

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
Deputy Town Clerk	Stacy H. Colamussi
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED NOVEMBER 7, 2013

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 2:17 P.M. Closed: 2:18 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 2:18 P.M. Recessed: 2:19 P.M. Resumed: 2:56 P.M. Closed 2:57 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:04 P.M. Recessed: 2:17 P.M. Resumed: 2:19 P.M. Closed: 2:56 P.M.

(Resolutions #2013-512 to 2013-565)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 28-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Roberta Lane, Commack; Clearview Street, Holst Drive West, Penataquit Place, Huntington – Stop Signs.

(Local Law Introductory No. 28-2013)

Scheduled as per Resolution 2013-503 at 10-15-2013 Town Board Meeting

DECISION RESERVED

2. Consider adopting Local Law Introductory No. 29-2013, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Old Walt Whitman Road, Melville – Parking Restrictions.

(Local Law Introductory No. 29-2013)

Scheduled as per Resolution 2013-504 at 10-15-2013 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

3. Consider issuing a Certificate of Approval in an Historic District Re: 56 Shore Road, Cold Spring Harbor – Cold Spring Harbor Historic District. (Applicant: 56 Partes Tres, LLC) (SCTM #0400-016.00-02.00-004.000) (2013-ZC-14-Ch. 198)

Scheduled as per Resolution 2013-506 at 10-15-2013 Town Board Meeting

4. Consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (SCTM #'S 0400-262.00-01.00-145.000, 0400-055.00-01.00-048.003, 0400-043.00-05.00-014.000, 0400-225.00-03.00-058.000)

(2013-M-103)

Scheduled as per Resolution 2013-505 at 10-15-2013 Town Board Meeting

5. Consider an amendment to the license agreement with Cellular Telephone Company d/b/a AT&T Wireless to permit the installation of a generator for use with the existing cellular antennas and equipment at the Boxer Court Facility.

(2013-M-104)

Scheduled as per Resolution 2013-507 at 10-15-2013 Town Board Meeting

6. Consider adopting Local Law Introductory No. 30-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XI (Conditional Uses; Supplementary Regulations) (Re: Telecommunication Facilities).

(Local Law Introductory No. 30-2013)

Scheduled as per Resolution 2013-508 at 10-15-2013 Town Board Meeting

BOARD OF TRUSTEES' HEARING:

1. Consider the execution of an extension of a license agreement with H&M Powles Marine Agency, Inc. to operate and provide marina and related services on Board of Trustee Property in Cold Spring Harbor.

(2013-BT-7)

Scheduled as per Resolution 2013-BT-7 at 10-15-2013 Town Board Meeting

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain comments on the Huntington Community Development Agency's Proposed Consolidated Plan for fiscal year 2014.

ACTION

**HEARING TO BE
RESCHEDULED
TO 12/10/2013 AS PER
RESOLUTION 2013-564**

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS: **OFF. SEC. VOTE**

ABBREVIATIONS FOR PURPOSE OF AGENDA:

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

- | | | | | |
|------------------|--|------------------|--------------------------------|---|
| 2013-512. | AUTHORIZE the Supervisor to execute a contract for the hauling of Resource Recovery Facility Ash to the Town of Brookhaven Landfill with D.F. Stone Contracting Ltd. (Period: One year) | <u>MM</u> | <u>FP</u>
<u>EC</u> | <u>5</u> |
| 2013-513. | AUTHORIZE the Supervisor to execute an amendment and extension to the Intermunicipal Agreement for transportation and disposal of ash from the Huntington Resource Recovery Facility. (Extension: 1/1/2014-12/31/2014) | <u>MM</u> | <u>SB</u> | <u>5</u> |
| 2013-514. | AUTHORIZE the Supervisor to execute a contract with Eastern Resource Recycling, Incorporated for the delivery of processible waste to the Huntington Resource Recovery Facility nunc pro tunc. (Effective upon execution but not prior to 10/31/2013 through 12/31/2014) | <u>MM</u> | <u>SB</u> | <u>5</u> |
| 2013-515. | AUTHORIZE the Supervisor to execute a contract with Jet Sanitation Service Corporation for the delivery of processible waste to the Huntington Resource Recovery Facility nunc pro tunc. (Effective upon execution but not prior to 10/31/2013 through 12/31/2014) | <u>MM</u> | <u>SB</u>
<u>EC</u> | <u>5</u> |
| 2013-516. | AUTHORIZE the Supervisor to execute a contract with Progressive Waste Solutions, Incorporated for the delivery of processible waste to the Huntington Resource Recovery Facility nunc pro tunc. (Effective upon execution but not prior to 10/31/2013 through 12/31/2014) | <u>SB</u> | <u>MM</u> | 4-AYES
1-ABSTAIN
<u>(MC)</u> |
| 2013-517. | AUTHORIZE the Supervisor to execute a contract with National Waste Services, LLC for the delivery of processible waste to the Huntington Resource Recovery Facility nunc pro tunc. (Effective upon execution but not prior to 10/31/2013 through 12/31/2014) | <u>MM</u> | <u>SB</u> | <u>5</u> |
| 2013-518. | AUTHORIZE the Supervisor to execute a contract with Jamaica Ash and Rubbish Removal Company, Incorporated for the delivery of processible waste to the Huntington Resource Recovery Facility nunc pro tunc. (Effective upon execution but not prior to 10/31/2013 through 12/31/2014) | <u>MC</u> | <u>SB</u> | <u>5</u> |
| 2013-519. | AUTHORIZE the Supervisor to execute a requirements contract for communication equipment repair with Telecom Communications, Inc. (Period: One year) | <u>MM</u> | <u>EC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-520. AUTHORIZE the Supervisor to execute a requirements contract for refuse removal service two cubic yard, four cubic yard, six cubic yard and eight cubic yard containers with Jamaica Ash and Rubbish Removal, Co, Inc. and Progressive Waste Solutions of LI, Inc. (Period: One year)	<u>FP</u>	<u>SB</u> <u>EC</u>	4-AYES 1-ABSTAIN <u>(MC)</u>
2013-521. AUTHORIZE the Supervisor to execute a contract for the provision of professional ice skating instruction at the Dix Hills Park Ice Rink Facility. (Re: Linda Beach, Daniel Bivona, Montana Brown, Charlotte Caruso, Michael Catania, Rosemarie Coyle, Andy Cozzi, Barbara Deluca, Lou Deluca, Peter Dykeman, Jack Greig, Ken Hoey, Benoit Hogue, Adam Leib, Melisa Levine, Kristie Lynch, Stars & Skates Inc.-Tara Maceiko, Melinda Maidel, Nicole Maltese, Kathy Martinelli, Lee Meadows, Alicia Narby, Corinne Raile Heilbrun, Amy Rivers, Rachel Roye, Dawn Sikorski, Arleen Saxon, Jaime Wendt and Barbara Williams)	<u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2013-522. AUTHORIZE the Supervisor to execute an agreement with the Target Corporation to locate a Hart Bus Stop on the Huntington Station Target Store property.	<u>FP</u>	<u>SB</u>	<u>5</u>
2013- 523. AUTHORIZE the Supervisor to execute an agreement (nonfinancial) with the County of Suffolk Department of Health Services for the provision of referral services to the Town’s Youth Bureau for the term April 1, 2013 through March 31, 2018, nunc pro tunc.	<u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2013-524. AUTHORIZE the Supervisor to execute a written directive-Upstate Renewal Contract with the New York State Office For People With Developmental Disabilities for the continuation of funding for the summer camp for the developmentally disabled. (Period: 1/1/2014-12/31/2014)	<u>SB</u>	<u>FP</u> <u>MM</u> <u>EC</u>	<u>5</u>
2013-525. AUTHORIZE the Supervisor to execute a written directive-Upstate Renewal Contract with the New York State Office For People With Developmental Disabilities for the continuation of funding for the Young Teen Program for the developmentally disabled. (Period: 1/1/2014-12/31/2014)	<u>SB</u>	<u>EC</u>	<u>5</u>
2013-526. AUTHORIZE the Supervisor to execute a license agreement to rent an apartment at Fuchs Pond Preserve in Northport, New York, nunc pro tunc. (Re: Landon Simmons – 21 Norwood Road)	<u>MC</u>	<u>SB</u>	<u>5</u>
2013-527. AUTHORIZE the Supervisor to execute a license agreement with Long Island Rebels Youth Hockey for the installation, operation and maintenance of a high definition camera system at the Dix Hills Ice Rink. (Period: Three years)	<u>SB</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-528. AUTHORIZE the Supervisor to extend and execute an agreement with the New York State Catholic Health Plan Inc. D/B/A Fidelis Care New York and the Town of Huntington for the provision of social day care services through the Huntington Adult Day Care Program. (Period: Two years)	<u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2013-529. AUTHORIZE the Supervisor to execute a rental agreement with Pitney Bowes Global Financial Services for a postage meter for the Receiver of Taxes. (Period: 1/1/2014-12/31/2018)	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-530. AUTHORIZE the Supervisor to enter into a Memorandum of Understanding with Suffolk County Office for the Aging for twelve (12) tablet personal computers to be made available to senior citizens.	<u>SB</u>	<u>EC</u>	<u>5</u>
2013-531. AUTHORIZE execution of a consent decree with the United States of America and the State of New York Re: Comprehensive Environment Response, Compensation and Liability Act (CERLA) Remediation of three acre portion of Veterans Nature Study Area.	<u>FP</u>	<u>SB</u>	<u>5</u>
2013-532. AUTHORIZE the Comptroller to amend the 2013 Operating Budget for the Town of Huntington and its Special Districts – various departments.	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-533. AUTHORIZE the Comptroller to amend the 2013 Operating Budget and to appropriate funds from the General Reserve and Parks and Recreation Capital Improvement Reserve for the purpose of funding Capital Projects in lieu of bonding-Department of General Services.	<u>FP</u>	<u>SB</u>	<u>5</u>
2013-534. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Claire O’Keefe, 42 Lovers Lane, Huntington, SCTM#0400-025.00-02.00-069.000, Chapter 87; Richard Greenfield, 26 Brennan Street, Huntington, SCTM#0400-210.00-01.00-070.001, Chapter 133; Robert Guerrero, 151 West Pulaski Road, Huntington Station, SCTM#0400-141.00-01.00-078.004, Chapters 133, 156, 191)	<u>SB</u>	<u>FP</u> <u>MM</u>	<u>5</u>
2013-535. AUTHORIZE the settlement of a lawsuit (Cooper v. Town of Huntington). (Re: Suffolk County Supreme Court Index No.: 2012-31959)	<u>MC</u>	<u>FP</u>	<u>5</u>
2013-536. AUTHORIZE the settlement of a lawsuit (Town of Huntington v. Robert Reuschenberg, as executor of the estate of Channing Reuschenberg, and Robert Reuschenberg, the Reuschenberg Family L.P. and Channing Supply Company). (Re: Suffolk County Supreme Court Index Number 07/07933)	<u>FP</u>	<u>MM</u>	<u>5</u>
2013-537. AUTHORIZE the settlement of a lawsuit (Inzerillo v. Town of Huntington). (Re: Suffolk County Supreme Court Index No.: 2003-15715)	<u>MC</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-538. Removed from the Agenda at the Workshop.			
2013-539. AUTHORIZE the Town of Huntington to enter into a supplemental settlement agreement in the matter of Modica v. The Town of Huntington, Index #03/22984, and authorizing the Comptroller to amend the 2013 Operating and Capital Budget for the Town of Huntington and its special districts. (Re: 59 Idle Day Drive, Centerport)	<u>SB</u>	<u>EC</u>	<u>5</u>
2013-540. ACCEPT a drainage easement from Claudia D. Stone and Craig Stone for storm water pipeline replacement work of Town Drainage system located at 59A Idle Day Drive, Centerport, New York, nunc pro tunc.	<u>MC</u> <u>MM</u>	<u>SB</u>	<u>5</u>
2013-541. AMEND the Town Board’s prior authorization of the long-term loan of the Town-Owned Mineral Collection, held and managed by the Heckscher Museum. (Re: Resolution #2012-534) (Authorizes indefinite loan of collection to the Department of Earth and Environmental Science, Long Island University, C.W. Post Campus)	<u>MM</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2013-542. AMEND Town Board Resolution 2013-423 authorizing the Supervisor to execute contracts with the lowest responsible bidders for the storm debris removal equipment services contract for BID items one through ten. (Re: Withdrawal of A & J Antorino Co; Awarded to Posillico Civil, Inc.)	<u>FP</u>	<u>SB</u>	<u>5</u>
2013-543. DESIGNATE an Equitable Business Opportunities (EBO) Liaison Officer for the Town of Huntington. (Re: Rhonda Shepardson, Esq.)	<u>FP</u>	<u>MM</u> <u>SB</u>	<u>5</u>
2013-544. SUPPORT the “Community Sustainable Fisheries Initiative” developed by the Village of Northport and Cornell Cooperative Extension of Suffolk County to culture ribbed mussels in Northport Harbor as a natural bio-filter to reduce the level of nitrogen and other algae causing pollutants.	<u>FP</u> <u>SB</u> <u>EC</u>	<u>MM</u>	<u>5</u>
2013-545. URGE the United States Army Corps of Engineers to finalize the North Shore of Long Island Beach Erosion Control Feasibility Study for Asharoken, NY and urging Congress and the New York State Legislature to ensure that such funding is allocated in Fiscal Year 2014 and subsequent budget cycles as may be necessary to engineer and complete the project to rebuild Asharoken Beach.	<u>FP</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2013-546. ADOPT the 2014 Preliminary Annual Operating Budget, as the annual operating budget for Fiscal Year commencing January 1, 2014.	<u>MC</u>	<u>SB</u>	3-AYES (FP) (MC) (SB) 2-NOES (EC) <u>(MM)</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-547. ADOPT the Capital Budget for Fiscal Year commencing January 1, 2014.			3-AYES (FP) (SB) (MC) 2-NOES (EC) <u>(MM)</u>
	<u>SB</u>	<u>MC</u>	
2013-548. ENACTMENT: ADOPT the Assessment Roll for the Huntington Sewer District.			<u>5</u>
	<u>SB</u>	<u>MM</u>	
2013-549. ENACTMENT: ADOPT the Assessment Roll for the Centerport Sewer District.			<u>5</u>
	<u>SB</u>	<u>MM</u>	
2013-550. ENACTMENT: ADOPT Local Law Introductory Number 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.			<u>5</u>
	<u>MC</u> <u>SB</u>	<u>FP</u> <u>MM</u>	
2013-551. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 20 East Main Street, Huntington – Old Huntington Green Historic District. (Re: Kelly DiVico; SCTM# 0400-073.00-02.00-005.001)			<u>5</u>
	<u>MM</u>	<u>SB</u>	
2013-552. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & B: Nicholas/Linda D’Onofrio, 4 Carriage Court, Dix Hills, SCTM#0400-262.00-01.00-145.000; Mohammed Sabur, 24 Lorraine Court, Northport, SCTM#0400-055.00-01.00-048.003; Subbarao/Sathyavath Gutti, 32 Lakeside Drive, Centerport, SCTM#0400-043.00-05.00-014.000; Schedule D: John Gerardi, 2C West 11 th Street, Huntington Station, SCTM#0400-142.00-03.00-032.000; Heather Lazarides, 2 Glover Drive, Dix Hills, SCTM#0400-284.00-03.00-172.000; Nadim Ahmed, 11 Split Rock Court, Melville, SCTM#0400-253.00-01.00-040.000; Robert Guerrero, 151 West Pulaski Road, Huntington Station, SCTM#0400-141.00-01.00-078.004)			<u>5</u>
	<u>SB</u>	<u>MM</u>	
2013-553. SCHEDULE A PUBLIC HEARING: December 6, 2013 at 9:00 AM To consider adopting Local Law Introductory No. 31-2013, a Local Law to provide assessment and tax relief to property owners impacted by Superstorm Sandy.			<u>5</u>
	<u>MC</u> <u>MM</u>	<u>EC</u> <u>SB</u>	
2013-554. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 32-2013 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits) and Article IV (Certificates of Occupancy and of Permitted Use).			<u>5</u>
	<u>MC</u>	<u>MM</u>	

