroachments are authorized to remain only for as long as same shall stand, and said authorization may be revoked and the encroachments removed at any time without recourse by the property owner and at owner's expense if it should be deemed necessary by the Town or Highway Superintendent to improve, repair, expand or alter the recharge basin, adjacent sidewalk, street or roadway; or if said encroachments, either singly or collectively, is/are deemed a danger or a hazard or a nuisance to persons or property; or if the License Agreement is breached by the applicant, his successors and/or assigns; and
- (2) Upon the payment of \$500 for each year, or part thereof, any portion of the encroachments continue; and
- (3) Upon the inclusion of a hold harmless clause in the License Agreement and the provision of liability insurance for each year, or part thereof, any portion of the encroachments continue; and
- (4) The execution of a Declaration of Covenants and Restrictions by the Owners incorporating the provisions of the License Agreement therein, and the filing of same against the property by the Owners at their own cost and expense; and
- (5) On such other terms and conditions as deemed necessary by the Town Attorney to effectuate the intent of the Town Board and to protect the Town's interests.

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.

RESOLUTION ADOPTING THE FINDINGS AND DETERMINATIONS OF THE ADMINISTRATIVE HEARING OFFICER AND AUTHORIZING ACTION(S) IN ACCORDANCE WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, §156-67, ACTION BY TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS

Resolution for Town Board Meeting dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

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

WHEREAS, by prior resolutions the Town Board has designated various properties as blighted and to be public nuisances; and

WHEREAS, the property owners listed on Schedule "A" to this Resolution have received notices and have been given opportunities to be heard and to exercise their due process rights to object to the actions proposed to be taken by the Town or to correct the blight and nuisance conditions on their property; and

WHEREAS, the property owners entered into a Restoration Agreement with the Town but failed to take steps to remedy the conditions of blight upon their property and have been evaluated and considered for further action(s) to be taken at a public hearing and were referred by the Town Board to a hearing before an Administrative Hearing Officer; and

WHEREAS, after conducting an Administrative Hearing, and hearing testimony and evidence, the Administrative Hearing Officer has rendered findings and determinations which are attached hereto as Schedule "B"; and

WHEREAS, the Town Board wishes to adopt the findings and determinations of the Administrative Hearing Officer and to authorize the actions recommended by the Administrative Hearing Officer; and

WHEREAS, pursuant to its authority under §64 and §130 of New York State Town Law, Municipal Home Rule Law §10, New York Executive Law §382 and the Code of the Town of Huntington, the Town Board wishes to authorize certain actions to remedy blight conditions; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY ADOPTS the findings and determinations contained in the attached Schedule "B"; and

HEREBY DIRECTS the Town Attorney's Office to provide a copy of this Resolution and its attachments to the subject property owners and notify them of the actions to be taken and the charges to be assessed on their Real Property Tax Bill; and

HEREBY DIRECTS the Director of General Services to carry out the recommended actions of the Administrative Hearing Officer as directed by the Town Attorney and to provide a record of all costs incurred in carrying out said actions to the Town Attorney's Office; and

HEREBY DIRECTS the Receiver of Taxes to assess all costs and expenses associated with the measures authorized by this Resolution upon the Real Property Tax Bills of the subject property, upon receipt of such costs and expenses from the Town Attorney's Office; and

FURTHER DIRECTS the Town Attorney to provide ten (10) days prior notice to the property owners of the property listed on Schedule "A" to this Resolution that structure(s) upon their property are being scheduled for demolition at their sole expense.

VOTE:                    AYES:5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

**ADOPTING THE FINDINGS AND DETERMINATIONS OF  
THE ADMINISTRATIVE HEARING OFFICER AND AUTHORIZING ACTION**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 20	8 Stratford Avenue Dix Hills, NY 11746	0400-281.00-02.00-007.000	Thomas LaTrace Lisa LaTrace 8 Stratford Avenue Hills, NY 11746 Dix	9/3/2013	\$2,500.00

# **TOWN OF HUNTINGTON**

**Eric Sachs**  
**Administrative Law Judge**

**Hearing held on**  
**September 10, 2013**

## **DECISION**

8 Stratford Avenue, Dix Hills, New York 11746  
SCTM: 0400-281.00-02.00-002.000

FINDINGS: All Notices required by law to put the record owners, Lisa LaTrace and Thomas LaTrace, on notice that their property was the subject of a Demolition Proceeding as authorized by the Huntington Town Board and scheduled for September 10, 2013, were properly filed, written and served.

