

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

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

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

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilman	Mark Mayoka
Town Clerk	Jo-Ann Raia
Town Attorney	John J. Leo

AGENDA FOR TOWN BOARD MEETING DATED DECEMBER 18, 2012

7:00 P.M. – TOWN HALL

Opened: 7:08 P.M. Closed: 9:10 P.M.

(Resolutions #2012-513 to 2012-569)

HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 21-2012, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G.

(Local Law Introductory No. 21-2012)

DECISION RESERVED

2. Consider issuing a Certificate of Approval in an Historic District
Re: 55 Main Street, Cold Spring Harbor – Cold Spring Harbor Historic District.

(Oyster Bay Management, LLC, SCTM #0400-063.00-02.00-006.000)
(2012-ZC-9-Ch. 198)

DECISION RESERVED

3. Consider adopting Local Law Introductory No. 22-2012, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions, Article IV (Commercial Districts) and Article XIV (Signs and Advertising Devices).

(Local Law Introductory No. 22-2012)

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider adopting Local Law Introductory No. 20-2012, considering Zone Change Application #2010-ZM-384, Post Time Realty, Inc., to change the Zoning from R-5 Residence District and C-6 General Business District to C-6 General Business District for properties on the north side of Railroad Street, west of Greenlawn-Broadway, Greenlawn, SCTM #0400-106-01-034 and 035.
(Local Law Introductory No. 20-2012)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

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**

- | | | | | |
|------------------|---|------------------------|------------------------|--|
| 2012-513. | AUTHORIZE the Supervisor to execute an extension agreement with Mindshift Technologies, Inc. nunc pro tunc. (Re: Extension 4 months) | <u>MC</u> | <u>FP</u> | 3-AYES
2-NOES
(MM)
(EC) |
| 2012-514. | AUTHORIZE the Supervisor to execute an extension to the requirements contract for road rehabilitation with Kings Park Industries, Inc. (Re: Extension period 1 year commencing 3/1/2013) | <u>MC</u> | <u>MM</u> | <u>5</u> |
| 2012-515. | AUTHORIZE the Supervisor to execute an extension to the requirements contract to furnish and install asphalt concrete with Posillico Civil, Inc. (Re: Extension period 1 year commencing 3/7/2013) | <u>MM</u> | <u>SB</u>
<u>EC</u> | 4-AYES
1-ABST
(MC) |
| 2012-516. | AUTHORIZE the Supervisor to execute a requirements contract with Phil Bauccio Consultants and Associates to provide Risk Management Consulting Services. (Re: Term 1 year) | <u>SB</u> | <u>MM</u>
<u>FP</u> | <u>5</u> |
| 2012-517. | AUTHORIZE the Supervisor to execute a contract for the processing and recycling of Huntington residential yardwaste with PowerCrush, Inc. (Re: Period 2 years) | <u>SB</u> | <u>EC</u> | <u>5</u> |
| 2012-518. | AUTHORIZE the Supervisor to execute a contract between the Town of Huntington and the Huntington Town Unit of Region 1, Suffolk Local 852 of the Civil Service Employees Association, Local 1000, AFSCME AFL/CIO. (Re: Period 1/1/2012 – 12/31/2016) | <u>FP</u>
<u>MC</u> | <u>SB</u> | <u>5</u> |
| 2012-519. | AUTHORIZE the Supervisor to execute an extension to the contract with Israeloff, Trattner & Co. P.C., to perform auditing and accounting services for the Town of Huntington and to execute an extension to the contract with Fuoco Group, LLP, to perform auditing and accounting services for the Huntington Human Services Institute, Cultural Affairs Institute and Youth Bureau Institute, and appoint each as official town auditors to perform said accounting and auditing services for the fiscal year ending December 31, 2012. (Term: 1/1/2013 – 12/31/2013) | <u>SB</u> | <u>FP</u>
<u>MM</u> | 4-AYES
1-NO
(EC) |
| 2012-520. | AUTHORIZE the Supervisor to execute a requirements contract for the tree removal for Zone 1 with Conservation Control Corporation. (Re: Period upon execution until 12/31/2013) | <u>MC</u> | <u>MM</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-521. AUTHORIZE the Supervisor to execute a requirements contract for the tree removal for Zone 2 with Hohwald Landscaping Inc. (Re: Period upon execution until 12/31/2013)	<u>MM</u>	<u>EC</u>	<u>5</u>
2012-522. AUTHORIZE execution of contract of sale and appropriating funding necessary for contract and closing requirements for Town acquisition of Park Avenue Dairy/Kiruv property, Huntington. (SCTM# 0400-073-01-038.000, 0400-073-01-041.001, 0400-073-01-042.000 and 0400-097.00-02.00-107.000) (Re: To be dedicated as parkland known as Tannery Park)	<u>MM</u>	<u>FP</u>	4-AYES 1-NO <u>(EC)</u>
2012-523. AUTHORIZE the Supervisor to execute agreements on behalf of the Division of Cultural Affairs for the Year 2013. (Re: Huntington Arts Council, Heckscher Museum of Art, Whaling Museum Society, Inc., Huntington Historical Society, Northport Historical Society, Greenlawn/Centerport Historical Association, Inc., Walt Whitman Birthplace Association, Inc., Huntington Lighthouse Preservation Society and Cinema Arts Centre)	<u>SB</u> <u>MM</u>	<u>EC</u> <u>FP</u>	<u>5</u>
2012-524. AUTHORIZE the Supervisor to execute agreements on behalf of the Department of Human Services for the Year 2013. (Re: Child Care Council of Suffolk, Inc., Family Service League, Inc., Federation of Organizations, Inc., Huntington Breast Cancer Action Coalition, Inc., Literacy Suffolk, Inc. and Pederson-Krag Center, Inc.)	<u>MC</u> <u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2012-525. AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for nutrition services for Senior Citizens. (Re: Period 1/1/2013 – 12/31/2013)	<u>MM</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2012-526. AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the residential repair program for the elderly of Huntington. (Re: Period 1/1/2013 – 12/31/2013)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-527. AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the provision of adult day care services. (Re: Period 1/1/2013 – 12/31/2013)	<u>SB</u> <u>MC</u>	<u>EC</u>	<u>5</u>
2012-528. AUTHORIZE the Supervisor to execute agreements for meeting places for Senior Citizens of the Town of Huntington. (Re: Centerport Methodist Church, Gloria Dei Lutheran Church, Harborfields Public Library, Huntington Public Library, Northport Public Library, Paumanack Village I & II, Paumanack Village III & IV, Presbyterian Church of Sweet Hollow, St. Paul's Lutheran Church and Union United Methodist Church)	<u>SB</u>	<u>FP</u>	<u>5</u>
2012-529. AUTHORIZING the Supervisor to submit an application for an entitlement Grant of Community Development Block Grant Funds under the Housing and Community Development Act of 1974 and authorizing all assurances connected with said application.	<u>FP</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-530. AUTHORIZE the Supervisor to execute an agreement with Mackenzie Automatic Doors, Inc. for maintenance and repair of automatic doors. (Re: Period 1/1/2013 – 12/31/2015)	<u>MC</u>	<u>EC</u>	<u>5</u>
2012-531. AUTHORIZE the Supervisor to enter into a memorandum of understanding with Covanta Huntington LLP to explore the feasibility of an expansion of metal recovery systems.	<u>FP</u> <u>MC</u> <u>MM</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2012-532. AUTHORIZE the Huntington Town Board on behalf of the Huntington Sewer District to execute a contract with the Huntington Hospital Association and authorizing the settlement of a lawsuit. (SCTM# 0400-074.00-01.00-(011.000, 002.000, 022.002 and 003.000) (Suffolk County Index Number: 11-23485)	<u>FP</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2012-533. AUTHORIZE sale by public auction of Native American Artifacts and ceremonial cannon in the collection of the Heckscher Museum, with auction proceeds being restricted for acquisition of new collection objects.	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-534. AUTHORIZE the long term loan of the Town-owned mineral collection, held and managed by the Heckscher Museum, to the Department of Geosciences, Stony Brook University, Stony Brook, NY.	<u>SB</u> <u>MM</u>	<u>EC</u>	<u>5</u>
2012-535. AUTHORIZE the execution of an extension to the requirements contract for repair and/or replacement of manhole frames and covers on New York State Roadways, within the Huntington Sewer District, with Bancker Construction Corp. (Re: Extension 1 year)	<u>MM</u>	<u>SB</u>	<u>5</u>
2012-536. AUTHORIZE the execution of an agreement with Holzmacher, McLendon, & Murrell P.C. to provide annual engineering retainer services for 2013 for the Huntington and Centerport Sewer Districts.	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-537. AUTHORIZE the establishment of a Memorial Statue and Garden in honor and memory of Victoria Gaines at the playground at Heckscher Park.	<u>MC</u>	<u>SB</u>	<u>5</u>
2012-538. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington. (Re: Metro, 192 East Main Street, Huntington, SCTM# 0400-077.00-01.00-224.001, Chapters 119, 156; Alba Benitez/Jesus Fuentes, 119 East 10 th Street, Huntington Station, SCTM# 0400-146.00-03.00-122.000, Chapters 133, 156, 191)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-539. AUTHORIZE the Town Attorney to retain the services of Gerard Terry, Esq., as special outside counsel in the Field of Agricultural Tax Exemption.	<u>FP</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-540. AUTHORIZE Town Attorney to enter into a compensation agreement for the payment of compensation and expenses of Paul Sabatino Esq. as Temporary Receiver, pursuant to the order of District Court Judge, Honorable C. Stephen Hackeling, in the matter of the Town of Huntington V. McKay, Index Number HUC 4442-12, Re: Code Violations at 69 West Eleventh Street, Huntington Station, New York (SCTM No. 0400-142.000-01.00-120.00). (Re: Decision of 11/28/2012)	<u>SB</u> <u>MM</u>	<u>FP</u>	<u>5</u>
2012-541. AUTHORIZE the Town Attorney to take appropriate action including but not limited to the commencement of a civil action for injunctive relief and monetary relief against the owners, operators and/or persons in charge of the property located at 24 Elkland Road, Melville, New York and all responsible parties. (SCTM# 0400-269.00—01.00-029.000) (Re: Dr. Jeffrey Wenig Memorial Park)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-542. AUTHORIZE the Comptroller to amend the 2012 Operating Budget for the Town of Huntington and its Special Districts.	<u>MC</u>	<u>MM</u>	<u>5</u>
2012-543. AUTHORIZE the Comptroller to place all full-time positions vacated by retirement and/or attrition and transfer funds created by such vacancies to a general contingency account into their respective operating funds for the year 2013. (Re: Effective date 1/1/2013)	<u>FP</u>	<u>SB</u>	<u>5</u>
2012-544. ACCEPT the dedication of a drainage easement for the subdivision known as Reddy Plat.	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-545. ADOPT the recommendations of the Administrative Hearing Officer in the matter of the appeal of Jet Sanitation Service Corp. (Re: 2012 Solid Waste Collection License Application). (Re: License approved)	<u>FP</u>	<u>MC</u>	<u>5</u>
2012-546. ALLOW the transfer of previously donated accrued sick, vacation or personal time to the account of Jason Jackson.	<u>SB</u>	<u>MM</u> <u>FP</u>	<u>5</u>
2012-547. AMEND Resolution No. 2002-600 and authorizing the Comptroller to amend the 2012 Capital Budget for the Town of Huntington and its Special Districts for funds collected from Fire Zone Parking violations to be appropriated to upgrade existing internal and interagency radio capability and operations for public health and safety.	<u>FP</u> <u>SB</u>	<u>MM</u>	<u>5</u>
2012-548. APPOINT a member to the Historic Preservation Commission. (Re: Sarah Apmann)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-549. APPOINT additional members to the Crab Meadow Watershed Advisory Committee. (Re: Dr. J. Bret Bennington, Lucienne Pereira and Jose Pillich)	<u>MC</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-550. REAPPOINT Conservation Board members. (Re: Joy S. Squires, Chairperson; Paul J. Ponturo, Vice Chairperson; Scott Driver, Laura McKellar, and Andrew Wilson)	<u>SB</u>	<u>FP</u>	<u>5</u>
2012-551. REAPPOINT and APPOINT members to the Public Art Advisory Committee and designating a chairperson. (Re: Deborah Robbins, Michele Peppers, Sue Contessa, Linda Furey, Robert Carter, Michael W. Schantz, Ph.D and Janine Seifert, Chairperson)	<u>SB</u>	<u>MM</u> <u>EC</u>	<u>5</u>
2012-552. NAME Cranberry Hill Environmental Center at the Fuchs Pond Preserve in Northport.	<u>MC</u>	<u>EC</u> <u>MM</u>	<u>5</u>
2012-553. URGE New York’s Empire State Development Agency to consider and approve an application by Suffolk County to create the “Suffolk County Land Bank” for the rehabilitation of tax delinquent, vacant, abandoned and foreclosed properties within the County of Suffolk.	<u>FP</u>	<u>SB</u>	<u>5</u>
2012-554. AUTHORIZE appropriate actions(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & Schedule B - LPS Fields Services, Inc., 33 Keeler Street, Huntington Station, SCTM# 0400-206-03-071.000; Fred J. Lanier, 111 8 th Avenue, Huntington Station, SCTM# 0400-143-01-066.002; OCWEN Loan Servicing, 5 Gerri Road, East Northport, SCTM# 0400-126.00-02.00-016.000; OCWEN Loan Servicing, 273 Lenox Road, Huntington Station, SCTM# 0400-150-1-23; Henry/Jean Cleeves, 49 Prospect Road, Centerport, SCTM# 0400-45-1-21; Stephen/Fredrica Silverberg, 24 Danville Drive, Greenlawn, SCTM# 0400-168.00-02.00-013.000)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-555. ENACTMENT: ADOPT the proposed fare changes for the Huntington Area Rapid Transit (HART) System.	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-556. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 108 Old Country Road, Melville – Sweet Hollow Historic District. (Applicant: Kazuko Santinelli) (SCTM# 0400-256.00-02.00-004.000)	<u>SB</u>	<u>MM</u>	<u>5</u>
2012-557. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 269 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: Rita Lee) (SCTM# 0400-071.00-03.00-029.000)	<u>MM</u>	<u>SB</u>	<u>5</u>
2012-558. ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to Chapter 137 (The Marine Conservation Law) Applicant: Land Use Ecological Services on behalf of Thomas Wolf Location: 7 Woodland Dr., Huntington, N.Y. 11743 S.C.T.M. #0402-002.00-01.00-039.000.	<u>EC</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-559. ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to Chapter 137 (The Marine Conservation Law) Applicant: Jeff A. Zahn-R.A. on behalf of James Halfpenny Location: 156 West Waterview St., Northport, N.Y. 11768 S.C.T.M. #0400-008.00-01.00-009.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2012-560. ENACTMENT: APPROVE the exemption of the Eaton's Neck Fire District from site plan review and the Town of Huntington Zoning Code as is necessary to expand district facilities (Suffolk County Tax Map No. 0400-002-02-030.001).	<u>FP</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2012-561. ENACTMENT: ADOPT Local Law Introductory Number 19-2012 amending the Code of the Town of Huntington to add Chapter 156A (Bamboo).	Resolution Defeated		2-AYES (SB) (FP) 3-NOES (MC) (MM) <u>(EC)</u>
2012-562. SCHEDULE A PUBLIC HEARING: February 5, 2013 at 7:00 PM To solicit input about the Town's response to Hurricane Sandy.	<u>MC</u> <u>EC</u> <u>MM</u>	<u>FP</u> <u>SB</u>	<u>5</u>
2012-563. SCHEDULE A PUBLIC HEARING: January 8, 2013 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A – Peter/Ludmilla Kornfeld, 5 Longley Place, Huntington Station, SCTM# 0400-194-04-018.000; Gerard/Patricia Teschmacher, 38 North Woodhull Road, Huntington, SCTM# 0400-73-3-15.004; Charles McMorrow, 4 Colby Court, Dix Hills, SCTM# 0400-252.00-02.00-045.000; K2LLC, 688-690 Deer Park Avenue, Dix Hills, SCTM# 0400-278.00-02.00-170.000; Dix Hills Villas LLC, 686 Deer Park Avenue, Dix Hills, SCTM# 0400-278.00-02.00-171.000; Theresa Muzio, 296 Main Street, Cold Spring Harbor, SCTM# 0400-066.00-01.00-023.000)	<u>SB</u>	<u>MM</u> <u>FP</u>	<u>5</u>
2012-564. SCHEDULE A PUBLIC HEARING: January 8, 2013 at 2:00 PM To consider acquiring Gateway Park Addition (Corrente). (SCTM# 0400-094-03-033.000)	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-565. SCHEDULE A PUBLIC HEARING: January 8, 2013 at 2:00 PM To consider acquiring Gateway Park Addition (Mount Calvary of Huntington Ministries). (SCTM# 0400-099-04-016.000)	<u>FP</u>	<u>MM</u>	<u>5</u>
2012-566. SCHEDULE A PUBLIC HEARING: January 8, 2013 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 125 Main Street, Huntington – Old Huntington Green Historic District. (Applicant: Old First Presbyterian Church) (SCTM#0400-072.00-06.00-052.000)	<u>MC</u>	<u>MM</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 18, 2012**

RESOLUTIONS:	OFF.	SEC.	VOTE
2012-567. ESTABLISH a Boating and Safety Education Committee, Sub-Committee to the Harbor and Boating Advisory Council.	MC EC	MM FP SB	<u>5</u>
2012-568. AUTHORIZE the Supervisor to enter into a Memorandum of Understanding with Suffolk County DPW for the transport of vegetative storm debris to the Brookhaven Landfill.	FP	MC	<u>5</u>
2012-569. AUTHORIZE the Supervisor to enter into a Memorandum of Understanding with Town of Brookhaven for the disposal of Hurricane Sandy vegetative debris.	FP	MM EC	<u>5</u>

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: December 18, 2012

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Henry Warokowski for The Shamrock (138 New York Avenue, Halesite);
From: Anthony Page for to be determined (872 E. Jericho Tpke., Huntington Station); From: Mohammad Abdullah for to be determined (137 Broadway, Huntington Station; From: Henry Warokowski for Cinque Terre (872 Jericho Tpke, Huntington Station); From: Michael Cassano for to be determined (371 New York Avenue, Huntington);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Robert Haddow for The Crossroads Café; From: Albert Salese for Juniors Pizza; From: Margareta Grewenig for PG Steakhouse; From: Pearl DeVeau for Neighborhood Bar, Inc.; From: Ming Zheu Hu for Aki Japanese Cuisine; From: Marian Ingle for The Dublin Jack; From: David Kaphan for FELT;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Melinda Weissman regarding the LIPA outages. Her power went out on 10/29/2012 and as of 11/7/2012 they are still without power. Her family had to relocate to Queens.