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2013-555. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory Number 33-2013, amending the Zoning Map on the Town Board’s own motion to change the zoning from R-5 Residence District to C-1 Office-Residence District for the property located on the west side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, SCTM #0400-140-03-(072, 073, 108, 109.003 & 117).</p>	<u>FP</u> <u>MM</u>	<u>SB</u>	<u>5</u>
<p>2013-556. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory Number 34-2013, amending the Zoning map on the Town Board’s own motion to change the zoning from C-6 General Business District to C-6 Huntington Station Overlay District for property located on the south side of Railroad Street, east of Lowndes Avenue, Huntington Station, SCTM #0400-147-01-005.003.</p>	<u>FP</u>	<u>SB</u>	<u>5</u>
<p>2013-557. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory Number 35-2013, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-27.1 (C-6 Huntington Station Overlay District), to add a Special Use Permit for Hotels.</p>	<u>FP</u>	<u>SB</u>	<u>5</u>
<p>2013-558. Removed from the Agenda at the Workshop.</p>			
<p>2013-559. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 36-2013, amending the Code of the Town of Huntington, Chapter A202 (Subdivision Regulations and Site Improvement Specifications).</p>	<u>MC</u>	<u>FP</u>	<u>5</u>
<p>2013-560. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A: Arnold/Irma Jacinto, 4 Knox Place, Dix Hills, SCTM#0400-252.00-03.00-085.000; Walter/Joann Hergenhan, 185 West Pulaski Road, Huntington Station, SCTM#0400-138.00-03.00-023.000)</p>	<u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
<p>2013-561. SCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider adopting Local Law Introductory No. 37-2013 amending Town Code Chapter 198, Zoning, Article V, Industrial Districts §198-34, I-1 Light Industry District, F. (4)(a) Restaurants.</p>	<u>MC</u>	<u>MM</u>	<u>5</u>
<p>2013-562. Removed from the Agenda at the Executive Session.</p>			
<p>2013-563. SCHEDULE regular meetings of the Town Board of the Town of Huntington for the Year 2014.</p>	<u>FP</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:	OFF.	SEC.	VOTE
2013-564. RESCHEDULE A PUBLIC HEARING: December 10, 2013 at 7:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 56 Shore Road, Cold Spring Harbor – Cold Spring Harbor Historic District. (Applicant: 56 Partes Tres, LLC; SCTM# 0400-016.00-02.00-004.000)	<u>MM</u>	<u>SB</u>	<u>5</u>
2013-565. AUTHORIZE the Supervisor to sign a letter to the Zoning Board of Appeals stating the Town Board’s support for the YMCA’S plan for a new building and the construction of new parking facilities on Town land in connection herewith.	<u>FP</u>	<u>MM</u> <u>SB</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: NOVEMBER 7, 2013**

RESOLUTIONS:

OFF. SEC. VOTE

2013-CD8. AUTHORIZE the Chairman of the Huntington Community Development Agency to execute a contract with Jeffrey A. Hartman, P.E. Engineering Consultants for professional architectural services for the construction of Columbia Terrace, Huntington Station, NY.

FP MM SB 5

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING
DATED: NOVEMBER 7, 2013**

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Andrew McNulty for to be determined (345 Main Street – Unit B, Huntington);
From: James DiVilio for Cabo Fresh (5026 Jericho Turnpike, Commack);

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: Jeffrey Eagan for Changing Times Ale House; From: Shu Fang Cao for
Yokohama Japanese Restaurant Inc.;;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Gwynne Wicks in support of making the Sagamore Children’s
Psychiatric Center in Dix Hills a Regional Center of Excellence. A confidential
letter was attached (not for public information).

Supervisor
Town Board
cc: Town Attorney
4. Hand delivered letter received from Nancy McFadzen, Secretary for the Commack Fire
District. Attached were: copy of Resolution 102 adopting the 2014 Budget, certification
of the budget and a copy of the adopted budget for 2014.

Supervisor
Town Board
Town Attorney
cc: Comptroller
5. Copy of the Legal Notice of Public Hearing received from Karen Navin, Clerk-Treasurer
of the Incorporated Village of Laurel Hollow. The meeting will take place on 11-12-2013
at 7:30 PM for hearings involving amendments to Chapter 85 (Peace and Good Order),
Chapter 22 (Building Code, Administration and Enforcement of), Chapter 48 (Excavation
and Filling of Land) and Chapter 145 (Zoning).

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Copy of the Public Notice for the Board of Trustees of the Village of Huntington Bay
received from Gail Devol, Village Administrator. The hearings will be held on 10-21-2013
at 7:30 PM. The following properties are involved: 192 East Shore Road – replace an
existing bulkhead, 27 Heckscher Drive – remove approximately 100 yards to regrade a
portion of the existing rear yard, One Salty Way – rip out and remove 117’ bulkhead
and 10’ return and replace.

Supervisor
Town Board
Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment
7. Letter received from Joyce Logan, Deputy Treasurer for the Huntington Fire District.
Attached was a certified copy of the final budget for 2014, appropriations, estimated
revenues, final budget summary and certification for paperwork submitted.

Supervisor
Town Board
Town Attorney
cc: Comptroller
8. Letter received from Leigh Ann Varese, Treasurer of the Centerport Fire District,
attached was a copy of the 2014 budget.

Supervisor
Town Board
Town Attorney
cc: Comptroller

9. Received from Greenlawn Fire District: Certification of the 2014 by Louise Caputo, Secretary/Treasurer, 2014 Budget Summary, 2014 Commissioners Certification of Budget and the 2014 Adopted Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
10. Letter received from William Nimmo, Superintendent for Business for Harborfields Central School District; attached was a copy of the 2013-2014 School Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
11. Letter received from Ann Marie Jones, Commissioner of Planning & Development for the Town of Babylon, regarding property located on the east side of Deer Park Avenue 88 feet north of Miller Place in Deer Park. This property is within 500 feet of the Town of Huntington border. The applicant, Thomas Pirrone, is proposing to legalize and maintain existing professional site in a dwelling that has a Certificate of Occupancy for residential use. Attached are: 1) Planning Division Memorandum 2) Copy of Planning Board Application 3) Short Form Environmental Assessment 4) Site Review and Map. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Letter received from Susan Mullen, the Clerk to the Board of Zoning Appeals for the Town of Smithtown, regarding property located at the West End of Marions Lane 457 feet west of Lister Circle. The hearing will be held on 11-26-2013. Attached was a copy of the application, a memorandum from the Building Director of Smithtown, a short environmental assessment form and a map. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
13. Letter received from Edward Flynn, District Treasurer for the Melville Fire District. Attached was a copy of the 2014 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
14. Letter received from Candice Thomson, Huntington Manor Fire District Treasurer. Attached was a copy of the 2014 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
15. Letter received from Liz Beach, Secretary/Treasurer for the Cold Spring Harbor Fire District. Included was a copy and a certification of the 2014 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
16. Letter received from Susan Racine, Secretary/Treasurer for the East Northport Fire District. Included was a certification and Budget Summary for 2014. Supervisor
Town Board
Town Attorney
cc: Comptroller
17. Letter received from Todd Cohen, District Secretary for the Dix Hills Fire District. Included was a copy and a certification of the 2014 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
18. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding the Town of Huntington Resolution #2013-508. They are considering this a matter of local determination which is not to be construed as either an approval or disapproval. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

19. Letter received from Ms. Caliendo, Assistant Superintendent for Finance and Facilities for Half Hollow Hills Central School District, included was a copy of the 2013/2014 Budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
20. Notice of Public Hearing from the Board of Zoning Appeals for the Village of Northport, to be held on 11/13/2013 at 7:00 PM at Village Hall for the following: a) 18 Washington Place – legalize deck and shed b) 135 Main Street – applicant created two apartments without a variance c) 175 Bayview Avenue – appeal of issuance of Building Permit d) 175 Bayview Avenue – applicant wishes to construct a new house. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
21. Fax received from Kerry M. Reinhardt, District Treasurer for the Commack Union Free School District, attached was a copy of the 2014 budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
22. Copy of the Legal Notice for the Annual Election of the Dix Hills Fire District was hand delivered by Todd Cohen, Commissioner/District Secretary. The election is for one Commissioner for a five year term. Supervisor
Town Board
cc: Town Attorney
23. Notification received from Jennifer Zoufaly, Legal Assistant for Humes & Wagner, LLP regarding the Incorporated Village of Lloyd Harbor changes to the Zoning Code. Included was a Notice of Public Hearing to be held on 11/18/2013 at 7:30 PM at Village Hall and a copy of the proposal. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

2013-5/2

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE HAULING OF RESOURCE RECOVERY FACILITY ASH TO THE TOWN OF BROOKHAVEN LANDFILL WITH D.F. STONE CONTRACTING LTD.