Lisa LaTrace and Thomas LaTrace voluntarily failed to appear or be represented at the Hearing scheduled for September 10, 2013.

The Court, pursuant to Town Board Resolution 2013-359, has jurisdiction over the property and proceedings regarding 8 Stratford Avenue, Dix Hills, New York and finds it to be a blighted property pursuant to the findings and exhibits.

It is hereby determined that:

The structure on the property is to be demolished down to the first wooden platform, and all remaining freestanding units, also be demolished and debris removed. If after a determination by a civil engineering professional that the cinder block foundation is unsafe, unsound and in danger of collapse, the foundation should be collapsed, the debris removed and the site filled in or any other appropriate procedure.

In addition, through testimony there was reference to an exposed pipe at the same location. It is directed that the site of the exposed pipe be excavated and removal of that pipe and a further determination as to purpose and destination of the referenced exposed pipe, whether it to a septic system, dry well, cesspool, catch basin or other structure. It is also directed that a further determination by a professional as to the safety and soundness of that structure be made, and the structure be demolished and filled in, if necessary.

It is directed that proper safeguards be taken by the Town of Huntington including but not limited to fencing, debris removal, and any other hazard.

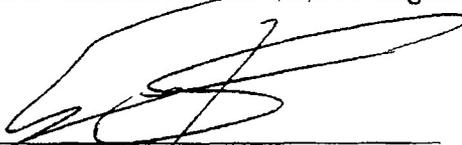
TOWN OF HUNTINGTON  
100 Main Street, Huntington, New York 11743-6904  
Phone (631) 351-3042 Fax (631) 351-3032

**SCHEDULE B**

# **TOWN OF HUNTINGTON**

Page 2 of 2  
8 Stratford Ave., Dix Hills

It is directed that the cost of the demolition and debris removal be borne by the owners of the property Lisa LaTrace and Thomas LaTrace, and applied to the Real Property Tax Bill for collection, pursuant to in addition to the \$2,500 blight assessment for the year 2013.



ERIC SACHS  
Administrative Law Judge

TOWN OF HUNTINGTON  
100 Main Street, Huntington, New York 11743-6904  
Phone (631) 351-3042 Fax (631) 351-3032

**SCHEDULE B**

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

Resolution for Town Board Meeting dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

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

WHEREAS, on August 13, 2013 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties have been evaluated and considered for further action(s) to be taken at a public hearing held on August 13, 2013; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" to this Resolution; and

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

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

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

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

VOTE:                    AYES: 5        NOES: 0        ABSTENTIONS:        0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE(S)	ANNUAL REGISTRATION FEE
Exhibit 96	29 Little Neck Road Centerport, NY 11721	0400-044.00-01.00-016.007	Kanic Realty Associates 10 Gilbert Street Northport, NY 11768	8/2/2013	\$2,500
Exhibit 24	35 Vanderbilt Parkway Dix Hills, NY 11746	0400-245-03-052	Eun Hee-Choi Soon Ja Choi 35 Vanderbilt Parkway Dix Hills, New York 11746	5/7/2013, 8/15/2013	\$2,500
Exhibit 86	336 Larkfield Road East Northport, NY 11731	0400-118.00-01.00-006.000	Alrose Larkfield LLC Station Plaza Woodmere, NY 11598-2163	5/23/2013, 8/26/2013	\$2,500
Exhibit 95	1055 E. Jericho Tpke. Huntington, NY 11743	0400-210.00-01.00-081.003	1081 EJT LLC 1055 E. Jericho Tpke. Huntington, NY 11743	8/15/2013	\$5,000