Supervisor
Town Board
cc: Town Attorney
4. Email received from Bart Cafarella, with a copy of a letter he wrote attached, in support of the zone change in Elwood submitted by Engel Berman.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
5. Hand delivered letter received from Constance Beatty regarding marina parking fees – Resolution #2012-448 – would like to know why Cold Spring Harbor Marina/Boat Ramp in not included in Schedule L of the resolution.

Supervisor
Town Board
Town Attorney
Maritime Services
Parks & Recreation
cc: Traffic & Transportation
6. Hand delivered letter from Constance Beatty and petition regarding the proposed elimination of the Hart H-6 bus route from Huntington Village to Main Street, Cold Spring Harbor. Forty six people signed the petition.

Supervisor
Town Board
Town Attorney
Traffic & Transportation
cc: Mark Lowen, HART Bus
7. Fax received from Fern Karhu regarding the Seasons of Elwood Zoning Change. The writer has a radio show called “Seniors on the Move” and is in favor of the proposed zone change for property located on the site of the Oak Tree Dairy.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
8. Email received from Joseph Pignataro, addressed to elected officials, regarding the power outage in the hamlet of Commack. The writer indicates that Commack is not near the water yet on November 9, 2012 there were trees down and impassable roads.

Supervisor
Town Board
Town Attorney
cc: Highway

9. Email received from Jen Altenburg, dated November 9, 2012, regarding two Town trees that fell on her property in Commack and the conflicting things she was told about the removal.
- Supervisor
Town Board
Town Attorney
cc: Highway
10. Email received from Larry Monegro regarding LIPA. The writer indicates the storm has left us with 3 choices: 1. Get rid of all trees. 2. Do nothing and allow LIPA to continue its slow movement to rid us of blackouts due to fallen trees. 3. Push LIPA to create a "Wires in the Ground Program" this will alleviate many of the problems.
- Supervisor
Town Board
Town Attorney
cc: Highway
11. Email received from Ralph Lamacchia regarding the Town of Huntington Highway Department – Hurricane Sandy Debris Removal Efforts. The writer wants the Highway Department to make their position clear on the removal of downed "Town" trees.
- Supervisor
Town Board
Town Attorney
cc: Highway
12. An alleged complaint was received regarding a Town employee.
- Supervisor
Town Board
Town Attorney
cc: Engineering Services
13. Email received from Leigh Ann Varese, Secretary/Treasurer of the Centerport Fire District, with a copy of the legal notice for the election of one Fire Commissioner for a term of five years. The election will be held on December 11, 2012 at the Main Firehouse in Centerport between the hours of 3:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
14. Hand delivered copy of a Legal Notice and Proposition submitted by Todd Cohen, District Secretary for the Dix Hills Fire District. Election will be held on December 11, 2012, at the Fire House located at 115 East Deer Park Road, between the hours of 4:00 PM and 9:00 PM. There will be an election for one Fire Commissioner for a term of five years. The proposition is to amend the service award program for the volunteer firefighters by changing the maximum number of years of firefighting service from 30 to 40 years.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
15. Email received from James Milazo, District Secretary, for the Melville Fire District, regarding the Legal Notice submitted for the election of one Fire Commissioner for a five year term. The election will be held on December 11, 2012 at 531 Sweet Hollow Road, between the hours of 1:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
16. Email received from Fred Buckholtz, Jr, Secretary to the Huntington Fire District, regarding the Legal Notice submitted for the election of one Fire Commissioner for a five year term and a bond resolution proposition for the reconstruction /construction of the Fire District Building. The election will be held on December 11, 2012, at 1 Leverich Place, between the hours of 3:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
17. Email received from Liz Beach, Secretary for the Cold Spring Harbor Fire District, regarding the Legal Notice submitted for the elections of one Fire Commissioner for a five year term and one Fire Commissioner for a one year term. The election will be held on December 11, 2012, at 2 Main Street, between the hours of 6:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
18. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on December 11, 2012 at 2:00 PM at 99 West Main Street. The hearing is to amended Chapter 322 (Zoning) as it relates to commercial center.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

19. Letter received from Andrew Freleng, Chief Planner for Suffolk County Planning, regarding Town of Huntington resolutions # 2012-471 and 2012-478. According to the Commission, these resolutions are to be considered a matter of local determination.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Email received from Susan Racine, Secretary for the East Northport Fire District, regarding the Legal Notice submitted regarding the election of one Fire Commissioner for a one year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
21. Hand delivered letter received from Kristi Cartolano, District Secretary for the Eaton's Neck Fire Department, regarding the Legal Notice for the election of one Fire Commissioner for a five year term. The election will be held on December 11, 2012, at 55 Eaton's Neck Road, between the hours of 6:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
22. Email received from Nancy McFadzen, Secretary for the Commack Fire District, regarding the Legal Notice for the election of one Fire Commissioner for a five year term. The election will be held on December 11, 2012, at 6309 Jericho Turnpike, between the hours of 3:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
23. Email received from Louise Caputo, Secretary for the Greenlawn Fire District, regarding the Legal Notice for the election of one Fire Commissioner for a five year term. The election will be held on December 11, 2012, at 23 Boulevard Avenue, between the hours of 6:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
24. Letter received from Elfriede Kleina regarding the changes to the HART Bus service. The writer indicates, as an 83 year old non-driver, that the changes will cause her extreme inconveniences, especially in the winter months.
- Supervisor
Town Board
Town Attorney
Traffic & Transportation
cc: Mark Lowen, HART Bus
25. Letter received from Karen Alu, regarding the Engel Burman Group application for a Zone Change for the Oak Tree Dairy site. The writer is against the Zone Change.
- Supervisor
Town Board
Town Attorney
Engineering Services
Traffic & Transportation
cc: Planning & Environment
26. Email received from Barbara Springsteen, Secretary for the Huntington Manor Fire Department, regarding the election of one Fire Commissioner for a five year term. The election will be held on December 11, 2012, at 1650 New York Avenue, between the hours of 3:00 PM and 9:00 PM.
- Supervisor
Town Board
Town Attorney
cc: Fire Prevention
27. Certified letter received from Nancy Redlisky regarding a dangerous condition at 6 Willets Place, Huntington Station. Writer is requesting the removal of three trees located in front of her home.
- Supervisor
Town Board
Town Attorney
cc: Highway
28. Memorandum received from Rex Metcalf, Commissioner, Huntington Historic Preservation Commission and Advisor for the Huntington African American Historic Designation Council, regarding his resignation from his position in both of these organizations effective 12/31/2012.
- Supervisor
Town Board
Town Attorney
cc: Town Historian

29. Letter received from Michael Kane, Chairman of the Town of Babylon Zoning Board of Appeals, regarding a property located within 500' of the Town of Huntington, that is applying for a zone change. The Notice of Public Hearing application, mailing list and maps were included. The hearing will be held on December 13, 2012 at 6:00 PM at Babylon Town Hall.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
30. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Town of Huntington Resolution # 2012-501. According to the Commission, this is a matter of local determination which should not be construed as either an approval or disapproval.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
31. Letter received from Kim Valerio expressing her concerns about the change in HART Bus routes. Her 82 year old mother depends on the buses for transportation and if the routes are changed, it will be a burden on her mother.
- Supervisor
Town Board
Town Attorney
Traffic & Transportation
cc: Mark Lowen, HART Bus
32. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on January 24, 2014 at 7:00 PM for a change of zone. Anthony Leteri is requesting a change of zone from R-21 (Residential) to WSI (Wholesale Service Industry) for property located on the west side of Lawrence Road, north of Northport Road.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
33. Notices received from Lynn Pincomb, Village Administrator for Huntington Bay, regarding a Board of Trustee Hearing to be held on 12/10/2012 at 7:30 PM at the Huntington Yacht Club for the following: a) 175 Bay Avenue – located in District C – to demolish an existing house and construct a new dwelling – site plan review is required. b) 10 Locust Lane – located in District C – construct additions and alterations to an existing dwelling – site plan review is required.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
34. Email received from Preserving Elwood Now (Elwood Chapter of the Greater Huntington Civic Association). Attached was a letter from the Co-Founders of this organization addressed to the Elwood Public School Board of Education President and members, expressing their concern for the high density development proposed for the site of the Oak Tree Dairy. Also included was a copy of a letter the Elwood Board of Education sent to Supervisor Petrone, in June 2004, regarding the Orchard Park Development at Manor Road and Jericho Turnpike. Additional email in opposition to this project received from Peter Kelly.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
35. Email received from Ellen Antonucci, Director of Marketing for the Engel Burman Group. Attached were copies of petition letters supporting the Seasons at Elwood Project to be located at the Oak Tree Dairy site. There were 40 letters submitted.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
36. Letter received from Susan Mullen, Clerk to the Board of Zoning Appeals for the Town of Smithtown, regarding a Public Hearing to be held on 1/8/2013. the property is located within 500' of the Town of Huntington boundary. Property is located at 226 Townline Road, Commack. The request is to maintain a detached garage, converted to living space for a family member.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
37. Hand delivered letter received from Marie Rendely, requesting the issuance of the building permit which was granted to her and never issued.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

38. Form letters received in opposition to the Engel Burman proposed project for the Oak Tree Dairy site on Elwood Road in East Northport. Letters were received from: Dawn Egggers, Roni Bohlen, Christine Kostialik, Hope Stepcic, Eileen Schmidt, Patricia Van de Merlen, Amy Van Tassell, James Carluccio and Eileen Rupnick. Additional letters were submitted opposing the Engel Burman project from: Ralph/Lucille Rizzuto, Lee/Ann Itzler, Jean Littlewood, Edward Sheil, Virginia Backus, Roger/Veronica Bohrer, Phillip/Carole Dickter, Klaus Moser-Maync, Faranguis Miremad, Gilbert Roux, Louis Lanaro, Catherine Ketcham, Edward Nemeth, Karen Hermanek, Karin Bohrer-Demato, Kristine Koerner, Robert Parader, Paul Jahrmaret, Lisa Warner, Susan Janas, Rebecca Sassano, Raymond Fontanes, June Fontanes, Ed Williams, Blanca Motta, Meagan Fontanes, Karen Michaelis, Jill Stranburg, Joyce Gasser, Chris Pribyc, Karen Molano, Robert Burns, Amy Gross, Patricia Saporito, Jane Logan, Nicole Schrano, Elizabeth O'Connor, Rosemary Riedel, Aaron Ng, Barry Bordy, Leo Giovenco, Syd/Gloria Finkelstein, Ann LaGattuta, Greg Greer, Dennis Greer, Jeanne Bass, Benita LaGattuta, Concetta Greer and Patricia Panowich.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
39. Letter received from Deborah and Lawrence Re regarding conditions from the recent storm that have affected their property.
- Supervisor
Town Board
Town Attorney
cc: Highway
40. Postcards received in opposition of the proposed project for the Oak Tree Dairy site on Elwood Road in Elwood. Postcards received from: Gerard/Mary Shanley, James/Lisa Mauto, Anthony/Elizabeth Petrunti, Albert/Vincent Modica, Judith /Joseph Calderone, Richard/Maureen Anderson, Frank/Rosemarie Donroe, Arlene/John Barker, Wayne Rendely, Charlotte/Richard Tortorici, Charles/Louise Kelly, Ralph/Lucille Rizzuto, Walter/Milagro Zalak, Charles/Rosette Gary, John/Madison Modica. Filippo/Janice Conte, Robert/Theresa DeMarzo, Margaret/Gary Buonavita, Hilda Schulkind, Joseph/Elizabeth O'Connor, Peter/Elizabeth Barth, Elissa/Steven Jappell, Paula/Corey Zonin, Estelle Abisoror, Bonnie Witthulin, Asher/Ruth Strod, Sherrie Jackson, Blaine Mandel, Joyce Gasser, John/Blanca Motta, Charles Hickmaxon, Zigrida McDermott, Jack Jappell, Barbara Tocci, Karen Heimaneck, Agnes Michaelis, Jay/Elvira Hoffman, C. Sawczyk, Maria Bohr, Phyllis Randazzo, Janice Lewis, Rocco Labbato, Allen/Susan Kaiden, Kristine Kociner, Veronica/Roger Bohrer, James/June Rowland, Henrietta Anderson, Melissa Martin, Jay/Bonnie Radziminsky, Connie/Brian Monaghan, Teresa Wukich, Raymond Oaie, Paul/Shannon Napolitano, Brian Demato, Karin Bohrer-Demato, George/Edna Koch, Donald/Constance Alibrandi, Marie Minichiello, Renee Rubin-Ross, Kenneth Ryesky, Tamara Weiss, Leon/Rena Santor, Richard/Jean Czczotka, Jordan/Janet Abisoror, Michael/Rita D'Amato, John/MaryAnn Plump, Patricia Klein, Harvey/Ernestine Zimmerman, Mary Lou Cuomo, Theresa Amato Marie Rendely, Rich/Lisa Suriano, Kathy/James Goldsborough, Kimberly/James Cameron Ji Li, Lisa Chen, Deborah/John Bacotti, Robert Hardie, Katelyn Bacotti, Ann Maguire, Richard/Charlotte Tortorici, David Rizzo, Judith Winard, Anita/ Robert Giebert, Anthony Viola, James/Diana Smith, Earl Dunlop, Kurt/Dorion Schlund, William/Roberta Fredericks Marie/James Wernert, C.M. Dennis, Giangeorge Graham, Anthony/Dolores Schiappa, Gloria/Sydney Finkelstein, Philip Benardello, Samuel/MaryJane Mackey, Arlene Calcano, Ralph/Trisha Laucella. Joseph Caruso, Lee Itzler, Matthew Itzler, Henry/Linda DiMartino Vincent/Nancy Modica, Dorothy Schiel, Sheila Smith, Barbara/Richard Donovan, Rudy/Nina Zotter, John/Catherine Montiel, Andrew Scanlon, Peter/Katherine Kenney, Jill Finkelstein, Nancy Finkelstein Ricci, Stephen Nielsen, Anne Mateer, Jessica Black, Lauren/Rich Ward, Thomas Zeis, Margarete Gray, Albert Kachie, Susan/Steve Hart, Karen/Ed Masin, Helen Gorski, Tricia/Tuna, Eric/Lisa Hechler, Dennis/Marilyn Hall, Konrad/Irma Burgert, Ira/Laura Elenko and Paul/Marie Walter.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
41. Postcard received in support of the proposed project for the Oak Tree Dairy site on Elwood Road in Elwood. Postcard received from Ira/Audrey Ritz.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