Resolution for Town Board Meeting Dated: November 7, 2013

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

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

WHEREAS, The Town of Huntington entered into a Solid Waste Disposal Service Agreement ("Service Agreement") with Covanta Huntington, Limited Partnership (the "Facility Operator") for the operation of a municipal solid waste-to-energy facility (the "Resource Recovery Facility"). Under the Service Agreement, the Town reserves the right to contract directly for the transportation and/or disposal of the municipal waste combustion ash ("Residue") generated at the Resource Recovery Facility. Pursuant to an Inter-Municipal Agreement (IMA) with the Town of Huntington, the Towns of Babylon and Brookhaven are providing Residue transport and disposal through the end of 2014; and

WHEREAS, The Town of Brookhaven desires to have the Town of Huntington provide the transport for its portion of the Residue for the final year of the IMA. Accordingly, The Town of Huntington is soliciting the transport of that portion of the Residue for a period of one year, commencing January 1, 2014. As this portion of the Residue is generated at an average rate of 1,200 tons per week, the intent of this procurement is to contract for lawful, timely, safe, reliable and cost competitive hauling services for approximately 58,000 tons of Residue which satisfies the Town's obligations under the Service Agreement and the requirements of the New York State Department of Environmental Conservation (NYSDEC) as well as all applicable local, state and federal laws; and

WHEREAS, sealed bids were received on September 19, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the hauling of Resource Recovery Facility ash to the Town of Brookhaven landfill, Bid No. TOH 13-09-055 and the same were opened publicly and read aloud; and

WHEREAS, D.F. Stone Contracting Ltd., 1230 Station Road, Medford, New York 11763 is the lowest responsive, responsible bidder; and

WHEREAS, the hauling of ash from the Huntington Resource Recovery Facility to the Town of Brookhaven for disposal is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27).

NOW, THEREFORE

THE TOWN BOARD

2013-512

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with D. F. Stone Contracting Ltd. for the hauling of Resource Recovery Facility ash to the Town of Brookhaven landfill. The contract period shall be effective for a one (1) year period commencing January 1, 2014 to be charged to operating fund A.8170.4001, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-513

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AMENDMENT AND EXTENSION TO THE INTERMUNICIPAL AGREEMENT FOR TRANSPORTATION AND DISPOSAL OF ASH FROM THE HUNTINGTON RESOURCE RECOVERY FACILITY

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2012-292 authorized the extension of an intermunicipal agreement (IMA) between the Towns of Huntington and Smithtown with the Towns of Brookhaven and Babylon for the transportation and disposal of waste combustion ash residue generated at the Huntington Resource Recovery Facility at the Brookhaven and Babylon landfills; and

WHEREAS, both the Towns of Brookhaven and Babylon are permitted to accept such materials at their respective landfills; and

WHEREAS, said IMA provides for an additional extension commencing on January 1, 2014 and ending December 31, 2014 under the terms and conditions of the agreement provided by affirmative agreement of all parties not less than 120 days prior to the expiration of the initial term of the agreement; and

WHEREAS, the Towns of Huntington, Smithtown, Brookhaven and Babylon are all desirous of the aforementioned extension; and

WHEREAS, the Town of Brookhaven has requested an amendment to the IMA to have the Town of Huntington provide the transport for its portion of the ash residue, the cost of which shall be borne solely by the Town of Brookhaven. This accommodation will satisfy the Town of Huntington's obligations under the Service Agreement and the requirements of the New York State Department of Environmental Conservation (NYSDEC) as well as all applicable local, state and federal laws; and

WHEREAS, the authorization to extend an intermunicipal 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; and

WHEREAS, the hauling of ash from the Huntington Resource Recovery Facility to the Town of Brookhaven for disposal is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27).

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension and amendment to the intermunicipal agreement, and any documents in connection and related therewith, between

the Towns of Huntington and Smithtown with the Towns of Brookhaven and Babylon for the transportation and disposal of waste combustion ash. The extension period shall be effective from January 1, 2014 through December 31, 2014 with the same pricing unit to remain as set forth in the original 2009 agreement to be charged to the operating budget line A.8170.4001, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-514

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH EASTERN RESOURCE RECYCLING, INCORPORATED FOR THE DELIVERY OF PROCESSIBLE WASTE TO THE HUNTINGTON RESOURCE RECOVERY FACILITY NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The Town of Huntington issued a Request For Proposals to contract available processing capacity at the Huntington Resource Recovery Facility; and

WHEREAS, sealed proposals were received on September 27, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for RFP No. 2103-09-010 and the same were opened and read aloud; and

WHEREAS, Eastern Resource Recycling, Inc. of 88 Old Dock Road, Yaphank, NY 11980 is a successful proposer(s); and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Eastern Resource Recycling, Inc. for the delivery of processible waste to the Huntington Resource Recovery Facility, nunc pro tunc. Contract shall be effective upon execution but not prior to October 31, 2013 through December 31, 2014 with two (2) additional twelve (12) month extensions under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES:5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-515

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH JET SANITATION SERVICE CORPORATION FOR THE DELIVERY OF PROCESSIBLE WASTE TO THE HUNTINGTON RESOURCE RECOVERY FACILITY NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

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

WHEREAS, The Town of Huntington issued a Request For Proposals to contract available processing capacity at the Huntington Resource Recovery Facility; and

WHEREAS, sealed proposals were received on September 27, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for RFP No. 2103-09-010 and the same were opened and read aloud; and

WHEREAS, Jet Sanitation Service Corporation of 228 Blyden Road, Islandia, NY 11749 is a successful proposer(s); and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Jet Sanitation Service Corporation for the delivery of processible waste to the Huntington Resource Recovery Facility, nunc pro tunc. Contract shall be effective upon execution but not prior to October 31, 2013 through December 31, 2014 with two (2) additional twelve (12) month extensions under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-516

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH PROGRESSIVE WASTE SOLUTIONS, INCORPORATED FOR THE DELIVERY OF PROCESSIBLE WASTE TO THE HUNTINGTON RESOURCE RECOVERY FACILITY NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, The Town of Huntington issued a Request For Proposals to contract available processing capacity at the Huntington Resource Recovery Facility; and

WHEREAS, sealed proposals were received on September 27, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for RFP No. 2103-09-010 and the same were opened and read aloud; and

WHEREAS, Progressive Waste Solutions, Inc. of 1198 Prospect Avenue, Westbury, NY 11590 is a successful proposer(s); and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Progressive Waste Solutions, Inc. for the delivery of processible waste to the Huntington Resource Recovery Facility, nunc pro tunc. Contract shall be effective upon execution but not prior to October 31, 2013 through December 31, 2014 with two (2) additional twelve (12) month extensions under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-517

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH NATIONAL WASTE SERVICES, LLC FOR THE DELIVERY OF PROCESSIBLE WASTE TO THE HUNTINGTON RESOURCE RECOVERY FACILITY NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The Town of Huntington issued a Request For Proposals to contract available processing capacity at the Huntington Resource Recovery Facility; and

WHEREAS, sealed proposals were received on September 27, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for RFP No. 2103-09-010 and the same were opened and read aloud; and

WHEREAS, National Waste Services, LLC of 1863 Harrison Avenue, Bay Shore, NY 11706 is a successful proposer(s); and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with National Waste Services, LLC for the delivery of processible waste to the Huntington Resource Recovery Facility, nunc pro tunc. Contract shall be effective upon execution but not prior to October 31, 2013 through December 31, 2014 with two (2) additional twelve (12) month extensions under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-518

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH JAMAICA ASH AND RUBBISH REMOVAL, INCORPORATED FOR THE DELIVERY OF PROCESSIBLE WASTE TO THE HUNTINGTON RESOURCE RECOVERY FACILITY NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The Town of Huntington issued a Request For Proposals to contract available processing capacity at the Huntington Resource Recovery Facility; and

WHEREAS, sealed proposals were received on September 27, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for RFP No. 2103-09-010 and the same were opened and read aloud; and

WHEREAS, Jamaica Ash and Rubbish Removal, Incorporated of 172 School Street, Westbury, NY 11590 is a successful proposer(s); and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Jamaica Ash and Rubbish Removal, Incorporated for the delivery of processible waste to the Huntington Resource Recovery Facility, nunc pro tunc. Contract shall be effective upon execution but not prior to October 31, 2013 through December 31, 2014 with two (2) additional twelve (12) month extensions under the same prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-519

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR COMMUNICATION EQUIPMENT REPAIR WITH TELECOM COMMUNICATIONS, INC.

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Department of Public Safety, Environmental Waste Management, General Services, and the Highway Department utilize communication equipment in order to expedite prompt responses to various townwide service requests, and such equipment needs to be maintained and kept in good working order. This contract provides for the repair and installation of two-way communication equipment for all Town of Huntington mobile, hand-held or base station radios, repeaters and antennas; and

WHEREAS, sealed bids were received on October 24, 2013 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for communication equipment repair, Bid No. TOH 13-10R-073 and the same were opened publicly and read aloud; and

WHEREAS, Telecom Communications, Inc., 234 Newtown Road, Plainview, New York 11803 is the sole responsive, responsible bidder; and

WHEREAS, communication equipment repair 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 contract, and any documents in connection therewith, with Telecom Communications, Inc. for communication equipment repair. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before December 31, 2013. The contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions to be charged to Operating budgets of various departments 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.

Communication equipment repair
PURCH/LF/
10/28/2013, 11:50 AM

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR REFUSE REMOVAL SERVICE TWO CUBIC YARD, FOUR CUBIC YARD, SIX CUBIC YARD AND EIGHT CUBIC YARD CONTAINERS WITH JAMAICA ASH & RUBBISH REMOVAL, CO, INC. AND PROGRESSIVE WASTE SOLUTIONS OF LI, INC.

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, various departments throughout the Town require 2 cubic yard, 4 cubic yard, 6 cubic yard, or 8 cubic yard refuse removal, in order to consolidate, recycle and remove rubbish generated from various Town facilities. The collected refuse is then transported and disposed of at the Town of Huntington's Resource Recovery Facility. The facilities that utilize these containers include but are not limited to Town Parks, Beaches, Marinas, Streetlighting, HART Bus and the Dix Hills Water District; and

WHEREAS, sealed bids were received on September 26, 2013, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers, Bid No. TOH 13-09R-056 and the same were opened publicly and read aloud; and

WHEREAS, Jamaica Ash & Rubbish Removal Co., Inc., 172 School Street, Westbury, New York 11590 and Progressive Waste Solutions of LI, Inc., 1198 Prospect Avenue, Westbury, New York 11590 are the lowest responsive, responsible bidders for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers; and

WHEREAS, refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20)and(c)(27), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Jamaica Ash & Rubbish Removal Co., Inc. and Progressive Waste Solution of LI, Inc. for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers. The contract period shall be effective for a one year term commencing upon execution of the contract but not prior to January 1, 2014 and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various operating budgets of various departments, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2013-520

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: November 7, 2013

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

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

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

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

WHEREAS, contracts with the skating professionals will expire on December 31, 2013; and

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

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the following Ice Skating Professional for the provision of ice skating lessons and instructional programs at the Dix Hills Park Ice Rink for the period January 1, 2014 through December 31, 2014:

Linda Beach - 935 Harrison Drive, Centerport, N.Y. 11721
Daniel Bivona - 88 Parkdale Drive, North Babylon, N.Y. 11703
Montana Brown - 55 Clover Ave Farmingville N.Y. 11738
Charlotte Caruso - 1046 Baldwin Road, Dix Hills, N.Y. 11746
Michael Catania - 73 Godfrey Lane Huntington NY 11743
Rosemarie Coyle - P.O. Box 256 Greenlawn N.Y. 11740
Andy Cozzi - 24 Burns Court, Greenlawn N.Y. 11740
Barbara Deluca - 6 Perri Place, Dix Hills, N.Y. 11746
Lou Deluca - 6 Perri Place, Dix Hills, N.Y. 11746
Peter Dykeman - 122 Fairview Circle Middle Island N.Y. 11953
Jack Greig - 77 Madison Circle, Middle Island, N.Y. 11953
Ken Hoey - 326 Oakwood Road Huntington Station N.Y. 11746
Benoit Hogue - 488 Village Oaks Lane, Babylon N.Y.
Adam Leib - 10 St. John Place, Port Washington, N.Y. 11050
Melisa Levine - 31 Kinsella Street, Dix Hills, N.Y. 11746
Kristie Lynch - 102-20 67th Drive #306, Forest Hills, N.Y. 11375
Stars and Skates Inc., Tara Maceiko - 49 Kendrick Lane Dix Hills N.Y. 11746