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE(S)	DATE PUBLIC HEARING HELD
Exhibit 96	29 Little Neck Road Centerport, NY 11721	0400-044.00-01.00-016.007	Kanic Realty Associates 10 Gilbert Street Northport, NY 11768	8/2/2013	8/13/2013
Exhibit 24	35 Vanderbilt Parkway Dix Hills, NY 11746	0400-245-03-052	Eun Hee-Choi Soon Ja Choi 35 Vanderbilt Parkway Dix Hills, New York 11746	5/7/2013, 8/15/2013	8/13/2013
Exhibit 86	336 Larkfield Road East Northport, NY 11731	0400-118.00-01.00-006.000	Alrose Larkfield LLC 1 Station Plaza Woodmere, NY 11598-2163	5/23/2013, 8/26/2013	8/13/2013
Exhibit 95	1055 E. Jericho Tpke. Huntington, NY 11743	0400-210.00-01.00-081.003	1081 EJT LLC 1055 E. Jericho Tpke. Huntington, NY 11743	8/15/2013	8/13/2013

**Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing Actions  
by Town Board - Properties Previously Cited for Blight;  
Currently in Compliance or Party to Restoration Agreement**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE(S)	DATE PUBLIC HEARING HELD
Exhibit 83	50 West Neck Road Huntington, NY 11743	0400-070.00-05.00-029.000	Nelson F. Chang Helen H. Chang 3 Sunset Crest Dix Hills, NY 11746	3/5/2013, 07/30/2013	8/13/2013
Exhibit 94	81 Ciro Street Huntington, NY 11743	0400-170.00-02.00-029.000	Dorothy Schock 81 Ciro Street Huntington, NY 11743	6/12/2013	8/13/2013
Exhibit 97	575 Elwood Road E. Northport, NY 11731	0400-171.00-02.00-002.002	Eric G. Logan 12 Wake Robin Road Westport, CT 06880-6203	8/5/2013	8/13/2013

2013-458

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 22 -2013, AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 1 (GENERAL PROVISIONS)

Resolution for Town Board Meeting dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone  
Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, this amendment of the Uniform Traffic Code is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(25), and, therefore, no further SEQRA review is required; and

THE TOWN BOARD having held a public hearing on the 13<sup>th</sup> day of August 2013, at 7 p.m. to consider adopting Local Law Introductory No. 22-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), and due deliberation being had,

HEREBY ADOPTS

Local Law Introductory No. 22-2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), as follows:

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

LOCAL LAW NO. 22 -2013  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 1 (GENERAL PROVISIONS)

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 1 (GENERAL PROVISIONS)

\* \* \*

ARTICLE III  
(ENFORCEMENT; PENALTIES)

\* \* \*

§1-7. Penalties.

Any person or business entity who commits any acts in violation of any provision of the Uniform Traffic Code shall be deemed to have committed an offense against this Code

and shall be liable for such violation and the penalty therefor and shall, upon conviction thereof, be subject to a fine or penalty or imprisonment as follows:

(A) [Fifty dollars (\$50)] Zero dollars (\$0) for the first offense; twenty-five dollars (\$25) for the second offense; fifty dollars (\$50) for each and every offense thereafter: §3-6(A) and (D); 3-7. [4-3(F)(2)]

(B) Fifty dollars (\$50): §4-3(F)(2).

[(B)] (C) One hundred dollars (\$100) for the first offense; One Hundred fifty dollars (\$150) for the second offense; One hundred seventy-five dollars (\$175) for each and every offense thereafter: §3-2; §3-3(A), (D) and (E); §3-6(C)(5); §4-1(A)(1) and (C); §4-3(B), (C), (E)[;], (F)(1) and (F)(7); §4-12; §4-13; §4-14; §4-15.

[(C)] (D) Two hundred dollars (\$200): §2-2; §2-3; §3-3(C); §4-1(A)(5); §4-2(C); §4-3(F)(6) .

[(D)] (E) Two hundred dollars (\$200) and the violator shall be required to remove the vision obstruction: §6-7.

[(E)] (F) Two hundred dollars (\$200) (fire zones, hydrants and fire stations): §3-3(B); §4-1(A)(2); §4-1(B); [§4-3(F)(5).7] §4-3(F)(5).

[(F)] (G) Two hundred dollars (\$200) in addition to the mandatory surcharge imposed by the State of New York (handicapped parking, transfer areas, access aisles): §3-13(A) and (B); §4-1(A)(3) and (A)(4); §4-2 (A) and (B); §4-3(F)(3) and (F)(4).