42. Letter received via FAX from Robert W. Ralph, President of the Fair Housing in Huntington Committee, Inc. The letter is in regard to the Consolidated Plan, Draft Action for 4/1/2013 – 3/31/2014 and the need for affordable housing for families with children.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development
43. Letter received from Bonnie Sammis, District Secretary for the Halesite Fire District, with the results/certification of election results. Wayne Jenó was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
44. Certificate of Canvass received from the Melville Fire District regarding the election. James Schuler was elected Fire Commissioner of a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
45. Letter received from Joyce Logan, Secretary-Deputy Treasurer for the Huntington Fire District. Included were Certificates of Canvass and the election results. The bond proposition was approved and Edmund Erickson was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
46. Elections results received from the Dix Hills Fire District. Todd Cohen was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
47. Letter received from Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District. The election result was Lawrence Ancewicz was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
48. Election results received from the South Huntington Water District. Dominick Feeney was elected Water Commissioner.
- Supervisor
Town Board
cc: Town Attorney
49. Letter received from Kenneth Ryesky regarding Oak Tree Dairy property. The writer is opposed to the proposed project for the Oak Tree Dairy property.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
50. Letter received from Candice Thomson, District Treasurer for the Huntington Manor Fire District regarding the election. Dane Martin was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
51. Letter received from Nancy McFadzen, Secretary for the Commack Fire District, regarding election results. Thomas McFadzen was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector
52. Letter received from Patricia Hawkins, Chairman for the election for the East Northport Fire District, regarding election results. Nicholas Macedonio was elected Fire Commissioner for a 5 year term.
- Supervisor
Town Board
Town Attorney
cc: Fire Inspector

53. Letter received from Teresa Wukich regarding the Engel Burman project for the Oak Tree Dairy site. The writer opposes this project. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
54. Two letter, hand delivered, from Marie Rendely. A) The first letter is addressed to Councilwoman Berland; it reiterates their telephone conversation regarding the building permit Ms. Rendely is waiting for. B) The second letter is addressed to Robert Seng and is requesting a building permit that was applied and paid for 12 years ago. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
55. Email received from William Mehl, attached was a copy of a letter he wrote regarding the purchase of Carpenter Farm. The writer indicates this is an extremely poor time to use taxpayer money for the purchase of this property. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
56. Email received from Ann Ribauda regarding the bus service for her three year old disabled son (he has a condition which causes him to be unable to walk independently). The bus is supposed to pick up and drop off her child in front of his home however, the bus company has indicated that her block is dangerous (this is a dead end street) and drops him off at the corner. This is a hardship for her husband, who is also disabled, and must walk there with their other three year old son. She is requesting assistance to have the bus company pick up and drop off her son at his home. Supervisor
Town Board
Town Attorney
Human Services
Mark Lowen-HART Bus
cc: Transportation & Traffic Safety
57. Letter hand delivered, from Kristi Cartolano, District Secretary for the Eaton's Neck Fire District with various certificates and election results. Philip Whiter was elected Fire Commissioner for a 5 year term. Supervisor
Town Board
Town Attorney
cc: Fire Inspector
58. Hand delivered letter received from Marie Rendely, regarding her building permit for an accessory structure and also a FOIL request for copies of Town Code, Policies and procedures. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
59. Email received from Paul Kirtcheff in opposition to the construction of the Seasons at Elwood. The writer indicates it will cause additional traffic congestion. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
60. Email received from Sandra and Russell Shannon regarding their opposition to downzoning. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION AGREEMENT WITH MINDSHIFT TECHNOLOGIES, INC. NUNC PRO TUNC

Resolution for Town Board Meeting Dated: December 18, 2012

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, Town Board Resolution 2012-115 authorized the Supervisor to execute a month-to-month agreement with Mindshift Technologies, Inc. not to exceed six (6) months; and

WHEREAS, the Town of Huntington entered into an month-to-month agreement, not to exceed six months, with Mindshift Technology on May 18, 2012 in which, Mindshift was to continue to provide network services to the Town, as set forth in the original agreement, during the transition period of Optimum LightPath's construction and installation of its fiber-optic services; and

WHEREAS, Hurricane Sandy has interfered with Optimum LightPath's ability to complete its construction and installation of its fiber-optic services, and the month-to-month agreement with Mindshift Technologies, Inc., expired, the Town is desirous of extending the month-to-month agreement with Mindshift Technologies, Inc. for up to four (4) months and on the terms and conditions as may be acceptable to the Town Attorney; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension agreement with Mindshift Technologies Inc. to extend its original agreement on a month-to-month basis for a period not to exceed four (4) months on the terms and conditions as may be acceptable to the Town Attorney

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.

2012-514

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR ROAD REHABILITATION WITH KINGS PARK INDUSTRIES, INC.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, this contract shall provide for all necessary labor, equipment and materials to reconstruct and rehabilitate Town roadways using various methods in accordance with the Town of Huntington requirements and construction specifications; and

WHEREAS, Town Board Resolution 2012-48 authorized the execution of a contract with Kings Park Industries, Inc. for the Townwide Requirements Contract for Road Rehabilitation, Contract No. HWY 2012-02/O-E; and

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

WHEREAS, Kings Park Industries, Inc., 201 Moreland Road, Suite 2, Hauppauge, New York 11788 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Kings Park Industries, Inc. for Road Rehabilitation. The extension period shall be effective for one (1) year commencing on March 1, 2013 to be charged to those budgets required to implement the work on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-515

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT TO FURNISH AND INSTALL ASPHALT CONCRETE WITH POSILICO CIVIL, INC.

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, this contract shall provide for all necessary labor, equipment and materials to prepare various roadway courses and overlay with asphalt pavement in accordance with Town of Huntington requirements and construction specifications; and

WHEREAS, Town Board Resolution 2012-47 authorized the execution of a contract with Posillico Civil, Inc. for the townwide requirements contract to furnish and install asphalt concrete, Contract No. HWY 2012-01/O-E; and

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

WHEREAS, Posillico Civil, Inc., 1750 New Highway, Farmingdale, New York 11735 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Posillico Civil, Inc. for townwide requirements contract to furnish and install asphalt concrete. The extension period shall be effective for one (1) year commencing on March 7, 2013 to be charged to those budgets required to implement the work on an as needed basis, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-516

AUTHORIZE THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH PHIL BAUCCIO CONSULTANTS & ASSOCIATES TO PROVIDE RISK MANAGEMENT CONSULTING SERVICES

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, the Town with the services of Phil Bauccio Consultants has instituted cost savings solutions for the Town's workers' compensation program and general insurance program and will need occasional consulting services throughout the year for insurance renewals and workers compensation claims review; and

WHEREAS, Phil Bauccio Consultants & Associates, has experience with municipalities, extensive knowledge in risk management solutions and has acquired an in-depth knowledge of the Town's insurance program providing the Town with cost saving recommendations and guidance; and

WHEREAS, the Town of Huntington wishes to enter into a one year requirements contract for risk management consulting services with Phil Bauccio Consultants & Associates, P.O. Box 421, East Islip, NY 11730; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with Phil Bauccio Consultants & Associates to provide risk management consulting services for a one year term on an as-needed basis at an hourly rate of \$90 per hour not to exceed a total of TEN THOUSAND DOLLARS and NO/100 (\$10,000.00) to be charged to Operating Budget A9040-8030 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.

2012-517

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE PROCESSING AND RECYCLING OF HUNTINGTON RESIDENTIAL YARDWASTE WITH POWERCRUSH, INC.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is committed to processing and recycling residential yardwaste materials in an environmentally sound and lawful manner. The Town of Huntington schedules approximately 40 separate yardwaste collections annually; The Town Refuse District Municipal and Contract Carters collect bundled branches less than 6" in diameter, and 4' in length, and bagged leaves or prunings, which are then delivered to the contractors facility; and

WHEREAS, sealed bids were received on October 18, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the processing and recycling of Huntington residential yardwaste, Bid No. TOH 12-10R-067 and the same were opened publicly and read aloud; and

WHEREAS, PowerCrush, Inc., 140 Old Northport Road, Kings Park, New York 11754 is the lowest responsive, responsible bidder; and

WHEREAS, the processing and recycling of Huntington residential yardwaste is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with PowerCrush, Inc. for the processing and recycling of Huntington residential yardwaste. The contract period shall be effective for a two (2) year term commencing upon execution of the contract but not before January 1, 2013 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to A8565.4990, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT BETWEEN THE TOWN OF HUNTINGTON AND THE HUNTINGTON TOWN UNIT OF REGION 1, SUFFOLK LOCAL 852 OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME AFL/CIO

Resolution for Town Board Meeting Dated: December 18, 2012

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

And seconded by: **COUNCILWOMAN BERLAND**

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract between the Town of Huntington and the Huntington Town Unit of Region 1, Suffolk Local 852 of the Civil Services Employees Association, Local 1000, AFSCME AFL/CIO, for the period January 1, 2012 through December 31, 2016 and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-519

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT WITH ISRAELOFF, TRATTNER & CO. P.C., TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE TOWN OF HUNTINGTON AND TO EXECUTE AN EXTENSION TO THE CONTRACT WITH FUOCO GROUP, LLP, TO PERFORM AUDITING & ACCOUNTING SERVICES FOR THE HUNTINGTON HUMAN SERVICES INSTITUTE, CULTURAL AFFAIRS INSTITUTE & YOUTH BUREAU INSTITUTE, AND APPOINT EACH AS OFFICIAL TOWN AUDITORS TO PERFORM SAID ACCOUNTING AND AUDITING SERVICES FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012.

Resolution for Town Board meeting dated: December 18, 2012

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

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

WHEREAS, Town Board Resolution 2008-712 authorized the Supervisor to execute a contract with Israeloff, Trattner & Co., P.C. for professional auditing and accounting services for the Town of Huntington; and

WHEREAS, Town Board Resolution 2008-712 authorized the Supervisor to execute a contract with Fuoco Group, LLP for professional auditing and accounting services for the Huntington Human Services Institute, Cultural Affairs Institute, and the Youth Bureau Institute; and

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

WHEREAS, Israeloff, Trattner & Co., P.C and Fuoco Group, LLP have requested the Town Board's approval for the fourth and final one (1) year extension of the contract with no price increases; and

WHEREAS, the Town's Audit Committee has reviewed the auditor's performance, responsiveness, qualifications and proposal price and believes that it is in the best interest of the Town to engage the current auditing firms and exercise the fourth year extension option for the performance of the 2012 annual audits; and

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

NOW, THEREFORE,

THE TOWN BOARD

2012-519

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract with Israeloff, Trattner & Co., P.C. and appoint same as official Town Auditors to perform accounting and auditing services for the Town of Huntington for the fiscal year ending December 31, 2012 for an amount not to exceed the sum of EIGHTY-EIGHT THOUSAND FIVE HUNDRED AND NO/100 (\$88,500.00) DOLLARS to be charged to Operating Budget Item A1315-4550 for a term commencing January 1, 2013 and terminating December 31, 2013; and

HEREBY AUTHORIZES the Supervisor to execute a extension to the contract with Fuoco Group, LLP, and appoint same as official Town Auditors to perform accounting and auditing services for the fiscal year ending December 31, 2012, for an amount not to exceed the sum of THREE THOUSAND EIGHT HUNDRED AND NO/100 (\$3,800.00) DOLLARS for the Huntington Human Services Institute; and for an amount not to exceed sum of the sum of TWO THOUSAND SEVEN HUNDRED AND NO/100 (\$2,700.00) DOLLARS for the Cultural Affairs Institute, both to be charged to Operating Budget Item A1315-4550; and for an amount not to exceed the sum of FOUR THOUSAND THREE HUNDRED AND NO/100 (\$4,300.00) DOLLARS for the Youth Bureau Institute to be charged directly to the Youth Bureau Institute for a term commencing January 1, 2013 and terminating December 31, 2013.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS:0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-520

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE TREE REMOVAL FOR ZONE 1 WITH CONSERVATION CONTROL CORP.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town requires a contractor to remove trees that are dead, nearly dead, diseased and/or potentially dangerous to the public. This is an annual requirements contract which enables the Town to hire a professional contractor to remove trees located within the Town right-of-way that are identified by the Urban Forester for removal based on the health or condition of the trees; and

WHEREAS, sealed bids were received on November 15, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract for tree removal-zone 1, Contract No. HWY 2012-09/O-E and the same were opened publicly and read aloud; and

WHEREAS, Conservation Control Corp., 282 Broadway, Huntington Station, New York 11746 is the lowest responsive, responsible bidder; and

WHEREAS, Townwide Requirements Contract for Tree Removal – Zone 1 is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(14), 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 Conservation Control Corp. for tree removal zone 1. The contract period shall be effective upon execution of the contract until December 31, 2013, to be charged to Operating Budget Item No. DB-5140-2784, 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.

2012-521

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE TREE REMOVAL FOR ZONE 2 WITH HOHWALD LANDSCAPING INC.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town requires a contractor to remove trees that are dead, nearly dead, diseased and/or potentially dangerous to the public. This is an annual requirements contract which enables the Town to hire a professional contractor to remove trees located within the Town right-of-way that are identified by the Urban Forester for removal based on the health or condition of the trees; and

WHEREAS, sealed bids were received on November 29, 2012, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract for tree removal-zone 2, Contract No. HWY 2012-10/O-E and the same were opened publicly and read aloud; and

WHEREAS, Hohwald Landscaping Inc., P.O. Box 313, Brightwaters, New York 11718 is the lowest responsive, responsible bidder; and

WHEREAS, Townwide Requirements Contract for Tree Removal – Zone 2 is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(14), 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 Hohwald Landscaping Inc. for tree removal zone 2. The contract period shall be effective upon execution of the contract until December 31, 2013, to be charged to Operating Budget Item No.DB-5140-2784, 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 EXECUTION OF CONTRACT OF SALE AND APPROPRIATING FUNDING NECESSARY FOR CONTRACT AND CLOSING REQUIREMENTS FOR TOWN ACQUISITION OF PARK AVENUE DAIRY / KIRUV PROPERTY, HUNTINGTON

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the acquisition of a portion of the former Park Avenue Dairy / Kiruv property, identified as all or portions of SCTM 0400-073-01-038.000, 0400-073-01-041.001, 0400-073-01-042.000, and 0400-097.00-02.00-107.000 and located on the southwest corner of Park Avenue and Woodhull Road in Huntington, and comprised of approximately 5.0 acres, was recommended for purchase by the EOSPA Committee and has been successfully negotiated by the Town EOSPA Counsel and contracts of sale will be forwarded to the seller; and

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

WHEREAS, a public hearing was held on June 19, 2012 pursuant to General Municipal Law §247 regarding acquisition of the subject property and there was strong public support expressed at the public hearing for acquiring the property for park purposes; and

WHEREAS, due to the historic sensitivity of the proposed acquisition the future park and trails use of the site will be guided with input from the Huntington Historic Preservation Commission and Huntington Greenway Trails Committee; and

WHEREAS, the acquisition area comprises approximately 1.6 acres with full fee rights and 3.4 acres that will be encumbered with a conservation easement as a density flow rights sending area to remain in its natural state with trails; and

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

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

NOW THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a contract, on such terms and conditions as may be acceptable to the Town Attorney, to purchase the property identified above with fee interests and the remainder with density flow rights removed for park purposes for the benefit of Huntington residents for an amount not to exceed the sum of FIVE HUNDRED AND EIGHTY-FIVE THOUSAND AND 00/100 DOLLARS (\$585,000.00), excluding customary closing costs, which are hereby authorized such as title insurance and recording fees; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate the authorized funding from Budget Item A1940.2109 [Purchase of Open Space Land] in an amount not to exceed the purchase price or FIVE HUNDRED AND EIGHTY-FIVE THOUSAND AND 00/100 DOLLARS (\$585,000.00), excluding customary closing expenses, to cover costs related to the Town's acquisition of the subject property; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the owner of the Kiruv property and authorizes the Supervisor to execute all documents related to the acquisition, and upon securing such property in the ownership of the Town, it is hereby declared to be and dedicated as parkland to be held and known as Tannery Park.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012- 523

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS
ON BEHALF OF THE DIVISION OF CULTURAL AFFAIRS FOR THE YEAR 2013

Resolution for the Town Board Meeting Dated: December 18, 2012

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

WHEREAS, the Town Board has a long history of promoting cultural programs, events,
and facilities in the Town of Huntington; and

WHEREAS, such programming results in considerable economic and recreational benefit to
all our residents; and

WHEREAS, the Town Board has approved certain appropriations in support of such
programming for the year 2013; and

WHEREAS, the execution of agreements with the indicated non-profit organizations for
providing such cultural services is not an action as defined by 6 N.Y.C.R.R. Section
617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute agreements, and any and all documents
in connection therewith, on such terms and conditions as may be acceptable to the Town
Attorney, for the provision of cultural services pursuant to the indicated appropriations, for
the year 2013 with the following agencies:

<u>CONTRACTOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>
HUNTINGTON ARTS COUNCIL (Administration)	A 7010.4001	\$147,500.00
(Summer Arts Festival – “Band Concerts”)* 213 Main Street Huntington, NY 11743	A 7270-4001	\$100,615.00
HECKSCHER MUSEUM OF ART 2 Prime Avenue Huntington, NY 11743-7702	A 7450.4001	\$410,134.00

* In addition, funding of \$40,000 has been appropriated in the Town's 2013 budget for the Summer Art's
Festival part-time wages and related personnel benefits & taxes

2012-523

WHALING MUSEUM SOCIETY, INC. P.O. Box 25 Cold Spring Harbor, New York 11724	A 7460.4003	\$23,500.00
HUNTINGTON HISTORICAL SOCIETY 209 Main Street Huntington, New York 11743	A 7460.4004	\$52,000.00
NORTHPORT HISTORICAL SOCIETY P.O. Box 545 Northport, New York 11768	A 7460.4005	\$16,250.00
GREENLAWN/CENTERPORT HISTORICAL ASSOCIATION, INC. P.O. BOX 354 Greenlawn, New York 11740	A 7460.4006	\$ 1,900.00
WALT WHITMAN BIRTHPLACE ASSOCIATION, INC. 246 Walt Whitman Road Huntington Station, New York 11746	A 7460.4007	\$21,000.00
HUNTINGTON LIGHTHOUSE PRESERVATION SOCIETY P.O. Box 2454 Halesite, New York 11743	A 7460.4009	\$ 4,900.00
CINEMA ARTS CENTRE 423 Park Avenue Huntington, NY 11743	A 7460.4057	\$10,000.00

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

2012-524

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS ON BEHALF OF THE DEPARTMENT OF HUMAN SERVICES FOR THE YEAR 2013

Resolution for the Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, THE Town of Huntington annually enters contractual relationships with essential not-for-profit social and human service providers that offer assistance to Huntington residents funded through the auspices of the Department of Human Services; and

WHEREAS, the Town Board wishes to continue to maintain access to these social and human services for its residents through programs provided by said not-for-profit organizations and;

WHEREAS, the provisions of services pursuant to these agreements is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and, therefore, no further SEQRA is required.