Melinda Maidel - 37 Spinner Lane, Commack, N.Y. 11725
 Nicole Maltese - 363 Twilight Lane, Smithtown, N.Y. 11787
 Kathy Martinelli - 124 LoneOak Drive, Smithtown, N.Y. 11787
 Lee Meadows - 502 Pulaski Road, GreenLawn, N.Y. 11740
 Alicia Narby - 4 Knollwood Road, Huntington, N.Y. 11743
 Corinne Raile Heilbrun - 52 Ridge Drive, Plainview, N.Y. 11803
 Amy Rivers - 9 Leonard Street, Nesconset, N.Y. 11767
 Rachel Roye - 203 Oakwood Road Huntington N.Y. 11743
 Dawn Sikorski - 22 Sugarwood Lane, N.Y. 11725
 Arleen Saxon - 1 Seuard Drive Woodbury N.Y. 11797
 Jaime Wendt - 189 Burlington Ave, Deer Park, N.Y. 11729
 Barbara Williams - 26 Primrose Lane, Kings Park, N.Y. 11754

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE TARGET CORPORATION TO LOCATE A HART BUS STOP ON THE HUNTINGTON STATION TARGET STORE PROPERTY

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Town of Huntington owns and operates a mass transit bus system; and

WHEREAS, the Town of Huntington wants to encourage the use of public transportation by providing direct bus access to the Huntington Station Target Store; and

WHEREAS, the Town of Huntington wants to place a bus stop on the Target Corporation property for the use of HART buses and passengers; and

WHEREAS, it is necessary for the Town to enter into an agreement with Target Corporation for said bus stop; and

WHEREAS, pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(20), this action involves routine agency administration, which is a Type II action, and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Target Corporation for the provision of locating and use of a bus stop on Target Corporation property 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 L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT (NONFINANCIAL) WITH THE COUNTY OF SUFFOLK DEPARTMENT OF HEALTH SERVICES FOR THE PROVISION OF REFERRAL SERVICES TO THE TOWN'S YOUTH BUREAU FOR THE TERM APRIL 1, 2013 THROUGH MARCH 31, 2018, NUNC PRO TUNC

Resolution for Town Board Meeting dated: November 7, 2013

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

And seconded by: **COUNCILMAN MAYOKA, COUNCILMAN COOK**

WHEREAS, the Suffolk County Department of Health Services desires to enter into an Agreement with the Town of Huntington for the purpose of Referral Services for programs and services offered by the Huntington Youth Bureau and the Department of Health Services for the period April 1, 2013 through March 31, 2018; and

WHEREAS, the Town of Huntington Youth Bureau will refer individuals who require health and mental health services to Suffolk County Department of Health Services Centers (Pederson Krag, C.K. Post, Dolan Health Center) and the Suffolk County Department of Health Services will refer individuals to the Town of Huntington Youth Bureau Programs who require: Drug and Alcohol Treatment and Prevention, Sanctuary's Runaway and Homeless Youth services and Project EXCEL's employment programs; and

WHEREAS, in the past this has been an informal agreement between the Town of Huntington Youth Bureau and the Suffolk County Department of Health Services, this formal Referral Services Agreement is now a requirement of the New York State Dept. of Health, the AIDS Institute and Ryan White Federal funding; and

WHEREAS, there is no cost to the Town of Huntington;

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an Agreement between Suffolk County Department of Health Services and the Town of Huntington for the provision of Referral Services for the term April 1, 2013 through March 31, 2018, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A WRITTEN DIRECTIVE-UPSTATE RENEWAL CONTRACT WITH THE NEW YORK STATE OFFICE OF PEOPLE WITH DEVELOPMENTAL DISABILITIES FOR THE CONTINUATION OF FUNDING FOR THE SUMMER CAMP FOR THE DEVELOPMENTALLY DISABLED

Resolution for Town Board Meeting Dated: November 7, 2013

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

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

WHEREAS, the Town of Huntington Parks and Recreation offers a summer camp for the developmentally disabled and additional funding is available through the New York State Office of People with Developmental Disabilities (OPWDD) in the amount of THIRTY FOUR THOUSAND NINE HUNDRED NINETY-NINE AND NO/100 (\$34,999.00) DOLLARS for the 2014 budget period; and

WHEREAS, the New York State Office of People with Developmental Disabilities (OPWDD) will provide an advance payment for the first quarter of the renewal period in accordance with the terms of the contract: and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a Written Directive-Upstate Renewal Contract with the New York State Office of People with Developmental Disabilities (OPWDD) for the continuation of funding for the summer camp for the developmentally disabled, for a term commencing on January 1, 2014 and ending December 31, 2014, in an amount not to exceed THIRTY FOUR THOUSAND NINE HUNDRED NINETY-NINE AND NO/100 (\$34,999.00) DOLLARS and to execute all necessary documents in connection therewith, and on such other terms and conditions as may be acceptable to the Town Attorney.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A WRITTEN DIRECTIVE-UPSTATE RENEWAL CONTRACT WITH THE NEW YORK STATE OFFICE OF PEOPLE WITH DEVELOPMENTAL DISABILITIES FOR THE CONTINUATION OF FUNDING FOR THE YOUNG TEEN PROGRAM FOR THE DEVELOPMENTALLY DISABLED

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN COOK

WHEREAS, the Town of Huntington Parks and Recreation offers the Young Teen Program for the developmentally disabled and additional funding is available through the New York State Office of People with Developmental Disabilities (OPWDD) in the amount of THIRTEEN THOUSAND SIX HUNDRED AND SEVENTY FIVE AND NO/100 (\$13,675.00) DOLLARS for the 2014 budget period; and

WHEREAS, the New York State Office of People with Developmental Disabilities (OPWDD) will provide an advance payment for the first quarter of the renewal period in accordance with the terms of the contract; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a Written Directive-Upstate Renewal Contract with the New York State Office of People with Developmental Disabilities (OPWDD) for the continuation of funding for the Young Teen Program for the developmentally disabled, for a term commencing on January 1, 2014 and ending December 31, 2014, in an amount not to exceed THIRTEEN THOUSAND SIX HUNDRED AND SEVENTY FIVE AND NO/100 (\$13,675.00) DOLLARS and to execute all necessary documents in connection therewith, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT TO RENT AN APARTMENT AT FUCHS POND PRESERVE IN NORTHPORT, NEW YORK, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is the owner of certain real property known as Fuchs Pond Preserve located in the Town of Huntington address at 21 Norwood Road, Northport, New York; and

WHEREAS, on the property known as Fuchs Pond Preserve there are several structures and the Town of Huntington desires to enter into a license agreement for the use of said structures, specifically a license to rent the apartment area above the detached garage to an individual or entity; and

WHEREAS, the Town Attorney's office has caused an appraisal of the premises to be conducted by Breslin Realty Appraisal Services; and

WHEREAS, a prior licensee has vacated the premises and it is in the Town's best interest to have a presence at the premises to avoid incidents of vandalism; and

WHEREAS, the Town of Huntington is desirous of entering into a License Agreement with Landon Simmons to occupy said premises and to perform specific services with regard to the property, including but not limited to, visual inspection of the premises and visual inspection of adjoining structures, for a one (1) year period commencing on the date of the execution of the License Agreement by both parties, with one (1) possible extension for a one (1) year period on such terms and conditions as may be acceptable to the Town Attorney at that time.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a License Agreement, nunc pro tunc, and any other related documents, with Landon Simmons pertaining to the licensing of the apartment area above the garage at the Fuchs Pond Preserve for a monthly license fee of NINE HUNDRED and NO/100 DOLLARS (\$900.00) to be deposited into Operating Budget Account A2410, for a term of one (1) years commencing on the date of execution by both parties, with the possibility of a one (1) year only extension, and on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES:5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH THE LONG ISLAND REBELS YOUTH HOCKEY FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF A HIGH DEFINITION CAMERA SYSTEM AT THE DIX HILLS ICE RINK

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Long Island Rebels Youth Hockey organization is desirous of installing a High Definition Camera System at the Town of Huntington Dix Hills Ice Rink for the purpose of filming and televising its games via the internet; and

WHEREAS, in addition, the Town of Huntington shall be permitted to utilize the High Definition Camera System for the purpose of recording or televising games, activities and special events at the Dix Hills Ice Rink; and

WHEREAS, such installation shall be performed by an engineering and design firm that specializes in designing, engineering and installing state of the art integrated audio visual systems for commercial and academic applications; and

WHEREAS, all costs associated with the installation, operation and maintenance of the High Definition Camera System shall be borne solely by the Long Island Rebels Youth Hockey; and

WHEREAS, the execution of a license agreement for the installation, operation and maintenance of a High Definition Camera System is a Type II action, pursuant to 6 N.Y.C.R.R. Section 617.5 (c) (20) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a license agreement with the Long Island Rebels Youth Hockey, Post Office Box 1041, Huntington, New York 11743 for the installation, operation and maintenance of a High Definition Camera System at the Town of Huntington Dix Hills Ice Rink, for a period of three (3) years from the date of execution by all parties, and with a two (2) year extension upon the mutual agreement of the Town of Huntington and the Long Island Rebels Youth Hockey, and on such other terms and conditions as may be acceptable to the Town Attorney.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXTEND AND EXECUTE AN AGREEMENT WITH THE NEW YORK STATE CATHOLIC HEALTH PLAN INC. D/B/A FIDELIS CARE NEW YORK AND THE TOWN OF HUNTINGTON FOR THE PROVISION OF SOCIAL DAY CARE SERVICES THROUGH THE HUNTINGTON ADULT DAY CARE PROGRAM

Resolution for Town Board Meeting dated: November 7, 2013

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

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

WHEREAS, the Town of Huntington operates an Adult Day Care Program that provides social model day care services such as educational, craft, recreational and group activities and a hot lunch for the frail elderly; and

WHEREAS, Fidelis Care New York is a not for profit corporation providing managed care services, which allows appropriate individuals to remain in their homes while receiving nursing home level care, such as, health rehabilitation, medical support services and personal care, including respite care, social day care, and transportation; and

WHEREAS, Fidelis Care New York desires to provide eligible senior citizens with social day care services through the Huntington Adult Day Care Program; and

WHEREAS, such services may also include related transportation between the patient's home and the location of the Huntington Adult Day Care Program and other services which the Center may offer; and

WHEREAS, Fidelis Care New York will reimburse the Town of Huntington the sum of FORTY-FIVE AND NO/100 (\$45.00) DOLLARS a day, per person for a full day's attendance; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to extend and execute an agreement with New York State Catholic Health Plan Inc. D/B/A Fidelis Care New York, 95-25 Queens Boulevard, Rego Park, New York 11374, for the provision of social day care services through the Huntington Adult Day Care Program for an amount not to exceed the sum of FORTY-FIVE AND NO/100 (\$45.00) DOLLARS a day, per person for a period of two years, and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THERE UPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A RENTAL AGREEMENT WITH PITNEY BOWES GLOBAL FINANCIAL SERVICES FOR A POSTAGE METER FOR THE RECEIVER OF TAXES

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, a regulation mailing system is required for the mailing of property tax bills and notices required by Real Property Tax Law; and

WHEREAS, the existing agreement with Pitney Bowes Global Financial Services has a term that expires during the tax 2013-2014 tax collection period; and

WHEREAS, the current postage meter is in need of updating to comply with United States Postal Service (USPS) standards; and

WHEREAS, rental of a postage meter is classified as a Type II action, pursuant to SEQRA, 6NYCRR, §617.5(c)(20) and therefore, no further review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a 60 month rental agreement with Pitney Bowes Global Financial Services, 500 Bi County Boulevard, Farmingdale, New York 11735 for a period beginning January 1, 2014 through December 31, 2018 for an amount not to exceed the sum of TWO HUNDRED ELEVEN AND 50/100 (\$211.50) DOLLARS PER MONTH, to be charged to Operating Budget Item A1330-4290, upon such terms and conditions 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 ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH SUFFOLK COUNTY OFFICE FOR THE AGING FOR TWELVE (12) TABLET PERSONAL COMPUTERS TO BE MADE AVAILABLE TO SENIOR CITIZENS

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN COOK

WHEREAS, The Town of Huntington is committed to increasing access to technology by senior citizens; and

WHEREAS, New York Department of State provided Suffolk County Office for the Aging with tablet personal computers to be made available to senior citizens; and

WHEREAS, Suffolk County Office for the Aging desires to make twelve (12) tablet personal computers available to senior citizens at the Town of Huntington Senior Center, in furthermore of its agreement with New York Department of State; and