[(G)] (H) Two hundred [and] fifty dollars (\$250): §5-1(A) and (B).

[(H)] (I) Not less than two hundred dollars (\$200) and not more than seven hundred [and] fifty dollars (\$750): §5-2.

[(I)] (J) Five hundred dollars (\$500) for each infraction and automatic revocation of the handicapped parking permit: §6-8

[(J)] (K) Not less than one hundred dollars (\$100) and not more than two hundred [and] fifty dollars (\$250): §3-10; §3-11(A) and (B).

[(K)] (L) One hundred dollars (\$100) for the first offense and two hundred dollars (\$200) for each subsequent offense. Each day or part thereof the offense continues shall be deemed a separate offense: §3-12.

[(L)] (M) Misdemeanor punishable by a fine or penalty of not more than two thousand five hundred dollars (\$2,500), or by imprisonment not exceeding six (6) months, or by both such fine and imprisonment: §3-6(E) and (F).

[(M)] (N) Not less than two hundred fifty dollars (\$250) and not more than one thousand (\$1,000) dollars[.]: §2-11

[(N)] (O) In addition to the penalties set forth in this Chapter, any vehicle parked, left standing or stopped in violation of any provision of the Uniform Traffic Code on any street, highway, Town parking field, private parking field listed in Schedule K, or in any shopping center or facility comprising five or more retail stores and having twenty (20) or more off-street parking spaces shall be subject to removal in accordance with the provisions of Chapter 6, Miscellaneous Provisions.

\* \* \*

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, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THIS RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-459

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 23-2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 71 (ADMINISTRATIVE SEARCH WARRANTS), SECTION 71-3 (APPLICATION FOR WARRANT)

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: COUNCILWOMAN BERLAND

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

THE TOWN BOARD having held a public hearing on the 13<sup>th</sup> day of August, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 23-2013 amending the Code of the Town of Huntington, Chapter 71 (Administrative Search Warrants), Section 71-3 (Application for Warrant), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 23 -2013 amending the Code of the Town of Huntington Chapter 71 (Administrative Search Warrants) Section 71-3 (Application for Warrant).

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

LOCAL LAW NO. 23 - 2013  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 71 (ADMINISTRATIVE SEARCH WARRANTS  
SECTION 71-3 (APPLICATION FOR WARRANT)

Section 1. Chapter 71 of (Administrative Search Warrants) is hereby amended to read as follows:

CHAPTER 71  
ADMINISTRATIVE SEARCH WARRANTS

\* \* \*

Section 71-3. Application for Warrant.

The Town Attorney of the Town of Huntington, or his designee, is authorized to make application to any court of competent jurisdiction for the issuance of an administrative search warrant in order to conduct an inspection of any premises where the owner refuses or fails [, after due notice by certified mail,] to allow an inspection of its premises and where there is reasonable cause to believe that a violation of the Code of the Town of Huntington has occurred.

\* \* \*

Section 2 Severability.

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

Section 3 Effective Date.

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

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 24-2013  
 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
 CHAPTER 2, ARTICLE I, §2-1, SCHEDULE A.  
 RE: PARK AVENUE AT EAST FIFTH STREET AND TELEPHONICS DRIVEWAY,  
 HUNTINGTON STATION

Resolution for Town Board Meeting dated: September 17, 2013

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 13<sup>th</sup> day of August, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 24-2013 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. 24-2013 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. 24 - 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.

<u>LOCATION</u>	<u>DESCRIPTION OF SIGNAL</u>
ADD: Park Avenue at East Fifth Street and the Telephonics Driveway (HUS)	Full-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.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2013-461

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT  
PURSUANT TO CHAPTER 137 (THE MARINE CONSERVATION LAW)  
APPLICANT: NATIONAL GRID GENERATION LLC  
LOCATION: NORTHPORT POWER-PLANT, EATON'S NECK RD., NORTHPORT  
S.C.T.M. #: 0404-010.00-01.00-003.001 &003.002

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of  
Huntington, an application for a special use permit has been submitted by  
National Grid Generation LLC  
175 East Old Country Rd.  
Hicksville, N.Y. 11801

to dredge the discharge channel seaward of mean high water line to re-establish design  
depths to maintain adequate flow of cooling and discharge water , nourish Asharoken  
Beach, and provide adequate depths for navigation at Northport Power Plant. SCTM  
#0400-010-01-003.001& 003.002; and