THE TOWN BOARD AUTHORIZES the Supervisor, to execute agreements, and any other documents in connection therewith, for the provision of services, pursuant to the indicated appropriations, for the year 2013 with the following agencies, and upon such other terms and conditions as may be acceptable to the Town Attorney:

<u>CONTRACTOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>
CHILD CARE COUNCIL OF SUFFOLK, INC. 60 Calvert Avenue, Commack, NY 11725		
Parent Leadership Initiative	A 6770.4014	\$ 9,500
Childcare Enhancement	A 6770.4021	\$31,500
FAMILY SERVICE LEAGUE, INC. 790 Park Avenue, Huntington, NY 11743		
Emergency Housing Relocation	A 6770.4025	\$58,000
Work Plus	A 6770.4016	\$29,500
HomeShare	A 6770.4058	\$ 6,000
SeniorNet	A 6770.4055	\$ 9,750
FEDERATION OF ORGANIZATIONS, INC. 1 Farmingdale Road, W. Babylon, NY 11704		
Foster Grandparents	A 6770.4013	\$10,220

2012-524

HUNTINGTON BREAST CANCER
ACTION COALITION, INC.
P.O. BOX 1446, Huntington, NY 11743

Lend A Helping Hand	A 6770.4053	\$10,000
Students and Scientists Program	A 6770.4056	\$ 4,800

LITERACY SUFFOLK, INC. 627 N. Sunrise Service Road, Bellport, NY 11713	A 6312.4001	\$ 9,500
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PEDERSON-KRAG CENTER, INC. 55 Horizon Drive, Huntington, NY 11743		
Mental Health Programs	A4225.4001	\$10,400
Bi-Lingual Social Worker Huntington Station	A4225.4001	\$12,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-525

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR NUTRITION SERVICES FOR SENIOR CITIZENS

Resolution for Town Board Meeting dated: December 18, 2012

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

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated a nutrition program for senior citizens; and

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

WHEREAS, the 2013 Adopted Suffolk County Operating Budget includes THREE HUNDRED AND ONE THOUSAND AND SEVEN HUNDRED AND TWENTY THREE AND NO/100 (\$301,723.00) DOLLARS in funding for the IIC Nutrition Program for the period January 1, 2013 through December 31, 2013; and

WHEREAS, applying for and receiving funds for the nutrition program is not an action as defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funds from the County of Suffolk for the provision of nutrition services for the period January 1, 2013 through December 31, 2013, for a unit cost for the 2013 program year in the amount of \$4.26 per meal for congregate meals and a unit cost for the 2013 program year in the amount of \$4.55 per meal for home delivered meals, to be recorded in Operating Budget Account A3776 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 THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE RESIDENTIAL REPAIR PROGRAM FOR THE ELDERLY OF HUNTINGTON

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, the Residential Repair Program provides residential repair and renovations to upgrade substandard, unsuitable or unsafe housing including handicapped modifications for persons age 60 and older within the Town of Huntington; and

WHEREAS, the 2013 Adopted Suffolk County Operating Budget includes TWENTY-FOUR THOUSAND ONE HUNDRED FIFTY-NINE AND NO/100 (\$24,159.00) DOLLARS for the Residential Repair Program; and

WHEREAS, applying for and receiving funds for this program is not an action as defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funding from the County of Suffolk for the Residential Repair Program for the elderly of Huntington for the period of January 1, 2013 through December 31, 2013, for an amount not to exceed the sum of TWENTY-FOUR THOUSAND ONE HUNDRED FIFTY-NINE AND NO/100 (\$24,159.00) DOLLARS to be recorded in 2013 Operating Budget A3774 and A4774, 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 THEREUPON DECLARED DULY ADOPTED.

2012- 527

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE PROVISION OF ADULT DAY CARE SERVICES

Resolution for Town Board Meeting Dated: December 18, 2012

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

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated an adult day care program for senior citizens; and

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

WHEREAS, the 2013 Adopted Suffolk County Operating Budget includes TEN THOUSAND NO/100 (\$10,000) DOLLARS in funding for the Social Model Adult Day Care as a respite to family caregivers for the period January 1, 2013 through December 31, 2013; and

WHEREAS, applying for and receiving funds for the Adult Day Care Program is not an action as defined by 6 N.Y.C.R.R. of 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funds from the County of Suffolk for the provision of adult day care services for the period January 1, 2013 through December 31, 2013, for an amount not to exceed the sum of TEN THOUSAND NO/100 (\$10,000.00) DOLLARS, in Operating Budget Item A-4773 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 THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS FOR MEETING PLACES FOR SENIOR CITIZENS OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the Senior Citizens of the Town of Huntington utilize certain facilities within the Town for meeting places and agreements have been prepared concerning the utilization of said places for 2013 as follows:

- | | |
|-----------------------------|-------------------------------------|
| Centerport Methodist Church | Paumanack Village I & II |
| Gloria Dei Lutheran Church | Paumanack Village III & IV |
| Harborfields Public Library | Presbyterian Church of Sweet Hollow |
| Huntington Public Library | St. Paul's Lutheran Church |
| Northport Public Library | Union United Methodist Church |

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to execute agreements, and any documents in connection therewith, for meeting places for senior citizens for 2013 for various fees and specified periods as per each agreement to be charged to A-6772.4710 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 SUBMIT AN APPLICATION FOR AN ENTITLEMENT GRANT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND AUTHORIZING ALL ASSURANCES CONNECTED WITH SAID APPLICATION

Resolution for the Town Board Meeting dated: December 18, 2012

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town of Huntington under the Federal Housing and Community Development Act of 1974, is eligible to receive an estimated EIGHT HUNDRED FIFTY-NINE THOUSAND TWO HUNDRED SIXTY-SEVEN DOLLARS (\$859,267.00) AND 00/100 in Entitlement Funds available for fiscal year 2013; and

WHEREAS, the Town Board of the Town of Huntington held a public hearing on the 7th day of November, 2012 concerning the planning of the said application (a Five Year Consolidated Plan and the One Year Action Plan) to provide a forum for the citizens of the Town of Huntington to participate in the planning of said Application for the Entitlement Funds available for the fiscal year 2013; and

WHEREAS, the authorization for submission of an application for Community Development Block Grant funding is a type II action pursuant to 6N.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 submit an Application on behalf of the Town of Huntington for an entitlement grant of Community Development Funds in the estimated amount of EIGHT HUNDRED FIFTY-NINE THOUSAND TWO HUNDRED SIXTY-SEVEN DOLLARS (\$859,267.00) AND 00/100 under the Housing and Community Development Act of 1974 and to execute any documents in connection therewith; and

HEREBY DESIGNATES the Director of the Huntington Community Development Agency to be the agent of the Supervisor with respect to providing additional information as may be required under said application; and

HEREBY DIRECTS the Town Attorney, as counsel for the applicant and attorney-at-law duly admitted to practice in the State of New York, to certify to the facts and representations as contained in Federal Form HUD - 7015.15, also as Assurances, under the Community Development Block Grant Application referred to above.

2012-529

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH MACKENZIE AUTOMATIC DOORS, INC. FOR MAINTENANCE AND REPAIR OF AUTOMATIC DOORS.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, MacKenzie Automatic Doors, 72 Reade Street, New York, New York 10007, has inspected, maintained and serviced the automatic doors at Town Hall, 100 Main Street, Huntington, the Town of Huntington Village Green Center, 423 Park Avenue, Huntington, as well as the Dix Hills Ice Rink, 575 Vanderbilt Parkway, Dix Hills; and

WHEREAS, the continued maintenance of these doors is of vital importance to the safety of the employees and residents of the Town of Huntington; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with MacKenzie Automatic Doors, Inc., and any document in connection therewith, 72 Reade Street, New York, New York 10007 for a term of thirty-six (36) months, commencing January 1, 2013 and terminating on December 31, 2015, for a sum not to exceed SEVENTEEN THOUSAND THREE HUNDRED FORTY AND 00/100 (\$17,340.00) DOLLARS, to be charged to A1621-4420, 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 Mark A. Cuthbertson	AYE
Councilman Eugene Cook	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH COVANTA HUNTINGTON LLP TO EXPLORE THE FEASIBILITY OF AN EXPANSION OF METAL RECOVERY SYSTEMS

Resolution for Town Board Meeting Dated: December 18, 2012

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

WHEREAS, Covanta Huntington, LLP operates and maintains an energy from waste facility that processes municipal solid waste at 99 Town Line Road, East Northport NY under the terms of a Service Agreement with the Town of Huntington; and

WHEREAS, part of this Service Agreement requires the operation of a ferrous metals recovery system that collects these materials from the waste stream. These metals are sold and the revenue is split with the Town of Huntington receiving ninety percent of the revenue and Covanta Huntington, LLP receiving ten percent ; and

WHEREAS, both parties would like to improve the existing ferrous metals recovery system and construct an additional system to capture non-ferrous metals at no capital cost to the Town; and

WHEREAS, Covanta Huntington has requested an executed Memorandum of Understanding (MOU) from the Town of Huntington in order explore the feasibility of this proposal while requiring both parties to enter into a binding agreement in the future; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into a Memorandum of Understanding with Covanta Huntington, LLP and to execute any documents in connection therewith, upon such terms and conditions as are acceptable to the Town Attorney; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012 - 532

RESOLUTION AUTHORIZING THE HUNTINGTON TOWN BOARD ON BEHALF OF THE HUNTINGTON SEWER DISTRICT TO EXECUTE A CONTRACT WITH THE HUNTINGTON HOSPITAL ASSOCIATION AND AUTHORIZING THE SETTLEMENT OF A LAWSUIT

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, the Huntington Hospital Association (hereinafter "Hospital") is the owner of property located at 270 Park Avenue, Huntington, New York, more particularly identified and comprised of Suffolk County Tax Map Nos.: 0400-074.00-01.00-(011.000, 002.000, 022.002 and 003.000) (hereinafter "Hospital Property"); and

WHEREAS, on January 12, 1915, the Town Board of Huntington established the Huntington Sewer District (hereinafter "District") and created the boundary lines thereof; and

WHEREAS, the boundary line of the "District" as established by the Town Board included only a portion of tax map lot 002.000 currently part of a parking lot and a portion of lot 022.002 improved by a small freestanding building and associated parking lot which comprised of the original hospital building; and

WHEREAS, on or about May 1, 1916, lots 002.000 and 022.002 were connected to district facilities and have been discharging waste as an in-District connection to the District on a continuous basis; and

WHEREAS, in September 1933 the Hospital began the first of several expansions to its facilities consisting of a new larger building with over seventy additional beds and the new facilities were connected to the collection system of the District yet located on other portions of the same or adjoining parcels (i.e. Lots 011.000, 003.000 and p/o 002.000 and p/o 022.002) that are outside District boundaries; and

WHEREAS, further expansions of Hospital facilities on those portions of the same or adjoining parcels continued through multiple decades and each such expansion was connected to the collection system of the District; and

WHEREAS, as currently constituted, the boundary lines of the District bisect the Hospital Property; and

WHEREAS, there is current litigation pending between the parties in the Matter of Huntington Hospital Association v. Town of Huntington, et. al. bearing Suffolk County Index Number: 11-23485, a pending tax assessment challenge, and on-going enforcement of code violations; and

WHEREAS, all parties have determined that it is in their best interests to settle the outstanding legal issues; and

WHEREAS, connections to properties located outside District boundaries may be considered by the Town Board pursuant to Chapter 164 of the Huntington Town Code, §119-a of the General Municipal Law, and other applicable law and rules; and

WHEREAS, the proposed action has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5 (c) (20), (c) (27), and (c) (29) and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED, that the criteria for approval of a contract as an outside District user has been met and sufficient capacity exists for the continued discharge of waste by the Huntington Hospital Association to the Huntington Sewer District for parcels owned by Huntington Hospital Association and designated as Lots 011.000, 003.000, the remaining p/o 002.000 and p/o 022.002; and

BE IT FURTHER RESOLVED, that the application of Huntington Hospital Association to use capacity of the Huntington Sewer District for lots 011.000, 003.000, p/o 002.000 and p/o 022.002 by contract as an outside user of the District is granted subject to payment of all applicable fees and charges; for a term of forty (40) years or for as long as the property is used as a hospital, whichever event occurs first; with an annual user fee of assessed value multiplied by the tax rate plus 10% in the interests of justice for the term of the contract only; subject further to compliance with the Stipulation of Discontinuance to be entered into by the parties, and upon such other terms and conditions as deemed acceptable to the Town Attorney and the Huntington Sewer District; and

BE IT FURTHER RESOLVED, that the execution of a contract on behalf of the District for the disposal of waste is hereby authorized accordingly; and further, the Supervisor is authorized to execute all further documents necessary in settlement of existing litigation between the parties all on such additional terms and conditions as deemed necessary by the Town Attorney to fully effectuate the intent of this Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING SALE BY PUBLIC AUCTION OF NATIVE AMERICAN ARTIFACTS AND CEREMONIAL CANNON IN THE COLLECTION OF THE HECKSCHER MUSEUM, WITH AUCTION PROCEEDS BEING RESTRICTED FOR ACQUISITION OF NEW COLLECTION OBJECTS

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN MAYOKA

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 Native American artifacts and a pair of ceremonial cannon that were 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, these collection objects have 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, these unused collection objects may have monetary value that could be used to support the acquisition of works of art more in keeping with The Heckscher Museum's mission; 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 American Alliance of Museums Accreditation Commission requires that the proceeds from any sale of objects from an accredited museum's collections be restricted to the care or acquisition of collection objects; and,

WHEREAS, the sale by public auction of objects from a museum collection and restriction of sale proceeds to acquisition of new collection objects are not actions 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 AUTHORIZES The Heckscher Museum to sell on behalf of the Town of Huntington the Native American artifacts and the pair of ceremonial cannon now in its possession through recognized public auction houses so that the highest prices possible will be obtained in the public market place;

and

HEREBY DIRECTS that The Heckscher Museum, acting as Trustee for the Town of Huntington, place any funds accrued from the sale of the Native American artifacts and the pair of ceremonial cannon in a segregated account or fund, established by the Museum in the name of the Town of Huntington, exclusively for the purchase of art to enrich its permanent collection for the educational benefit of the Town's citizens, and that any art so purchased shall be owned by the Town of Huntington and held by the Museum on its behalf.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE LONG-TERM LOAN OF THE TOWN-OWNED MINERAL COLLECTION, HELD AND MANAGED BY THE HECKSCHER MUSEUM, TO THE DEPARTMENT OF GEOSCIENCES, STONY BROOK UNIVERSITY, STONY BROOK, NY

Resolution for Town Board Meeting Dated: December 18, 2012

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

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, the Department of Geosciences, Stony Brook University, Stony Brook, NY, a department consistently ranked among the top 40 earth science programs in the country, has expressed interest in accepting the mineral collection on loan and utilizing it for educational purposes for the benefit of its 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 authorizes The Heckscher Museum to place the mineral collection now in its possession on indefinite loan to the Department of Geosciences, Stony Brook University, Stony Brook, NY, for use in its educational programming 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 at any time with appropriate notice.

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.

2012- 535

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR REPAIR AND/OR REPLACEMENT OF MANHOLE FRAMES AND COVERS ON NEW YORK STATE ROADWAYS, WITHIN THE HUNTINGTON SEWER DISTRICT, WITH BANCKER CONSTRUCTION CORP.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, it is the intent of this procurement to provide for the repair and/or replacement of manhole frames and covers on New York State owned roadways in the Huntington Sewer District. Additionally, this requirements contract will be utilized to furnish all labor, materials, equipment and appliances necessary to maintain both vehicular and pedestrian traffic, protect the public from all damage to person and property and to minimize inconveniences to the facilities adjacent to the work areas, in accordance with the contract specifications and the New York State Manual of Uniform Traffic Control; and

WHEREAS, Town Board Resolution 2011-54 authorized the execution of a requirements contract for repair and/or replacement of manhole frames and covers in New York State roadways, Bid No. TOH 11-01R-003 with Bancker Construction Corp. and Town Board Resolution 2012-16 authorized the first one (1) year extension; and

WHEREAS, said contract provides for a final one (1) year extension upon mutual agreement by both parties, with no increase in the bid price or change in the terms and conditions and it in the best interest of the Town to exercise this extension; and

WHEREAS, Bancker Construction Corp., 218 Blydenburgh Road, Islandia, New York 11749 has requested the final one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an extension to the requirements contract, and any documents in connection and related therewith, with Bancker Construction Corp for repair and/or replacement of manhole frames and covers in New York State roadways. The extension period shall be effective for one (1) year commencing on March 8, 2013 to be charged to WM 8197.2780, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2012- 535

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.

2012-536

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HOLZMACHER, McLENDON, & MURRELL P.C. TO PROVIDE ANNUAL ENGINEERING RETAINER SERVICES FOR 2013 FOR THE HUNTINGTON AND CENTERPORT SEWER DISTRICTS

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Huntington and Centerport Sewer Districts require the services of a qualified engineering consulting service on retainer for technical support of day to day activities including review of process performance, sewer connection applications and regulatory compliance; and

WHEREAS, Holzmacher, McLendon, & Murrell P.C. has submitted proposals for annual engineering retainer services for the Huntington and Centerport Sewer Districts for 2013 and the Department of Environmental Waste Management has evaluated the proposals and found them acceptable; and

WHEREAS, the proposed action has been classified as a Type II Action pursuant to 6 NYCRR Part 617.5 (c) (20) and no further action is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an agreement with Holzmacher, McLendon, & Murrell P.C., 575 Broad Hollow Road, Melville, New York 11747 for annual engineering retainer services for 2013 for the Huntington and Centerport Sewer Districts for an amount not to exceed the sum of FORTYTHREE THOUSAND FOUR HUNDRED TWENTY AND NO/100 (\$43,420.00) DOLLARS to be charged to Operating Budget Items SS1-8131.4550 (\$13,420.00), WM8197-2780.SM001 (\$30,000.00) and SS2-8132.4550 (\$2,480.00) and upon such other terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MEMORIAL STATUE AND GARDEN IN HONOR AND MEMORY OF VICTORIA GAINES AT THE PLAYGROUND AT HECKSCHER PARK.

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Councilman Mark Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, on July 4, 2012, Victoria Gaines of Huntington lost her life with two other children in a tragic boating accident in Long Island Sound; and

WHEREAS, the Gaines family would like to establish a memorial garden inside the fenced playground at Heckscher Park that will include a small bronze statue and various plantings in memory of their daughter; and

WHEREAS, the establishment of a memorial garden 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 establishment of "Victoria's Garden" at the Heckscher Park Playground in honor and memory of Victoria Gaines.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: December 18, 2012

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

And seconded by: **COUNCILMAN MAYOKA**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Chapter 119, Section 5 of the Code of the Town of Huntington
Authorizing the Removal of Graffiti

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
192 E. Main St. Huntington, NY 11743	0400-077.00-01.00-004.001	Metro 192 E. Main St., LLC	11/15/2012	205 E. Main St., Ste. 2-2 Huntington, NY 11743

Chapter 133, Section 2 of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
119 E. 10 th St. Huntington Sta., NY 11746	0400-146.00-03.00-122.000	Alba M. Benitez Jesus Fuentes	12/06/2012	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
119 E. 10th St. Huntington Sta., NY 11746	0400-146.00-03.00-122.000	Alba M. Benitez Jesus Fuentes	12/06/2012	N/A
192 E. Main St. Huntington, NY 11743	0400-077.00-01.00-004.001	Metro 192 E. Main St., LLC	11/15/2012	205 E. Main St., Ste. 2-2 Huntington, NY 11743

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
119 E. 10th St. Huntington Sta., NY 11746	0400-146.00-03.00-122.000	Alba M. Benitez Jesus Fuentes	12/06/2012	N/A

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO RETAIN THE SERVICES OF GERARD TERRY, ESQ., AS SPECIAL OUTSIDE COUNSEL IN THE FIELD OF AGRICULTURAL TAX EXEMPTION

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the Town has the need to solicit professional legal expertise in the matter of Eatons Neck LLC vs. Town of Huntington; and

WHEREAS, Gerard Terry, Esq. has twenty-six (26) years of experience providing a broad range of representation to both public and private sector institutional clients and presently represents the Incorporated Village of Port Washington North as special counsel for both commercial and residential tax certiorari matters; and

WHEREAS, the Town of Huntington Town Attorney and Tax Assessor have indicated that the use of such expert services is required in defense of this matter; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Town Attorney to retain the expert services of:

GERARD TERRY, ESQ.
33 West Street
East Hills, NY 11577

as outside legal counsel to assist the Town Attorney in the defense of the matter Eatons Neck LLC vs. Town of Huntington at an hourly rate of Two Hundred Twenty-five and no/100 cents (\$225.00) to be charged to Operating Budget Line A-1420-4551 (Outside Professionals-Legal) 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 TOWN ATTORNEY TO ENTER INTO A COMPENSATION AGREEMENT FOR THE PAYMENT OF COMPENSATION AND EXPENSES OF PAUL SABATINO, ESQ. AS TEMPORARY RECEIVER, PURSUANT TO THE ORDER OF DISTRICT COURT JUDGE, HONORABLE C. STEPHEN HACKELING, IN THE MATTER OF THE TOWN OF HUNTINGTON V. MC KAY, INDEX NUMBER HUC 4442-12, RE: CODE VIOLATIONS AT 69 WEST ELEVENTH STREET, HUNTINGTON STATION, NEW YORK (SCTM No. 0400-142.000-01.00-120.00)

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington commenced prosecution against David McKay in Suffolk County, Third District Court culminating in a hearing before Honorable C. Stephen Hackeling, and a decision and Order of the Court, dated November 28, 2012, appointing, a Temporary Receiver over 69 West Eleventh Street, Huntington Station, NY (subject premises); and

WHEREAS, the Court authorized the Temporary Receiver to take action(s) necessary to bring the premises into compliance with the Huntington Town Zoning and Housing Code; and

WHEREAS, Paul Sabatino, Esq., 1617 New York Avenue, Huntington Station, NY 11746 was appointed temporary receiver by Honorable C. Stephen Hackeling; and

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

NOW, THEREFORE BE IT RESOLVED

RESOLVED, that the Town Board hereby authorizes the Town Attorney to enter into a compensation agreement for the payment of compensation and expenses to Paul Sabatino, Esq., 1617 New York Avenue, Huntington Station, NY 11746, as temporary receiver of the property known as 69 West Eleventh Street, Huntington Station, NY 11746 (SCTM No. 0400-142.00-01.00-120.00) and to seek recovery of said charges and expenses of the temporary receiver associated with compliance with the Order of November 28, 2012 by placing said charges on the Real Property Tax Bill of the subject premises as directed in the Decision and Order of Judge C. Stephen Hackeling, dated November 28, 2012 .

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.

2012- 541

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO TAKE APPROPRIATE ACTION INCLUDING BUT NOT LIMITED TO THE COMMENCEMENT OF A CIVIL ACTION FOR INJUNCTIVE RELIEF AND MONETARY RELIEF AGAINST THE OWNERS, OPERATORS AND/OR PERSONS IN CHARGE OF THE PROPERTY LOCATED AT 24 ELKLAND ROAD, MELVILLE, NEW YORK AND ALL RESPONSIBLE PARTIES

Resolution for Town Board Meeting Dated: December 18, 2012

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

And seconded by: **COUNCILWOMAN MAYOKA**

WHEREAS, the property located at 24 Elkland Road, Melville, New York further identified by Suffolk County Tax Map No.: 0400-269.00-01.00-029.000 is adjacent to a 29.1 acre parcel owned by the Town of Huntington and designated as Town parkland through the Strathmore Hills at Huntington subdivision; and

WHEREAS, it has come to the attention of the Huntington Town Board that there are a number of encroachments and uses being made of the parkland without the consent of the Town Board; and that there are a number of violations of the Code of the Town of Huntington and the New York State Building Code which exist at the aforesaid residential structure; and

WHEREAS, authorization to commence a lawsuit and to enforce the Code 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 AUTHORIZES, the Town Attorney to take all appropriate legal and equitable action to enforce the provisions of the Code of the Town of Huntington, remedy the continuing trespass upon the property of the Town, and for monetary relief and other penalties against the owners, operators and/or persons in charge of 24 Elkland Road, Melville, New York, and all responsible parties.

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

2012-542

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2012 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, the Town Board would like to increase the vehicle repairs and supplies, for the purchase of tires in the Highway Department; and

WHEREAS, the Town Board wishes to reallocate funding at the Town's Golf Course as requested by Kemper and;

WHEREAS, the Town Board wishes to increase the revenue for Sewer Charges as a result of the Stipulation agreement with Huntington Hospital and;

WHEREAS, the Town Board wishes to increase the revenue at the Sewer Treatment facility from higher revenue received from private disposal volume and;

WHEREAS, the Town Board wishes to increase the outside professional for Fair Housing Ligation and;

WHEREAS, Wire to Water, Inc. holds the requirements contract for Electrical Maintenance for the Dix Hills Water District and additional funding is needed for unforeseen repairs other than basic minimum service, and due to the additional cost of chlorinating the water.

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 funding of these capital projects in lieu of bonding is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1), (c)(25) and (c)(4) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2012 Operating Budget as follows:

RESOLUTION AUTHORIZING THE COMPTROLLER TO PLACE ALL FULL-TIME POSITIONS VACATED BY RETIREMENT AND/OR ATTRITION AND TRANSFER FUNDS CREATED BY SUCH VACANCIES TO A GENERAL CONTINGENCY ACCOUNT INTO THEIR RESPECTIVE OPERATING FUNDS FOR THE YEAR 2013

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board is desirous of reducing its payroll costs and, expressed its intent to control expenditures; and

WHEREAS, the Town Board has consistently ensured that previously enacted retirement incentives are effective by placing all full-time positions that are vacated in a General Contingency Account, to be reinstated only upon resolution of the Town Board; and

WHEREAS, the Annual Operating Budget for the fiscal year commencing January 1, 2013 was adopted with the intention that all budgeted salaries for full-time positions remaining vacant as of January 1, 2013 shall be transferred to a contingency account; and

WHEREAS, the Town Board has expressed its intention that any position that is to be filled in 2013 must first be evaluated and deemed to be necessary for the continuation of essential Town services and for the safety and welfare of the community; and

WHEREAS, the vacated full-time positions, including applicable funding, that were achieved through retirements and attrition to a general contingency account is not an action as defined by 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

2012- 543

HEREBY AUTHORIZES the Comptroller to place all full-time positions vacated by retirement and/or attrition and transfer surplus monies created by such vacancies to a General Contingency Account into their respective operating funds for the year 2013, and directs that said positions shall not be reinstated except by further resolution of the Town Board; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective on January 1, 2013.

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.

2012-544

RESOLUTION ACCEPTING THE DEDICATION OF A DRAINAGE EASEMENT FOR THE SUBDIVISION KNOWN AS REDDY PLAT.

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **COUNCILMAN MAYOKA**

WHEREAS, the application for the development of the subdivision map known as REDDY PLAT was granted Conditional Final Approval by the Huntington Planning Board on July 22, 2009; and

WHEREAS, conditions of the Planning Board approval included the dedication of a Drainage Easement; and

WHEREAS, the Office of the Town Attorney is in possession of all necessary documentation and filing fees; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), 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 for the subdivision known as REDDY PLAT.

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 ADOPTING THE RECOMMENDATIONS OF THE ADMINISTRATIVE HEARING OFFICER IN THE MATTER OF THE APPEAL OF JET SANITATION SERVICE CORP. (RE: 2012 SOLID WASTE COLLECTION LICENSE APPLICATION).

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the appellant, Jet Sanitation Service Corp, requested an appeal hearing regarding the denial of their Town of Huntington 2012 Solid Waste Collection License Application pursuant to Huntington Town Code Chapter 117, Solid Waste Management: Collection Recycling and Disposal Section 117-4 A (2); and

WHEREAS, pursuant to Huntington Town Code Section 117-5 (B), an appeal hearing was held on December 3, 2012, before an administrative hearing officer who has recommended, in a written decision dated December 6, 2012, that the application to obtain a Solid Waste Collection License be granted; and

WHEREAS, the underlying conviction of Section 120.00(3) of the New York State Penal Code will appear on the Town of Huntington Solid Waste Application for a period of five years, due to the aforementioned hearing, testimony and evidence proffered, a further hearing on this specific matter need not be repeated nor act as an impediment to the issuance of a license; and

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

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ADOPTS the recommendations of the administrative hearing officer in the Matter of the Appeal of Jet Sanitation Service Corp., 228 Blydenburgh Road, Central Islip, New York 11722, as per Exhibit "A" attached hereto 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.



TOWN OF HUNTINGTON

FRANK P. PETRONE, Supervisor

OFFICE OF THE TOWN ATTORNEY

JOHN J. LEO
Town Attorney

December 6, 2012

Members of The Town Board
TOWN OF HUNTINGTON
100 Main Street
Huntington, New York 11743

Re: Jet Sanitation Service Corp.
License Denial - Appeal Hearing

Members of the Board:

After hearing the testimony and reviewing the evidence presented by the Town Clerk's Office at the above referenced hearing, I find that the Town Clerk was justified in her denial of the appellant's application. The original denial of the application was based upon the appellant's disclosure in the license renewal process that the Corporation had plead guilty to a class A Misdemeanor. However, this was done under the doctrine of vicarious liability, under which the appellant had no legal defense and at the time the Appellant was represented by counsel.

On or about 2011, a former employee of Jet Sanitation, plead guilty to assault in the third degree stemming from an accident which occurred during the course of his employ. Testimony and evidence was presented that the Appellant had no reason to know nor anticipate this occurrence at the time of the hiring and the Appellant fulfilled all of its legal obligations prior to and since the event. However, once the employee plead guilty to the charge, by law the Corporation also became liable and therefore entered a plea to the same charge.

It was also noted that the Appellant has been in business for more than 45 without incident and has been working in and through the Town for much of this time. That once one of its employees plead guilty to the misdemeanor, Jet Sanitation was compelled to take a plea as a matter of law. It is also noted that, unlike individuals, a corporation such as the Appellant, is not entitled to a Certificate of Relief from Civil Disabilities, and therefore has no other recourse to the denial other than this hearing.

Based upon all the evidence presented at the hearing, it is my recommendation the Town Board approve Jet Sanitation Service Corp's application and; further that the Board make a provision that for the remaining 5 years of the Statute of Limitations of the disclosure of this crime on its applications, the Town Clerk be empowered to grant such license extensions and applications to said Jet without the need for future action as res judicata.

Very truly yours,

ERIC SACHS, A.L. J.

TOWN OF HUNTINGTON

100 Main Street, Huntington, New York 11743-6991 • Phone (631)351-3042 • Fax (631)351-3032
Litigation papers are NOT to be served by FAX except by express prior written permission

2012-546

RESOLUTION ALLOWING THE TRANSFER OF PREVIOUSLY DONATED ACCRUED SICK, VACATION OR PERSONAL TIME TO THE ACCOUNT OF JASON JACKSON

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, pursuant to Resolution #2009-193, Town employees donated accumulated sick, vacation or personal days to fellow employee Willie Brown, who had exhausted his accumulated time due to a bona fide medical reason; and

WHEREAS, Mr. Brown retired from the Town before using the total amount of time donated by fellow employees thereby leaving a bank of 34 unused days; and

WHEREAS, Jason Jackson has exhausted his accumulated sick leave due to a bona fide medical reason; and

WHEREAS, the administration of the Bank can in no way expand the Town's current maximum level of obligation to pay for or to provide sick, vacation or personal time to any employee; and

WHEREAS, any donated time shall only be used during the time Jason Jackson remains as an employee and shall not inure to his benefit after his employment has ceased, nor to the benefit of his heirs.

WHEREAS, authorizing the transfer of previously donated sick, vacation or personal time to another employee is not an action as defined by §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ALLOWS the transfer of previously donated accrued sick, vacation or personal time by town employees to fellow employee Jason Jackson and directs the Comptroller to transfer funds as necessary.

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 AMENDING RESOLUTION NO. 2002-600 AND AUTHORIZING THE COMPTROLLER TO AMEND THE 2012 CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS FOR FUNDS COLLECTED FROM FIRE ZONE PARKING VIOLATIONS TO BE APPROPRIATED TO UPGRADE EXISTING INTERNAL AND INTERAGENCY RADIO CAPABILITY AND OPERATIONS FOR PUBLIC HEALTH AND SAFETY

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Town Board Resolution 2002-600 authorized that all monies from summonses issued for parking in fire zone/lanes and/or in front of hydrants and other fire related locations shall be utilized to enhance recruitment and training of volunteer firefighters and emergency medical technician personnel; and

WHEREAS, all monies collected from summonses shall be deposited in the general fund to be appropriated by the Town Board upon recommendation of the Bureau of Fire Prevention; and

WHEREAS, pursuant to 2002-600, the Town Board established and designated the Huntington Firefighter/Emergency Medical Services Incentive Recruitment Enhancement (F.I.R.E.) Association as the advisory organization to facilitate and recommend initiatives for the implementation of the ongoing efforts to enhance and train volunteer firefighters and emergency medical services workers; and

WHEREAS, the Fire Chief's Council of the Town of Huntington, the Town's emergency response Departments, emergency services personnel and the Town Fire Co-coordinators support the Bureau of Fire Prevention's recommendation to upgrade exiting internal hi-band radio capabilities, and acquire new radio frequencies that will enhance inter-agency radio inter-operability between the Town and our emergency response partners; and

WHEREAS, amending the 2012 Budget is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. § 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board HEREBY AUTHORIZES the Comptroller to transfer \$175,000 from the Firefighter/Emergency Medical Services Incentive Recruitment Enhancement (F.I.R.E.) Association for the purchase of radio communication equipment and frequencies.

FURTHER BE IT RESOLVED, the Town Board authorizes the Comptroller to amend the 2012 Capital Budget as follows:

Increase the following account:

2012- 547

GS1997-2400 Communication Equipment \$175,000

Decrease the following account:

TA-0085-H0014 Fire Zone/Lane Fines \$175,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-548

RESOLUTION APPOINTING A MEMBER TO THE HISTORIC PRESERVATION COMMISSION

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS the Town of Huntington has established the Historic Preservation Commission to advise the Town Board with respect to issues arising under Article VI of the Town's Zoning Code ("Historic Landmarks and Districts"); and

WHEREAS there is currently a vacancy on the Historic Preservation Commission due to the resignation of Rex Metcalf; and

WHEREAS the appointment of members to the Historic Preservation Commission is not an action as defined by SEQRA in NYCRR 617.2(b) and therefore no further SEQRA review is required

NOW THEREFORE

THE TOWN BOARD

HEREBY APPOINTS the following individual to the Historic Preservation Commission for a three year term to expire December 31, 2015:

Sarah Apmann
90 Terrace Drive
East Northport, NY 11731

and

HEREBY THANKS Rex Metcalf for his many years of service

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.

2012- 549

RESOLUTION APPOINTING ADDITIONAL MEMBERS TO THE CRAB MEADOW WATERSHED ADVISORY COMMITTEE

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by Councilman Cuthbertson

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, on April 13, 2010 the Town Board established a Crab Meadow Watershed Citizens Advisory Committee to meet with and assist town departmental staff in compiling background information, facilitating community input, seeking grant funding, and providing guidance for site management as related to the formulation of an overall Crab Meadow Watershed Stewardship Plan and for project implementation related thereto; and

WHEREAS, based on the Committee's work input and Town Board authorization, two grants totaling \$62,000 have been secured to aid the effort, and

WHEREAS, the Crab Meadow Watershed Citizens Advisory Committee (CAC) is comprised of representatives of: environmental organizations, Town and County staff, and civic associations in the Crab Meadow Area, and additional individuals with special expertise have been meeting with and supporting the Crab Meadow Watershed effort and are interested in serving as CAC members and the Director of Maritime Services has recommended such appointment, and

WHEREAS, as part of the preliminary planning process necessary for the formulation of a plan for action, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21);

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby appoints the following individuals as members of the Crab Meadow Wetlands Citizens Advisory Committee:

Dr. J. Bret Bennington, Hofstra University Center for Climate Study

Fort Salonga Association representative (to be named)

Lucienne Pereira, visual artist/muralist

Jose Pillich, CUNY Graduate Center Program/Environmental Sciences

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 REAPPOINTING CONSERVATION BOARD MEMBERS

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the Huntington Conservation Board is a Town Board-appointed volunteer advisory organization constituted pursuant to Article 12-F, Section 239-Y of General Municipal Law, which provides it a specific advisory review function; and

WHEREAS, the Conservation Board reviews and provides comments to the Town Board, Board of Trustees, Planning Board, and Zoning Board of Appeals on applications for land use change that have potential to affect Open Space Index-mapped property, and on applications submitted pursuant to the Town Marine Conservation Law, Section 137 of Town Code; and

WHEREAS, in addition to its advisory review functions, the Conservation Board serves as a vital conduit for conveying environmental information on key topic areas (land use and review, marine and freshwater resources, parks, solid waste, and legislation) to Town leaders, and the Conservation Board coordinates the volunteer Park Stewardship Program that aids the monitoring and management of Town parkland; and

WHEREAS, the reappointment of members to the Town of Huntington Conservation Board is not an action as defined by 6 NYCRR 617.2(b) and therefore, no SEQRA review is required.

NOW, THEREFORE, upon the request and recommendation of the Conservation Board,

THE TOWN BOARD

HEREBY REAPPOINTS the following individuals to the Town of Huntington Conservation Board for terms to expire as indicated:

	Term Expires
Joy S. Squires, Chairperson 17 Clarissa Lane East Northport, NY 11731	12/31/14
Paul J. Ponturo, Vice Chairperson 11 Bellaire Drive Huntington, NY 11743	12/31/14
Scott Driver 21 Morahopa Road Centerport, NY 11721	12/31/14

2012-550

Laura McKellar 12/31/14
6 Pine Place
Greenlawn, NY 11740

Andrew Wilson 12/31/14
12 Gwendale Lane
Greenlawn, NY 11740

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.

2012- 551

RESOLUTION REAPPOINTING AND APPOINTING MEMBERS TO THE PUBLIC ART
ADVISORY COMMITTEE AND DESIGNATING A CHAIRPERSON

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN MAYOKA, COUNCILMAN COOK

WHEREAS, Town Board Resolution 2001-550 adopted Public Art Advisory Committee Guidelines and Administrative Plan, created a Public Art Advisory Committee, appointed members thereto and designated a Chairperson; and

WHEREAS, the terms of current members Sue Contessa, Michele Peppers, and Deborah Robbins expired on September 10, 2012; and

WHEREAS, three other positions on the Public Art Advisory Committee have recently become vacant; and,

WHEREAS, pursuant to the Public Art Advisory Committee Guidelines and Administrative Plan, the Chairperson shall be designated annually by the Town Board; and

WHEREAS, the appointment, or reappointment, of members to the Public Art Advisory Committee and designation of its chairperson are not actions as defined by 6 NYCRR §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

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

HEREBY REAPPOINTS the following individuals to the Public Art Advisory Committee for a three-year term to expire September 10, 2015:

DEBORAH ROBBINS

4 Cherokee Court, Huntington Station, New York 11746

MICHELE PEPPERS

7 Diana Hill, Huntington, New York 11743

SUE CONTESSA

207 Northern Boulevard, St. James, New York 11780

and

HEREBY APPOINTS the following individuals to the Public Art Advisory Committee for terms as indicated:

LINDA FUREY (for a term ending on September 10, 2013)
11 Meade Drive, Centerport, New York 11721

ROBERT CARTER (for a term ending on September 10, 2013)
15 Buttonwood Drive, Dix Hills, New York 11746

MICHAEL W. SCHANTZ, PH.D. (for a term ending on September 10, 2014)
3 Easterly Court, Lloyd Harbor, New York 11743

and

HEREBY DESIGNATES as Chairperson JANINE SEIFERT, 5 Emil Court, Huntington, New York, for a period to expire on September 10, 2013.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION NAMING CRANBERRY HILL ENVIRONMENTAL CENTER AT THE FUCHS POND PRESERVE IN NORTHPORT

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by Councilman Cuthbertson

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

WHEREAS, in 2005 the Town of Huntington and County of Suffolk acquired the 21-acre Fuchs Pond Preserve as divided interests with the Town acquiring the 3.7-acre homestead parcel and the County acquiring the surrounding land, and

WHEREAS, the property was developed by Rudolph Reimer in 1927, who was appointed by President Franklin D. Roosevelt as Commissioner of Immigration and Naturalization at Ellis Island in 1934 and served in the position until 1940, and

WHEREAS, Mr. Reimer named the estate Cranberry Hill, and

WHEREAS, the Tudor style country house set at the crest of a ridge with a view across the woods and wetlands of Crab Meadow has been adapted for educational use and is licensed to Cornell Cooperative Extension of Suffolk County to provide environmental programming, including the Marine Stars Summer Camp, and

WHEREAS, the Crab Meadow Watershed Citizens Advisory Committee has recommended that the structure should carry the former estate name of Cranberry Hill, now that the site is being interpreted for public use and a license agreement exists to facilitate that use, and

WHEREAS, the naming of a park feature is not an action pursuant to SEQRA 6 NYCRR 617 and no further review is required;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby names the Town-owned main structure at the Fuchs Pond Preserve as the Cranberry Hill Environmental Center.

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 URGING NEW YORK'S EMPIRE STATE DEVELOPMENT AGENCY TO CONSIDER AND APPROVE AN APPLICATION BY SUFFOLK COUNTY TO CREATE THE "SUFFOLK COUNTY LAND BANK" FOR THE REHABILITATION OF TAX DELINQUENT, VACANT, ABANDONED AND FORECLOSED PROPERTIES WITHIN THE COUNTY OF SUFFOLK

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Suffolk County has determined that there are as many as fifty or more environmentally-contaminated, tax delinquent, abandoned properties within the County of Suffolk whose future restoration is problematic; and

WHEREAS, the Suffolk County Tax Act constrains the County from selling delinquent tax liens for less than the lien amount, which when combined with remediation costs of Brownfields parcels generates net negative potential investment value, making private sale, remediation and redevelopment for safe, healthy, productive, taxable use less and less likely as the amount of the tax lien compounds; and

WHEREAS, the County has identified at least one of the candidate abandoned Brownfield properties within the jurisdiction of the Town of Huntington; and

WHEREAS, the Governor and State Legislature attempted to address this issue with the passage of Land Bank Act of 2011 (Article 16 of the New York State Not-for-Profit Corporation Law) authorizing "foreclosing governmental units" to create not-for-profit land bank corporations for facilitating the rehabilitation of tax delinquent, vacant, abandoned, and foreclosed properties; and

WHEREAS, the Town recognizes the unique opportunity that the Land Bank Act presents for Suffolk County and its municipalities, including the Town of Huntington; and

WHEREAS, under the terms of the Land Bank Act, the formation of only ten land banks throughout the State is permitted, of which five have already been created and no more than five more will be approved during the second round of applications due to be filed with Empire State Development on or before January 31, 2013; and

WHEREAS, the Huntington Town Board wishes to support Suffolk County's application to Empire State Development for Land Bank status and seeks to take an active role in the identification and transfer of candidate properties to the Land Bank, and participate in the planning and implementation of strategies to foster rehabilitation and return of such properties within the Town of Huntington to productive use; and

2012-553

WHEREAS, the adoption of this resolution in support of Suffolk County's application to Empire State Development 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 Empire State Development corporation to consider and approve Suffolk County's application to create a "Suffolk County Land Bank" to facilitate the rehabilitation of tax delinquent, vacant, abandoned and foreclosed properties within towns and villages in the County of Suffolk; and

HEREBY DIRECTS the Town Clerk, Jo-Ann Raia, to forward certified copies of this resolution to Suffolk County Executive Steve Bellone; the Commissioner of the Suffolk County Department of Economic Development and Planning, Joanne Minieri; and the members of Huntington's delegation to the Suffolk County Legislature: Hon. Lynne Nowick, Hon. Steve Stern, Hon. Louis D'Amaro and the Hon. William Spencer.

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 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: December 18, 2012

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, on October 16, 2012 by Town Board Resolution 2012-473 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight thereon; and

WHEREAS, those properties whose owners have 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 November 7, 2012 ; and

WHEREAS, pursuant to its authority under § 64 and §130 of New York State Town Law 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 nuisance and blight exists to remedy such nuisance and blight and to charge the cost or expense of such remediation against the property tax bill as a lien ; and

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

HEREBY DIRECTS the Director of General Services 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 Attorney for determination as to the amounts to be assessed against the properties listed on Schedule A to this Resolution; and

Chapter 156 §67 - (A), (B) and (C) of the Code of the Town of Huntington Authorizing

Actions by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 66	33 Keeler Street Hunt. Station NY 11746	0400-206-03-071.000	LPS Fields Services, Inc. Client Services Dept. 601 Riberside Avenue Jacksonville FL 32204	30-Aug-12	\$2,500.00
Exhibit 67	111 8th Avenue Hunt. Station, NY 11746	0400-143-01-066.002	Fred J. Lanier P. O. BOX 5 Hunt. Station, NY 11746	30-Aug-12	\$2,500.00
Exhibit 68	5 Gerrit Road E. Northport NY 11731	0400-126.00-02.00-016.000	OCWEN Loan Servicing c/o CORELOGIC PO BOX 961250 FT. Worth TX 761691-9887	31-Aug-12	\$2,500.00
Exhibit 69	273 Lenox Road Hunt. Station, NY 11746	0400-150-1-23	OCWEN Loan Servicing c/o CORELOGIC PO BOX 961250 FT> Worth TX 761691-9887	9/6/2012	\$2,500.00

SCHEDULE A

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

Exhibit 70	49 Prospect Road Centerport, NY 11721	0400-45-1-21	Henry & Jean Cleaves 614 Coddington Rd. Ithaca, NY 14850 or Atty: Mazza & Mazza 307 North Tioga Street Ithica, NY 14850	9/11/2012	\$2,500.00
Exhibit 71	24 Danville Drive Greenlawn, NY 11740	0400-168.00-02.00-013.000	Stephen & Fredrica Silverberg 24 Danville Dr. Greenlawn, NY 11740 or Mtg. Co: Bank of America 47 Broadway Greenlawn Greenlawn, NY 11740	8/31/2012	\$2,500.00

SCHEDULE A

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 66	33 Keeler Street Hunt. Station NY 11746	0400-206-03-071.000	LPS Fields Services, Inc. Client Services Dept. 601 Riberside Avenue Jacksonville FL 32204	30-Aug-12	\$2,500.00
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Exhibit 68	5 Gerri Road E. Northport NY 11731	0400-126-00-02.00-016.000	OCWEN Loan Servicing c/o CORELOGIC PO BOX 961250 FT. Worth TX 761691-9887	31-Aug-12	\$2,500.00
Exhibit 69	273 Lenox Road Hunt. Station, NY 11746	0400-150-1-23	OCWEN Loan Servicing c/o CORELOGIC PO BOX 961250 FT> Worth TX 761691-9887	9/6/2012	\$2,500.00

SCHEDULE B

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

Exhibit 70	49 Prospect Road Centerport, NY 11721	0400-45-1-21	Henry & Jean Cleaves 614 Coddington Rd. Ithaca, NY 14850 or Atty: Mazza & Mazza 307 North Tioga Street Ithica, NY 14850	9/11/2012	\$2,500.00
Exhibit 71	24 Danville Drive Greenlawn, NY 11740	0400-168.00-02.00-013.000	Stephen & Fredrica Silverberg 24 Danville Dr. Greenlawn, NY 11740 or Mtg. Co: Bank of America 47 Broadway Greenlawn Greenlawn, NY 11740	8/31/2012	\$2,500.00

SCHEDULE B

ENACTMENT: ADOPT THE PROPOSED FARE CHANGES FOR THE HUNTINGTON AREA RAPID TRANSIT (HART) SYSTEM

Resolution for Town Board Meeting dated: December 18, 2012

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

And seconded by: **COUNCILMAN MAYOKA**

WHEREAS, the thirty (30) day public comment period having been concluded; and

THE TOWN BOARD having held a public hearing on the 16th day of October, 2012 at 6p.m., to consider the proposed fare changes for the HART transit system, and due deliberation having been had,

HEREBY ADOPTS

The proposed fare changes for the Huntington Area Rapid Transit as follows:

TRANSIT, SINGLE RIDES

Adult	\$2.00
Student ¹	\$1.25
Child ²	\$0.00
Elderly/Disabled/Medicare ³	\$0.75
Transfer	\$0.25

TRANSIT, MULTIPLE RIDES

10-Trip Ticket Book (Regular)	\$15.00
10-Trip Ticket Book (E/D/M) ³	\$6.00
Unlimited Ride Monthly Pass	discontinued
Unlimited Ride Monthly Pass (Student) ¹	discontinued
Monthly LIRR/HART UniTicket	discontinued

PARATRANSIT, SINGLE RIDES

Client	\$3.00
Companion	\$3.00
Personal Care Attendant	\$0.00

¹ Grades K-12.

² Height 44 inches and under (limit 3 children ride free when accompanied by a person paying the Adult fare; additional children will be charged the Student fare)

³ Persons with valid, municipally issued cards identifying them as at least 60 years old or mentally or physically disabled are eligible to pay the reduced, one-way cash fare or use the reduced price E/D/M tickets. A valid Medicare Card is also accepted as ID for these purposes.

2012-555

HART drivers may require persons to display their ID card when paying the fare or redeeming a ticket to ride at the reduced rate.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-556

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 108 OLD COUNTRY ROAD, MELVILLE—SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 7th day of November, 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Kazuko Santinelli, 108 Old Country Road, Melville, NY 11747, for a Certificate of Approval to legalize 1) an above ground 12' x 24' vinyl pool, 2) 150 linear foot retaining wall over 4' high located in the side and rear yard, and 3) a 1,000 square foot deck attached to the rear of the dwelling located at 108 Old Country Road, Melville, NY 11747, and located in the Sweet Hollow 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 Kazuko Santinelli 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.

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 269 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 7th day of November, 2012, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Rita Lee, 269 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to 1) erect a 286 square foot screened porch to the rear of the existing historic dwelling, 2) construct a detached 537.5 square foot one story garage with storage cellar, and 3) replace an existing timber retaining wall with fence on the property line with a new Versa-Lok retaining wall and new fence in accordance with plans dated September 17, 2012 at the property located at 269 Park Avenue, Huntington, NY 11743, 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 Rita Lee 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.

2012-558

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT
PURSUANT TO CHAPTER 137 (THE MARINE CONSERVATION LAW)

APPLICANT: LAND USE ECOLOGICAL SERVICES ON BEHALF OF THOMAS
WOLF

LOCATION: 7 WOODLAND DR., HUNTINGTON, N.Y. 11743

S.C.T.M. #: 0402-002.00-01.00-039.000

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **SUPERVISOR PETRONE**

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

Land Use Ecological Services
On behalf of
Thomas Wolf
7 Woodland Dr.
Huntington, N.Y. 11743

to reconstruct and replace existing timber bulkhead with a total of 115 linear ft of
interlocking vinyl bulkhead. The project work site is to be accessed via the applicants
own property. The proposed bulkhead is to be constructed entirely on the subject property
at 7 Woodland Dr., Huntington, N.Y. 11743, S.C.T.M. # 0402-002.00-01.00-039.000;
and

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

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

THE TOWN BOARD, having held a public hearing on the 7th day of November, 2012, at
7:00 p.m. to consider the issuance of a special use permit to Thomas Wolf of 7 Woodland
Dr., Huntington, N.Y. 11743, S.C.T.M. # 0402-002.00-01.00-039.000 to reconstruct and
replace existing timber bulkhead with a total of 115 linear ft of interlocking vinyl
bulkhead.; and due deliberation being had;

NOW, THEREFORE, THE HUNTINGTON TOWN BOARD

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF) submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit and the provision of access do not pose a significant adverse environmental impact; and hereby issues a negative declaration; and

IT IS FURTHER RESOLVED, that a Special Use Permit under Chapter 137 of the Code of the Town of Huntington is hereby granted to Thomas Wolf of 7 Woodland Dr., Huntington, N.Y. 11743, S.C.T.M. # 0402-002.00-01.00-039.000 to reconstruct and replace existing timber bulkhead with a total of 115 linear ft of interlocking vinyl bulkhead subject to the following terms and conditions.

- 1) Applicant must notify the Dept. of Engineering Services, Dept. of Maritimes Services and the Harbor Masters office a min. of 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions (fax) at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
- 2) All construction equipment, vehicles or material deliveries shall access the project site via the applicant/owner own property. No construction equipment, vehicles or material deliveries are permitted to trespass upon or transverse other adjacent properties; and
- 3) All work on the seaward side of the proposed seawall must be completed during periods of low tides to reduce any potential for turbidity to impact the waterway; and
- 4) All activities must be conducted in conformance with the approved New York State DEC Tidal Wetlands Permit and associated approved plans prepared by Bladykas & Panetta P.E./P.C.; and
- 5) The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits and approvals; and
- 6) No materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas; and
- 7) Any debris or excess material from construction of this project shall be completely contained on the applicant's property landward of the bulkhead/seawall and shall be removed from the site in a timely manner to an approved upland area for disposal; and
- 8) All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
- 9) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and

- 10) All required Town of Huntington inspections shall be scheduled by the applicant at appropriated intervals during the course of demolition/construction; and
- 11) All backfill material shall be "clean" and free of asphalt, concrete, or of any other construction debris; and
- 12) The applicant, owner and their duly authorized agents, servants, contractors, and sub-contractors shall adhere to the construction plans, methodology and/or terms/conditions approved by the Harbor Master and Department of Engineering Services; and
- 13) Prior to the commencement of any construction activities any modification or deviation from the approved plans, methodology and/or terms/conditions made part of this permit must be reviewed and approved by all departments, agencies having jurisdiction over this project: and
- 14) Upon completion of the project the applicant must notify the Dept. of Engineering Services, Dept. of Maritime Services, and the Harbor Master's Office in writing to each at 100 Main St., Huntington, New York; and
- 15) Upon such other terms and conditions as are acceptable to the Town Attorney, including but not limited to, the execution of a Hold Harmless and Indemnification Agreement.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT
PURSUANT TO CHAPTER 137 (THE MARINE CONSERVATION LAW)
APPLICANT: JEFF A. ZAHN-R.A. ON BEHALF OF JAMES HALFPENNY
LOCATION: 156 WEST WATERVIEW ST., NORTHPORT, N.Y. 11768
S.C.T.M. #: 0400-008.00-01.00-009.000

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **SUPERVISOR PETRONE**

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

Jeff A. Zahn-R.A.
On behalf of
James Halfpenny
156 West Waterview St.
Northport, N.Y. 11768

to construct 90 linear ft. of timber-style bulkhead to replace a dilapidated/failing bulkhead. Bulkhead intended to stabilize bluff area and act as erosion control. The project work site is to be accessed via the applicants own property. The proposed bulkhead is to be constructed entirely on the subject property at 156 West Waterview St., Northport, N.Y., S.C.T.M. # 0400-008.00-01.00-009.000; and

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

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

THE TOWN BOARD, having held a public hearing on the 7th day of November, 2012, at 7:00 p.m. to consider the issuance of a special use permit to James Halfpenny of 156 West Waterview St., Northport, N.Y., S.C.T.M. # 0400-008.00-01.00-009.000 to construct 90 linear ft. of timber-style bulkhead to replace a dilapidated/failing bulkhead. Bulkhead intended to stabilize bluff area and act as erosion control. The project work site is to be accessed via the applicants own property; and due deliberation being had;

NOW, THEREFORE, THE HUNTINGTON TOWN BOARD

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF) submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit and the provision of access do not pose a significant adverse environmental impact; and hereby issues a negative declaration; and

IT IS FURTHER RESOLVED, that a Special Use Permit under Chapter 137 of the Code of the Town of Huntington is hereby granted to James Halfpenny of 156 West Waterview St., Northport, N.Y., S.C.T.M. # 0400-008.00-01.00-009.000 to construct 90 linear ft. of timber-style bulkhead to replace a dilapidated/failing bulkhead. Bulkhead intended to stabilize bluff area and act as erosion control and is subject to the following terms and conditions;

- 1) Applicant must notify the Dept. of Engineering Services, Dept. of Maritimes Services and the Harbor Masters office a min. of 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions (fax) at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
- 2) The applicant/property owner is responsible for restoring any disturbance to the vegetated bluff area as a result of the proposed construction activities; and
- 3) All construction equipment, vehicles or material deliveries shall access the project site via the applicant/owner own property. No construction equipment, vehicles or material deliveries are permitted to trespass upon or transverse other adjacent properties; and
- 4) All work on the seaward side of the proposed seawall must be completed during periods of low tides to reduce any potential for turbidity to impact the waterway; and
- 5) All activities must be conducted in conformance with the approved New York State DEC Tidal Wetlands Permit and associated approved plans prepared by Jeffery A. Zahn, R.A.; and
- 6) The applicant is responsible for obtaining and adhering to all necessary Federal, State and local permits and approvals; and
- 7) No materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas; and
- 8) Any debris or excess material from construction of this project shall be completely contained on the applicant's property landward of the bulkhead/seawall and shall be removed from the site in a timely manner to an approved upland area for disposal; and
- 9) All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents,

lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and

- 10) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
- 11) All required Town of Huntington inspections shall be scheduled by the applicant at appropriated intervals during the course of demolition/construction; and
- 12) All backfill material shall be "clean" and free of asphalt, concrete, or of any other construction debris; and
- 13) The applicant, owner and their duly authorized agents, servants, contractors, and sub-contractors shall adhere to the construction plans, methodology and/or terms/conditions approved by the Harbor Master and Department of Engineering Services; and
- 14) Prior to the commencement of any construction activities any modification or deviation from the approved plans, methodology and/or terms/conditions made part of this permit must be reviewed and approved by all departments, agencies having jurisdiction over this project: and
- 15) Upon completion of the project the applicant must notify the Dept. of Engineering Services, Dept. of Maritime Services, and the Harbor Master's Office in writing to each at 100 Main St., Huntington, New York; and
- 16) Upon such other terms and conditions as are acceptable to the Town Attorney, including but not limited to, the execution of a Hold Harmless and Indemnification Agreement.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012 - 560

ENACTMENT: APPROVE THE EXEMPTION OF THE EATON'S NECK FIRE DISTRICT FROM SITE PLAN REVIEW AND THE TOWN OF HUNTINGTON ZONING CODE AS IS NECESSARY TO EXPAND DISTRICT FACILITIES (SUFFOLK COUNTY TAX MAP NO.: 0400-002-02-030.001)

Resolution for Town Board Meeting dated: December 18, 2012

The following Resolution was offered by: Supervisor Frank P. Petrone, **COUNCILMAN COOK**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Eaton's Neck Fire District located at 55 Eaton's Neck Road, Northport, New York desires to construct an eight (8) foot by fifty-seven and one-half (57½) foot (or 460 square foot) one-story southerly building addition, a two (2) foot by ten (10) foot (or 20 square foot) one-story westerly building addition, and an approximate 385 square foot canopy addition to the northerly side of the existing 9,791 gross square foot firehouse building containing no basement or cellar space that will yield a 10,271 gross square foot building with no proposed basement or cellar space to include site parking and landscape modifications on the 40,008 square foot (or approximate 0.91-acre) lot bearing Suffolk County Tax Map Number 0400-002-02-030.001; and

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 7th day of November, 2012, to consider the request of the Eaton's Neck Fire District to obtain an exemption from the provisions of §198-109(I) of the Huntington Town Code requiring Zoning Board action for expansions, alterations, and modifications to properties where special use permits have previously been issued; §198-68(A)(7) of the Town Code requiring a special use permit to legalize an existing large propane tank located within a fenced enclosure on the lot; §198-110(C)(4) to legalize the existence of an 8' by 20' metal storage container located within the rear yard of the subject parcel and extending to the rear yard setback and beyond the property lines into adjoining property to the east; §198-48(D) requiring a variance in order to maintain one parking stall within five (5) feet of a lot line and also to maintain an area having an all-weather surface located within five (5) feet of the easterly lot line of the property, such paved area requires an additional variance from §198-48(E) as it has the potential of being used as a parking lot; §198-48(F) so as to permit parking in the front yard of the premises; §198-48(E) to establish two (2) parallel substandard dimensioned parking stalls shown on the proposed site plan of FPM Group, Ltd. last revised October 28, 2011 along the south side of the main building, together with all nineteen (19) substandard dimensioned parking stalls shown along the southerly and easterly property lines and the corresponding reduction in aisle width to less than the plan indicated 18.8 foot size for one-way traffic flow around the subject building where a minimum of eighteen (18) feet is required for the plan depicted 60 degree angled parking stalls and a minimum of twenty-four (24) feet is required for the plan depicted perpendicular parking stalls; §198-47 so as to permit only twenty-three (23) off-street parking spaces, twenty-one of which will be substandard in dimension, instead of the

twenty-six (26) Town Code dimensioned and required number of off-street parking stalls; §198-77(A) and (B) in order to exempt the applicant from establishing the appropriate vegetative screen buffers and landscaping along the easterly side of the property; §198-92(1)(2)(c) so as to permit two (2) instead of one (1) freestanding identification sign per lot;

HEREBY APPROVES the exemption of the Eaton's Neck Fire District from site plan review and the Town of Huntington Zoning Code as is necessary to expand District facilities as is proposed above, subject to the condition that the Department of Engineering Services may require any drainage improvements that it deems necessary as a result of plan review or site inspection.

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 DEFEATED

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 19-2012 AMENDING THE CODE OF THE TOWN OF HUNTINGTON TO ADD CHAPTER 156A (BAMBOO)

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town Board of the Town of Huntington has determined that it is in the public interest to regulate running bamboo, which if planted in close proximity to a property line, can migrate from the owners' property to adjacent property; and

WHEREAS, when invasive forms of bamboo migrate over a property line to adjoining property it can cause thousands of dollars of damage to the landscape design or natural habitat being maintained on adjacent properties; and

WHEREAS, it is in the public interest of the community to prevent highly invasive plants from migrating over property lines so as to prevent such plants from becoming a nuisance to adjoining property owners; and

WHEREAS, pursuant to § 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 of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connections with any Type II action", and therefore this proposal, a Type II action, requires no further action pursuant to SEQRA; and

THE TOWN BOARD having held a public hearing on the 7th day of November 2012 at 7:00 p.m. to consider adopting Local Law Introductory No. 19-2012 to consider adding to the Code of the Town of Huntington, Chapter 156A (Bamboo) and due deliberation having been had;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation, the Town Board HEREBY ADOPTS Local law Introductory No. 19-2012 adding Chapter 156A (Bamboo) to the Code of the Town of Huntington as set forth herein.

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

LOCAL LAW NO. -2012
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
BY ADDING CHAPTER 156A (BAMBOO)

CHAPTER 156A (BAMBOO)

Section 1. Amendment to the Code of the Town of Huntington by adding a new Chapter 156A (BAMBOO) as follows:

CHAPTER 156A

BAMBOO

§156A-1. Purpose and Intent

The purpose of this Chapter is to preserve and protect private and public property from the damaging spread of certain running bamboo grasses, protect indigenous plant materials from the invasive spread of running bamboo and maintain the general welfare of the residents of the Town of Huntington.

§156A-2. Definitions:

(A) Bamboo:

(1). "Running bamboo" hereinafter defined as any tropical or semi-tropical grasses with monopodial (leptomorph) rhizome (root) systems which typically send off rhizomes far away from the plant including, but not limited to, the following plant genera Arrow Bamboo, Arundinaria, Bambusa, Chimonobambusa, Common Bamboo, Golden Bamboo, Phyllostachys, Pleioblastus, Pseudosasa, Sasa, Sasaella, and Semiarundinaria.

(2). "Clumping bamboo" hereinafter defined as any tropical or semi-tropical or sym-podial (pachymorph) grasses which typically send off rhizomes near the base of the plant, including, but not limited to, Bambusa, Chusquea, Dendrocalamus, Drepanostachyum, Fargesia, Himalayacalamus, Otatea, Thamnocalamus, Thyrostachys and Yushania.

(B). "Bamboo Owner". Any property owner or resident who has planted and/or grows Bamboo, or who maintains Bamboo on the property, or who permits Bamboo to grow or remain on the property even if the Bamboo has spread from an adjoining property. Any property owner or resident at whose property Bamboo is found will be considered a Bamboo Owner, except any property owner or resident who:

(1) Did not plant or grow or cause Bamboo to be planted or grown on his property, and

(2) Has provided satisfactory proof to the Town of Huntington that, within a reasonable period of time after discovering the encroachment of Bamboo onto the property from an adjoining or neighboring property, advised the owner of such property of an objection to the encroachment of the Bamboo, and

(3) Has initiated steps for the removal of the Bamboo from the property, including remedies at law.

§156A-3. Presumption. In the event Bamboo is found to have encroached, spread, invaded or intruded upon any other property or right of way, said species shall be presumed to be classified as "running bamboo." This presumption shall be rebuttable.

§156A-4. Applicability. For the purposes of this Section, Bamboo found growing upon a property shall constitute presumptive evidence that the Bamboo was planted and/or grown by and/or with the consent of the Bamboo Owner.

§156A-5. Prohibition. Upon the effective date of this provision the planting of "running bamboo" shall be prohibited within the Town of Huntington. Any person who thereafter plants or causes to be planted any such "running bamboo" within the Town of Huntington shall be deemed to be in violation of this Section and shall be subject to such penalties as are set forth hereunder.

§156A-6. Duty to confine bamboo. In the event any species of Bamboo is located upon any property within the Town of Huntington, the owner or occupant of said property shall confine such species to prevent the encroachment, spread, invasion or intrusion of same onto any other property or right of way.

§156A-7. Regulation. Any Bamboo that has been planted or otherwise permitted to grow on any property within the Town of Huntington prior to the effective date of this Section may remain on such property subject to compliance with this Section.

(A). Bamboo shall not be planted, maintained or otherwise be permitted to exist within 10 feet of the edge of the pavement or traveled portion of any public roadway in the Town of Huntington, and

(B). Any Bamboo Owner whose property contains Bamboo shall remove and abate the growth of the Bamboo within 10 feet of the edge of the pavement or traveled portion of a public road in the Town of Huntington, and

(C). Each Bamboo Owner shall be responsible to ensure that the Bamboo planted or growing on the property prior to the effective date of this Section does not encroach or grow upon any adjoining or neighboring property or properties, including all public property and Town of Huntington right-of-ways, and

(D). Each Bamboo Owner shall be required to take such measures as are reasonably expected to prevent such Bamboo from invading or growing onto adjoining or neighboring properties. Such measures shall include, but not be limited to, installation of sheathing impenetrable by Bamboo at a sufficient depth within the property line or lines where the running bamboo is planted or is growing to prevent the growth or encroachment upon adjoining or neighboring property by the Bamboo, and

(E). The Town Board may from time to time prescribe such rules and regulations as may be necessary to give effect to this Section.

§156A-8. Removal from Town Property.

(A). Notice. In the event that Bamboo growing on a Bamboo Owner's property invades or grows on an adjoining or neighboring property that is owned or held on behalf of the Town of Huntington or its Trustees, the Director of Public Safety on behalf of the Town of Huntington or its Trustees shall notify the Bamboo Owner in writing that the Bamboo has invaded the Town of Huntington property and that the Bamboo Owner is responsible for the removal of such bamboo from the Town of Huntington property within 30 days. Such period may be extended for good cause shown, as long as it can be demonstrated that remedial measures have been started and the delay is not under the control of or due to the actions of the person to whom the notice has been

issued. The Bamboo Owner shall be liable and responsible to the Town of Huntington for all costs incurred in removing the bamboo from the Town of Huntington property. Such costs may be assessed against the property of the Bamboo Owner.

(B). Service of the notice. The notice shall be served either personally in accordance with the CPLR or by registered or certified mail, return receipt requested, and addressed to the property owner at the last address shown on the most current assessment roll of the Town Assessor and/or Receiver of Taxes, or to the owner's agent at the last known address, or to the occupant of the property, or person having a vested or contingent interest in the property as shown on the most current assessment roll of the Town Assessor and/or Receiver of Taxes. A copy of the notice shall also be posted at the Bamboo Owner's property.

(C). Action upon noncompliance. Upon the failure, neglect or refusal of such owner, agent, or person or business entity occupying the premises to remove, remedy or abate the bamboo nuisance within the specified period of time; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, the Director of Public Safety may refer the matter to the Administrative Hearing Officer appointed by the Town Board for further action. The Administrative Hearing Officer shall conduct a hearing concerning the premises within fifteen (15) days of receipt of a referral from the Director of the Department of Public Safety.

(D). Administrative Hearing. Upon referral to the Administrative Hearing Officer, the Public Safety Department code enforcement officer shall present a report on the status of the property where the bamboo nuisance is alleged to exist; the owner and/or agent of the owner of the affected property shall have the opportunity to present relevant evidence to the Administrative Hearing Officer, with or without legal counsel. A record shall be kept of such hearing including without limitation all documentary evidence presented together with a record of the testimony offered by any witnesses, who shall be duly sworn by the Administrative Hearing Officer prior to offering testimony. The decision of the Administrative Hearing Officer shall be issued within fifteen (15) days of the last day of the hearing conducted, thereon, and, it shall be filed with the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original notice was served by regular mail and by registered or certified mail, return receipt requested, within five (5) days of the date of the decision.

(E). Action of the Administrative Hearing Officer. The Administrative Hearing Officer appointed by the Town Board, may direct the Bamboo Owner whose property has caused the bamboo nuisance to remove, remedy or abate the bamboo nuisance within thirty (30) days of receipt of a copy of the decision of the Administrative Hearing Officer, and upon the failure, neglect or refusal of such person or business entity to comply with the decision of the Administrative Hearing Officer, the Director of Public Safety may direct Town personnel, to remove, remedy or abate the nuisance, by whatever means deemed necessary or proper by the Town, at the expense of the property owner, or his agent and/or the occupier of land. A copy of the Public Safety Director's directive to Town personnel to proceed shall be mailed by certified or registered mail, return receipt requested, and addressed to the property owner at the last address shown on the most current assessment role on file in the Office of the Town Assessor

and/or the Receiver of Taxes, or to the owner's agent at the last known address, and/or to the person or business entity occupying the land at the location of the property.

(F). Removal of the nuisance. Upon the failure, neglect or refusal of the owner, his agent, or person, or business entity occupying the premises to remove, remedy or abate such nuisance within the period provided by the decision of the Administrative Hearing Officer, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, Town personnel may enter the property, upon reasonable notice, and take all necessary action to remove or abate the nuisance at the expense of the property owner, his agent, or occupier of the land as set forth in this article.

(G). Any person or business entity who resists, obstructs or impedes the agents, servants, officers and/or employees of the Town of Huntington in the remediation or removal process shall be in violation of this article and shall be subject to the fines and penalties provided herein.

(H). Liability for the costs of removal and/or abatement. The property owner, or his agent, and/or person or business entity who occupies the land shall be liable for the direct and indirect costs of abating the nuisance and all expenses incidental thereto, including but not limited to, an administrative fee equal to twenty-five (25%) percent of the total cost of said removal, remediation and/or disposal process. Said administrative fee is intended to reimburse the Town for the monies and time expended by its employees in abating the nuisance and collecting the sums due, including but not limited to, notifying the appropriate party, certifying the amounts due to the Town, and/or charging same against the property.

(I). The costs incurred by the Town as set forth herein shall be certified by the Director of each Town department providing services and the Town Attorney shall mail written notice of such costs by certified or registered mail, return receipt requested, to the owner of the premises at the last address shown on the most current assessment role on file in the Office of the Town Assessor, or to the owner's agent at the last known address, and/or to the occupier of the premises at the location of the property. Said notice shall further state that upon the failure of the property owner, his agent, and/or occupier to pay such sums within ten (10) days of receipt of such written notice by cash, certified or bank check, or money order, shall be sufficient cause to add the amount due to the tax bill without further notice.

(J). Recovery of costs and tax lien. In the event the property owner, his agent and/or the occupier of the land fails, refuses and/or neglects to pay the monies due and owing to the Town within said ten-day period, or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the notice was properly addressed, such certification of costs shall be provided to the Town of Huntington Tax Receiver who shall cause the costs as shown thereon to be charged against such lands without further notice. The amount so charged shall forthwith become a lien against such lands and shall be added to and become part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.
§156A-9. Replanting Prohibited. Any Bamboo either planted or caused to be planted or existing on a property prior to the effective date of this Chapter may not be replanted or replaced in kind

once such running bamboo is or has become, for any reason, dead, destroyed, uprooted or otherwise removed.

§156A-10. Penalties for offenses.

(A) Any person or corporation violating any provisions of Chapter 156A-5 and 156A-9, prohibiting the planting and/or replanting of running bamboo shall be deemed guilty of a violation and, upon conviction, by a fine of \$1,000.00. Each month's continued violation shall constitute a separate additional violation.

(B) Any person or corporation violating any provisions of Chapter 156A-6, 156A-7 and 156A-8 prohibiting the maintaining, growing or failure to remove running bamboo in violation of these regulations shall be deemed guilty of a violation and upon conviction, by a fine of \$250.00 to \$500.00, for a first offense, not less than \$ 500.00 to \$1,000.00 first a second offense and not less than \$1,000.00 to \$ 2,500.00 for a third or subsequent offense. Each month's continued violation shall constitute a separate additional violation.

Section 2. Severability.

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

Section 3. Authority.

The Town Board is vested with the authority to make these amendments by local law pursuant to Municipal Home Rule Law §20 and §130.

Section 4. 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 UNDERLINING.
* * * INDICATES NO CHANGE IN PRESENT TEXT.
DELETIONS ARE INDICATED BY [BRACKETS].

VOTE:	AYES: 2	NOES: 3	ABSENTIONS: 0
Supervisor Frank P. Petrone			AYE
Councilwoman Susan A. Berland			AYE
Councilman Eugene Cook			NO
Councilman Mark A. Cuthbertson			NO
Councilman Mark Mayoka			NO

THE RESOLUTION WAS THEREUPON DECLARED DULY **DEFEATED.**

2012 - 562

RESOLUTION SCHEDULING A HEARING TO SOLICIT INPUT ABOUT THE TOWN'S RESPONSE TO HURRICANE SANDY

Resolution for Town Board Meeting Dated: December 18, 2012

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

WHEREAS, in its continuing response to Hurricane Sandy the Town reached out to local residents with a Hurricane Sandy Recovery Night, held on November 29, 2012, which was comprised of a roster of Town officials, a leading national expert in disaster recovery and representatives from the Long Island Builders Institute, the National Association of Remodeling Industry, Gold Coast Bank and the Suffolk County Industrial Development Agency, among others; and

WHEREAS, in an effort to make Huntington Town government more accessible to those most affected by Hurricane Sandy, the Town opened the Building and Housing Department offices from 10:00 a.m. to 2:00 p.m. on Saturday December 1, 2012, to assist residential and business property owners' recovery efforts with their building permit applications; and

WHEREAS, the Town Board continues to seek public involvement in the Town's disaster recovery program in the aftermath of Hurricane Sandy and to that end plans to hold a public hearing for constituents to voice their opinions on what went right and what went wrong with the Town's recent response to Hurricane Sandy;

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public information hearing for the 5th day of February 2013, at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, for the purpose of hearing constructive comments from the local community on the subject of what went right and what went wrong with Town's response to Hurricane Sandy, so that, the Town can be better prepared for future events.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-563

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: December 18, 2012

The following resolution was offered by: Councilwoman Berland

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

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the 8th day of January 2013 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2012-563

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) and (C) of the Code of the Town of Huntington Authorizing
Actions by Town Board for Failure to Comply or Abate Violations**

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
Exhibit 72	51 Longley Place Huntington Stat. NY 11746	0400-194-04-018.000	Peter & Ludmilla Kornfeld 5 Longley Place Huntington Station NY 11746	10/3/2012	\$2,500.00
Exhibit 73	38 North Woodhull Rd. Huntington, NY 11743	0400-73-3-15.004	Gerard & Patricia Teschmacher 38 North Woodhull Rd Huntington, NY 11743	10/19/2012	\$2,500.00
Exhibit 74	4 Colby Court Dix Hills, NY 11746	0400-252.00-02.00-045.000	Charles F. McMorrow 4 Colby Court Dix Hills, NY 11746	10/24/2012	\$2,500.00
Exhibit 75	688-690 Deer ark Ave. Dix Hills, NY 11746	0400-278.00-02.00-170.00	K2 LLC 640 Johnson Ave, Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 76	686 Deer Park Ave. Dix Hills, NY 11746	0400-278.00-02.00-171.000	Dix Hills Villas LLC 640 Johnson Ave. Ste 5 Bohemia, NY 11716	10/25/2012	\$2,500.00
Exhibit 77	296 Main Street Cold Spring Harbor, NY 11724	0400-066.00-01.00- 023.000	Theresa Muzio 8 Sumter Avenue East Williston NY 11596	5/4/2012	\$2,500.00

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
GATEWAY PARK ADDITION (CORRENTE)

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN MAYOKA**

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

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

- received and evaluated a nomination from the owner for a 0.12-acre lot, SCTM 0400-094-03-033.000, located at 58½ Lowndes Avenue in Huntington Station;
- received a recommendation from the Huntington Economic Development Corporation that the EOSPA Committee pursue the parcel; and
- recognizes the importance of the property to add access to recreational space to an area that is underserved for parkland; and
- recommended that the Town Board pursue acquisition of this adjoining parcel as an addition to Gateway Park; and

WHEREAS, the Town Board wishes to proceed with acquisition for this specific real property as recommended by the EOSPA Committee; and

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

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

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

NOW THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 8th day of January, 2013 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Corrente Property as an addition to Gateway Park; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds from Budget Item PL7197-2109 as necessary for the appraisal.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
GATEWAY PARK ADDITION (MOUNT CALVARY OF HUNTINGTON MINISTRIES)

Resolution for Town Board Meeting Dated: December 18, 2012

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN MAYOKA**

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

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

- received and evaluated a nomination for a 0.25-acre vacant lot, SCTM 0400-099-04-016.000, located on the south side of Academy Place in Huntington Station;
- received a recommendation from the Huntington Economic Development Corporation that the EOSPA Committee pursue the parcel; and
- received written confirmation that the owner is a potentially willing seller; and
- recognizes the importance of the property to add access to recreational space to an area that is underserved for parkland; and
- recommended that the Town Board pursue acquisition of this adjoining parcel as a component of a planned Gateway bird sanctuary/nature area; and

WHEREAS, the Town Board wishes to proceed with acquisition for this specific real property as recommended by the EOSPA Committee; and

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

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

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

NOW THEREFORE, BE IT

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

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 8th day of January, 2013 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Mt. Calvary of Huntington Ministries, Inc. Property as an addition to Gateway Park; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOWPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds from Budget Item PL7197-2109 as necessary for the appraisal.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-566

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 125 MAIN STREET, HUNTINGTON—OLD HUNTINGTON GREEN HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by The Old First Presbyterian Church, 125 Main Street, Huntington, NY 11743, for a Certificate of Approval to approval to install four (4) telecommunications antennae and eight (8) new louver panels in the steeple of the church building located at 125 Main Street, Huntington, NY in accordance with plans dated December 15, 2011 pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Old Huntington Green Historic District and bears Suffolk County Tax Map # 0400-072.00-06.00-052.000, and

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

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

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **8th** day of **January** 2013, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of The Old First Presbyterian Church.

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.

2012-567

RESOLUTION TO ESTABLISH A BOATING AND SAFETY EDUCATION COMMITTEE, SUB-COMMITTEE TO THE HARBOR AND BOATING ADVISORY COUNCIL

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, with the recent boat accidents resulting in fatalities on Long Island this past boating season, and the passage of Suffolk County Legislation requiring boating safety certificates for all power boat operators residing in Suffolk County, the Huntington Town Board desires to establish a sub-committee to the Harbor and Boating Advisory Council; and

WHEREAS, in accordance with Section 35-4 A. of the Huntington Town Code, the Harbor and Boating Advisory Council is empowered to make recommendations and cooperate with town, state, and federal agencies regarding all matters pertaining to boating safety and in accordance with Section 35-4 B, the Council shall, by education, publicity and other means of information, inform the general citizenry of the need and importance for maintaining safe navigation and mooring; and

WHEREAS, to assist in accomplishing these goals, the Huntington Town Board desires to establish a sub-committee to the Harbor and Boating Advisory Council that will be called the Boating Safety and Education Committee; and

WHEREAS, the sub-committee will be charged with coordinating boating education, promoting boating safety, and organizing law enforcement initiatives, and other duties; and

WHEREAS, the sub-committee will consist of one representative from the Harbor Boating Advisory Council, the Greater Huntington Council of Yacht and Boating Clubs, the Neptune Power Squadron, the USCG Auxiliary, Eaton's Neck Coast Guard Station, Suffolk County Police Marine Bureau, Northport Police Department, Asharoken Police Department, Lloyd Harbor Harbor Master, and the Town of Huntington Sr. Harbor Master; and

WHEREAS, the committee will be chaired by the Chairman of the Harbor and Boating Advisory Council or his designee and Co-Chaired by the Huntington Senior Harbor Master.

*Date: December 6, 2012
Subject: Boating Safety and Education Committee
Department of Maritime Services
EC/HVA/tg*

2012-367

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY ESTABLISHES a Boating and Safety Education Committee, Sub-Committee to the Harbor and Boating Advisory Council.

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.

2012-568

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH SUFFOLK COUNTY DPW FOR THE TRANSPORT OF VEGETATIVE STORM DEBRIS TO THE BROOKHAVEN LANDFILL

Resolution for Town Board Meeting Dated: December 18, 2012

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, The County of Suffolk has the necessary vehicles to transport large volumes of vegetative storm debris to the Town of Brookhaven Landfill; and

WHEREAS, The Town of Huntington has been impacted by Hurricane Sandy has an unprecedented amount of vegetative debris that requires transport; and

WHEREAS, both parties desire in engaging in mutually beneficial transport of vegetative debris; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into a Memorandum of Understanding with Suffolk County and to execute any documents in connection therewith, upon such terms and conditions as are acceptable to the Town Attorney to be paid from budget code DB3999.4990; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2012-569

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH TOWN OF BROOKHAVEN FOR THE DISPOSAL OF HURRICANE SANDY VEGATATIVE DEBRIS

Resolution for Town Board Meeting Dated: December 18, 2012

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

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

WHEREAS, The Town of Brookhaven operates a Solid Waste Facility with the necessary permits to dispose of vegetative debris; and

WHEREAS, The Town of Huntington has been impacted by Hurricane Sandy has an unprecedented amount of vegetative debris that requires disposal; and

WHEREAS, both parties desire in engaging in mutually beneficial disposal of vegetative debris; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into a Memorandum of Understanding with Town of Brookhaven and to execute any documents in connection therewith, upon such terms and conditions as are acceptable to the Town Attorney to be paid out of DB3999.4990; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.