WHEREAS, in consideration for this distribution, the Town of Huntington agrees to report tablet usage to the Suffolk County Office for the Aging for a period of six (6) consecutive quarters pursuant to the terms and conditions as set forth in the Memorandum of Understanding; and

WHEREAS, entering into a Memorandum of Understanding for the distribution of tablet personal computers is not an action as defined by 6 N.Y.C.R.R. section 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to enter into a Memorandum of Understanding with Suffolk County Office for the Aging for twelve (12) tablet personal computers to be made available to senior citizens and to execute any documents in connection 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	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Mark L. Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING EXECUTION OF A CONSENT DECREE WITH THE UNITED STATES OF AMERICA AND THE STATE OF NEW YORK RE: COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT (CERCLA) REMEDIATION OF THREE ACRE PORTION OF VETERANS NATURE STUDY AREA

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, in 1976, the a thirty-four (34) acre parcel of land now known as the Veterans Nature Study Area (VNSA) was transferred by the Federal Government to the Town of Huntington; and

WHEREAS, in the mid 1990s, the County of Suffolk informed the Town that approximately three (3) acres of the VNSA site had been used by the Federal government as a dump site; and

WHEREAS, the Town hired consultants to investigate and remediate this three (3) acre portion of the VNSA site and obtained reimbursement for a substantial portion of these costs from the State of New York through Clean Water/Clean Air Bond Act funding; and

WHEREAS, the State of New York is seeking reimbursement from the Federal government under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for the state assistance it provided to the Town for the investigation and remediation of the three (3) acre portion of the VNSA site; and

WHEREAS, the State of New York and the United States of America are entering into a consent order to settle this matter and require the Town to execute the settlement; and

WHEREAS, the Town, the United States of America and the State of New York, have engaged in settlement discussions and have determined that it is in the best interests of all parties to conclude a full and final settlement of this matter; and

WHEREAS, the Town has determined that it is in the best interest of the Town to accept a settlement in the amount of ONE HUNDRED THOUSAND AND 00/100 (\$100,000.00) DOLLARS representing payment to the Town for some of its unreimbursed costs associated with testing and/or remediation of the three (3) acre portion of the VNSA site; and

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

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: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

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

Reinstate the following positions:

DB-5110-1100	Automotive Equipment Operator	\$5,042
DB-5110-1100	Automotive Equipment Operator	5,042
DB-5110-1100	Laborer	4,429
SR-8158-1100	Laborer (Refuse)	5,417

Create the following position:

A-1355-1100	Head Clerk	\$8,449
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Abolish the following position:

A-1355-1100	Principal Clerk	(\$7,176)
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Adjust the following Appropriations:

A-1990-1100	Contingency	(\$1,273)
DB-1990-1100	Contingency	(14,513)
SR-1990-1100	Contingency	(5,417)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2013 OPERATING BUDGET AND TO APPROPRIATE FUNDS FROM THE GENERAL RESERVE AND PARKS & RECREATION CAPITAL IMPROVEMENT RESERVE FOR THE PURPOSE OF FUNDING CAPITAL PROJECTS IN LIEU OF BONDING – DEPARTMENT OF GENERAL SERVICES

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

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

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

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

WHEREAS, the Department of General Services requires funding to continue to support the Town's telecommunications infrastructure (telephones) at all Town facilities; and

WHEREAS, the Department of General Services requires funding for required maintenance improvements to the HVAC systems at Town Hall, Village Green, and the Dix Hills Ice Rink; and

WHEREAS, the Department of General Services requires funding for the purchase of truck bodies needed to maintain the services and maintenance of Town properties, to replace those taken off the road because they are rusted through and unsafe for operation; and

WHEREAS, the Department of General Services requires funding to purchase an aerator for the Town's two revenue-generating golf courses (Crab Meadow and Dix Hills), and;

WHEREAS, amending the 2013 Operating Budget and the funding of various capital accounts in lieu of bonding and amending the capital budget 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 Comptroller to amend the 2013 Operating and Capital Budget as follows:

Reserves to be appropriated:

A-0878	Parks & Recreation Capital Reserve	38,000
A-0889	General Reserve	46,500

Decrease the following appropriations:

A1621-4660	Heat	15,000
A1660-4130	Postage	25,000
A4225-4001	Contractual Expense	10,000
A7141-4555	Instructional Services	45,000

Increase the following appropriations:

A1621-4210	Telephone	70,000
A1621-4650	Building Repair, Maint & Supp	25,000
GS1997-2317-RS102	Truck Bodies	46,500
GS7197-2600	Equipment	38,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-534

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

Resolution for Town Board Meeting Dated: November 7, 2013

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

2013-53Y

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

<u>PROPERTY ADDRESS</u>	<u>SCIM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
151 W. Pulaski Rd. Huntington Sta., NY 11746	0400-141.00-01.00-078.004	Robert A. Guerrero	10/01/2013	461 Pulaski Rd. Greenlawn, NY 11740

RESOLUTION ACCEPTING A DRAINAGE EASEMENT FROM CLAUDIA D. STONE AND CRAIG STONE FOR STORM WATER PIPELINE REPLACEMENT WORK OF TOWN DRAINAGE SYSTEM LOCATED AT 59A IDLE DAY DRIVE, CENTERPORT, NEW YORK, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town has undertaken a project to improve its drainage system by replacing its storm water pipeline located at 59A and 59 Idle Day Drive, Centerport, New York; and

WHEREAS, in order to complete the project it is necessary to secure a drainage easement from Claudia D. Stone & Craig Stone of 59A Idle Day Drive, Centerport, New York; and

WHEREAS, the Town is in possession of the executed drainage easement and necessary documents to record same with the Clerk of Suffolk County; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(2) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board

HEREBY ACCEPTS the dedication of a drainage easement from Claudia D. Stone and Craig Stone for the Town project to replace its storm water pipeline located at 59A Idle Day Drive, Centerport, New York, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-541

RESOLUTION AMENDING THE TOWN BOARD'S PRIOR AUTHORIZATION OF THE LONG-TERM LOAN OF THE TOWN-OWNED MINERAL COLLECTION, HELD AND MANAGED BY THE HECKSCHER MUSEUM

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, August and Nannie Heckscher in 1917 created the Heckscher Trust to which they donated certain property thereafter known as Heckscher Park and announced their intention to establish a museum on this property for the benefit of the citizens of Huntington, which was eventually completed and dedicated in 1920; and,

WHEREAS, ownership of this museum, its collection, and the surrounding 18.5-acre Heckscher Park was conveyed by the Heckscher Trust to the Town of Huntington in 1954 in exchange for the Town agreeing to maintain and operate this property in perpetuity to carry out the charitable and educational purposes of the Trust, including operation of the museum; and,

WHEREAS, subsequently the Town of Huntington encouraged a group of its citizens interested in supporting the continued operation of the museum to establish a non-profit corporation, The Heckscher Museum, in 1957 to assist the Town with management of this cultural institution; and,

WHEREAS, the Town of Huntington formally delegated responsibility for operation of the museum and care of its collection to this non-profit corporation by agreement with The Heckscher Museum in 1964; and,

WHEREAS, in keeping with these contractual responsibilities, The Heckscher Museum has observed that it does not use and does not anticipate using for its educational purposes a collection of minerals that was donated to the museum prior to 1954, as the Museum's focus is on Western Art traditions, with special emphasis on American art of the New York region; and,

WHEREAS, the mineral collection has been stored unused for decades, taking up valuable collection space that could be better used for collection objects more central to the museum's educational purposes; and,

WHEREAS, the American Alliance of Museums Accreditation Commission expects The Heckscher Museum to make "plans to identify and deal with the non-art and ethnographic objects" stored in its vaults; and,

WHEREAS, the limited monetary value of the mineral collection does not warrant its sale to generate funds to support the acquisition of works of art more in keeping with The Heckscher Museum's mission; and,

WHEREAS, the mineral collection has considerable educational value that could be of greater benefit to the public if the mineral collection were loaned to an appropriate institution whose mission enabled its fuller utilization for educational purposes; and,

WHEREAS, in response to the recommendation and request of the Board of Trustees of The Heckscher Museum the Town Board approved Resolution 2012-534 on December 18, 2012 authorizing the Town-owned mineral collection entrusted to the care of The Heckscher Museum to be placed on long-term loan to the Department of Geosciences, Stony Brook University, Stony Brook, NY, for use in its educational programming; and,

WHEREAS, since the authorization of this long-term loan, unexpected changes within the Stony Brook University Department of Geosciences in the availability of resources necessary for the proper care and educational use of the mineral collection has resulted in the Department of Geosciences regrettably declining to accept the loan of the mineral collection; and,

WHEREAS, subsequent research by the staff of The Heckscher Museum has identified the Earth and Environmental Science Department, Long Island University (LIU), C.W. Post Campus, as being the most suitable alternate recipient of the long-term loan of the mineral collection in order to facilitate its use for educational purposes for the benefit of students and the general public; and,

WHEREAS, the long-term loan of objects from a museum collection is not an action as defined by 6 NYCRR §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation and request of the Board of Trustees of The Heckscher Museum,

HEREBY amends Resolution 2012-534 by authorizing The Heckscher Museum to place the mineral collection now in its possession on indefinite loan to the Department of Earth and Environmental Science, Long Island University (LIU), C.W. Post Campus, for use in its educational programming, including the possible use of appropriate specimens for research purposes, with the understanding that The Heckscher Museum, acting on behalf of the Town of Huntington as the owner of the collection, can recall the loan, or any portion thereof, by giving three years advance notice to LIU.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-542

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2013-423
AUTHORIZING THE SUPERVISOR TO EXECUTE CONTRACTS WITH THE
LOWEST RESPONSIBLE BIDDERS FOR THE STORM DEBRIS REMOVAL
EQUIPMENT SERVICES CONTRACT FOR BID ITEMS ONE THROUGH TEN.

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, sealed bids were received on September 5, 2013 by the Town of Huntington, Department 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, A & J Antorino Co., Inc. P.O Box 557, 183 New York Avenue, Huntington, New York 11743, was the lowest bidder for items 8 and 9; and

WHEREAS, A & J s Antorino Co., Inc. sent a letter to the Purchasing Department requesting to withdraw their bid and has declined to execute the contract as awarded by Town Board Resolution 2013-423; and

WHEREAS, with respect to the services to be provided by A & J Antorino, Inc., Posillico Civil, Inc. was the second lowest bidder and has agreed to perform these services; and

WHEREAS, the amendment of Resolution 2013-423 and the execution of an agreement is a Type II action under SEQRA, pursuant to 6 N.Y.C.R.R. §617.5 (c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AMENDS Town Board Resolution 2013-423 by rescinding the award to A & J Antorino, Co., Inc. and authorizes the Supervisor to execute a contract, and any documents in connection and related therewith, with Posillico Civil, Inc. for the storm debris removal equipment services to include Item 8 (ten wheel truck with dump body in excess of sixteen cubic yards and swing/demolition gate) and Item 9 (tractor/trailer with dump body in excess of thirty cubic yards and swing/demolition gate) previously awarded to A & J Antorino Co., Inc.

2013-542

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.

2013-543

DESIGNATE AN EQUITABLE BUSINESS OPPORTUNITIES (EBO) LIAISON OFFICER FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town of Huntington is committed to ensuring that there is not discrimination in the award and administration of contracts; and

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web-based civil rights reporting system called EBO (Equitable Business Opportunities) to streamline and reduce the efforts required by the construction and engineering industries to satisfy contractual civil rights reporting requirements; and

WHEREAS, the Town of Huntington desires to designate Rhonda Shepardson, Esq., the Deputy Director of Human Services and Town designated DBE Officer, as the Equitable Business Opportunities Liaison Officer for the Town of Huntington to ensure the implementation of the Town of Huntington's Equitable Business Opportunities; and

WHEREAS, pursuant to SEQRA 6 N.Y.C.R.R section 617.5(c)(20), the action herein involves routine agency administration, which is a Type II action, and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DESIGNATES Rhonda Shepardson, Esq., as the Equitable Business Opportunities Liaison Officer for the Town of Huntington.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SUPPORTING THE "COMMUNITY SUSTAINABLE FISHERIES INITIATIVE" DEVELOPED BY THE VILLAGE OF NORTHPORT AND CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY TO CULTURE RIBBED MUSSELS IN NORTHPORT HARBOR AS A NATURAL BIO-FILTER TO REDUCE THE LEVEL OF NITROGEN AND OTHER ALGAE CAUSING POLLUTANTS

Resolution for Town Board Meeting Dated: November 7, 2013

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

WHEREAS, the Town of Huntington and Village of Northport are charter members of the Northport Harbor Water Quality Protection Committee; and

WHEREAS, the Village of Northport and Cornell Cooperative Extension of Suffolk County have proposed a Sustainable Fisheries Initiative to seed ribbed mussels as a natural bio-filter for the cleansing of waters in Northport Harbor; and

WHEREAS, the ribbed mussel is bi-valve, inedible by humans, that feeds on cellulose, bacteria, heterotrophic protists, microphytobenthos, cyano-bacteria and phytoplankton, removing harmful nutrients such as nitrogen and phosphorus; and

WHEREAS, based on the capacity of the ribbed mussel to filter coastal waters at an approximate rate of 10 gallons/day, the Sustainable Fisheries Initiative expects to filter 20 million gallons of water every day from Northport Harbor at peak operation; and

WHEREAS, as the owner and steward of Huntington's underwater lands, the Town maintains an interest in public education, habitat restoration and improving coastal water quality as anticipated in the Sustainable Fisheries Initiative; and

WHEREAS, 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 SUPPORTS the "Community Sustainable Fisheries Initiative" developed by the Village of Northport and Cornell Cooperative Extension of Suffolk County to culture ribbed mussels in Northport Harbor as a natural bio-filter to reduce the level of nitrogen and other algae causing pollutants; and

HEREBY DIRECTS the Town Clerk to forward a certified copy of this resolution of support for the Community Sustainable Fisheries Initiative to Hon. George Doll, Mayor of the Village of Northport and the Village Trustees.