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

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

THE TOWN BOARD, having held a public hearing on the 17th day of September, 2013, at  
2:00 p.m. to consider the issuance of a special use permit to National Grid Generation LLC  
of 175 East Old Country Rd., Hicksville, N.Y. 11801, S.C.T.M. # #0400-010-01-  
003.001& 003.002 to dredge the discharge channel seaward of mean high water line to  
re-establish design depths to maintain adequate flow of cooling and discharge water ,  
nourish Asharoken Beach, and provide adequate depths for navigation at the Northport  
Power Plant; and due deliberation being had;

NOW, THEREFORE, THE HUNTINGTON TOWN BOARD

HEREBY RESOLVES, that based upon the review of the Environmental Assessment  
Form (EAF) submitted by the applicant, and the SEQRA review prepared by the Town

2013-461

Department of Maritime Services, the issuance of the permit and the provision of access do not pose a significant adverse environmental impact; and hereby issues a negative declaration; and

IT IS FURTHER RESOLVED, that a Special Use Permit under Chapter 137 of the Code of the Town of Huntington is hereby granted to National Grid Generation LLC of 175 East Old Country Rd., Hicksville, N.Y. 11801, S.C.T.M. # #0400-010-01-003.001& 003.002 to dredge the discharge channel seaward of mean high water line to re-establish design depths to maintain adequate flow of cooling and discharge water , nourish Asharoken Beach, and provide adequate depths for navigation at the Northport Power Plant subject to the following terms and conditions.

- 1) Applicant must notify the Dept. of Engineering Services & Dept. of Maritime Services a min. of 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions (fax) at (631) 351-3373& (631) 351-3132; and
- 2) All construction equipment, vehicles or material deliveries shall access the project site via the applicant/owner own property. No construction equipment, vehicles or material deliveries are permitted to trespass upon or transverse other adjacent properties; and
- 3) All activities must be conducted in conformance with the approved New York State DEC Tidal Wetlands Permit and associated approved plans prepared by National Grid Engineering.; and
- 4) The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits and approvals; and
- 5) No materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas unless previously approved as part of the beach nourishment aspect of this project; and
- 6) Any debris or excess material from this project shall be removed from the site in a timely manner to an approved upland area for disposal; and
- 7) All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
- 8) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
- 9) All required Town of Huntington inspections shall be scheduled by the applicant at

Page 2 of 3



2013- 462

ENACTMENT: RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE INCORPORATED VILLAGE OF NORTHPORT TO FURNISH FIRE PROTECTION SERVICES FOR THE TOWN OF HUNTINGTON FIRE PROTECTION DISTRICT NO. 1., NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, it is beneficial to the health, safety and welfare of the residents of the Town of Huntington as well as to those residents of Huntington Fire Protection District No. 1 to have the Fire Department of the Incorporated Village of Northport provide fire protection services for said District; and

WHEREAS, the parties are desirous of entering into an agreement with the Incorporated Village of Northport for a term of one (1) year commencing upon execution through December 31, 2013 in an amount not to exceed the sum of ONE MILLION FOUR HUNDRED THIRTEEN THOUSAND NINE HUNDRED TWENTY-THREE AND 12/100 (\$1,413,923.12) DOLLARS, and on such other terms and conditions as may be acceptable to the Town Attorney; and

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

NOW, THEREFORE

THE TOWN BOARD having held a public hearing on the 17<sup>th</sup> day of September, 2013, to consider said agreement, and due deliberation having been had,

HEREBY APPROVES

Entering into an agreement with the Incorporated Village of Northport for the provision of fire protection services to the Huntington Fire Protection District No. 1 commencing upon execution and terminating on December 31, 2013, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilman Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

# 2013 -463

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 26 -2013, AMENDING THE TOWN CODE OF THE TOWN OF HUNTINGTON CHAPTER 156, PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY.

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the presence of persistent blighted properties has become a problem affecting the quality of life in the many beautiful neighborhoods within the Town of Huntington; and

WHEREAS, the economic factors are causing “foreclosure zombies” that is, vacant houses in the limbo of foreclosure actions and other properties which continue to deteriorate and become eyesores on communities within the Town of Huntington; and

WHEREAS, the Town Board is desirous of amending the Town Code to address persistent blighted properties whose blighted status continues from year to year unabated; and

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

NOW, THEREFORE,

RESOLVED, having held a public hearing on the 17<sup>th</sup> day of September, 2013, at 2:00 PM to consider adopting Local Law Introductory No. 26 - 2013 amending the Code of the Town of Huntington, Chapter 156, Property maintenance, Nuisances, Article VII Blighted Properties, and due deliberation having been had;

HEREBY ADOPTS Local Law Introductory No. 26- 2013 as follows:

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

LOCAL LAW NO. 25 -2013  
AMENDING THE PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII  
BLIGHTED PROPERTY CODE OF THE TOWN OF HUNTINGTON

Article VII. BLIGHTED PROPERTY

\* \* \*

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

\* \* \*

D. Persistent or ongoing blighted properties. Any property previously designated by the Town Board as a “blighted property” and placed upon the blighted property inventory list wherein blighted conditions continue to persist, following a public hearing and upon a determination by the Town Board, will thereafter be deemed as a persistent blighted property, assessed the annual blighted property assessment fee, take any and all necessary actions to abate the blighted conditions, upon notice to the property owner by the Office of the Town Attorney, registered or certified mail return receipt requested to the last known address as shown by the records of the Town Assessor.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 464

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

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilwoman Berland

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

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the **15<sup>th</sup>** day of **October, 2013** at **6:00 p.m.** at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2013- 464

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

2013-464

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE(S)	ANNUAL REGISTRATION FEE
Exhibit 98	61 Bankside Drive Centerport, NY 11721	0400-78-4-11.007	Leonard M. Alcosser Jennifer A. Totten 61 Bankside Drive Centerport, NY 11721	8/8/2013	\$2,500
Exhibit 87	307 Depot Road Huntington Sta, NY 11746	0400-151.00-01.00-047.000	Maria Del Carmen Chavez 307 Depot Road Huntington Sta, NY 11746	5/31/2013	\$2,500
Exhibit 99	1000 W. Jericho Tpke. Huntington, NY 11743	0400-189.00-01.00-001.000	One Thousand C LLC 97 Beach Road Great Neck, NY 11023	8/26/2013	\$2,500
Exhibit 100	128 Wells Road Northport, NY 11768	0400-114.00-03.00-099.000	Robert Biliski 128 Wells Road Northport, NY 11768	9/13/2013	\$2,500

2013-465

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 27 -2013 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: WOLF HILL ROAD, MELVILLE - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: September 17, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking restrictions that reflect upon the changes made to Wolf Hill Road in Melville for traffic calming in the vicinity of Birchwood Intermediate School to provide safety for pedestrians and vehicles travelling the roadway; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 15th day of October, 2013 at 6:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 27 -2013 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 27 -2013  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2013-465

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

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

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
DELETE: Wolf Hill Road/South From 50 ft. west of Greenwich Ave. to Greenwich Ave. (MVL)	No Stopping	-----
Wolf Hill Road/South From Greenwich Ave. to King Ave. (MVL)	No Stopping	8:00 a.m. to 4:30 p.m., school days
ADD: Wolf Hill Road/South From 50 ft. west of Greenwich Ave. to King Ave. (MVL)	No Stopping	-----

Section 2. Severability.

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

Section 3. Effective Date.

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

2013- 465

VOTE:        AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2013- 466

RESOLUTION RESCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A  
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT  
RE: 20 EAST MAIN STREET, HUNTINGTON—OLD HUNTINGTON GREEN  
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Kelly DiVico, 20 East Main Street, Huntington, NY 11743, for a Certificate of Approval to install a 20' x 40' in-ground swimming pool at a one family dwelling located at 20 East Main Street, 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 # 0400-073.00-02.00-005.001, 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)(10) 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 RESCHEDULES a public hearing for the **15th** day of **October**, 2013, at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Kelly DiVico.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO APPROPRIATE FUNDS FROM THE JUDGMENTS & CLAIMS RESERVE – TOWN ATTORNEY

Resolution for Town Board Meeting Dated: September 17, 2013

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

and seconded by **COUNCILMAN CUTHBERTSON**

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

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

WHEREAS, additional funding is required for payment of various settlements; and

WHEREAS, the funding of settlements and amending the operating budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c)(2) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

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

Reserves to be appropriated:

A-0876	Reserve for Judgments & Claims	\$250,000
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Increase the following appropriations:

A1930-4160	Judgments & Claims	\$250,000
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VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013- 468

RESOLUTION DESIGNATING NOVEMBER 30, 2013 AS SMALL BUSINESS SATURDAY WITHIN THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: September 17, 2013

The following resolution was offered by: Councilman Mayoka

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, in 2012 over 100 million people around the world participated in the second annual Small Business Saturday, a day which recognizes the importance of small businesses in the overall economy and to local communities; and

WHEREAS, Small Business Saturday is part of a national movement to inspire consumers to support the small independently owned businesses that are prevalent throughout our community; and

WHEREAS, American Express OPEN and more than a 200 organizations are coming together in declaring the Saturday after Thanksgiving as Small Business Saturday

WHEREAS, the designation of a day as Small Business Saturday is not an action as defined by 6NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DECLARES November 30, 2013 as Small Business Saturday within the Town of Huntington; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

# 2013 – CD4

## RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH THE FAMILY SERVICE LEAGUE, INC. FOR THE PROVISION OF A HOME SHARE PROGRAM FOR HUNTINGTON RESIDENTS

Resolution for the Community Development Agency Board Meeting dated: September 17, 2013

The following resolution was offered by: Chairman Petrone

And seconded by: **MEMBER MAYOKA, MEMBER BERLAND**

WHEREAS, the Family Service League, Inc., 790 Park Avenue, Huntington, New York, 11743, is a charitable 501 (c) (3), not for profit organization, which provides services to families and individuals in need of financial assistance, housing and counseling; and

WHEREAS, there are Huntington residents who are faced with losing their independence, or, are unable to achieve economic self sufficiency because they cannot find affordable housing, and the Family Service League Home Share Program matches individuals who own homes with individuals in need of housing; and

WHEREAS, the adopted April 1, 2013 through March 31, 2014 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Family Service League, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing family and housing counseling for seniors is not an action pursuant to 6 N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement with the Family Service League, Inc. for the provision of a Home Share Program to the residents of the Town of Huntington for the period April 1, 2013 through March 31, 2014 for an amount not exceed the sum of EIGHT THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$8,500.00) and upon such other terms and conditions as approved by the Agency Attorney.

# 2013 – CD 4

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2013 – CD5

## RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH LONG ISLAND HOUSING SERVICES, INC.

Resolution for Community Development Agency Board Meeting dated: September 17, 2013

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

And seconded by: **CHAIRMAN PETRONE**

WHEREAS, it has long been a goal of the Town of Huntington Community Development Agency to promote fair housing by increasing public awareness of fair housing laws; and

WHEREAS, Long Island Housing Service, Inc., 640 Johnson Avenue, Bohemia, New York is a not-for-profit corporation of the State of New York, based in Suffolk County and dedicated to the advancement of fair housing through education and counseling; and

WHEREAS, the adopted April 1, 2013 through March 31, 2014 budget approved by the Town Board for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of continuing the counseling and assistance provided by Long Island Housing Services, Inc.; and

WHEREAS, providing housing counseling for Town of Huntington Residents is not an action pursuant to 6N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement with the Long Island Housing Services, Inc. whereby outreach, public education, and counseling is provided to Town residents regarding landlord and tenant responsibilities, real estate discrimination, FHA mortgages, conventional mortgages, reverse mortgages and pre-purchase and post-purchase financial counseling, for the period April 1, 2013 through March 31, 2014, for an amount not to exceed the sum of SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO/100 (\$7,500.00) and upon such other terms and conditions as approved by the Agency Attorney.

# 2013 – CD 5

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2013 – CD 6

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE COMMUNITY DEVELOPMENT AGENCY TO EXECUTE AN AGREEMENT WITH REACH CYA, INC.

Resolution for Community Development Agency Board Meeting dated: September 17, 2013

The following resolution was offered by: **MEMBER MAYOKA, MEMBER CUTHBERTSON, MEMBER BERLAND**

And seconded by: **MEMBER COOK, CHAIRMAN PETRONE**

WHEREAS, the Huntington Community Development Agency (HCDA) has the authority to develop programs that enhance the quality of life in the Town of Huntington; and

WHEREAS, REACH CYA, Inc., 525 Half Hollow Road, Dix Hills, 11746, a charitable 501(c)(3), non-profit organization provides social, recreational, informational, educational and advocacy programs for children, youth and families in Commack and Half Hollow Hills; and

WHEREAS, REACH CYA, Inc. and HCDA each recognize the need to provide on-site family support services to alleviate family concerns and promote self sufficiency and a particular need to provide housing assistance and counseling to the residents of Millennium Hills, an affordable housing complex for low income homeowners and renters within the Town of Huntington; and

WHEREAS, the adopted April 1, 2013 through March 31, 2014 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Reach CYA, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing services for Millennium Hills is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required

**NOW, THEREFORE**

**THE COMMUNITY DEVELOPMENT AGENCY BOARD**

HEREBY AUTHORIZES the Chairman to execute a one year agreement with REACH CYA, Inc., to provide social, recreational, informational, educational and advocacy programs to the residents of Millennium Hills for the period April 1, 2013 through March 31, 2014, for an amount not to exceed the sum of TEN THOUSAND DOLLAR AND NO/100 (\$10,000.00) and upon such other terms and conditions as approved by the Agency Attorney.

# 2013 – CD 6

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2013 – CD 7

## RESOLUTION AUTHORIZING THE SETTLEMENT OF A LAWSUIT (Re: 1345 NY Avenue, Huntington Station, NY, SCTM# 0400-141-3-1)

Resolution for Community Development Agency Board Meeting Dated: September 17, 2013

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

and seconded by: **MEMBER MAYOKA, CHAIRMAN PETRONE**

WHEREAS, title to the above-referenced property was the subject of a condemnation proceeding entitled, In the Matter of the Application of the Huntington Community Development Agency and the Town of Huntington to acquire certain real property located at 1345 New York Avenue, Huntington Station, New York, also known as SCTM# 0400-141-3-1 pursuant to the New York eminent domain procedure law (Index No. 2005/14265); and

WHEREAS, New York Avenue Properties, LLC (claimant) made a claim for compensation in connection with the condemnation of said property, title to which vested in the Town of Huntington on January 23, 2006, in a proceeding entitled, In the Matter of New York Avenue Properties, LLC. v. the Town of Huntington and the Huntington Community Development Agency (Index No. 2009-25027); and

WHEREAS, a demand was made by claimant in the approximate amount of \$3,245,955, inclusive of interest as of July 16, 2012; and

WHEREAS, an offer of settlement was made and accepted by claimant in the approximate amount of \$1,650,000.00 plus interest in the amount of \$37,500 payable in three installments with the final payment due March 31, 2014, and

WHEREAS, the parties desire to settle said proceedings and a proposed Stipulation of Settlement has been negotiated on behalf of the Town of Huntington and the Huntington Community Development Agency by outside counsel, Twomey, Latham, Shea, Kelly, Dubin & Quartararo, LLP.; and

WHEREAS, this settlement is subject to the approval of the Huntington Community Development Agency Board; and

WHEREAS, pursuant to the Community Development Agency Resolution 2002-CD4, on July 2, 2002, the Community Development Agency issued a negative declaration for the condemnation of 1345 New York Avenue, Huntington, New York, and therefore, no further SEQRA review is required.

# 2013 – CD 7

NOW, THEREFORE, THE AGENCY BOARD

HEREBY AUTHORIZES the settlement of a condemnation proceeding entitled In the Matter of the Application of the Huntington Community Development Agency and the Town of Huntington to acquire certain real property located at 1345 New York Avenue, Huntington Station, New York for the amount of \$1,687,500.00 to be paid out of Town funds in accordance the approved stipulation of settlement.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

Chairman Frank P. Petrone	<b>AYE</b>
Member Susan A. Berland	<b>AYE</b>
Member Eugene Cook	<b>AYE</b>
Member Mark Cuthbertson	<b>AYE</b>
Member Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.