2013-544

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-545

RESOLUTION URGING THE UNITED STATES ARMY CORPS OF ENGINEERS TO FINALIZE THE NORTH SHORE OF LONG ISLAND BEACH EROSION CONTROL FEASIBILITY STUDY FOR ASHAROKEN, NY AND URGING CONGRESS AND THE NEW YORK STATE LEGISLATURE TO ENSURE THAT SUCH FUNDING IS ALLOCATED IN FISCAL YEAR 2014 AND SUBSEQUENT BUDGET CYCLES AS MAY BE NECESSARY TO ENGINEER AND COMPLETE THE PROJECT TO REBUILD ASHAROKEN BEACH

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN COOK**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Village of Asharoken is an isthmus that connects Eaton's Neck, and the 1,500 people living there, the Eaton's Neck Fire Department and the personnel stationed at the U.S. Coast Guard facility, to the rest of Huntington via a single land route, Asharoken Avenue; and

WHEREAS, at its narrowest point the Asharoken isthmus is barely 100' across and fortified by a seawall engineered by the Army Corps that has been subject to major repairs following storm events Irene and Sandy; and

WHEREAS, the rate of erosion of the beachfront protecting the homes and Asharoken Avenues itself is accelerating, so much so that the seawall is now over-washed by Long Island waters in even moderate strength easterly and northeasterly winds, increasing the chances for a breach in another major storm event; and

WHEREAS, a dunes rebuilding project completed this past spring provides temporary respite, but the only effective method of protecting the integrity of dunes, sea wall and roadway is to completely rebuild Asharoken Beach from the Northport power plant to a point west of the seawall; and

WHEREAS, the Disaster Relief Appropriations Act of 2013 makes funding available for the completion of feasibility studies and the construction to structural improvements to shoreline areas to protect public infrastructure like Asharoken Avenue from the effects of climate change and worsening weather patterns; and

WHEREAS, the Village of Asharoken, New York Department of Environmental Conservation and the Army Corps of Engineers have a joint agreement that will allow them to fund the Beach Rebuilding project upon the completion of the feasibility study using sand dredged from LI Sound and used to nourish the beachfront in the volume this project requires; and

WHEREAS, the Huntington Town Board concurs with the Village of Asharoken that this is a vital project that must be completed with all compulsory speed so as to forestall the potential impacts of future major storms; and

2013-545

WHEREAS, the memorializing resolution 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 URGES the United States Army Corps of Engineers to finalize the North Shore of Long Island Beach Erosion Control feasibility study for Asharoken, NY and urges Congress and the New York State Legislature to ensure that such funding is allocated in fiscal year 2014 and subsequent budget cycles as may be necessary to engineer and complete the project to rebuild Asharoken Beach; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to United States Senator Charles E. Schumer, United States Senator Kirsten E. Gillibrand, United States Congressman Steve Israel, Col. Paul E Owen, Commander, U.S. Army Corps of Engineers, New York District, Governor Andrew Cuomo, Joseph Martens, Commissioner of the New York State Department of Environmental Conservation, New York State Senator Carl Marcellino, New York State Assemblyman Andrew Raia and Mayor Gregory Letica, Village of Asharoken and the members of the Asharoken Board of Trustees.

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.

2013-546

RESOLUTION ADOPTING THE 2014 PRELIMINARY ANNUAL OPERATING BUDGET, AS THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2014

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD, having conducted a public hearing on the 15th day of October, 2013, for the purpose of considering the Preliminary Annual Operating Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2014, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Annual Operating Budget should be amended and adopted, as amended;

HEREBY ESTABLISHES AND ADOPTS the 2014 Preliminary Annual Operating Budget, as the Annual Operating Budget for the Town of Huntington for the fiscal year commencing January 1, 2014; and

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

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

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING THE CAPITAL BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2014

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD, having conducted a public hearing on the 15th day of October, 2013, for the purpose of considering the Preliminary Capital Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2014, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Capital Budget should be adopted,

HEREBY ESTABLISHES AND ADOPTS the Capital Budget for the Town of Huntington for the fiscal year commencing January 1, 2014; and

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

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

VOTE: AYES: 3 NOES: 2 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-548

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE HUNTINGTON
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 7, 2013

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

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Town Board Resolution 2013-471 scheduled a public hearing on the assessment roll for the Huntington Sewer District for the 15th day of October, 2013; and

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

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 15th day of October, 2013, and due deliberation having been had,

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

2013-548

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.

2013-549

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE CENTERPORT
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 7, 2013

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

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Town Board Resolution 2013-472 scheduled a public hearing on the assessment roll for the Centerport Sewer District for the 15th day of October, 2013; and

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

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 15th day of October, 2013, and due deliberation having been had,

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

2013-549

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 - 550

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 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: November 7, 2013

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

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

THE TOWN BOARD having held a public hearing on the 15th day of October, 2013 at 6:00 p.m. 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., and due deliberation having been had,

HEREBY ADOPTS

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

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

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.

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.

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 20 EAST MAIN STREET, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 15th day of October, 2013, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of 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, bearing Suffolk County Tax Map #0400-073.00-02.00-005.001, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Kelly DiVico for a Certificate of Approval.

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.

2013-55a

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

Resolution for Town Board Meeting dated: November 7, 2013

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, on October 15, 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 September 17, 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" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

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

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

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

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

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
103	4 Carriage Court, Dix Hills	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio 194 Smith Street Deer Park, NY 11729	9/25/2013	\$2,500.00
102	24 Lorraine Court Northport	0400-055.00-01.00-048.003	Mohammed Sabur 24 Lorraine Court Northport, NY 11768	9/19/2013	\$2,500.00
104	32 Lakeside Drive Centerport	0400-043.00-05.00-014.000	Subbarao Gutti Sathyavath Gutti 32 Lakeside Drive Centerport, NY 11721	9/27/2013	\$2,500.00

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
103	4 Carriage Court, Dix Hills	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio 194 Smith Street Deer Park, NY 11729	9/25/2013	10/15/2013
102	24 Lorraine Court Northport	0400-055.00-01.00-048.003	Mohammed Sabur 24 Lorraine Court Northport, NY 11768	9/19/2013	10/15/2013
104	32 Lakeside Drive Centerport	0400-043.00-05.00-014.000	Subbarao Gutti Sathyavath Gutti 32 Lakeside Drive Centerport, NY 11721	9/27/2013	10/15/2013

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington
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
101	350 Commack Road Commack	0400-225.00-03.00-058.000	Yi-Corn Corp II c/o Michael J. Collura 1 Joy Drive Manhasset, NY 11040	9/19/2013	10/15/2013

2013-552

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	PRIOR NOTIFICATION DATE	ANNUAL REGISTRATION FEE
35	2C West 11th Street Huntington Station	0400-142.00-03.00-032.000	John M Gerardi 74 1st Avenue Hunt. Station, NY 11746	3/22/2012	\$2,500.00
54	2 Glover Drive Dix Hills	0400-284.00-03.00-172.000	Heather Lazarides 2 Glover Drive Dix Hills, NY 11746	6/11/2012	\$2,500.00
42	11 Split Rock Court Melville	0400-253.00-01.00-040.000	Nadim Ahmed 11 Split Rock Court Melville, NY 11747	4/12/2012	\$2,500.00
36	151 W. Pulaski Rd Huntington Station	0400-141.00-01.00-078.004	Robert A. Guerrero 461 Pulaski Road Greenlawn, NY 11740	3/9/2012	\$2,500.00

**SCHEDULE D
 PERSISTENT BLIGHTED PROPERTIES**

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 31-2013, A LOCAL LAW TO PROVIDE ASSESSMENT AND TAX RELIEF TO PROPERTY OWNERS IMPACTED BY SUPERSTORM SANDY

Resolution for Town Board Meeting Dated: November 7, 2013

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

WHEREAS, the Town Board desires to adopt Local Law to provide assessment and tax relief to property owners impacted by Superstorm Sandy; and

WHEREAS, pursuant to Sections 617.5 (c) 20 and 27 of SEQRA, regulation amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering or 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 for the **6th** day of December, 2013 at **9:00 a.m.** at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 31-2013, as follows:

LOCAL LAW INTRODUCTORY NO. 31-2013

CHAPTER 178: TAXATION, ARTICLE XIII: LOCAL LAW TO PROVIDE ASSESSMENT AND TAX RELIEF TO PROPERTY OWNERS IMPACTED BY SUPERSTORM SANDY

Section 1. Chapter 178: Taxation, Article XIII: Local Law to Provide Assessment and Tax Relief to Property Owners Impacted by Superstorm Sandy to read as follows:

Section 178-44, Legislative Intent.

The Town Board hereby finds and determines that Superstorm Sandy caused catastrophic property damage in the Town of Huntington in the Fall of 2012.

The Town Board also finds that a significant number of homes were severely damaged by the high winds, and/or rains and/or flooding associated with Superstorm Sandy.

The Town Board further determines many Town of Huntington residents experienced terrible hardship when their homes were damaged. Many residents were forced to relocate or, in the alternative, live in their damaged homes under difficult conditions. Many residents face a long, difficult and expensive road as they rebuild their homes and lives.

The Town Board further finds that Superstorm Sandy struck the Town of Huntington after assessment rolls were prepared by the town; as a result, property owners who experienced substantial damage to their homes and businesses were required to pay their normal property tax bill in 2013.

The Town Board determines that the State of New York has enacted legislation which addresses this inequity by authorizing local governments to grant assessment relief to Superstorm Sandy victims whose properties were substantially damaged or destroyed.

The Town Board finds that the Town of Huntington was included in the Federal disaster declaration of Superstorm Sandy and, therefore, is eligible to extend assessment relief to its residents.

The Town Board concludes it is fair and equitable to provide relief to residents who saw their properties damaged and their lives upended by Superstorm Sandy

Therefore the purpose of this law is to elect to provide assessment relief to persons substantially impacted by Superstorm Sandy as authorized by the "Superstorm Sandy Assessment Relief Act", enacted by the New York State Legislature as Chapter 424 of the 2013 Laws of the State of New York.

Section 178-45 Definitions.

As used in this law, the following terms shall have the meanings indicated:

"Impacted Tax Roll" shall mean the final assessment roll which satisfies both of the following conditions; the roll is based upon a) a taxable status date occurring prior to October 28, 2012; and b) taxes levied upon that roll were payable without interest on or after October 28, 2012.

"Improved Value" shall mean the market value of real property improvements excluding the land.

"Property" shall mean "real property", "property" or "land" as defined under paragraph (a) through (g) of subdivision 12 of New York Real Property Law.

"Relief Act" shall mean the Superstorm Sandy Assessment Relief Act as enacted by New York State Legislature, Chapter 424 of the 2013 Laws of the State of New York.

"Superstorm Sandy" shall mean the storms, rain, winds or floods which occurred within the State of New York and the Town of Huntington during the period of October 29, 2012 and ending November 3, 2012.

"Total Assessed Value" shall mean the total assessed value property prior to any and all exemption adjustments.

Section 178-46 Implementation and Adoption of Hurricane Sandy Assessment Relief Act.

This law adopts and implements the provisions of the Superstorm Sandy Assessment Relief Act, as enacted by the New York State Legislature, Chapter 424 of the 2013 Laws of the State of New York, granting assessment relief to the victims of Superstorm Sandy.

Section 178-47 Eligibility criteria and relief granted.

Notwithstanding any provision of law to the contrary, the Town of Huntington elects to provide assessment relief for properties damaged by Superstorm Sandy, as authorized by the Relief Act, as follows:

<u>Lost Improved Value of Property as a result of Superstorm Sandy</u>	<u>Reduction of Assessed Value Attributable to Improvements on the Impacted Assessment Roll</u>
<u>At least 10% but less than 20%</u>	<u>15%</u>
<u>At least 20% but less than 30%</u>	<u>25%</u>
<u>At least 30 % but less than 40%</u>	<u>35%</u>
<u>At least 40% but less than 50%</u>	<u>45%</u>
<u>At least 50% but less than 60%</u>	<u>55%</u>
<u>At least 60% but less than 70%</u>	<u>65%</u>
<u>At least 70% but less than 80%</u>	<u>75%</u>
<u>At least 80% but less than 90%</u>	<u>85%</u>
<u>At least 90% but less than 100%</u>	<u>95%</u>
<u>100%</u>	<u>100%</u>

Section 178-48 Other provisions.

- A. To receive relief under this law, a property owner must submit a written request to the Assessor of the Town of Huntington on a form approved by the Director of the New York State Office of Real Property Tax Services, in accordance with the specific requirements of the Relief Act, and any supplemental forms that may be required by the Town of Huntington within ninety days following the date upon which the Relief Act was approved by the Governor. Such request shall attach any and all determinations made by the Federal Emergency Management Agency, any and all reports made by insurance adjusters, and describe in reasonable detail the damage caused to the property by Superstorm Sandy and the condition of the property and shall be accompanied by supporting documentation, including but not limited to photographs depicting the damage, invoices, receipts, cancelled checks, documenting the extent of work performed and the building permits and certificates of occupancy issued for the repairs, if any.
- B. The percentage of loss in improved value shall be adopted by the Assessor from a written finding of the Federal Emergency Management Agency, or where no such finding exists, shall be determined by the Assessor in a manner provided by the Relief Act, subject to review by the Board of Assessment Review.
- C. Where the Assessor determines a property has lost at least 10% of its improved value due to Superstorm Sandy, the assessed value attributable to the improvements on the property on the impacted assessment roll shall be reduced by the appropriate percentage specified in section 4 of this law, provided that any

exemption which the property may be receiving shall be adjusted as necessary to account for such reduction in the total assessed value. To the extent the total assessed value of the property originally appearing on such roll exceeds the amount to which it should be reduced pursuant to the Relief Act and this local law, the excess shall be considered an error in essential fact as defined by subdivision 3 of Section 550 of the Real Property Tax Law. If the error appears on a tax roll, the tax roll shall be corrected in a manner provided in Section 554 of the Real Property Tax Law or a refund or credit of taxes shall be granted in the manner provided by Sections 556 or 556-b of the Real Property Tax Law. If the error appears on a final assessment roll but not on a tax roll, such final assessment roll shall be corrected in the manner prescribed by Section 553 of the Real Property Tax Law.

Section 178-49 Applicability.

This law shall apply to the impacted assessment roll, as that term is defined in the Relief Act and this local law.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2013-554

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 32 -2013 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS) AND ARTICLE IV (CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE)

Resolution for Town Board Meeting dated: November 7, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board wishes to remove ambiguities and update the code relating to telecommunications facilities; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **10th** day of **December**, 2013 at **7:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **32** -2013 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits) and Article IV (Certificates of Occupancy and of Permitted Use); as follows:

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

LOCAL LAW INTRODUCTORY NO. 32 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION),
ARTICLE III (BUILDING PERMITS) AND
ARTICLE IV (CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE)

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

CHAPTER 87
(BUILDING CONSTRUCTION)

* * *

ARTICLE III
BUILDING PERMITS

§ 87-14 Permit required; exemptions.

A. It shall be unlawful to construct, install, alter, repair, modify, remove or demolish, or to cause the construction, installation, alteration, repair, modification, removal or demolition of a building or structure; or to own, maintain or operate a building or structure which has been constructed, installed, altered, repaired, modified, removed, or demolished, in whole or in part, without a building permit having been issued by the Department of Engineering Services.

B. Telecommunications facilities. It shall be unlawful to install, deploy, maintain, repair, alter, expand or operate telecommunications facilities, or any part thereof, without a building permit having been issued by the Department of Engineering Services.

C. [B.] Exemptions. An exemption from the requirement of a permit shall not be deemed authorization for work to be preformed in violation of the Code of the Town of Huntington or the New York State Uniform Fire prevention and Building Code. Unless otherwise provided in this chapter, the [The] following categories of work shall not require a building permit.

* * *

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

* * *

C. Telecommunications Facilities. The application shall consist of the same certifications, documents, specifications and drawings submitted to the Planning Board or planning department pursuant to the Town's Telecommunications Act in Chapter 198, together with any other document deemed necessary by the Director of Engineering.

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

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

* * *

F. [E.] Accessibility for the handicapped. In addition to the foregoing, all applications for construction shall comply with and contain a sworn statement by the owner and engineer/architect, if any, that said construction complies with the federal and New York

State laws which govern accessibility for the handicapped and are applicable to construction of the type and extent proposed. Said laws shall include, but are not limited to, the Americans with Disabilities Act, the Fair Housing Act, the Rehabilitation Act of 1973, the Architectural Barriers Act and the New York State Human Rights Law, as subsequently amended.

* * *

§ 87-23. Application fees.

* * *

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

(2) Nonresidential uses:

* * *

(b) Two hundred (\$200) dollars for:

(1) Accessory antenna installation; Distributed Antenna System (DAS) installations shall be charged per location or pole.

* * *

F. Unauthorized construction, installation or use. The application fee for a building permit [or a certificate of permitted use] shall be three (3) times the amount established in this article if construction, installation, deployment or [the] a change of use has been commenced or completed at any time before a building permit [or certificate] is issued by the Town.

* * *

ARTICLE IV
CERTIFICATES OF OCCUPANCY AND OF PERMITTED USE

§ 87-25. Certificate required.

* * *

E. Telecommunications facilities. It shall be unlawful to maintain, deploy, or use telecommunications facilities, or any part thereof, for which a certificate of occupancy and/or a certificate of permitted use has not been issued, or if such certificate has been revoked or suspended.

* * *

§ 87-28. Application; requirements.

A. An application for a building permit shall include an application for a certificate of occupancy and/or certificate of permitted use. The certificate shall be issued when the Building Inspector determines that the completed building, telecommunications facility or structure complies with the provisions of all applicable laws and the required on-site improvements have been completed, inspected and found to be satisfactory.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 33 -2013, AMENDING THE ZONING MAP ON THE TOWN BOARD'S OWN MOTION TO CHANGE THE ZONING FROM R-5 RESIDENCE DISTRICT TO C-1 OFFICE-RESIDENCE DISTRICT FOR THE PROPERTY LOCATED ON THE WEST SIDE OF LOWNDES AVENUE, BETWEEN RAILROAD STREET AND COLUMBIA STREET, HUNTINGTON STATION, SCTM# 0400-140-03-(072, 073, 108, 109.003 & 117).

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Huntington Community Development Agency is developing the Columbia Terrace veterans affordable housing project on the west side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, as a veteran's preference, 14-unit attached dwelling development; and

WHEREAS, the zone change to C-1 Office-Residence is proposed to result in two fewer dwelling units than initially contemplated on the property, all of which will be affordable ownership/equity units instead of 7 ownership/equity units with accessory rental apartments in each unit; and

WHEREAS, commercial uses that are permitted in the C-1 zoning district will be prohibited as a condition of any zone change approval; and

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

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 10th day of December, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 33 - 2013 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-5 Residence District to C-1 Office-Residence District the property designated on the Suffolk County Tax Map as 0400-140-03-(072, 073, 108, 109.003 & 117), as follows:

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

LOCAL LAW INTRODUCTORY NO. 33 - 2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)

ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map) is amended as follows:

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

* * *

The premises to be rezoned to C-1 Office-Residence District, located on the west side of Lowndes Avenue, between Railroad Street and Columbia Street, Huntington Station, containing 0.97 acres, and designated as 0400-140-03-(072, 073, 108, 109.003 & 117) on the Suffolk County Tax Map, more particularly described as:

BEGINNING at a POINT at the intersection of the south side of Columbia Street with the west side of Lowndes Avenue,

THENCE from said POINT OF BEGINNING South 10 degrees 31 minutes 28 seconds East, 63.33 feet,

THENCE southerly along the arc of a curve bearing left, having a radius of 66 feet and a length of 44.19 feet,

THENCE South 48 degrees 53 minutes 13 seconds East, 51.32 feet,

THENCE southerly along the arc of a curve bearing right, having a radius of 20 feet and a length of 30.83 feet,

THENCE southerly along the arc of a curve bearing right, having a radius of 200 feet and a length of 51.56 feet,

THENCE South 54 degrees 12 minutes 0 seconds West, 150.00 feet,

THENCE North 10 degrees 31 minutes 28 seconds West, 114.05 feet,

THENCE South 79 degrees 28 minutes 32 seconds West, 50.00 feet,

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 34-2013, AMENDING THE ZONING MAP ON THE TOWN BOARD'S OWN MOTION TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-6 HUNTINGTON STATION OVERLAY DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF RAILROAD STREET, EAST OF LOWNDES AVENUE, HUNTINGTON STATION, SCTM# 0400-147-01-005.003.

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town's partner for Huntington Station revitalization, Renaissance Downtowns at Huntington Station LLC, has examined the potential redevelopment of underutilized government-owned properties located in areas immediately surrounding the Huntington Train Station, and it has determined that the split zoning of the parking lot property located to the west of the train station (on the south side of Railroad Street, east of Lowndes Avenue) may hinder the potential redevelopment of that parcel (the "Parking Lot Property"); and

WHEREAS, the C-6 Huntington Station Overlay District was created specifically to address the needs of the overlay district neighborhood, and, while the C-6 Huntington Station Overlay District imposes requirements very similar to those of the C-6 General Business District, it does establish some enhanced standards on land use; and

WHEREAS, the eastern portion of the Parking Lot Property (SCTM #0400-147-01-003, which is owned by New York State) and the western portion (SCTM# 0400-147-01-005.005, which is owned by the Huntington Urban Renewal Agency) are both already zoned C-6 Huntington Station Overlay District; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider rezoning a property is not an action, so no SEQRA review is required at this time in the zone change process;

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 10th day of December, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 34 - 2013 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-6 Huntington Station Overlay District the property designated on the Suffolk County Tax Map as 0400-147-01-005.003, as follows:

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

LOCAL LAW INTRODUCTORY NO. 34 - 2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), Section 7 (Zoning Map), and Article IV (Commercial Districts), Section 27.1 (C-6 Huntington Station Overlay District) is amended as follows:

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

The boundaries of the districts enumerated in §198-6 of this Chapter are hereby established as shown on the map designated as the "Amended Building Zone Map of the Town of Huntington." The said map, together with all notations, references, and every other detail shown thereon shall be as much a part of this chapter as if the map and every other detail shown thereon was fully described therein. Section 198-55 contains symbols on the map for the aforesaid districts.

* * *

The premises to be rezoned to C-6 Huntington Station Overlay District, located on the south side of Railroad Street, east of Lowndes Avenue, Huntington Station, and designated as 0400-147-01-005.003 on the Suffolk County Tax Map.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 35 -2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE IV (COMMERCIAL DISTRICTS), SECTION 198-27.1 (C-6 HUNTINGTON STATION OVERLAY DISTRICT), TO ADD A SPECIAL USE PERMIT FOR HOTELS.

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town's partner for Huntington Station revitalization, Renaissance Downtowns at Huntington Station LLC, has produced a Development Strategy that was approved by the Town Board on June 4, 2013, which identified a number of land uses that community residents would like to see in Huntington Station; and

WHEREAS, hotels are the only land use mentioned in the Development Strategy that are not currently permitted in the C-6 Huntington Station Overlay District, which covers a large portion of the area around the Huntington Train Station; and

WHEREAS, hotels were once common within Hamlet Centers throughout the Town of Huntington, but all such hotels closed during the years following World War II; and

WHEREAS, for many years several hotels operated within walking distance of the Huntington Train Station, including two which were demolished to make room for commuter parking lots; and

WHEREAS, over the past 25 years, with the exception of the unique Oheka property, all new hotel development within the Town of Huntington has occurred within Melville (in the southwest corner of the Town), which singular location cannot satisfy all potential demand for hotel accommodation -- particularly demand from visitors to the northern portions of the Town or those travelling by railroad; and

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

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 10th day of December, 2013 at 7:00 p.m. to consider adopting Local Law Introductory No. 35 - 2013 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article IV (Commercial Districts), Section 198-27.1 (C-6 Huntington Station Overlay District), as follows:

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

LOCAL LAW INTRODUCTORY NO. 35 - 2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE IV (COMMERCIAL DISTRICTS)

* * *

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

Purpose. The purpose of adopting this overlay zone is to create a business district that will accommodate neighborhood shopping, encourage job creation, allow for a community where people can easily walk to acquire the day to day needs, and yield ratables commensurate with the uses permitted.

* * *

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

* * *

(8) Hotels, provided that:

- (a) The hotel is connected to a public sewer district.
- (b) The property is at least one (1) acre in size.
- (c) The hotel shall be located close to the street sidewalk to promote interactions with other commercial businesses and access to mass transportation, and shall not be located in the center of the property, surrounded by parking lots.

* * *

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.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 36 -2013, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER A202 (SUBDIVISION REGULATIONS AND SITE IMPROVEMENT SPECIFICATIONS).

Resolution for Town Board Meeting dated: November 7, 2013

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Planning Board site plan application fees have not been updated in more than fifteen (15) years, and the current fee structure with its division into site plans and amended site plans is difficult for people to understand; and

WHEREAS, Planning Board subdivision fees do not accurately reflect that all residential units do not have their own lot; and

WHEREAS, in accordance with new telecommunications legislation under consideration by the Town Board, a fee needed to be added for telecommunications site plan fees; and

WHEREAS, the Planning Board has one SEQRA review fee that covers every type of application, even though there is a large discrepancy in the review time needed for different types of SEQRA documents; and

WHEREAS, adjusting application fees is not an action pursuant to SEQRA, 6 NYCRR Part 617.2(b), so therefore no SEQRA review is required;

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 10th day of December, 2013 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 36 -2013 amending the Code of the Town of Huntington, Chapter A202 (Subdivision Regulations and Site Improvement Specifications), as follows:

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

LOCAL LAW INTRODUCTORY NO. 36 -2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER A202 (SUBDIVISION REGULATIONS AND

SITE IMPROVEMENT SPECIFICATIONS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter A202 (Subdivision Regulations and Site Improvement Specifications), as follows:

CHAPTER A202 (SUBDIVISION REGULATIONS AND SITE IMPROVEMENT SPECIFICATIONS)

* * *

SCHEDULE A
SUBDIVISION OF LAND – FEES

* * *

D. CONDITIONAL FINAL REVIEW (ALL ZONING DISTRICTS)

- (1) Up to and including five (5) Lots or Units: \$550.
- (2) Six (6) Lots or Units up to and including ten (10) Lots or Units: \$825.
- (3) More than ten (10) lots or Units: \$500 Base Fee plus \$100/Lot or Unit.

* * *

SCHEDULE B
SITE PLAN REVIEW AND APPROVAL – FEES

* * *

B. SITE PLAN AND AMENDED SITE PLAN REVIEW:

The site plan or amended site plan application fee shall be the greater of the following two amounts, except for telecommunications facilities which shall pay a flat fee of \$250 per location:

(1) Five hundred dollars (\$500) per acre, with each property rounded up to the next full acre, unless the area of disturbance is less than one (1) acre, in which case a flat fee of five hundred dollars (\$500) shall apply, or

(2) Five hundred dollars (\$500) plus twenty-five cents (\$0.25) per square foot for all building gross floor area added to the property.

[There shall be a fee of five hundred dollars (\$500) per acre for the first acre or any portion thereof for site-plan review and a fee of five hundred fifty dollars (\$550) per acre for each additional acre rounded to the highest full acre; or a flat fee of five hundred dollars (\$500) plus a one dollar and sixty-five cents (\$1.65) fee for every twenty (20) square feet of gross floor area in all buildings and structures, whichever is greater.]

[C.] [AMENDED SITE PLAN REVIEW:]

[A base fee of six hundred dollars (\$600) shall be charged in addition to the following fees:]

[(1)] [The base fee shall be charged where the change in the building size is less than or equal to two thousand five hundred (2,500) square feet of "gross floor area" and where there is no change in parking area(s) or on-site traffic circulation. Where a building is being expanded or re-constructed (may be made smaller or larger) by more than two thousand five hundred (2,500) square feet, one dollar and sixty-five cents (\$1.65) for each twenty (20) square feet of gross floor area shall be added to the base fee.]

[(2)] [Where there will be a change in parking area (adding, removing or reorienting spaces) or on-site vehicle circulation on a previously approved site plan, whether or not there is a change in the size of a building, a fee of one hundred twenty-five (\$125) dollars for each acre over two (2) acres, rounded to the highest full acre, shall be added to the base fee. Where the subject property is two (2) acres or less a fee of five dollars and seventy-five cents (\$5.75) for each parking space either relocated, added or removed shall be added to the base fee.]

[D]C. RE-CERTIFICATION FEE:

* * *

SCHEDULE C
MISCELLANEOUS FEES AND CHARGES

* * *

D. SEQRA [(EAF REVIEW):] [\$250.]

1. Short Form EAF	<u>\$250.</u>
2. Long Form EAF	<u>\$500.</u>
3. Expanded EAF / Draft EIS	<u>\$2500.</u>
4. Final EIS	<u>\$1000.</u>

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Councilwoman Berland

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

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 10th day of December, 2013 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

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.

**Chapter 156 §67 - (A), (B), (C) and (D) 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
105	4 Knox Place Dix Hills	0400-252.00-03.00-085.000	Arnold Jacinto Irma Jacinto 4 Knox Place Dix Hills, NY 11746	10/17/2013	\$2,500.00
106	185 W. Pulaski Road Huntington Station	0400-138.00-03.00-023.000	Walter Hergenhan Joann Hergenhan 84 E. 19th St. Huntington Sta., NY 11746	10/28/2013	\$2,500.00

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 37-2013 AMENDING TOWN CODE CHAPTER 198, ZONING, ARTICLE V, INDUSTRIAL DISTRICTS §198-34, I-1 LIGHT INDUSTRY DISTRICT, F.(4) (a) RESTAURANTS.

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town Board desires to amend the Town Code to modify the requirements by which the Zoning Board may issue special use permits to restaurants in light industrial; and

WHEREAS, pursuant to Sections 617.5(c)(20) and (27) of SEQRA, regulations amending the Town Code are "routine or continuing agency administration and management, not including new programs or major reordering or 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 for the ~~10th~~ day of ~~December~~, 2013 at ~~7:00~~ p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 37-2013, amending the Code of the Town of Huntington, Chapter 198, Zoning, Article V, Industrial Districts §198-34, I-1 Light Industry Districts, F.(4)(a) Restaurants, as follows:

LOCAL LAW INTRODUCTORY NO. 37-2013
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198, ZONING, ARTICLE V, INDUSTRIAL DISTRICTS
§198-34, I-1 LIGHT INDUSTRY DISTRICT, F.(4)(a) RESTAURANTS

Section 1. Chapter 198 Zoning is hereby amended to read as follows:

CHAPTER 198
ZONING

* * *

ARTICLE V: INDUSTRIAL DISTRICTS

* * *

RESOLUTION SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF HUNTINGTON FOR THE YEAR 2014

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

NOW, THEREFORE

THE TOWN BOARD hereby schedules regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2014, as follows:

	<u>2:00 PM</u>	<u>6:00 PM</u>	<u>7:00 PM</u>
JANUARY	7 th		
FEBRUARY			4 th
MARCH	4 th		
APRIL			8 th
MAY	6 th		
JUNE			17 th
JULY	1 st		
AUGUST			19 th
SEPTEMBER	16 th		
OCTOBER		21 st	
NOVEMBER	6 th (Thursday)		
DECEMBER			9 th

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2013-564

RESOLUTION RE-SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING
A CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 56 SHORE ROAD, COLD SPRING HARBOR— COLD SPRING HARBOR
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 7, 2013

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by 56 Partes Tres, LLC, 998 West Shore Road, Oyster Bay, NY 11771, for a Certificate of Approval to erect a two story addition including a new garage and two porches at a one family dwelling located at 56 Shore Road, Cold Spring Harbor, in accordance with plans dated August 20, 2013 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 Cold Spring Harbor Historic District and bears Suffolk County Tax Map #0400-016.00-02.00-004.000, and

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

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

THE TOWN BOARD

HEREBY RESCHEDULES a public hearing for the **10th** day of **December**, 2013, at **7:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of 56 Partes Tres, LLC.

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 - 565

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN A LETTER TO THE ZONING BOARD OF APPEALS STATING THE TOWN BOARD'S SUPPORT FOR THE YMCA'S PLAN FOR A NEW BUILDING AND THE CONSTRUCTION OF NEW PARKING FACILITIES ON TOWN LAND IN CONNECTION THEREWITH

Resolution for Town Board Meeting Dated: November 7, 2013

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the YMCA of Long Island is a not-for-profit corporation with a base of operation within the Town of Huntington and it has provided programs and services to the residents of the Town of Huntington for in excess of fifty years; and

WHEREAS, the YMCA of Long Island would like to locate a new building adjacent to its existing facilities and will be applying for all requisite municipal approvals including an application to the Town Zoning Board of Appeals for a parking variance; and

WHEREAS, the YMCA will be providing for the financing and construction of a new parking lot with adjacent improvements to existing traffic circulation patterns ("improvements"); and

WHEREAS, the YMCA has agreed to enter into a License Agreement with the Town, as a condition of a Zoning Board of Appeals grant, regarding the improvements to be made to the Town's property in the area of the Village Green School; and

WHEREAS, the YMCA will be making an application to the Town of Huntington Zoning Board of Appeals for an off-street parking variance, pursuant to the Code of the Town of Huntington, which will affirmatively set forth its intent to enter into such a License Agreement with the Town; and

WHEREAS, the Town Board finds that it is in the public interest to support the YMCA's proposed plans including the proposed construction of a new parking lot with associated traffic flow improvements, which will benefit the Town, the New Community Cinema and the YMCA; and

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

NOW THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to sign a Letter of Support for the YMCA of Long Island's plan to construct a new building on its property adjacent to its existing facilities and a new parking lot and other parking improvements on property owned by the Town in the area of the Village Green School, indicating that a License Agreement providing for the construction of a new parking lot and other parking facilities will be entered into by and between the YMCA and the Town as a condition of any grant to be issued by the Zoning Board of Appeals.

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 CHAIRMAN OF THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY TO EXECUTE A CONTRACT WITH JEFFREY A. HARTMAN, P.E. ENGINEERING CONSULTANTS FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE CONSTRUCTION OF COLUMBIA TERRACE, HUNTINGTON STATION, NY

Resolution for Community Development Agency Board Meeting Dated: November 7, 2013

The following resolution was offered by: Chairman Petrone

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

WHEREAS, in connection with the ongoing revitalization of Huntington Station, the Town of Huntington, in cooperation with the Huntington Community Development Agency, is planning an owner-occupied affordable housing development known as Columbia Terrace; and

WHEREAS, Columbia Terrace will consist of a combination of fourteen one and two bedroom units at the corner of Lowndes Avenue and Railroad Street; and

WHEREAS, in support of this project, the State of New York awarded the Town of Huntington a grant in the amount of ONE MILLION FIVE HUNDRED SIXTY THOUSAND AND NO/100 (\$1,560,000.00) DOLLARS; and

WHEREAS, Suffolk County has also supported this project by assisting the Town in acquiring blighted properties for affordable housing redevelopment and also by providing grant funding toward the project's infrastructure improvements; and

WHEREAS, the firm of Jeffrey A. Hartman, P.E. Engineering Consultants has been selected to provide the necessary professional architectural and engineering expertise to prepare Columbia Terrace for construction in 2014; and

WHEREAS, the execution of said contract is a Type II action pursuant to 6 NYCRR§617.5 (c) (21) and therefore no further SEQRA review is required

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a contract with Jeffrey A. Hartman, P.E. Engineering Consultants for professional architectural and engineering services for construction of Columbia Terrace, Huntington Station, for an amount not to exceed the sum of ONE HUNDRED FIFTY THOUSAND AND NO/100 (\$150,000.00) DOLLARS to be charged to the Highview Fund and upon such terms and conditions as approved by the Agency attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED