

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 AVAILABLE:

<http://town.huntington.ny.us>

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED JANUARY 11, 2011

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened 7:12 P.M. Recessed 7:13 P.M. Resumed 8:04 P.M. Closed 8:05 P.M.

7:00P.M. – TOWN HALL

Opened 6:15 P.M. Recessed 7:12 P.M. Resumed 7:13 P.M. Closed 8:04 P.M.

(Resolutions #2011-1 to 2011-41)

6:00 P.M. HEARINGS:

ACTION

1. Consider adopting Local Law Introductory No. 31-2010, amending the Code of the Town of Huntington, declaring a ninety-day moratorium on the issuance of approvals, grants, and/or conditional use permits by Town agencies Re: wireless communication facilities, transmission and/or reception antenna and/or towers.

(Local Law Intro No. 31-2010)

DECISION RESERVED

2. Consider adopting Local Law Introductory No. 32-2010, amending the Code of the Town of Huntington, Chapter 180 (Taxicabs and Vehicles for Hire), Article III (Vehicle Requirements), §180-13 (Vehicle Regulations), Article V (Administrative Requirements), §180-20 (Transfers Unlawful), §180-21 (Expirations and Renewals), and Article VIII (Fees, Penalties and Miscellaneous Provisions), §180-36 (Fees). **(Re: Car top advertising)**

(Local Law Intro No. 32-2010)

DECISION RESERVED

3. Consider awarding a license agreement to operate a Pro Shop Service at Dix Hills Park Twin Ice Rinks. **(Re: NY Islanders Iceworks)**

(2010-M-39)

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). (**Applicant: Pamela J. Vogt, Location: 161 Old Winkle Point Rd., Northport, NY, S.C.T.M. #400-005.00-003.00-004.002**)
(Re: NSEW Consulting)
(2010-M-40)

DECISION RESERVED

5. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-2, Schedule B Re: Elwood Road, No Turn on Red.
(2010-TC-24-Ch.2)

DECISION RESERVED

6. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G Re: Royal Lane – Stop Sign.
(2010-TC-25-Ch. 2)

DECISION RESERVED

7. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Longfellow Avenue, No Parking Restriction.
(2010-TC-26-Ch. 3)

DECISION RESERVED

8. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article I, §2-1, Schedule A Re: Traffic Signal – Centerport Road (CR86)/Blenheim Lane (South).
(2010-TC-27-Ch. 2)

DECISION RESERVED

9. Consider issuing a Certificate of Approval in an Historic District Re: 2 Country Meadow Court, Melville – Sweet Hollow Historic District.
(Applicant: Joseph/Jody Murawski)
(S.C.T.M. #0400-256.00-01.00-019.010)
(2010-ZC-22-Ch. 198)

DECISION RESERVED

10. Consider adopting Local Law Introductory No. 33-2010, amending the Code of the Town of Huntington, Chapter 120 (Harbors and Waterways), Article I (Regulations and Restrictions).
(Local Law Intro No. 33-2010)

DECISION RESERVED

11. Consider adopting Local Law Introductory No. 34-2010, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions).
(Local Law Intro No. 34-2010)

DECISION RESERVED

12. Consider adopting Local Law Introductory No. 35-2010, amending the Code of the Town of Huntington, so as to add Subsection D to Section 174-3 of Chapter 174 (Liability of Town).
(Local Law Intro No. 35-2010)

DECISION RESERVED

HEARINGS (Continued):

ACTION

BOARD OF TRUSTEES HEARING:

1. Consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137.

**(Applicant: Patricia & Milan Nemes, Location: 107 East Neck Rd.,
Huntington, New York, S.C.T.M. #0400-036-00-01.00-004.001)
(2010-BT-19)**

ENACTMENT #2011-BT-2

**AGENDA FOR TOWN BOARD
MEETING DATED: JANUARY 11, 2011**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

| | | |
|--------------------------------|---|----|
| Supervisor Frank P. Petrone | - | FP |
| Councilwoman Susan A. Berland | - | SB |
| Councilman Mark A. Cuthbertson | - | MC |
| Councilwoman Glenda A. Jackson | - | GJ |
| Councilman Mark Mayoka | - | MM |

- | | | | | | |
|----------------|--|------------------|------------------|------------------|-----------------|
| 2011-1. | <p>ADOPT various actions of the Town Board for the Year 2011. (The following institutions are designated as bank depositories for 2011: Bank of Smithtown, Bank of America, Capital One Bank, JP Morgan Chase Bank, Citibank, N.A., First National Bank of Long Island, HSBC Bank, M & T Bank, New York Commercial Bank, State Bank of Long Island, Suffolk County National Bank, TD Bank, and Wachovia Bank, NA; Membership for the Huntington Community Development Agency will be Supervisor Petrone, Councilwoman Berland, Councilman Cuthbertson, Councilwoman Jackson and Mark Mayoka; Town of Huntington will be represented by Jo-Ann Raia, Principal and Susan Berland, as alternate at the 2011 Association of Towns annual meeting; Appoints Paul Mandelik as Chairman and Jane Devine as Vice-Chairman for the Town of Huntington Planning Board for the term 1/1/2011 – 12/31/2011; Appoints Christopher Modelewski as Chairman and Scott Frayler as Vice Chairman for the Town of Huntington Zoning Board of Appeals effective 1/1/2011 – 12/31/2011; Appoints New York Municipal Advisors Corporation as Fiscal Advisors for bonding issues; Appoints Nixon Peabody, LLP and Hawkins, Delafield & Wood as bond counsel for bonding issues; Ratifies Town Board Resolution #2010-592 effective 1/1/2011 to the extent that it provided that all budgeted salaries for full time positions remaining vacant by attrition and/or retirement in the year 2011 be transferred to a General Contingency Account; The Observer and Long Islander are designated as the official newspapers for the Town of Huntington for 2011)</p> | <u>SB</u> | <u>MC</u> | <u>5</u> | |
| 2011-2. | <p>AUTHORIZING the Comptroller to amend the 2011 Operating Budget and the Supervisor to execute agreements on behalf of the Division of Cultural Affairs for the Year 2011. (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 the Cinema Arts Centre)</p> | GJ | <u>SB</u> | <u>FP</u> | <u>5</u> |
| 2011-3. | <p>AUTHORIZE the Supervisor to execute a contract with Johnson Electrical Construction Corp. for the Traffic Signal Improvements on Wolf Hill Road, New York. (Period: 12 Months)</p> | <u>SB</u> | <u>FP</u> | <u>5</u> | |

**AGENDA FOR TOWN BOARD
MEETING DATED: JANUARY 11, 2011**

| RESOLUTIONS: | OFF. | SEC. | VOTE |
|---|-------------------------------|-------------------------------|-----------------|
| 2011-4. AUTHORIZE the Supervisor to execute an agreement with Suffolk County Department of Health Services for the provision of drug treatment and prevention services. (Period: 1/1/2009-12/31/2011) | <u>GJ</u> | <u>SB</u> | <u>5</u> |
| 2011-5. AUTHORIZE the Supervisor to apply for and receive funding from the New York State Office of Children and Family Services for State Aid for the Youth Bureau Administration, Youth and Family Services and Runaway Homeless Youth Services for 2011. | <u>GJ</u> | <u>SB</u> | <u>5</u> |
| 2011-6. AUTHORIZE the Supervisor to execute requirements contracts with Syosset Truck Sales, Inc. for International truck repairs and parts and Edward Ehrbar, Inc. for Komatsu heavy equipment repairs and parts. (Period: One Year) | <u>MC</u> | <u>GJ</u> | <u>5</u> |
| 2011-7. AUTHORIZE the execution of a requirements contract with Atlantic Wells, Inc. for the well pump and mechanical maintenance 2011 for the Dix Hills Water District. (Effective until 12/31/2013) | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-8. AUTHORIZE the execution of a requirements contract with Wire to Water, Inc. for the electrical maintenance for the Dix Hills Water District. (Effective until 12/31/2013) | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-9. AUTHORIZE the execution of an agreement with Holzmacher, McLendon & Murrell, P.C. for 2011 Annual Retainer Services for the Dix Hills Water District. | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-10. AUTHORIZE the execution of an agreement with H2M Labs, Inc. for the provision of 2011 Annual Laboratory Services for the Dix Hills Water District. | MM <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-11. AUTHORIZE the execution of an agreement with the Huntington Community First Aid Squad, Inc., for emergency medical and ambulance services to the Huntington Community Ambulance District. (Period: 1/1/2011-12/31/2011) | <u>FP</u> | MC <u>SB</u> | <u>5</u> |
| 2011-12. AUTHORIZE the execution of an agreement with the Commack Volunteer Ambulance Corporation for emergency medical and ambulance services to the Commack Ambulance District. (Period: 1/1/2011-12/31/2011) | <u>FP</u> | <u>GJ</u> | <u>5</u> |
| 2011-13. AUTHORIZE the Supervisor to execute an agreement for the provision of consulting services for Town and Board of Trustees property and contract/franchise matters. (Re: Robert Fonti) (Period: 1/1/2011-12/31/2011) | FP <u>MM</u> | MC <u>SB</u> | <u>5</u> |
| 2011-14. AUTHORIZE the Supervisor to execute an agreement with Hill's Pet | MC | | |

**AGENDA FOR TOWN BOARD
MEETING DATED: JANUARY 11, 2011**

| RESOLUTIONS: | OFF. | SEC. | VOTE |
|--|--------------------------------------|--------------------------------------|--|
| Nutrition, Inc., for the provision of Science Diet Pet Food to the Huntington Animal Shelter. (Period: 2 years) | <u>GJ</u> <u>MM</u> | <u>SB</u> | <u>5</u> |
| 2011-15. AUTHORIZE the Supervisor to execute an agreement with the Town of Huntington Economic Development Corporation. (Period: 1/1/2011 – 12/31/2011) | <u>FP</u> | <u>MM</u> <u>GJ</u> | <u>5</u> |
| 2011-16. AUTHORIZE 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>MC</u> | <u>GJ</u> | <u>5</u> |
| 2011-17. AUTHORIZE the Supervisor to execute an agreement and receive funding from the Community Development Corporation of Long Island for the Better Buildings energy efficiency retrofit assistance and financing program. (Period: 3 years) | <u>FP</u> <u>MC</u> | <u>SB</u> | <u>5</u> |
| 2011-18. AUTHORIZE the execution of agreement to spend Town Highway funds for calendar year 2011. | <u>MC</u> <u>MM</u> | <u>SB</u> | <u>5</u> |
| 2011-19. AUTHORIZE the continued retention of Outside Counsel (Besen and Trop, L.L.P., Ellen Schaffer, Esq. and James Matthews, Esq.). | <u>MC</u> | <u>GJ</u> | 4-AYES 1-NO <u>(MM)</u> |
| 2011-20. AUTHORIZE the Comptroller to amend the 2011 Operating Budget for the Town of Huntington and its special districts-various departments. | <u>FP</u> | <u>MC</u> | 4-AYES 1-ABST <u>(GJ)</u> |
| 2011-21. AUTHORIZE the Comptroller to amend the 2011 Operating Budget and appropriate fund balance for the Town of Huntington and its special districts – Cultural Affairs (Public Art Initiative). | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-22. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform Codes of the State of New York. (Re: Carll Cemetery, Deer Park Road, Dix Hills, SCTM# 0400-247.00-03.00-032.000, Chapter 119; Half Hollow Estates LLC/Rudolph Meierott, MacKenzie Court, Melville, SCTM# 0400-273.00-03.00-034.009, Chapter 156) | <u>SB</u> <u>GJ</u> | <u>MC</u> | <u>5</u> |
| 2011-23. ACCEPT the dedication of a parcel of land for Highway purposes for the subdivision known as Jake N. Ash Plat. | <u>SB</u> | <u>FP</u> | <u>5</u> |
| 2011-24. APPROVE a 2010-11 Public Art Plan and authorizing the Public Art Advisory Committee to proceed with its implementation. | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-25. RE-ESTABLISH “A.R.M.S.” (Americans Reactivated for Military Service). | <u>SB</u> | <u>GJ</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: JANUARY 11, 2011**

| RESOLUTIONS: | OFF. | SEC. | VOTE |
|---|--|--------------------------------|---|
| 2011-26. ESTABLISH January 12 th as a Day of Remembrance to honor the earthquake victims of Haiti. | <u>FP</u> <u>GJ</u> | <u>MM</u> <u>SB</u> | <u>5</u> |
| 2011-27. MEMORIALIZE the New York State Delegation from the Town of Huntington to call upon LIPA Board of Directors to withdraw the Tax Certiorari action filed against the Town of Huntington. | <u>FP</u> <u>MC</u> <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-28. REAPPOINT and APPOINT members to the Affordable Housing Advisory Board. (Reappoint: Kenneth Christensen term expires 12/31/12, Alicia Lawrence term expires 12/31/13, Peggy Boyd term expires 12/31/13, Joshua Price term expires 12/31/13, Richard Koubek term expires 12/31/12; Appoint: Maria Teresa Quirk term expires 12/31/2011, Judy Gorenstein term expires 12/31/2011, Trudy Fitzsimons term expires 12/31/2012; Appoint Chairperson: Peggy Boyd) | <u>GJ</u> | <u>FP</u> | <u>5</u> |
| 2011-29. REAPPOINT members to the Town of Huntington Citizens Advisory Committee for persons with disabilities. (Reappoint: Maureen Donohue term expires 8/31/15 and Tamar Asedo Sherman term expires 8/31/15) | <u>FP</u> <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2011-30. URGE the New York State Senate to pass S938 cited as the “John Rey Law” to require the development of a statewide program addressing the problem of wrong way drivers on New York State Interstate Highways. | <u>GJ</u> | <u>SB</u> | <u>5</u> |
| 2011-31. ADOPT a findings statement pursuant to SEQRA for Zone Change Application #2006-ZM-363, Triangle Equities (Kensington Estates), requesting to change the Zone from R-40 Residence District to R-RM Retirement Community District in the Town of Huntington and R1-1A District to RMF-10 District in the Town of Oyster Bay for property located on the southeast corner of Jericho Turnpike and Plainview Road, West Hills/Woodbury. (SCTM# 0400-226-01-001 and NCTM# 13-D-114 & 115) | <u>SB</u> | <u>MM</u> | 3-AYES 2-NOES (FP) <u>(MC)</u> |
| 2011-32. ENACTMENT: ADOPT the Local Law Introductory Number 7-2010 considering Zone Change Application #2006-ZM-363, Triangle Equities (Kensington Estates), to change the Zone from R-40 Residence District to R-RM Retirement Community District for property located on the south side of Jericho Turnpike, east of Plainview Road, West Hills. (SCTM# 0400-226-01-001 and NCTM# 13-D-114 & 115) | <u>SB</u> | <u>MM</u> | 3-AYES 2-NOES (FP) <u>(MC)</u> |
| 2011-33. ENACTMENT: ADOPT Local Law Introductory Number 29-2010 amending the Code of the Town of Huntington Chapter 191 (Unsafe and damaged buildings and structures). | <u>SB</u> | <u>MC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: JANUARY 11, 2011**

| RESOLUTIONS: | OFF. | SEC. | VOTE |
|--|--------------------------------|--------------------------------|-----------------|
| 2011-34. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 150 Old Country Road, Melville – Sweet Hollow Historic District. (Applicant: Todd Braverman) (SCTM# 0400-256.00-02.00-024.00) | <u>SB</u> | <u>FP</u> <u>GJ</u> | <u>5</u> |
| CHANGED TO 1ST | | | |
| * 2011-35. SCHEDULE A PUBLIC HEARING: February 8, 2011 at 7:00 PM To consider adopting Local Law Introductory No. 1 – 2011 amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements), Article I (General Provisions), Article III (Buildings and Structures) and Article XII (Enforcement). | <u>SB</u> | <u>FP</u> | <u>5</u> |
| CHANGED TO 1ST | | | |
| * 2011-36. SCHEDULE A PUBLIC HEARING: February 8, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Eighth Street, Fifth Street, Sixth Street (Third Avenue, East Northport) – Stop Signs. | <u>GJ</u> | <u>FP</u> | <u>5</u> |
| CHANGED TO 1ST | | | |
| * 2011-37. SCHEDULE A PUBLIC HEARING: February 8, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Harbor Circle, No Standing Restriction. | <u>FP</u> | <u>GJ</u> | <u>5</u> |
| CHANGED TO 1ST | | | |
| * 2011-38. SCHEDULE A PUBLIC HEARING: February 8, 2011 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3 Schedule J. Re: View Acre Drive, No Parking Restriction. | <u>MC</u> | <u>GJ</u> | <u>5</u> |
| 2011-39. AUTHORIZE the Supervisor to apply for a Local Government Records Management Improvement Fund (LGRMIF) grant from New York State Education Department, State Archives Division and to execute any documents in connection therewith. (Re: Town Clerk Archives) | <u>MM</u> | <u>FP</u> | <u>5</u> |
| MOTION TO ADD RESOLUTION #2011-40 TO THE AGENDA. | <u>FP</u> | <u>SB</u> | <u>5</u> |
| * 2011-40. AMEND Town Board Resolution 2010-540 scheduling regular meetings of the Town Board of the Town of Huntington for the year 2011. (Re: February meeting will be held on February 1, 2011 at 7:00 PM) | <u>FP</u> | <u>SB</u> | <u>5</u> |
| MOTION TO ADD RESOLUTION #2011-41 TO THE AGENDA. | <u>FP</u> | <u>SB</u> | <u>5</u> |
| 2011-41. AUTHORIZE the Comptroller to appropriate funds to purchase and install a new phone system for all highway office facilities. | <u>FP</u> <u>SB</u> | <u>GJ</u> | <u>5</u> |

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: JANUARY 11, 2011**

| RESOLUTIONS: | OFF. | SEC. | VOTE |
|--|--------------------------------------|--------------------------------------|-----------------|
| 2011-BT1. AUTHORIZE the Comptroller to pay 2010-2011 Town of Huntington taxes on Board of Trustee-owned property. | <u>FP</u> | <u>MC</u> | <u>5</u> |
| 2011-BT2. ENACTMENT: APPROVE the issuance of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, for the construction of a residential bulkhead Applicant: Patricia & Milan Nemes Location: 107 East Neck Rd., Huntington, New York S.C.T.M. #0400-036.00-01.00-004.001. (Applicant: Patricia Nemes) | <u>SB</u> <u>GJ</u> | <u>FP</u> <u>MM</u> | <u>5</u> |

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: JANUARY 11, 2011

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
NONE SUBMITTED

2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Christopher Meinsen for Centerport Yacht Club Inc – The Waterfront;
From: Carole Mungo for Northside Inn; From: Paul Grewening for PG
Steakhouse; From: John LaBarca for Huntington Crescent Club Inc.;
From: Marian Ingle for The Dublin Jack; From: Chanvit Khanthong for
Bonbori Restaurant; From: Makoto Yamada for Kurabarn Inc.; From: David
Kaplan for Felt Billiards Inc.; From: Steve Soulellis for Mediterranean
Snack Bar; From: Danforth Knapp for Cold Spring Harbor Beach Club;
From: Bruce Brenner for Nathan Hale Post Membership Association;
From: Fabio Machado for Pumarola Inc.; From: Kevin Morrison for
Morrison's Shamrock Pub; From: Edwin Cavanagh for Cavco Bowl Inc.;
From: Carol Offerman for Nicky's; From: Michele Spinelli for Spinelli's
Pizza & Restaurant;

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

3. Hand delivered letter received 12-15-2010 from Frank Zauner regarding
a tree located at 14 Todd Court, Huntington. Writer indicates that this tree
is a hazard and should be taken down. He also indicates that there is a
cesspool installed directly next to this tree. Mr. Zauner is concerned that
if this tree falls, his property will be damaged.

Supervisor
Town Board
Town Attorney
Highway
Engineering Services
cc: Environmental Waste Mgmt

4. Email received from Jan & Fiona Witkowski regarding the proposed
construction of a TD Bank on the site of the former Huntington Hotel. The
writer is concerned about the traffic flow, losing the historic building,
having a commercial building (proposed) in a residential area, they are
also concerned about the hours of operation and they are questioning the
need for another bank in the area.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission

5. Letter received from Louise Caputo, Secretary/Treasurer of the Greenlawn
Fire District, advising that William Borowy was elected Fire District
Commissioner for a five year term (1/1/2011 – 12/31/2015). Also, enclosed
was a Certificate of the Fire District, a letter from Donato Natiello, a
Certificate of Canvass and an Oath of the Election Inspectors.

Supervisor
Town Board
Town Attorney
cc: Fire Inspector

6. Notification received from the Secretary of the Board of Commissioners of the
Greenlawn Water District, advising that John T. McLaughlin was elected
Water Commissioner for a three year term.

Supervisor
Town Board
cc: Town Attorney

7. Letter received from Nancy McFadzen, Secretary for the Commack Fire District,
advising of the election results. Patrick Fazio was elected Fire Commissioner
for a five year term (1/1/2011 – 12/31/2015). Copy of the legal notice regarding
the election was also included.

Supervisor
Town Board
Town Attorney
cc: Fire Prevention

8. Email received from Alicia Hendel, Legislative' s Aide for Suffolk County with December 7, 2010 resolutions: #1164-2010 – approving the return of the fund balance of the General Fund, Police District Fund, and District Court District to the Taxpayers of the Towns of Suffolk County; #1165-2010 – approving the tabulation of town charges and fixing the tax levies and charges to the towns under the County Budget for fiscal year 2011; # 1166-2010 – amending the resolution No. 1061-2010 determining equalized real property valuations for the assessment rolls of the 10 towns; #1167-2010 – levying unpaid water rents; #1168-2010 – implementing budget, staff and taxes for the fiscal year 2011 (discretionary); #1169-2010 – implementing budget, staff and taxes for the fiscal year 2011 (mandated); #1170-2010 – authorizing that the tax warrants be signed by the Presiding Officer and Clerk of the County Legislature and that they be annexed to the tax rolls for the collection of taxes.

(*emailed to:)
Supervisor
Town Board
cc: Town Attorney
9. Letter received from Patricia Hawkins, Chairman, of the East Northport Fire District regarding the election results. Bruce Grant was elected Fire Commissioner for a term of 5 years (1/1/2011 – 12/31/2015). Also included were Certificate of Canvass, copy of the official ballot, inspector oath and a certification from the Fire District Secretary, Susan Racine.

Supervisor
Town Board
Town Attorney
cc: Fire Inspector
10. Notification from Todd Cohen, District Secretary of the Dix Hills Fire District, advising that Michael Plumitallo was elected Fire Commissioner for a term of 5 years (1/1/2011-12/31/2015)

Supervisor
Town Board
Town Attorney
cc: Fire Inspector
11. Email received from Nancy Stoner, Trails Planner for the NYS Office of Parks, Recreation and Historic Preservation, regarding the Approved Statewide Trails Plan/Final Generic Environmental Impact Statement (FGEIS). Email advises where this paperwork can be reviewed.

Supervisor
Town Board
Town Attorney
Parks & Recreation
cc: Planning & Environment
12. Letter from Richard Wurtz, General Administrator of the South Huntington Water District, hand delivered, with notarized election results attached. Paul Tonna was elected to a three year term as Water Commissioner and Dominick Feeny was elected to a two year term as Water Commissioner.

Supervisor
Town Board
cc: Town Attorney
13. Letter received from Kristi Cartolano, Secretary for the Eaton's Neck Fire District regarding the annual election. John Baez was elected as Fire Commissioner for a 5 year term. Certificate of the Secretary, Inspectors, legal notice of annual election, affidavit and oath of inspectors was attached.

Supervisor
Town Board
Town Attorney
cc: Fire Inspector
14. Letter from Karen Herbert, District Secretary for the Cold Spring Harbor Fire District, advising that Bruce Hafner was elected as Fire Commissioner for a 5 year term. An inspectors oath, official ballot, affidavit of publication and official tabulation was also attached.

Supervisor
Town Board
Town Attorney
cc: Fire Inspector
15. Letter received from Joyce Logan, Secretary Deputy Treasurer for the Huntington Fire District, regarding the results of the annual election. Thomas Brown was elected as Fire Commissioner for a 5 year term. A certificate from the secretary was also attached.

Supervisor
Town Board
Town Attorney
cc: Fire Inspector
16. Certificate of Canvass and copy of legal notice received from Melville Fire District. Andrew Roller, Jr. was elected as Fire Commissioner for a term of 5 years (1/1/2011 – 12/31/2015)

Supervisor
Town Board
Town Attorney
cc: Fire Inspector

17. Letter received from Bonnie Sammis, District Secretary/Treasurer for the Halesite Fire District regarding the election results. Included was the Oath of Inspection of Election and the copy of the election ballot. Robert Kocis was elected Fire Commissioner for a term of 5 years (1/1/2011 – 12/31/2015) Supervisor
Town Board
Town Attorney
cc: Fire Inspector
18. Letter received from Candice Thomson, District Treasurer for the Huntington Manor Fire District regarding the election results. Included was the Oath of Inspectors of Election and a break down of the votes. Christopher Fusaro was elected as Fire Commissioner for 5 year term (1/1/2011 – 12/31/2015) Supervisor
Town Board
Town Attorney
cc: Fire Inspector
19. Letter of resignation addressed to Supervisor Petrone from Laure Nolan, Deputy Supervisor. Resignation effective December 28, 2010. Supervisor
Town Board
cc: Town Attorney
20. Alteration application form (for Liquor License) received from Mike Hendrickson for Gaw Inc.. Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
cc: Planning & Environment
21. Email received from Jan Witkowski with various questions about the proposed T.D. Bank to be located on Fairview Street in Huntington. Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Commission
22. Email received from Gary Canino advising everyone to attend the Town Board meeting on January 11, 2011 and to support control of the cell tower placements. Writer does not want municipal properties to be exempt from regulations. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
23. Email received from Alicia Hendel, Legislative Aide for Suffolk County with the following resolutions: #1084-2010 amending the 2010 operating budget and transferring funds within the police department to fund additional surveillance cameras in the Town of Huntington; #1068-2010 to readjust, compromise, and grant refunds and charge-backs on real property correction of errors by County Legislature; #1150-2010 bond resolution of the County of Suffolk, New York, authorizing the issuance of \$250,000 bonds to finance the cost of the installation of sidewalks on CR4, Commack Road, Towns of Babylon and Huntington; #1149-2010 amending the 2010 capital budget and program and appropriating funds in connection with installation of sidewalks on CR4, Commack Road, vicinity of Nicolls Road to vicinity of Polo Street, Towns of Babylon and Huntington. (Emailed to:)
Supervisor
Town Board
Town Attorney
Highway
cc: Public Safety
24. Certificate of Canvass and copy of notice of election was hand delivered by Leigh Ann Varese, Chairman of Election for the Centerport Fire District. Jack Geffken was elected as Fire Commissioner for a term of 5 years (1/1/2011-12/31/2015) Supervisor
Town Board
Town Attorney
cc: Fire Prevention

25. Emails received from the following people in support of the proposed Kensington Estates Project: Camille Savino Koorey, Lois & Mark Sherman, David Wenger, Roberta & Ira Siegel, Jon Ten Haagen, David & Adele Rosen, Alli Coops, Bruce Goldman, Barbara Bucovetsky, Amy Spiros, Mary Fudens, Martin Lieberman, Fern Ginder, Wendy Zucker, Phyllis Chasin, Brian Rosenstein, Lauren Greenberg, Wilma & Lou Ieni, Lisa Travis, Kathleen Doerrie, Judy Komson, Cesar Caro, Sheila Orenstein, Michael & Janet DeCristofaro, Alice Verona, J. Buchferer, Roberta & Jeffrey Ende, Maxine & Hal Kaplan, Amy Goldman, Audrey Kahn, Victor Ree Guarriello, Paula Halprin, Tony Sileo, D. Casadonte, Kevin Kelly, Karen Moss, Susan Menzer, Keith Moss, Dr. Jeffrey Schwartz, Larry Newhouse Lawrence Kurland, Dawn & Joseph Garcia, Mona & Marvin Ives, William Hubbs, Dina Shuster, Al & Carla Maurer and the following email addresses: bsk430@aol.com, patricia5s@aol.com, mdreis4@aol.com and fabulis@aol.com.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Email received from Alicia Hendel, Legislative Aide for Suffolk County with a resolution from December 7, 2010 - # 1074-2010 authorizing the sale pursuant to Local Law No. 16-1976, of real property acquired under section 46 of the Suffolk County Tax Act Lorene Paragallo.
- (emailed)
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
27. Email received from Patricia Pfeifer-Rongo regarding the proposed TD Bank to be located on Fairview Street in Huntington. The writer is against this proposal and feels that there will be an impact in the traffic, the historic building should not be demolished and a commercial building should not be located in a residential district. Attached to the email was an email from Jan Witkowski.
- Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Planning Commission
28. Email received from Alicia Hendel, Legislative Aide for Suffolk County, with a resolution from the December 21, 2010 meeting - # 1193-2010 apportioning mortgage tax by: County Treasurer.
- Supervisor
Town Board
cc: Town Attorney
29. Email received from George Sidoti regarding the revitalization of downtown Huntington. The writer would like to see a community center (theater) be included in the revitalization plan and feels this type of venue could also be used as a flea market or for art shows.
- Supervisor
Town Board
cc: Town Attorney
30. Letter received from Lynn Pincomb, Village Administrator for Huntington Bay regarding a Planning Board Hearing to be held on January 10, 2011 at 7:30 PM at Village Hall for property located at 354 Bay Avenue – site plan review is required in order to construct additions and alterations to an existing dwelling and a steep slope special permit is also required.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
31. Letter received from Michael Kane, Chairman of the Zoning Board of Appeals for the Town of Babylon, regarding a hearing on a parcel within 500' from the Town of Huntington. Property located at 15 Fairfield Drive, Dix Hills is requesting permission to increase total building area from 15% to 22% for a two story building.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
32. Email received from Alicia Hendel, Legislative Aide for Suffolk County regarding resolutions passed on December 21, 2010. Resolution #1273-2010 – sale of country owned real estate pursuant to Local Law No. 13-1976 Janice Cooke-Giugliano. Resolution # 1274-2010 – authorizing the sales of surplus property sold at the October 20 and 21, 2010 auction pursuant to Local Law No. 13-1976 as per exhibit "A" (omnibus resolution).
- Supervisor
Town Board
cc: Town Attorney

33. Hand-delivered letter from the Bram Weber of the Weber Law Group regarding Kensington Estates Project, Change of Zone Application # 2006-ZM-363. The Law Group represents Triangle Equities and the letter indicates that the purpose is to formally submit the revocation of two of the previously filed protest petitions. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
34. Email received from Marilyn at Greenlawn Water District, advising of the following elections: William Wieck – Chairman, James Logan – Secretary and John McLaughlin-Treasurer. Supervisor
Town Board
cc: Town Attorney
35. Letter received from Kristen Iacobucci, Director of Pension Integrity Bureau of the Office of the New York State Comptroller, New York State Local and Retirement System, regarding the requirements of regulation 315.4 for reporting Elected and Appointed Officials. Supervisor
Town Board
Town Attorney
cc: Comptroller
36. Letter received from Richard Koubek, President of the Huntington Township Housing Coalition, addressed to Supervisor Petrone and members of the Town Board, indicates that they are disappointed that the draft "Five Year Consolidated Plan Annual Action Plan, Second Year 2011" does not contain provision for the development of two and three bedroom affordable family rental housing at the Ruland Road site. Supervisor
Town Board
Town Attorney
Engineering Services
Community Development
cc: Planning & Environment
37. Email received from edelny@optonline.net regarding the LIRR parking in Huntington Station. Writer indicates he is a senior citizen and is requesting that seniors be allowed to use their Huntington Senior Pass to park in the LIRR lots. Supervisor
Town Board
Town Attorney
Public Safety
cc: Traffic & Transportation
38. Letter received from Robert Ralph, President of the Fair Housing in Huntington Committee, Inc. regarding the Action Plan of 2011. The writer indicates the committee is against the one bedroom housing proposal at Ruland Road. The letter also indicates there needs to be housing provided for families with children and minorities. Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development
39. Notice received from Lynn Pincomb, Village Administrator for Huntington Bay, regarding a hearing on January 20, 2011 at 7:30 PM re: 17 Woodland Drive – construct structural alterations to an existing dwelling and legalize various structures constructed without a permit – steep slope permit is required. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
40. Faxed letter was received from the New York Civil Liberties Union and signed by the Director, Amol Sinha, J.D., urging the Town Board and the Community Development Agency to approve two and three bedroom affordable housing units on Ruland Road. Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development
41. Faxed letter received from Michelle Santantonio, Executive Director of the Long Island Housing Services, Inc. regarding the Town's Annual Action Plan. Writer is requesting that the Town Board approve 2 and 3 bedroom affordable rental housing on Ruland Road. Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Community Development

42. Email received from Fred Saunders expressing support for the Huntington Hotel to be designated as Historic Property and therefore not be demolished.

Supervisor
Town Board
Town Attorney
Engineering Services
Planning & Environment
cc: Historic Preservation Committee

43. Faxed letter received from Gary Haight, Coastal Resources Specialist, for the Department of State, requesting that the decision for the permit application for Nemes property be withheld until various issues are resolved. The writer indicates an issue of concern is erosion and feels that the applicant should consider alternative actions.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Maritime Services

2011-1

RESOLUTION ADOPTING VARIOUS ACTIONS OF THE TOWN BOARD FOR THE YEAR 2011

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to pay 2010/2011 Town of Huntington Taxes on Town-owned property in the amount not to exceed the budgeted amount of TWENTY-FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS to be charged to Operating Budget Item A1950-4170; and

HEREBY DESIGNATES the following institutions as bank depositories for the calendar year 2011: Bank of Smithtown, Bank of America, Capital One Bank, JP Morgan Chase Bank, Citibank, N.A., First National Bank of Long Island, HSBC Bank, M & T Bank, New York Commercial Bank, State Bank of Long Island, Suffolk County National Bank, TD Bank, Wachovia Bank, NA; and

HEREBY AUTHORIZES the Supervisor and Comptroller to sign checks by use of a facsimile signature machine; and

HEREBY DELEGATES the power to authorize attendance by employees at conferences, conventions and schools in accordance with the provisions of Section 77-B of General Municipal Law, to the Supervisor, effective up to and including December 31, 2011; and

HEREBY APPROVES the membership of the Huntington Community Development Agency, effective January 1, 2011, to be as follows: Supervisor Frank P. Petrone-3 years (balance), Councilwoman Susan A. Berland-1 year (balance), and Councilman Mark A. Cuthbertson-3 years (balance); Councilwoman Glenda A. Jackson-1 year (balance), and Councilman Mark Mayoka-3 years (balance); and

HEREBY DESIGNATES, pursuant to the provision of Section 6, Article III of the Constitution and By-Laws of the Association of Towns, **Jo-Ann Raia** as Principal and **Susan A. Berland**, as Alternate to cast the vote of the Town of Huntington at the 2011 Annual Meeting of the Association of Towns in February; and

HEREBY APPOINTS Paul Mandelik, 35 Gull Hill Drive, Northport, New York 11768 as Chairman and Jane R. Devine, 145 Nassau Road, Huntington, New York 11743, Vice-Chairman of the Town of Huntington Planning Board, effective January 1, 2011 through December 31, 2011; and

2011-1

HEREBY APPOINTS Christopher Modelewski, 18 Mar Kan Drive, Northport, New York 11768, as Chairman and Scott M. Frayler, 19 Central Street, Greenlawn, New York 11740, as Vice-Chairman of the Town of Huntington Zoning Board of Appeals, effective January 1, 2011 through December 31, 2011; and

HEREBY APPOINTS New York Municipal Advisors Corporation, 50 Jackson Avenue, Syosset, New York 11791, as Fiscal Advisors for bonding issues; and

HEREBY APPOINTS Nixon Peabody, LLP, 437 Madison Avenue, New York, NY 10002-7001 and Hawkins, Delafield & Wood, 67 Wall Street, New York, NY 10005, Harris Beach PLLC, The Omni, Uniondale, NY 11553, as bond counsel for bonding issues; and

HEREBY RATIFYS Town Board Resolution No. 2010-592 effective January 1, 2011 to the extent it provided that all budgeted salaries for full time positions remaining vacant by attrition and/or retirement in the year 2011 be transferred into a General Contingency Account for the respective operating funds, in accordance with the Town Board's expressed intent on November 4, 2010 when it adopted the 2011 Annual Operating budget by Resolution No. 2010-542, and

HEREBY AUTHORIZES the Comptroller to transfer the funds for those positions into the General Contingency Account, and;

HEREBY DESIGNATES The Observer, 188 Main Street, Northport, NY 11768 and The Long Islander, 149 Main Street, Huntington, NY 11743, as the Official Newspapers for the Town of Huntington for the year 2011; and directs the Town Clerk to send official notification to the Suffolk County Clerk and Clerk of the Suffolk County Legislature of said designations; and

HEREBY DETERMINES that the subjects of this resolution are not actions as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-2

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET AND THE SUPERVISOR TO EXECUTE AGREEMENTS ON BEHALF OF THE DIVISION OF CULTURAL AFFAIRS FOR THE YEAR 2011

Resolution for the Town Board Meeting Dated: January 11, 2011

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

and seconded by: **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 2011; and

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

WHEREAS, the 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 2011 with the following agencies:

| <u>CONTRACTOR</u> | <u>APPROPRIATION</u> | <u>AMOUNT</u> |
|---|----------------------|---------------|
| HUNTINGTON ARTS COUNCIL | | |
| (Administration) | A7010.4001 | \$150,000.00 |
| (Summer Arts Festival – “Band Concerts”)* | A7270.4001 | \$112,350.00 |
| 213 Main Street | | |
| Huntington, NY 11743 | | |

* In addition, funding of \$43,196 has been appropriated in the Town's 2011 budget for the Summer Art's Festival part-time wages and related personnel benefits & taxes

2011-2

| | | |
|--|------------|--------------|
| HECKSCHER MUSEUM OF ART 2 Prime Avenue Huntington, NY 11743-7702 | A7450.4001 | \$415,134.00 |
| WHALING MUSEUM SOCIETY, INC. P.O. Box 25 Cold Spring Harbor, New York 11724 | A7460.4003 | \$25,000.00 |
| HUNTINGTON HISTORICAL SOCIETY 209 Main Street Huntington, New York 11743 | A7460.4004 | \$55,000.00 |
| NORTHPORT HISTORICAL SOCIETY P.O. Box 545 Northport, New York 11768 | A7460.4005 | \$17,500.00 |
| GREENLAWN/CENTERPORT HISTORICAL ASSOCIATION, INC. P.O. BOX 354 Greenlawn, New York 11740 | A7460.4006 | \$ 2,000.00 |
| WALT WHITMAN BIRTHPLACE ASSOCIATION, INC. 246 Walt Whitman Road Huntington Station, New York 11746 | A7460.4007 | \$22,500.00 |
| HUNTINGTON LIGHTHOUSE PRESERVATION SOCIETY P.O. Box 2454 Halesite, New York 11743 | A7460.4009 | \$ 5,000.00 |
| CINEMA ARTS CENTRE 423 Park Avenue Huntington, NY 11743 | A7460.4057 | \$10,000.00 |

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating Budget as follows:

Decrease the following appropriation:

A9030-8020 Social Security Tax (\$10,000.00)

Increase the following appropriation:

A7460-4057 Cinema Arts Centre \$10,000.00

2011-2

VOTE AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011- 3

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH JOHNSON ELECTRICAL CONSTRUCTION CORP. FOR THE TRAFFIC SIGNAL IMPROVEMENTS ON WOLF HILL ROAD, NEW YORK.

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Department of Transportation and Traffic Safety is responsible for maintaining and upgrading traffic signals in order to ensure their proper operation and its critical effects on public safety; and

WHEREAS, a traffic study conducted for the Town of Huntington by VHB Engineering recommended that all traffic signals on Wolf Hill Road be reconstructed due to the age of existing signal equipment and lack of compliance with the Manual on Uniform Traffic Control Devices (MUTCD); and

WHEREAS, the contract for traffic signal improvements on Wolf Hill Road includes equipment upgrade and complete rebuilding of four (4) local intersections, and furnishing and installing a wireless Ethernet based communication system for eight (8) local intersections; and

WHEREAS, the location of these traffic signal improvements is along Wolf Hill Road from Crandon Street to Winthrop Drive, and is located within the Hamlets of Dix Hills and Melville; and

WHEREAS, sealed bids were received on December 9, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the traffic signal improvements of Wolf Hill Road, Town of Huntington, New York and the same were opened publicly and read aloud; and

WHEREAS, Johnson Electrical Construction Corp., 263 Caleb's Path, Hauppauge, New York 11788 is the low bidder; and

WHEREAS, traffic signal improvements is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1),(c)(2)and (c)(16), 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 Johnson Electrical Construction Corp. The contract period shall be effective upon the execution of the contract for twelve (12) months for an amount not to exceed the sum of FOUR HUNDRED EIGHTY-THREE

*TRAFFIC SIGNAL IMPROVEMENTS AT WOLF HILL ROAD
PURCH/LF/
1/3/2011, 4:02 PM*

2011- 3

THOUSAND FIVE HUNDRED FIVE AND 50/100 (\$483,505.50) DOLLARS, to be charged to TT3397-2775-10303 and TT3397-2775-09303, 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 Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-4

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE PROVISION OF DRUG TREATMENT AND PREVENTION SERVICES

Resolution for Town Board Meeting Dated: January 11, 2011

The following Resolution was offered by: COUNCILWOMAN JACKSON

and Seconded by: COUNCILWOMAN BERLAND

WHEREAS, Drug Treatment and Prevention services are provided to Town residents through the Huntington Youth Bureau's Licensed Drug and Alcohol Program; and

WHEREAS, funding is available from the Suffolk County Department of Health for the provision of such services; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the County of Suffolk Department of Health Services setting forth the terms and conditions for the provision of Drug Treatment and Prevention Services for the period commencing January 1, 2009 and terminating December 31, 2011 in an amount not to exceed the sum of SIX HUNDRED SIXTY THREE ONE HUNDRED SIXTY-NINE AND NO/100 (\$663,169.00) DOLLARS to be charged to Operating Budget Item A3831 for budget period 2011 and upon such 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 Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-5

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR STATE AID FOR THE YOUTH BUREAU ADMINISTRATION, YOUTH AND FAMILY SERVICES AND RUNAWAY HOMELESS YOUTH SERVICES FOR 2011.

Resolution for Town Board Meeting dated: January 11, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

And seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Town of Huntington provides youth and family services for Town residents such as counseling services, runaway youth services, parenting workshops, homework help, recreational programs, employment and career planning, college prep and conflict resolution training within the Town's school districts; and

WHEREAS, the Town of Huntington Youth Bureau is eligible to apply for funds from the New York State Office of Children and Family Services for programs covered under the Comprehensive Youth Services Plan in the amount of TWO HUNDRED TWENTY NINE THOUSAND EIGHT HUNDRED SIXTY-SIX AND NO/100 (\$229,866.00) DOLLARS for the Youth Bureau Administration, Youth and Family Services and Runaway Homeless Youth for the period commencing January 1, 2011 and ending December 31, 2011 and

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

WHEREAS, applying for and receiving funding is not an action as defined 6N.Y.C.R.R., Section 617.2(b) and therefore no further SEQR review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funding in the amount of TWO HUNDRED TWENTY NINE THOUSAND EIGHT HUNDRED SIXTY-SIX AND NO/100 (\$229,866.00) DOLLARS on behalf of the Youth Bureau for the Youth Bureau Administration of \$34,650.00, Youth and Family Services of \$170,510.00, and Runaway and Homeless Youth Services of \$24,706.00, for the period commencing January 1, 2011 and ending December 31, 2011 from the New York State Office for Children and Family Services and to execute any documents in connection therewith upon such terms and conditions as approved by the Town Attorney; and

2011 - 5

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating Budget to reflect additional funding provided by the State as follows:

Increase the following revenue:

| | | |
|-------|---------------------------|------------|
| A3820 | State Aid- Youth Bureau | \$1,207.00 |
| A3821 | State Aid- Youth Services | 720.00 |

Increase the following appropriation:

| | | |
|------------|---------------------------------------|------------|
| A7310-1150 | Youth Bureau Admin-Part Time Salaries | \$1,207.00 |
| A7320-4001 | Contractual Agreements-Youth Services | 720.00 |

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-6

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE REQUIREMENTS CONTRACTS WITH SYOSSET TRUCK SALES, INC. FOR INTERNATIONAL TRUCK REPAIRS AND PARTS AND EDWARD EHRBAR, INC. FOR KOMATSU HEAVY EQUIPMENT REPAIRS AND PARTS.

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the maintenance of Town trucks and heavy equipment is occasionally required in order to facilitate efficiency of services and prolong the life expectancy of the equipment and vehicles; and

WHEREAS, sealed bids were received on December 2, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the International Truck and Komatsu Heavy Equipment Parts and Repair, Bid No. TOH 10-12R-089 and the same were opened publicly and read aloud; and

WHEREAS, Syosset Truck Sales, Inc., 1561 Stewart Ave, Westbury, New York 11590 is the lowest responsive bidder for International truck repairs and parts and Edward Ehrbar, Inc., 4 Executive Plaza Suite 155, Yonkers New York 10701 is the lowest responsive bidder for Komatsu repairs and parts; and

WHEREAS, the purchase of International truck and Komatsu heavy equipment parts and repair is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Syosset Truck Sales, Inc. for the International truck parts and repairs and Edward Ehrbar, Inc for Komatsu heavy equipment parts and repair. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various Operating Budgets of various departments of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

*International Truck and Komatsu Heavy Equipment
Parts and Repair
PURCH/LF/
12/29/2010,9:47 AM*

2011- 7

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT WITH ATLANTIC WELLS, INC. FOR THE WELL PUMP AND MECHANICAL MAINTENANCE 2011 FOR THE DIX HILLS WATER DISTRICT.

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the work to be done under this contract consists of furnishing all materials, labor and equipment necessary for well, pump and mechanical repairs and maintenance. The work includes but is not limited to, preventive, regular and emergency maintenance for wells, pumps, booster pumps, emergency generators, and related equipment, inspection of the District's wells, pumps, valves, elevated storage tanks, ground storage tanks, booster pump stations and emergency generators, and repairs to mechanical equipment, wells, pumps, valves, generators, piping, hydrants, tanks and other related facilities; and

WHEREAS, the Dix Hills Water District is a public water utility with thousands of residents who are dependent on the water utility. Preventative maintenance and emergency repairs are a necessity to have in place for a public water utility. Dix Hills Water District has eleven (11) well sites, two (2) elevated towers and one (1) underground storage tank. This requirements contract will provide preventative maintenance and provide emergency repairs on an as needed basis to keep the water utility operating in good working order; and

WHEREAS, sealed bids were received on December 30, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the well pump and mechanical maintenance 2011 for the Dix Hills Water District, Contract No. DHWD 2011-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, Atlantic Wells, Inc., 58 Fairfields Lane, Huntington Station, NY 11746 is the low bidder; and

WHEREAS, the well pump and mechanical maintenance for the Dix Hills Water District is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with Atlantic Wells, Inc. for the well pump and mechanical maintenance for the Dix Hills Water District. The contract period shall be effective upon the execution of the contract until December 31, 2013, to be charged to operating fund SW1-8321-4510, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-7

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 8

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT WITH WIRE TO WATER, INC. FOR THE ELECTRICAL MAINTENANCE FOR THE DIX HILLS WATER DISTRICT.

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the work to be done under this contract consists of furnishing all materials, labor and equipment necessary to complete all electrical work in accordance with the specifications, conduct inspections, testing and preventive maintenance on all electrical and control equipment, including the SCADA system, at all Dix Hills Water District well sites including new facilities, new booster station, standby diesel generator, and ground storage tanks; and

WHEREAS, Dix Hills Water District is a public water utility with thousands of residents who are dependent on the water utility. Preventative maintenance and emergency repairs are a necessity to have in place for a public water utility. Dix Hills Water District has eleven (11) well sites, two (2) elevated towers and one (1) underground storage tank. This requirements contract will provide preventative maintenance and emergency repairs on an as needed basis to keep the water utility operating in good working order. Additionally, this contract will allow the Dix Hills Water District to be compliant with the latest NYSDEC and Suffolk County Health Department regulations for numerous requirements including furnishing and installing new caustic soda tank monitoring devices at various locations; and

WHEREAS, sealed bids were received on December 30, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the electrical maintenance for the Dix Hills Water District, Contract No. DHWD 2011-02/O-E and the same were opened publicly and read aloud; and

WHEREAS, Wire to Water, Inc., 136 Gazza Boulevard, Farmingdale, NY 11735 is the low bidder; and

WHEREAS, electrical maintenance for the Dix Hills Water District is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with Wire to Water, Inc. for the electrical maintenance for the Dix Hills Water District. The contract period shall be effective upon the execution of the

2011- 8

contract until December 31, 2013, to be charged to SW1-8321-4510 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-9

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
HOLZMACHER, MCLENDON & MURRELL, P.C. FOR 2011 ANNUAL RETAINER
SERVICES FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by **COUNCILWOMAN JACKSON**

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (H2M Group) has been the consultant to the Dix Hills Water District for over 45 years, and

WHEREAS, Holzmacher, McLendon & Murrell, P.C. has successfully performed this work in the past and has now submitted a proposal for 2011 Retainer Services acceptable to the Department of Engineering Services, and

WHEREAS, pursuant to SEQRA, 6NYCRR, Part 617.5(c)(20), routine or continuing agency administration and management is a Type II action and, therefore, no further review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an agreement with Holzmacher, McLendon & Murrell, P.C. (H2M Group), 575 Broad Hollow Road, Melville, New York 11747 for 2011 retainer services for the Dix Hills Water District; for an annual fee not to exceed FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS, to be charged to Operating Budget Item No. SW1-8321-4550.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-10

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
H2M LABS, INC. FOR THE PROVISION OF 2011 ANNUAL LABORATORY
SERVICES FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by **COUNCILWOMAN JACKSON**

WHEREAS, the Dix Hills Water District is required to provide water quality testing at regular intervals for specified routine and special program parameters, and

WHEREAS, H2M Labs, Inc. is a local laboratory certified by the New York State Health Department to provide all of the testing required by law for the Dix Hills Water District, and

WHEREAS, H2M Labs, Inc. has satisfactorily provided this service to the Dix Hills Water District for over forty five years, and

WHEREAS, water quality studies are a Type II action pursuant to SEQRA, 6 NYCRR §617.5(c)(18) and (20), and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an agreement with H2M Labs, Inc., 575 Broad Hollow Road, Melville, New York 11747 for provision of 2011 annual laboratory services for the Dix Hills Water District for an annual estimated fee not to exceed THIRTY FIVE THOUSAND AND NO/100 (\$35,000.00) DOLLARS to be charged to Operating Budget Item SW1-8321-4550, for services to include routine well and distribution testing and additional special testing as authorized by the Director of Engineering Services.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS:0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- //

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE HUNTINGTON COMMUNITY FIRST AID SQUAD, INC., FOR EMERGENCY MEDICAL AND AMBULANCE SERVICES TO THE HUNTINGTON COMMUNITY AMBULANCE DISTRICT

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, funding in the amount of ONE MILLION SEVEN HUNDRED THIRTY THREE THOUSAND FIVE HUNDRED AND NO/100 (\$1,733,500.00) DOLLARS has been allocated for the Huntington Community Ambulance District in the 2011 Operating Budget Item SM2-4542.4001; and

WHEREAS, the Huntington Community First Aid Squad, Inc., has provided emergency medical and ambulance services to the Huntington Community Ambulance District; and

WHEREAS, it is in the best interests of the residents of said district to continue to receive such services from the Huntington Community First Aid Squad, Inc.; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Town Board, on behalf of the Huntington Community Ambulance District to execute an agreement with the Huntington Community First Aid Squad, Inc. for emergency medical and ambulance services for the term beginning January 1, 2011 and ending December 31, 2011, at a cost of ONE MILLION SEVEN HUNDRED THIRTY THREE THOUSAND FIVE HUNDRED AND NO/100 (\$1,733,500.00) DOLLARS to be charged to 2011 Operating Budget Item SM2-4542.4001 in two equal installments to be submitted by voucher on February 28, 2011 and June 30, 2011, 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 |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-12

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMACK VOLUNTEER AMBULANCE CORPORATION FOR EMERGENCY MEDICAL AND AMBULANCE SERVICES TO THE COMMACK AMBULANCE DISTRICT

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, funding in the amount of FOUR HUNDRED FIFTY TWO THOUSAND EIGHT HUNDRED THIRTY FIVE AND NO/100 (\$452,835.00) DOLLARS has been allocated for the Commack Ambulance District in the 2011 Operating Budget Item SM1-4541.4001; and

WHEREAS, the Commack Volunteer Ambulance Corporation has provided emergency medical and ambulance services to the Commack Ambulance District; and

WHEREAS, it is in the best interests of the residents of said district to continue to receive such services from the Commack Volunteer Ambulance Corporation; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Town Board, on behalf of the Commack Ambulance District, to execute an agreement with the Commack Volunteer Ambulance Corporation for emergency medical and ambulance services for the term beginning January 1, 2011 and ending December 31, 2011, at a cost of FOUR HUNDRED FIFTY TWO THOUSAND EIGHT HUNDRED THIRTY FIVE AND NO/100 (\$452,835.00) DOLLARS to be charged to 2011 Operating Budget Item SM1-4541.4001 in two equal installments to be submitted by voucher on February 15, 2011 and August 1, 2011, 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 |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-13

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT FOR THE PROVISION OF CONSULTING SERVICES FOR TOWN AND BOARD OF TRUSTEES PROPERTY AND CONTRACT/FRANCHISE MATTERS

Resolution for Town Board Meeting Dated: January 11, 2011

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

WHEREAS, the Town Board believes that professional property consulting services has enhanced the management of Town and Board of Trustees properties and contract/franchise matters; and

WHEREAS, the Town Board is desirous of retaining the services of a consultant to insure the continued improvement of the management of such properties and contract/franchise matters; and

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute an agreement with Robert G. Fonti, 40 Spring Hill Road, Cold Spring Harbor, New York 11724, for consulting services for Town and Board of Trustees property and contract/franchise matters, for a period of one (1) year commencing on January 1, 2011 and terminating on December 31, 2011, for an amount not to exceed SIXTY TWO THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$62,400.00) to be charged to Operating Budget Item C1950-4550, 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 |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-14

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HILL'S PET NUTRITION, INC., FOR THE PROVISION OF SCIENCE DIET PET FOOD TO THE HUNTINGTON ANIMAL SHELTER.

Resolution for Town Board Meeting dated: January 11, 2011

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Hill's Pet Nutrition, Inc., and the Huntington Animal Shelter desire to enter into an arrangement whereby Hill's Pet Nutrition Inc., 400 SW 8th Street, Topeka, Kansas 66603 provides its "Science Diet" foods exclusively to the cats and dogs being cared for by the Shelter, and also provides small bags of "Science Diet" for distribution to each adopted cat and dog; and

WHEREAS, Hill's Pet Nutrition, Inc. has agreed to provide all pet food free of charge with the exception of shipping costs; and

WHEREAS, the Huntington Animal Shelter has agreed to pay thirty-five (\$.35) cents per pound of pet food for shipping and handling costs; and

WHEREAS, pursuant to SEQRA 6NYCRR Part 617.5(c)(20) this action is a Type II action not subject to further review.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Hill's Pet Nutrition, Inc., for the provision of complimentary pet food to the Huntington Animal Shelter, for a term of two years from the effective date of the agreement and renewable for an additional year, unless otherwise terminated, in accordance with such terms and conditions as may be acceptable to the Town Attorney with shipping costs to be charged to Operating Budget Item A3510-4760.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-15

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF HUNTINGTON ECONOMIC DEVELOPMENT CORPORATION

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, via Town Board Resolution 2003-353, the Huntington Town Board authorized the formation of the Town of Huntington Economic Development Corporation; and

WHEREAS, via Town Board Resolution 2004-510, the Town Board accepted and adopted the Town of Huntington Economic Developments Corporation's report recommending various community-inspired projects in Huntington Station; and

WHEREAS, the Town Board wishes to enter into an agreement with the Town of Huntington Economic Development Corporation to continue to assist the Town in the realization of these projects and other economic development initiatives throughout the Town; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Town of Huntington Economic Development Corporation, commencing on January 1, 2011 and terminating on December 31, 2011, for services related to assisting the Town in the enhancement of economic development, in an amount not to exceed THIRTY FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00), to be charged to Operating Budget Item A8684-4043, 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 |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011 - 16

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: January 11, 2011

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

And seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Town of Huntington under the Federal Housing and Community Development Act of 1974, is eligible to receive an estimated ONE MILLION ONE HUNDRED THIRTY THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$1,130,180.00) AND 00/100 in Entitlement Funds available for fiscal year 2011; and

WHEREAS, the Town Board of the Town of Huntington held a public hearing on the 14th day of December, 2010 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 2011; and

WHEREAS, the authorization for submission of an application for Community Development Block Grant funding is a type II action pursuant to six N.Y.C.R.R. section 617.5 (c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to submit an Application on behalf of the Town of Huntington for an entitlement grant of Community Development Funds in the estimated amount of ONE MILLION ONE HUNDRED THIRTY THOUSAND ONE HUNDRED EIGHTY DOLLARS (\$1,130,180.00) 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.

2011 - 16

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-17

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT AND RECEIVE FUNDING FROM THE COMMUNITY DEVELOPMENT CORPORATION OF LONG ISLAND FOR THE BETTER BUILDINGS ENERGY EFFICIENCY RETROFIT ASSISTANCE AND FINANCING PROGRAM

Resolution for Town Board Meeting dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the United States Department of Energy awarded American Recovery Reinvestment Act of 2009 ("ARRA") funding through the Better Buildings Grant Program to New York State Energy Research and Development Authority (NYSERDA) to promote innovative programs that encourage the energy conservation improvements to homes and businesses that can reduce utility costs and cut green house gas emissions; and

WHEREAS, the Better Buildings Grant was awarded to NYSERDA to fund the statewide Green Jobs-Green New York Program ("Better Buildings/GJ-GNY") that offers comprehensive energy audits and low cost loans for homes, small businesses and not-for-profit organizations seeking to undertake energy efficiency retrofits; and

WHEREAS, Community Development Corporation of Long Island (CDCLI), 2100 Middle Country Road, Suite 300, Centereach, NY 11720 was selected by NYSERDA as the local administrator on behalf of the Long Island Green Homes and Buildings Consortium as the local administrator for the Better Buildings grant; and

WHEREAS, the Town is a member of the Long Island Green Homes and Buildings Consortium, comprised of seven towns in Nassau and Suffolk counties and the Sustainability Institute at Molloy College; and

WHEREAS, the Town currently offers energy efficiency and retrofit guidance to its residents free-of-charge, through the Huntington EECO Homes Program, which is the ideal vehicle to refer residents to the Better Buildings/GJ-GNY program for home energy audit assistance and retrofit financing; and

WHEREAS, as a member of the CDCLI, the Town has been allocated funding of \$100,000 for this marketing and outreach program and \$100,000 for the next two years based on the prior years marketing and outreach efforts and an acceptable plan for each year; and

WHEREAS, authorization of the commencement of legal actions is a Type II action pursuant to 6 N.Y.C.R.R. S617.5(c)(29) and therefore, no further SEQRA review is required.

2011-17

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to receive the sum of ONE HUNDRED THOUSAND AND NO/100 (\$100,000.00) DOLLARS per year for a three year period for a total of THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) DOLLARS and to execute an agreement and any other documents in connection and related herewith with the Community Development Corporation Of Long Island (CDCLI), to conduct a townwide outreach and marketing campaign in conjunction with the Green Jobs-Green New York, Better Buildings program upon such terms and conditions as approved by the Town Attorney; and

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating Budget for the grant as follows:

Increase the following revenue:

| | | |
|-------|-------------------------------------|--------------|
| A4641 | Federal Aid- Home Energy Assistance | \$100,000.00 |
|-------|-------------------------------------|--------------|

Increase the following appropriation:

| | | |
|------------|----------------------|-----------------|
| A1440-1100 | Full Time Salaries | \$ 15,000.00 |
| A1440-1150 | Part Time Salaries | 30,000.00 |
| A1440-4400 | Travel | 2,000.00 |
| A1440-4550 | Outside Professional | 20,000.00 |
| A1440-4600 | Equipment | 3,000.00 |
| A1440-4700 | Advertising | 20,000.00 |
| A1440-8020 | Fica Expense | 3,400.00 |
| A1440-8021 | MTA Tax | 150.00 |
| A9010-8010 | State Retirement | 4,450.00 |
| A9060-8070 | Health Insurance | <u>2,000.00</u> |
| | | \$100,000.00 |

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-18

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT TO SPEND TOWN
HIGHWAY FUNDS FOR CALENDAR YEAR 2011

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the execution of an agreement to spend Town Highway funds is a type II action pursuant to 6NYCRR §617.5(c)(20) & (25) and therefore no further SEQRA review is required.

THE TOWN BOARD, pursuant to §284 of Highway Law,

HEREBY AUTHORIZES the execution by the Supervisor, Councilpersons and Superintendent of Highways, of an agreement to spend Town Highway Funds for the calendar year 2011, in amounts not to exceed the following:

ELEVEN MILLION NINE HUNDRED SEVENTY THOUSAND SEVEN HUNDRED SIXTY-FIVE AND NO/100 (\$11,970,765.00) DOLLARS for general repairs upon 802 miles of town highways, to be disbursed in accordance with the detailed appropriations set forth in the 2011 Operating Budget Item DB-5110 Highway Repairs; and

ONE MILLION THREE HUNDRED TWENTY THOUSAND EIGHT HUNDRED TWENTY AND 63/100 (\$1,320,820.63) DOLLARS in New York State CHIPS funding (based upon receipt of said funding from the NYSDOT), to be charged n the 2011 Operating Budget Item DB5112-2000 Capital Highway Improvement Program for roadway improvements.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 - 19

RESOLUTION AUTHORIZING THE CONTINUED RETENTION OF OUTSIDE COUNSEL (BESEN AND TROP, L.L.P., ELLEN SCHAFFER, ESQ. AND JAMES MATTHEWS, ESQ.)

Resolution for Town Board Meeting Dated: January 11, 2011

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

And seconded by: **COUNCILWOMAN JACKSON**

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

WHEREAS, it would be in the best interest of the Town to continue the legal services of Besen and Trop, L.L.P. and Ellen Schaffer, Esq. to assist the Office of the Town Attorney and to assist and advise the Town Board on matters including, but not limited to enforcement proceedings, general liability, land use, real estate and personal injury litigation and

WHEREAS, to insure continuity of legal representation and protect the interests of the Town, it is in the best interest of the Town to continue the legal services of James Matthews, Esq., as special counsel to the Huntington Zoning Board of Appeals and the Huntington Board of Ethics; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the retention of Besen and Trop, L.L.P., 825 East Gate Boulevard, Garden City, New York 11530 at an hourly rate of ONE HUNDRED SEVENTY-FIVE AND NO/100 (\$175.00) DOLLARS to assist the Town Attorney and advise the Town Board on enforcement proceedings, general liability, land use, real estate, personal injury litigation, and such other matters as may be referred from time to time to be charged to Operating Budget Line Item No. A1420-4551 (Outside Professional-Legal), on such terms and conditions as may be acceptable to the Town Attorney ; and

FURTHER AUTHORIZES the retention of Ellen Schaffer, Esq., 6 Cold Spring Lane, Huntington, New York 11743, for the year 2011 to assist the Town Attorney in such matters as may be referred to her including but not limited to real estate transactions, general litigation, negligence, and enforcement proceedings at a cost not to exceed the amount of THIRTY THOUSAND AND NO/100 (\$30,000.00) DOLLARS to be charged

2011-20

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILMAN CUTHBERTSON**

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

WHEREAS, the 2011 Adopted Budget included reductions of payroll costs based on the Retirement Incentive Program, Part A and Part B authorized by Chapter 105 of the Laws of the New York adopted on Town Board Resolution 2010-353; and

WHEREAS, certain projections and estimates were made in the 2011 Adopted Budget as to the number and nature of vacancies expected to be created by the retirement incentive; and

WHEREAS, budgeted positions have been reconciled from the estimate to the actual number of retirees and require budget amendments to restore, eliminate and/or reclassify positions in order to continue essential Town services; and

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

WHEREAS, amending the 2011 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

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2011 Operating Budget as per the attached schedule A:

VOTE: AYES: 4 NOES: 0 ABSTENTIONS: 1

| | |
|--------------------------------|----------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | ABSTAIN |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**Town of Huntington
Schedule A**

2011-20

Create the following positions:

| | | |
|---------------|-----------------------------|-----------|
| A-1330-1100 | Account Clerk Typist | 34,771 |
| A-1355-1100 | Senior Clerk | 52,244 |
| A-1420-1100 | Clerk Typist | 42,191 |
| A-1430-1100 | Clerk Typist | 30,256 |
| A-1621-1100 | Auto Equipment Operator | 60,736 |
| A-1621-1100 | Custodial Worker I | 29,339 |
| A-1621-1100 | Custodial Worker I | 29,339 |
| A-1621-1100 | Dispatcher | 63,678 |
| A-1621-1100 | Labor Crew Leader I | 75,342 |
| A-1621-1100 | Maintenance Mechanic II | 69,231 |
| A-1625-1100 | Auto Mechanic I | 56,164 |
| A-1625-1100 | Auto Mechanic II | 71,869 |
| A-3621-1100 | Ordinance Inspector | 60,503 |
| A-7183-1100 | Auto Mechanic III | 72,574 |
| A-7183-1100 | Heavy Equipment Operator II | 69,231 |
| A-7450-1100 | Senior Stenographer | 66,456 |
| A-7183-1100 | Heavy Equipment Operator II | 69,231 |
| B-4020-1100 | Clerk Typist | 30,256 |
| SR-8158-1100 | Senior Clerk Typist | 41,834 |
| SS1-8131-1100 | Heavy Equipment Operator II | 54,091 |
| | | 1,079,336 |

Abolish the following budgeted positions:

| | | |
|---------------|---------------------------------|-------------|
| A-1330-1100 | Senior Account Clerk Typist | (54,303) |
| A-1355-1100 | Clerk Typist | (35,759) |
| A-1420-1100 | Assistant Town Attorney | (74,936) |
| A-1430-1100 | Administrative Assistant | (54,080) |
| A-1621-1100 | Automotive Equipment Operator | (17,308) |
| A-1621-1100 | Automotive Equipment Operator | (17,308) |
| A-1621-1100 | Custodial Worker III | (75,342) |
| A-1621-1100 | Laborer | (58,332) |
| A-1625-1100 | Auto Mechanic III | (72,574) |
| A-1625-1100 | Dispatcher | (53,526) |
| A-3621-1100 | Zoning Inspector | (60,503) |
| A-7183-1100 | Auto Equipment Operator | (63,923) |
| A-7183-1100 | Labor Crew Leader I | (75,342) |
| A-7183-1100 | Laborer | (56,815) |
| A-7183-1100 | Maintenance Mechanic IV | (77,178) |
| B-4020-1100 | Senior Clerk | (58,864) |
| C-1950-1100 | Special Assistant Town Attorney | (37,664) |
| SR-8158-1100 | Account Clerk | (29,370) |
| SS1-8131-1100 | Auto Equipment Operator | (63,923) |
| | | (1,037,050) |

**Town of Huntington
Schedule A**

2011-20

Reinstate the following budgeted positions:

| | | |
|--------------|-------------------------|---------|
| A-1316-1100 | Payroll Supervisor | 43,617 |
| A-1410-1100 | Senior Clerk Typist | 39,312 |
| A-1420-1100 | Confidential Secretary | 61,368 |
| A-1621-1100 | Maintenance Mechanic II | 54,091 |
| A-1621-1100 | Maintenance Mechanic IV | 77,178 |
| A-1621-1100 | Auto Equipment Operator | 60,736 |
| A-1625-1100 | Auto Mechanic IV | 82,079 |
| A-3010-1100 | Guard II | 34,616 |
| A-5630-1100 | Auto Mechanic I | 37,191 |
| A-5630-1100 | Bus Driver | 66,593 |
| A-5630-1100 | Bus Driver | 66,593 |
| A-5630-1100 | Dispatcher | 34,615 |
| A-7310-1100 | Account Clerk Typist | 39,160 |
| B-3620-1100 | Chief Fire Marshall | 86,745 |
| B-4020-1100 | Account Clerk Typist | 39,160 |
| SL-5182-1100 | Maintenance Mechanic IV | 65,550 |
| SR-8158-1100 | Auto Mechanic III | 62,689 |
| SR-8158-1100 | Laborer (Refuse) | 37,192 |
| | | 988,485 |

Adjust the following appropriations:

| | | |
|-------------|----------------------------|----------|
| A-1220-4550 | Outside Professional | 30,000 |
| A-1420-1150 | Permanent Part Time | (30,000) |
| A-1420-4551 | Outside Professional-Legal | 92,000 |
| A-8170-4001 | Contractual Agreement | (80,000) |
| B-1420-4551 | Outside Professional-Legal | 63,000 |
| | | 75,000 |

Adjust the following Appropriations:

| | | |
|---------------|-------------|-------------|
| A-1990-1100 | Contingency | (815,075) |
| B-1990-1100 | Contingency | (160,297) |
| C-1990-1100 | Contingency | 37,664 |
| SL-1990-1100 | Contingency | (65,550) |
| SR-1990-1100 | Contingency | (112,345) |
| SS1-1990-1100 | Contingency | 9,832 |
| | | (1,105,771) |

2011-21

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET AND APPROPRIATE FUND BALANCE FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – CULTURAL AFFAIRS (PUBLIC ART INITIATIVE)

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILWOMAN JACKSON

WHEREAS, the Public Art Initiative (A-7460.4012) fund held an unobligated balance of FIFTY-TWO THOUSAND THREE HUNDRED THIRTY-FIVE AND 34/100 (\$52,335.34) DOLLARS at the end of 2010, and;

WHEREAS, the Public Art Plan recommended by the Public Art Advisory Committee is expected to be approved by the Town Board to proceed with its implementation; and

WHEREAS, the Public Art Advisory Committee recommends that these unobligated Public Art Initiative funds be made available for implementation of the approved Public Art Plan; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate fund balance and amend the 2011 Operating Budget as follows:

Increase the following Revenue:

| | | |
|---------|---------------------------|--------------|
| A-0599R | Appropriated Fund Balance | \$ 52,335.34 |
|---------|---------------------------|--------------|

Increase the following Appropriation:

| | | |
|------------|-----------------------|--------------|
| A7460-4012 | Public Art Initiative | \$ 52,335.34 |
|------------|-----------------------|--------------|

2011-21

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-22

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF HUNTINGTON AND/OR THE UNIFORM CODES OF THE STATE OF NEW YORK

Resolution for Town Board Meeting Dated: January 11, 2011

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

And seconded by: **COUNCILMAN CUTHBERTSON**

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 Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2010-22

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> |
|--------------------------------------|---------------------------|---------------|------------|------------------------|
| Deer Park Rd. Dix Hills, NY 11746 | 0400-247.00-03.00-032.000 | Carl Cemetery | 12/09/2010 | N/A |

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

| <u>PROPERTY ADDRESS</u> | <u>SCTM#</u> | <u>OWNER</u> | <u>NOV</u> | <u>MAILING ADDRESS</u> |
|-------------------------------------|---------------------------|-----------------------------|------------|--|
| MacKenzie Ct. Melville, NY 11747 | 0400-273.00-03.00-034.009 | *Half Hollow Estates LLC | 11/09/2010 | 235 Brookside Dr. Hauppauge, NY 11788 |
| MacKenzie Ct. Melville, NY 11747 | 0400-273.00-03.00-034.009 | *Rudolph Meierott | 11/09/2010 | 99 W. Farm Dr. Melville, NY 11747 |

*More than one owner and/or address listed for this property

2011 - 23

RESOLUTION ACCEPTING THE DEDICATION OF A PARCEL OF LAND FOR
HIGHWAY PURPOSES FOR THE SUBDIVISION KNOWN AS JAKE N. ASH PLAT.

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the application for the development of the subdivision map known as
JAKE N. ASH PLAT was granted conditional final approval by the Huntington Planning
Board on October 3, 2008; and

WHEREAS, conditions of the Planning Board approval included the dedication of
a parcel of land for highway purposes; 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 parcel of land for highway purposes for
the subdivision known as JAKE N. ASH PLAT.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-24

RESOLUTION APPROVING A 2010-11 PUBLIC ART PLAN AND AUTHORIZING THE PUBLIC ART ADVISORY COMMITTEE TO PROCEED WITH ITS IMPLEMENTATION

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILWOMAN JACKSON

WHEREAS, the Town Board adopted Resolution 2001-550 on September 25, 2001 approving Public Art Initiative Guidelines and an Administrative Plan, establishing a Public Art Advisory Committee, and appointing members thereto, and,

WHEREAS, the duly appointed Public Art Advisory Committee has submitted a recommended 2010-11 Public Art Plan in accordance with these guidelines; and,

WHEREAS, it is understood that annual expenditures for the Public Art Initiative cannot exceed the total of funds allocated by the Town Board for the Public Art Initiative (A-7460.4012) in the adopted annual Operating Budget and any subsequent modifications thereof, in combination with such other duly authorized Town or non-Town funds as may be secured for this purpose; and,

WHEREAS, it is further understood that any contract for artist services or permanent acquisition of artwork for the Town of Huntington's Public Art Initiative is subject to final approval by the Town Board; and,

WHEREAS, the approval of a public art plan 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, upon the recommendation of the Public Art Advisory Committee,

HEREBY APPROVES the 2010-11 Public Art Plan attached hereto and authorizes the Public Art Advisory Committee to take appropriate steps toward its implementation, including solicitation of related non-Town support, issuance of Requests for Qualifications (RFQ) and/or Requests for Proposals (RFP) as needed, formation of Artist Selection Panels as indicated, and preparation of any resulting artist contracts for final review and approval by the Town Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-24

Public art is a mirror that reflects the local environment, cultural values, and artistic vitality of the community in which it exists.

At its best, public art is more than just art installed in public places. It is a community-based process of dialogue, involvement, and participation. Public art enhances the quality of life for citizens by encouraging a heightened sense of place, enhancing a community's prestige, and enlivening the visual quality of the built environment.

– Lake Douglas, public art consultant
and former public art director at the Arts Council of New Orleans,
from “Public Art Funding” Americans for the Arts (Dec. 2000)

2011-24

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Front Cover (clockwise from the Town Seal):

- Sandy Farkas (Huntington Bay, NY); *Ferrous Equinous*, 2007; Welded steel & chain; Gift of the artist accepted by the Town in 2010.
- *From left to right:* Councilwoman Susan Berland, Supervisor Frank Petrone, native Huntington artist John Clement (Brooklyn, NY) and Councilman Mark Cuthbertson at the Town's June 2004 acceptance of *Intervals of Prime #3*, 2000; 3 1/2" steel pipe; as a gift from the Huntington Cultural Affairs Institute who purchased the work for the Town's public art collection entirely with private donations contributed for that purpose.
- Garin Baker (New Windsor, NY) in cooperation with Project Excel Arts Coordinator Chris Ricco and Project Excel teen apprentices Alex Bodner, Sarah Bregman, Morgan Brown, Jimmy Collins, Gina Fargnoli, Danielle Giangrasso, Jordan Gibbs, Jennifer Hainy, Jesse Hammel, Lindsay Larkin, Alyson Malico, Gabby Morales, Brenna Murdock, Greg Oh, Danni Reinbachs, Joselin Rodriguez, Matt Rueger, Paulina Stewart, Kim Stodinski, Brandon Wall, and Brit Wurtz; *Sailing in Huntington Bay*, 2009; Huntington Community Mural Project in Huntington Village
- "Autumn," a poem placard by Shanika Powell (Walt Whitman Hills High School, Grade 11, Age 16), 2010, with graphic design by AB Graphics; displayed in the interior advertising spaces of HART buses as part of the *Poetry for the HART* teen poetry project
- Irena Picchota-Wong (Huntington, NY); *Huntington Station Merge*, 2010; design for digitally printed 3 x 5' light pole banners; a cooperative project with the Huntington Station BID, Huntington Station.
- Michael Joseph Hibbard (Buffalo, NY); *Untitled #191*, 2008; Welded steel (painted); a temporary public art installation in Heckscher Park.

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TOWN OF HUNTINGTON – PUBLIC ART INITIATIVE
2010-11 Public Art Plan

GOALS

On September 25, 2001 the Town Board approved Resolution 2001-550 appointing a Public Art Advisory Committee and adopting a “Public Art Advisory Committee Guidelines and Administrative Plan.” These guidelines established the goals of the Public Art Initiative as follows:

The primary goals of the Public Art Initiative are to create a better visual environment for the citizens of the Town of Huntington, Suffolk County, to foster the integration of the design work of artists into the development of Town public works projects whenever appropriate and feasible, and to promote tourism and the economic vitality of the Town through an annual program for the enhancement of public spaces. Specifically the Public Art Initiative seeks:

- To further the mission and goals of the Town of Huntington by providing support and developmental opportunities for artists.
- To select artists for projects whose art and collaborative design efforts represent the highest level of quality and integrity.
- To select artists who will best respond to the distinctive characteristics of the project site and the community the project serves.
- To foster the incorporation of the art and design skills of artists in Town public works projects whenever feasible and appropriate.
- To select artists who can work successfully as members of the overall project design teams.
- To identify and encourage active participation in the Huntington community by artists of Huntington, Suffolk County, and Long Island.

To achieve these goals, the adopted guidelines call for the Public Art Advisory Committee to present for Town Board approval an annual Public Art Initiative Plan, including a prioritized list of prospective projects with estimated project budgets, as well as recommended design approaches and art selection processes for each project.

The following Plan has been developed for the calendar years 2010-11 and incorporates projects previously approved by the Town Board with adoption of the 2009 Public Art Plan but not completed, as well as projects newly recommended by the Committee. As with prior Public Art Plans, it is anticipated that not all of the proposed projects may be fully realized within this time period. However, their inclusion within the Public Art Plan permits advance planning with other Town Departments and community agencies toward their eventual realization.

Integration of Public Art With Planned Public Works Projects

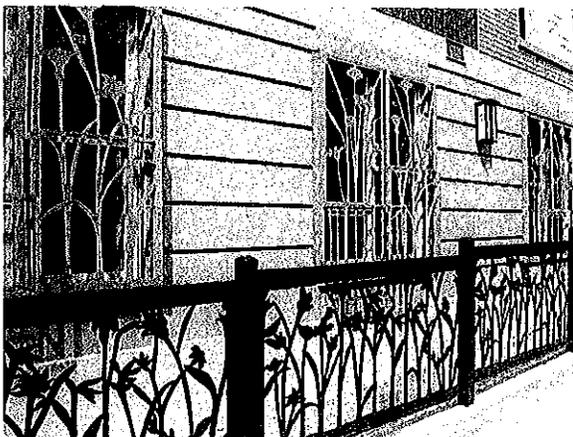
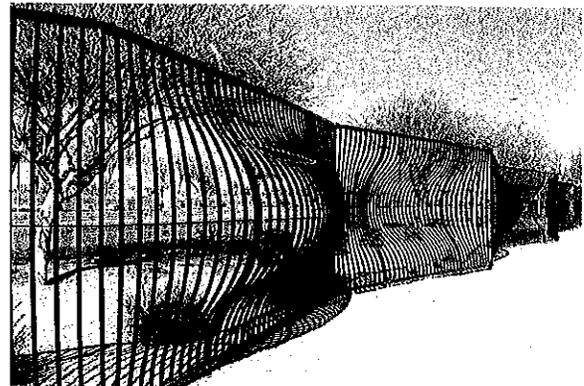
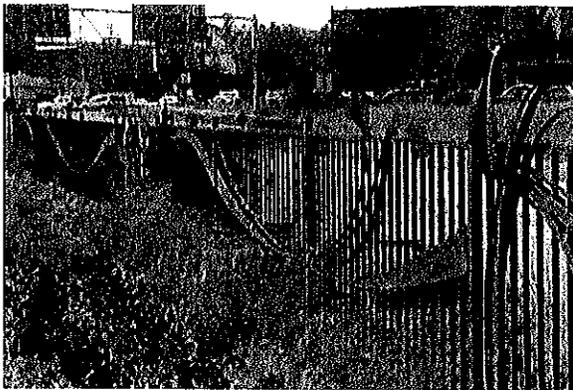
Although this Plan outlines ongoing or planned projects for the coming year, the reality of public art is that most major projects need to be planned and implemented on a multi-year basis. This is particularly true for public art that is integrated with planned public works projects. The goal of integrating public art with planned public works projects has been identified by the Town's Public Art Advisory Committee as an important operational objective necessary for the fulfillment of the mission of the Town's Public Art Initiative.

Benefits: Integration of public art with planned public works projects has numerous benefits:

1. Opportunities for incorporating public art directly into the project design, including planned functional elements and infrastructure of the public works project.
2. Opportunities for community participation in elements of the public art project design or implementation, enhancing resident "ownership" in planned public works projects and citizen support of community revitalization.
3. Greater cost efficiency and increased impact through the synergy of integration.

Examples:

1. Unique artist-designed fencing is one way to integrate public art with a routine infrastructure component in order to create or enhance a sense of place in the community.



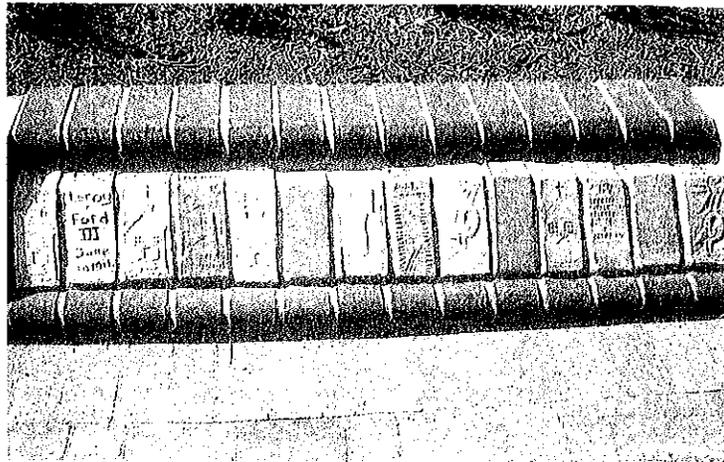
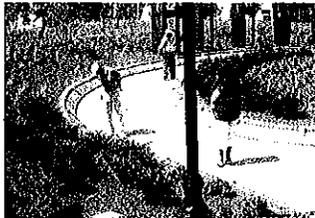
ABOVE LEFT: Lisa Elias; *Stream of Trailing Reeds*, 2006; Welded steel; Loring Bikeway, Minneapolis, MN

ABOVE: Al Price; *Sine Waves*, 2006; Steel fence pickets, concrete footings, Vulcan black powdercoat paint; Sky Harbor International Airport; Phoenix, AZ

LEFT: Beatrice Coron; *Wild Flowers*, 2009; Cut and painted metal; Melrose Commons, South Bronx, NY

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2. Development of Gateway Park in the Halls Hill/High View Park section of Arlington, VA provided an opportunity to commemorate the surrounding neighborhood through an integrated public art project entitled *Memory Bricks* (2005). Seven local creative youth in a summer employment program served as apprentices under the supervision of artist and neighborhood resident Winnie Owens-Hart in the creation of bricks with images symbolic of the community's predominantly African-American heritage. Three community events were also held where residents could customize their own bricks. The fired bricks were then used to line the oval walkway on the west side of the park as a visual reminder of the neighborhood's past.



3. Both of the above examples illustrate the cost efficiency of integrating public art projects with planned public works projects. In each, the existing materials budget for fencing and brick landscaping borders, respectively, were combined with modest public art funds in order to make a more substantial visual contribution enhancing the appearance and community value of the entire project.

Requirements for Integration: However, greater integration of public art with planned public works projects, and the achievement of these associated benefits, requires certain conditions for successful implementation:

1. Advance notice of upcoming public works projects.
2. Early coordination of public art planning with the public works design team.
3. The ability to reliably predict the availability of funding typically more than one year, and sometimes several years, in advance of the project.

Rationale:

1. Planning for integrated projects cannot occur if the Public Arts Advisory Committee does not have advance notice of public works projects well before they are actually constructed.
2. If public works project planning is completed before coordination with the Public Art Initiative is begun, then many opportunities for possible project integration may have already disappeared, limiting the outcomes. Selection of an appropriate project artist can also take as much lead time as selection of the project architect or engineer and thus is

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best begun either simultaneously or immediately thereafter. Delayed integration can also increase design and engineering costs and adversely impact construction schedules. If an artist's design proposal can be incorporated into the architect or engineer's construction documents, then any additional costs for the public art component can be minimized and its construction included integrally within vendor's bids and construction schedules without costly change orders. However, achievement of these objectives requires cooperation early in the design process.

3. Public works projects typically take several years of planning and construction prior to their successful completion. In order to integrate public art with such projects, a similar multi-year advance schedule is also required. Without some advance knowledge of project budget and available funding, this integrated public art planning cannot realistically proceed. Similarly, just as architects and engineers are paid to develop plans for public works projects sometimes more than a year or two in advance of the project, artists working on integrated public art projects are also paid for design work in advance of the completion of the public art component.

Recommended Actions: It is recommended that the Town Board take the following steps toward establishment of these conditions:

1. Direct appropriate Town staff to provide early notice of upcoming public works projects to the Public Art Advisory Committee.
2. Direct that public art planning be incorporated into the early design team work for appropriate public work projects.
3. Allocate appropriate funding in the Town's Capital budget for public art in order to provide a predictable multi-year funding source consistent with the public works projects with which the artwork will be integrated, optimally through a "percent for art" ordinance.

Rationale:

1. Staff knowledge that early notice of upcoming public works projects is endorsed by the Town Board would help to foster this necessary condition.
2. Similarly, Town Board endorsement of early cooperation with the Public Art Initiative during initial design team work would enhance project opportunities while facilitating maximum cost efficiencies.
3. Community Character Policy B.4 of *Horizons 2020*, the Town's Comprehensive Plan Update of December 2008, calls for the Town to "Maintain and improve the visual character of publicly owned and maintained landscapes within Huntington." "Building on Huntington's present public art program, introduce a 'percent for art' initiative for town capital improvement projects," is one of the "Action Strategies" recommended in Section B.4.5 of this Policy.

As permanent public improvements, most municipal public art programs nationwide are funded through the municipality's capital budget, in the same manner as the public works projects with which they are integrated. The most common allocation method is via a

2011-24

“percent for art” ordinance that mandates a certain percentage of the capital budget for eligible projects be set aside for public art enhancements. Mandated percentages range from 0.5% to 2%. Although the intention is generally to integrate public art with the public works project whose capital budget generates the associated funding, some latitude in application of the funding is desirable. The ability to pool funds from several sources for a larger public art project at a single location is often worthwhile, as is the ability to apply funds from a capital project with little public artwork potential (e.g. a sewer project) to a project with much greater public artwork potential (e.g. a new civic building). Although the predictability of a “percent for art” ordinance facilitates advance planning, a short-term, interim alternative is inclusion of public art funding in the capital budget for one or more selected “pilot” public art projects, prior to consideration of a more long-term “percent for art” ordinance.

PUBLIC ART PROJECT ZONES

The Public Art Advisory Committee has found it helpful to delineate five different *Public Art Project Zones* to focus thought about prospective public art project sites. Each zone has certain common elements that help to define its geographic and architectural character and shape its public use. They have been selected for their potential for providing appropriate sites for public art, based on this character and usage. However, these zones should be taken merely as starting points for evaluating and prioritizing existing and potential sites. The boundaries for each zone are loosely defined and may change over time. Indeed, the delineation of these zones should not preclude the possibility of identifying new zones and/or appropriate independent project sites in other areas of the Town.

1. Pedestrian Retail Districts

This zone is comprised of five distinct, geographically separate districts, linked only by common characteristics of usage and architectural scale. Typically encompassing a mix of retail, restaurant, and some public buildings, these “downtown” village districts, by their nature, encourage frequent pedestrian traffic:

- Cold Spring Harbor (Business Improvement District)
- Greenlawn (Broadway from Pulaski to the Harborfields Public Library and adjacent properties)
- Huntington Station (Business Improvement District & Revitalization Project Catchment Area)
- Huntington Village (Business Improvement District)
- Northport Village (Incorporated Village)

The districts within this zone provide significant opportunities for public art projects to enrich the public’s experience of these unique village areas. Integration of small-scale works into building facades, sidewalks, or alleys can provide visual surprises, humor, and/or historical references to the area. Murals, mosaics, and freestanding abstract or representational sculpture are among the many approaches that could be used successfully in this environment. Unique, artist-designed, architectural elements (e.g. artist-designed ceramic tiles, benches, planters, or streetlights) could also be created to enhance a district’s special character. Because of the pedestrian nature of this zone, artwork can frequently be of human scale, although work of monumental scale may be appropriate in selected locations.

2. Parks, Trails, Waterfront Areas, and Other Recreational Sites

Huntington’s parks, trails, waterfront areas, and other recreational sites are natural gathering points for the community engaged in leisure-time activities. Public artworks in these settings can enrich people’s experience in a variety of ways appropriate to both passive parkland and active recreational environments. Artist-designed functional elements (e.g. unique paths, benches, play equipment, or water features) can make a distinctive contribution to recreational areas, sometimes providing humorous, interactive, or restful elements to these environments. Public art can also provide a historical context or spiritual connection to the site, sometimes serving as gateways or contemplative spaces identified with its unique character. Earthworks, involving creative organization of landscape elements, are often particularly suited to the pastoral nature of sites in this zone, although other sculptural media

2011-24

can also be used successfully. Because this zone typically involves high levels of public access to sites that may be vulnerable to physical abuse or vandalism, works in this zone should typically be durable, safe, and require little maintenance.

3. Gateways

Entrances to Huntington provide opportunities to define public perception of the character of the community. Public art in this zone – embracing any of a wide range of approaches from abstract to representational – can provide references to the history of the Town, highlight aspects of its unique character, celebrate its diverse constituents, project visions of its future, or announce entry into the community with strikingly unique forms. A wide variety of media and/or design team approaches might be appropriate in this zone depending upon the character of each major gateway into the community.

4. The Transportation Network

Although Huntington is blessed with many pedestrian-friendly village areas, the experience that residents and visitors have with many areas of the Town is defined by its network of roads, parkways, expressways, and mass transit systems. Consequently, bus stops, benches, underpasses, overpasses, and light posts offer visual opportunities to enhance the traveler's journey. Artists can design benches, shelters, and light fixtures to reflect the identity or project images of the surrounding neighborhood. Murals or tile elements can enliven underpasses, and painted metal images can replace barriers on pedestrian bridges and overpasses. The HART bus system and the L.I.R.R. train stations (working in concert with the MTA) also offer unique opportunities for impacting the visual experience of the Town's travelers.

5. Route 110 Business Corridor

Characterized predominantly by privately owned, large-scale, office buildings with essentially no pedestrian traffic, this zone is fertile territory for large-scale public/private partnership projects supported substantially or entirely from non-Town sources. Such public/private projects could include either commissioned works or more temporary siting of works on long-term loan from area artists, or a combination of these methods. However, the architectural scale of the zone, and its accessibility primarily by vehicle, would typically require works of monumental scale using large bold forms, in order to have sufficient presence in this environment. Monumental freestanding sculpture, as well as large-scale works in two- or three-dimensional media – or even large-scale photographic or luminal works – applied or projected directly onto architectural facades are among the appropriate public art approaches in this zone.

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PRIORITIZATION OF PROJECTS

Projects have been ranked into three (3) different priority tiers reflecting the recommended urgency of their development:

Tier 1 includes projects that are either ongoing or recommended for immediate implementation,

Tier 2 includes less urgent projects that are recommended to begin active planning, and

Tier 3 projects are anticipated, but least urgent.

These rankings do not necessarily reflect a project's relative importance (i.e. a project with a distant start date or requiring considerable advance planning may be listed as Tier 2 or 3, even though it involves greater complexity, higher budget, and/or a more important site than some Tier 1 projects). Projects within the same tier are felt to be of roughly equal time priority; however, it is understood that this priority ranking is subject to change as new opportunities develop and as work on related public works projects progresses.

In addition, Committee has identified certain characteristics that tend to enhance the priority ranking of potential projects within the *Public Art Project Zones*:

- Projects in conjunction with upcoming public works construction. Incorporation of public art in the design and/or construction phases of such projects can often achieve public art goals with greater efficiency and cost effectiveness.
- Projects for which there is significant potential for substantial outside sponsorship, including public/private partnership projects and collaborative projects with other governmental agencies.

Previously, projects involving long-term loan of artworks, rather than acquisition, were also favored in order to maximize the initial impact of the limited amount of funding immediately available to the Public Art Initiative. However, changes in the Town's insurance coverage in recent years has increased the cost of securing fine art insurance coverage, making acceptance of works on loan a more costly option.

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STATUS SUMMARY OF 2009 PLAN PROJECTS

Before listing project recommendations for the 2010-11 Public Art Plan it is helpful to review the status of those projects approved in the 2009 Plan, particularly as some of these have been carried over into plans for the coming year:

Tier 1 (Ongoing or Imminent Projects)

- Huntington Village – Huntington Community Mural Project: (Zone 1) – *Estimated Cost: \$50,000, including materials and artist fees*

Status: Project completed and installed, with a dedication ceremony for “Sailing in Huntington Bay” (see cover) held on October 8, 2009. *Total expenditures: \$49,799.64*

- HART Bus System – Poetry for the HART: (Zone 4) – *Estimated Cost: \$2,500*

Status: Call for Entries issued in 2009 yielded 211 entries, from which 15 winning poems were selected & prepared for installation (see cover for example), and award ceremony/poetry reading held. *Total expenditures: \$2,235.60*

- Heckscher Park – Temporary Installations by Selected Artists: (Zone 2) – *Estimated Cost: \$5,000*

Status: Five works were newly installed in 2009 (see cover for example). One work has subsequently been de-installed, but the balance remain on view. *Expenditures to date: \$3,800; balance of \$1,200 obligated for payment upon de-installation of remaining four works.*

- Anne Frank Memorial Garden Sculpture Project – A Temporary Installation in Arboretum Park: (Zone 1) – Not originally included in the 2009 Public Art Plan, this temporary installation project was initiated at the request of Councilwoman Berland in response to a suggestion by Park Steward Robin Laban. It is anticipated that a new work will be selected and installed annually. *Estimated Cost: \$1,000 for artist honorarium annually.*

Status: First year installation completed in June 2010. *Total expenditures to date: \$700, with an additional \$300 obligated upon de-installation in 2011.*

- Huntington Station – Huntington Station Light Pole Banner Project: (Zone 1) – Not originally included in the 2009 Public Art Plan, this cooperative project with the Huntington Station BID was initiated, in accordance with approved policy, to take advantage of the BID’s planned installation of light pole banners. *Estimated Cost: \$6,000 solely for artist fees; banner production, mounting hardware and installation to be provided by the BID.*

Status: Project completed in August/September 2010 (see cover for example). *Total expenditures: \$6,000.*

- Huntington Station (Revitalization Project) – Huntington Station Plaza Design Team Project: (Zone 1) – *Estimated Cost: \$65,000*

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Status: Community Outreach phase completed & second Design proposal by artist Janet Zweig approved by all involved agencies including Town Board. Larger Plaza construction project still awaiting NYSDOT approval. HUD grant awarded to Plaza is supporting 15,000 of artist's fees for planning. Suffolk County Downtown Revitalization Round 6 grant of \$50,000 awarded for fabrication & installation costs. *Expenditures to date: \$12,373.80*

- Huntington Station (Revitalization Project) – L.I.R.R. Underpass Cyclone Fence Photo Mural Project: (Zones 1 & 4) – *Estimated Cost: Artist fees of \$4,000 [4 artists @ \$1,000] plus \$5,600 for banner production [four 50' banners @ \$1,400]; total cost: \$9,600*

Status: Project tabled due to prior experience with lengthy NYSDOT review & approval process. *Expenditures to date: None*

- Dix Hills Park – Pool Mural: (Zone 2) – *Estimated Cost: \$20,000:*

Status: Project postponed to allow for additional planning. *Expenditures to date: None.*

- Veteran's Park Complex – Project(s): (Zone 2) – *Estimated Cost: To be determined (Potential funding sources include park development & EOSPA funds):*

Status: Preliminary inquiries about collaborative opportunities within planned park development project did not yield substantive results. *Expenditures to date: None.*

- Huntington Harbor Wind-Activated Installations: (Zone 2) – *Estimated Cost: One-time cost for purchase & installation of each pole @ \$900 (\$4,500 for 5). Annual cost of art installation per pole @ \$500-\$1,000 (\$2,500-5,000 for 5).*

Status: Initial planning discussions held. *Expenditures to date: None*

Tier 2 (Projects Beginning Active Planning)

- Huntington Village – Alleyway Projects – (Marsh's/Community Pet/Freedman Jewelry Alleyway): (Zone 1) – *Est. Cost: \$15,000 (possibly shared with adjacent property owners & Village BID).*

Status: Held discussions with BID President, owner of Marsh's, and architect of Marsh's renovation. Project tabled due to lack of merchant interest. *Expenditures to date: None*

- Huntington Station (Revitalization Project) – Huntington Station Plaza Community Interactive Programming: (Zone 1) – *Estimated Cost: \$5,000-\$10,000*

Status: Tabled pending completion of plaza and component public art project. *Expenditures to date: None*

- Manor Farm Park – Environmental Art Exhibition: (Zone 2) – *Estimated Cost: \$8,000 (5 artists @ \$1,000, plus exhibit signage & announcement cards):.*

Status: Project postponed to allow for additional planning. *Expenditures to date: None.*

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- “HuntingtonARTstop” Bus Shelter Photography Project: *Estimated Cost: \$190 printing + \$200 Honorarium per image; projected installation of 10 images per year for a total of \$3,900 annually*

Status: Tabled due to lack of available unreserved ad space. *Expenditures to date: None*

- Traffic-Signal Box Project: *Estimated Cost: \$500-\$1,000 per box; projected to include approximately 10-12 boxes per year for a total of \$5,000-\$12,000 annually.*

Status: Tabled to focus on other projects. *Expenditures to date: None*

- Huntington Village – Temporary Media Projections: (Zone 1) *Estimated Cost: \$5,000 site preparation & \$250 honorarium per artist per display, total: \$6,000).*

Status: Shore 8/AMC Theaters management approached with proposal (local manager supportive, but unable to response from regional director – project tabled). *Expenditures to date: None*

- Annual Public Art in the Private Sector Award*: (Multi-Zone) – *Est. Cost: None*

Status: Inaugural award presented to Reckson Associates in 2004; no awards presented subsequently. *Expenditures to date: None*

Tier 3 (Anticipated Projects)

- Huntington Village – Alleyway Projects – (Alleyway TBD): (Zone 1) – *Est. Cost: \$5,000-\$15,000 (shared with adjacent property owners & Village BID).*

Status: Tabled pending completion of first alleyway project. *Expenditures to date: None*

- “Adopt a Sculpture” Public/Private Partnership Project: (Zone 5) *Est. Cost: None for the Town; \$1,000-\$5,000 for participating businesses for a typical rental.*

Status: No responses to initial promotion of project.

2010-11 PUBLIC ART PROJECT LIST

Uncompleted projects from the 2007-08 Public Art Plan, with some revisions, form the foundation of the 2009 Plan. To these have been added selected additional projects, resulting in the following recommended project list, grouped by zone:

Multi-Zone Projects:

Tier 2 Annual Public Art in the Private Sector Award (all Zones), involving occasional recognition of a private sector entity exemplary in their presentation of publicly accessible art. Award to be presented by the Town Board at a meeting of the Huntington Chamber of Commerce. *Estimated Cost: None*

Zone 1 Projects: Pedestrian Retail Districts

Tier 1 Huntington Station Unity Parade Public Art Project: A temporary community-based public art event to be added as an element of or in conjunction with the new Huntington Station Unity Parade. Concepts currently under consideration include the following:

- An "Art Car" Parade component, in which artists are encouraged to create unique vehicular works of art, perhaps as an annual competition with donated prizes (e.g. a "Chia Car" with growing turf on all exterior body surfaces).
- A "Chalk Flood" in which community artists are engaged to lead community members in creating sidewalk chalk drawings "flooding" the neighborhood with temporary art.
- A human-powered Kinetic Sculpture Competition as a parade component with awards for various categories (e.g. most creative, most efficient use of human power, most passenger capacity, most innovative use of technology, etc.)

Estimated Cost will vary depending upon final concept(s) selected: \$5,000 - \$7,000 per component.

Tier 1 Huntington Station (Revitalization Project) – Huntington Station Plaza Design Team Project: An artist selected from submissions in response to an RFQ will work with the project architect in a design team fashion to develop a public art project for inclusion in the planned development of a new pedestrian plaza on the SE corner of Olive St. and New York Ave. The design process will involve significant community outreach and participation, resulting in a detailed design proposal for review and approval by the Town Board prior to construction. *(NOTE: Artist selected; community outreach phase and design phases completed; Town Board Design approval pending. Support secured from HUD [\$15,000] and from Suffolk County Downtown Revitalization Round 6 Grant Program [\$50,000] additional funding may be sought from EOSPA, Huntington Station BID, and other sources as needed.) Estimated Cost: \$65,000*

Tier 3 Huntington Village – Alleyway Projects – (Alley TBD): Public/private partnership to design and create an appropriate public art enhancement of an alley within this district to be determined in consultation and coordination with the Huntington Village BID. Project may involve a mural on a building façade, banners, sculptural elements and/or other public art enhancements. Design is anticipated to be artist-led, but with a process for incorporation and consideration of community ideas and input regarding mural content.

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Artist selection is recommended to be made by an appointed selection panel reviewing submissions in response to an RFQ or RFP. *Estimated Cost: \$5,000-\$15,000 per work (may be offset, in part, by support from property owners, Village BID, or other non-Town sources).*

Tier 3 Huntington Station (Revitalization Project) – Huntington Station Plaza Community Interactive Programming: A series of different interactive arts programs and events designed, in combination with other community programs and events, to help generate community use of the newly created Huntington Station Plaza on the SE corner of Olive St. and New York Ave. in keeping with the public art project design proposal “OPEN” by Janet Zweig. *(Estimated Cost: \$5,000-\$10,000)*

Zone 2 Projects: Parks, Trails, Waterfront Areas, and Other Recreational Sites

Tier 1 Anne Frank Memorial Garden Sculpture Project – Arboretum Park Temporary Installation: Annual implementation of a temporary sculpture installation program first planned in 2009 at the request of Councilwoman Berland in response to the suggestion of Park Steward Robin Laban. Existing or proposed sculpture is selected from submissions to an RFP for installation in the Memorial Garden for a 1-year period. *Estimated Cost: \$1,000.* (NOTE: Alternatively this project could be combined with the Park Sculpture Purchase Project listed below to secure an appropriate work to remain permanently installed at this location.)

Tier 1 Park Sculpture Project – Purchase Acquisition: An existing large-scale sculpture suitable for permanent installation in a Town Park (specific location yet to be determined) will be selected for purchase from submissions in response to an RFP. *Estimated Cost: \$8,000.*

Tier 1 Wind-Activated Installation – Purchased/Commissioned Work: Either an artist will be selected from responses to a RFQ who will be commissioned to design, fabricate and install a new wind-activated kinetic sculpture at the Town’s newly developed “Breezy Park” or alternatively an appropriate existing work will be chosen from responses to a RFP. A Commission would allow for maximum input from Town and community stakeholders in design of a new work specifically for this site, while selection of an already existing work would probably cost less. *Estimated Cost: \$20,000 - \$50,000.*

Tier 2 Gateway Gardens Artist-Designed Fence Project: An artist will be selected from respondents to an RFQ to design unique elements to be installed on new perimeter fencing around Gateway Gardens evocative of this spirit of this community garden. The project contract will provide the Town with the option of continuing the same fence design around the perimeter of the planned Park using the NYSDOT rainwater recharge basin just south of the Gateway Gardens, as well as in the nearby Huntington Station Plaza and related areas within the larger Huntington Station Revitalization Project. *Estimated Cost: \$45,000 for 1,120 linear feet of fence, including design, fabrication and installation of artist-designed elements to new “estate” fencing to be installed by others.*

Tier 2 Dix Hills Park Banner Project: Designs for light pole banners highlighting the recreational opportunities available at Dix Hills Park will be selected from submissions in

response to an RFP. Banners will be installed on light poles along the entrance road and in parking areas associated with the golf course, swimming pool and ice rinks. Banner sponsors would be solicited to support project costs and would be credited at the bottom of each banner. *Estimated Cost: \$15,000 (50 banners & mounting hardware @ \$200 + 5 artists @ \$1,000 honorarium) with banner sponsorships tentatively targeted at \$200 per banner.*

- Tier 3** Dix Hills Park – Pool Mural: The project will be developed in cooperation with the Huntington Youth Bureau's Project EXCEL. A local mural artist selected from submissions in response to an RFQ will lead teen apprentices selected from the community in the design and execution of a mural on the entry wall of the Dix Hills Pool. *Estimated Cost: \$20,000*

Zone 3 Projects: Gateways

No projects recommended at the present time.

Zone 4 Projects: The Transportation Network

- Tier 1** HART Bus System – Poetry for the HART: This successful program is expected to be repeated annually or semi-annually. Working with the Youth Bureau and community youth agencies, special efforts will be made to encourage submissions from "at-risk" youth. *Estimated Cost: \$2,500.*

- Tier 2** Traffic-Signal Box Project: Artists will be selected from respondents to an RFQ to develop designs for painting the exterior of selected traffic-signal boxes on Town roads. Designs might include *trompe l'oeil* (fool the eye) paintings of stone planters with flora, pop images such as an oversized crayon box for a signal box near a school, or other imaginative images. A later expansion of this project might, with appropriate permission, include painting of traffic-signal boxes on County and State roads in Huntington. *Estimated Cost: \$500-\$1,000 per box; projected to include approximately 10-12 boxes per year for a total of \$5,000-\$12,000 annually.*

- Tier 3** "HuntingtonARTstop" Bus Shelter Photography Project: Digital photographic images selected from submissions in response to an RFP will be enlarged and printed as posters for display in unleased advertising space in the Town's Bus shelters in cooperation with Sunrise Advertising. Possible themes for the Project might include "Faces of Huntington," "Creative Moments," "Community Reflections," or other appropriate topics. *Estimated Cost: \$190 printing + \$200 Honorarium per image; projected installation of 10 images per year for a total of \$3,900 annually*

Zone 5 Projects: Route 110 Business Corridor

- Tier 3** "Adopt a Sculpture" Public/Private Partnership Project – (Temporary Installations of Existing Sculpture on Private Property): A RFP of existing sculpture by area artists available for temporary installation has been issued and the resulting pre-qualified submissions used to create a portfolio to share with interested businesses. Businesses can select an available work from the portfolio, contract with the artist for installation of the work for an 18-24 month period in exchange for providing insurance, reimbursement of

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installation/de-installation costs, and a modest artist's honorarium. Contracts will be written to provide the borrower with the option to purchase at an agreed upon price at the close of the rental, with all rental costs counting toward the final purchase amount. Primarily targeted to businesses along the Route 110 Business Corridor, although inquiries about other project sites will also be entertained. *Estimated Cost: None for the Town; \$1,000-\$5,000 for participating businesses for a typical rental.*

SUMMARY OF RECOMMENDED 2010-11 PUBLIC ART PROJECTS

Tier 1 (Ongoing or Imminent Projects)

- Anne Frank Memorial Garden Sculpture Project – Arboretum Park Temporary Installation: (Zone 2) – *Est. Cost: \$1,000.*
- Park Sculpture Project – Purchase Acquisition: (Zone 2) – *Est. Cost: \$8,000*
- HART Bus System – Poetry for the HART*: (Zone 4) – *Estimated Cost: \$2,500*
- Huntington Station Unity Parade Public Art Project: (Zone 1) – *Estimated Cost will vary depending upon final concept(s) selected: \$5,000 - \$7,000 per component*
- Huntington Station (Revitalization Project) – Huntington Station Plaza Design Team Project*: (Zone 1) – *Est. Cost: \$65,000 (Funded, in part, by a \$15,000 HUD grant & a \$50,000 Round 6 Suffolk County Downtown Revitalization Grant.)*
- Wind-Activated Installation – Purchased/Commissioned Work: (Zone 2) – *Est. Cost: \$20,000 - \$50,000.*

Tier 2 (Projects Beginning Active Planning)

- Gateway Gardens Artist-Designed Fence Project: (Zone 2) – *Est. Cost: \$45,000*
- Dix Hills Park Banner Project: (Zone 2) – *Est. Cost: \$15,000 (50 banners & mounting hardware @ \$200 + 5 artists @ \$1,000 honorarium).*
- Traffic-Signal Box Project*: (Zone 4) – *Estimated Cost: \$500-\$1,000 per box; projected to include 10-12 boxes per year for a total of \$5,000-\$12,000 annually.*
- Annual Public Art in the Private Sector Award*: (All Zones) – *Est. Cost: None*

Tier 3 (Anticipated Projects)

- Huntington Village – Alleyway Projects – (Alleyway TBD)*: (Zone 1) – *Est. Cost: \$5,000-\$15,000 (shared with adjacent property owners & Village BID).*
- Huntington Station (Revitalization Project) – Huntington Station Plaza Community Interactive Programming*: (Zone 1) – *(Estimated Cost: \$5,000-\$10,000)*
- Dix Hills Park – Pool Mural*: (Zone 2) – *Estimated Cost: \$20,000 (in cooperation with TOH Youth Bureau Project EXCEL)*
- “HuntingtonARTstop” Bus Shelter Photography Project*: (Zone 4) – *Est. Cost: @\$190 printing + \$200 artist fees per image times 10 images annually for a total of \$3,900*
- “Adopt a Sculpture” Public/Private Partnership Project*: (Zone 5) *Est. Cost: None for the Town; \$1,000-\$5,000 for participating businesses for a typical rental.*

*Asterisk indicates a project carried over from a prior annual Public Art Plan approved by the Town Board.

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PUBLIC ART ADVISORY COMMITTEE

Mark McAteer, *Chairman*

Eileen Kathryn Boyd

Sue Contessa

Kim D'Ambrosio

Ed McEvoy

James Metcalfe

Richard Vaux

Kenneth Wayne, Ph.D.

Staff:

Diana J. Cherryholmes, Executive Director, Huntington Arts Council

John E. Coraor, Ph.D., Director of Cultural Affairs, Town of Huntington

2011-25

RESOLUTION RE-ESTABLISHING "A.R.M.S." (AMERICANS REACTIVATED FOR MILITARY SERVICE)

Resolution for the Town Board Meeting Dated: January 11, 2010

The following resolution was offered by: Councilwoman Berland

And seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, Our Country is in a state of heightened alert and our citizens are being called upon to serve their country; and

WHEREAS, the Town Board on behalf of its residents wishes to aid in this effort by supporting the reservists employed by the Town of Huntington and their families as they are called to active duty for our nation; and

WHEREAS, the Town is aware that salaries received by Town employees from the armed services are generally less than the salaries they receive from the Town of Huntington; and

WHEREAS, the Town recognizes the sacrifices these employees are making for our Town and our Country, the Town of Huntington does not want these individuals left at an economic disadvantage; and

WHEREAS, providing compensation or salary to Town employees 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, the Town readopts the policy of supplementing the salary of all active duty reservists employed by the Town of Huntington so that they continue to receive their current rate of remuneration while they are actively deployed for combat or other active duty during 2010; and

BE IT FURTHER

RESOLVED, the TOWN BOARD does not intend to permanently amend or establish any past practices concerning employees either covered by a collective bargaining agreement or appointed and is herewith authorizing the Supervisor to issue the necessary instructions to the appropriate departments to carry out this policy so that this patriotic benefit can be applied to all qualified employees serving in combat or other active duty, other than to their regular monthly/yearly reserve obligations.

2011-25

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-26

RESOLUTION ESTABLISHING JANUARY 12th AS A DAY OF REMEMBRANCE
TO HONOR THE EARTHQUAKE VICTIMS OF HAITI

Resolution for Town Board Meeting Dated: January 11, 2011

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

WHEREAS, on January 12, 2010 there was a catastrophic earthquake in Haiti; and

WHEREAS, an estimated 230,000 people died, over 300,000 were injured and 1,000,000
were left homeless from this earthquake; and

WHEREAS, Town of Huntington residents were among people around the world that
rallied to offer humanitarian aid and pledge funds for the victims of this destructive
earthquake; and

WHEREAS, the Town Board is desirous of annually recognizing and honoring the
victims of the January 12, 2010 earthquake in Haiti; and

WHEREAS, establishing an annual day of remembrance is not an action as defined by 6
N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE , BE IT

RESOLVED, that the Town Board hereby establishes January 12th as a day of
remembrance to honor the victims of the earthquake of Haiti.

THE TOWN BOARD

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-27

MEMORIALIZE THE NEW YORK STATE DELEGATION FROM THE TOWN OF HUNTINGTON TO CALL UPON LIPA BOARD OF DIRECTORS TO WITHDRAW THE TAX CERTIORARI ACTION FILED AGAINST THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone

Councilman Cuthbertson, **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, the Long Island Power Authority (LIPA) has initiated a Tax Certiorari proceeding against the Town of Huntington alleging that the assessment of the National Grid Plant in Northport is excessive and unlawful; and

WHEREAS, LIPA contends that this action is necessary, at least in part, because state and local taxes on power generating facilities under contract to LIPA will account for 14.3% of the 2011 rate payers bill and have grown by more than 10% annually for the last three years; and

WHEREAS, LIPA's own figures show that while the overall state and local taxes it pays have increased from \$438 million in 2008 to a projected \$524 million in 2011, almost 10% of that increase is as a result of a new NY State Assessment of \$45 million in 2009 and \$44 million in 2010; and

WHEREAS, it would appear that the largest increase in taxes that LIPA has experienced has been as a result of the NY State Assessment that began in 2009;

NOW THEREFORE BE IT

RESOLVED, that the Town of Huntington does hereby call upon the New York State Delegation from Huntington to work with the Town to correct the financial impact and burden of this new State Assessment to the real property tax payers of the Town of Huntington, and be it further

RESOLVED that the Town of Huntington does hereby request that the New York State Delegation from the Town of Huntington and from all of Long Island, join the taxpayers of Huntington in calling upon the LIPA Board of Directors to withdraw the Tax Certiorari action filed against the Town of Huntington and to work with the Town of Huntington, the Northport/East Northport School District, the Village of Northport, and all other effected taxing jurisdictions to explore options to mitigate the impact of future tax growth on the National Grid plant in Northport, and be it further

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RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this resolution to the Governor, Comptroller, Attorney General, and to each member of the Huntington delegation and to the leadership in the New York State Senate and the New York State Assembly.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-28

RESOLUTION REAPPOINTING AND APPOINTING MEMBERS TO THE AFFORDABLE HOUSING ADVISORY BOARD

Resolution for Town Board Meeting Dated: January 11, 2011

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, two vacancies exist on the Affordable Housing Advisory Board due to the resignations; and

WHEREAS, the Town Board is desirous of reappointing certain members whose terms have expired to fill the vacancies; and

WHEREAS, the reappointment and appointment of members to an advisory board is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY REAPPOINTS the following individuals to the Affordable Housing Advisory Board for terms to expire as indicated:

| | <u>Term Expires</u> |
|--|---------------------|
| Kenneth Christensen (HTHC) 86 Cuba Hill Road, Greenlawn, N.Y. 11740 | 12/31/12 |
| Alicia Lawrence 12 Michael Lane, Huntington Station, N.Y. 11746 | 12/31/13 |
| Peggy Boyd 288 West Neck Road, Huntington, N.Y. 11743 | 12/31/13 |
| Joshua Price 9 Olga Lane, Commack, NY 11725 | 12/31/13 |
| Richard Koubek (HTHC) 10 Randolph Drive, Dix Hills, N.Y. 11746 | 12/31/12 |

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HEREBY APPOINTS the following individuals to the Affordable Housing Advisory Board to fill two vacancies for a term to expire December 31, 2011

Maria Teresa Quirk (HTHC)
82 Main Street, Huntington N.Y. 11743

Judy Gorenstein (HTHC)
16 Barington Place, Melville, NY 11747

HEREBY APPOINTS the following individual to the Affordable Housing Advisory Board to fill one vacancy for a term to expire December 31, 2012

Trudy Fitzsimons (HTHC)
2 Camlon Court, Huntington, NY 11743

HEREBY APPOINTS Peggy Boyd as Chairperson of the Affordable Housing Advisory Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-29

RESOLUTION REAPPOINTING MEMBERS TO THE TOWN OF HUNTINGTON
CITIZENS ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

Resolution for Town Board Meeting Dated: January 11, 2011

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

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

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Citizens Advisory Committee for Persons with Disabilities,

HEREBY REAPPOINTS the following individuals to the Town of Huntington Citizens Advisory Committee for Persons with Disabilities for terms to expire as indicated:

Maureen Donohue 8/31/15
499 Bardini Drive, Melville, NY 11747

Tamar Asedo Sherman 8/31/15
24 Fransal Court, Northport, NY 11768

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-30

RESOLUTION URGING THE NEW YORK STATE SENATE TO PASS BILL S938 CITED AS THE "JOHN REY LAW" TO REQUIRE THE DEVELOPMENT OF A STATEWIDE PROGRAM ADDRESSING THE PROBLEM OF WRONG WAY DRIVERS ON NEW YORK STATE INTERSTATE HIGHWAYS.

Resolution for Town Board Meeting Dated:

January 11, 2011

The following resolution was offered by:

Councilwoman Jackson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, there has been an alarming number of automobile crashes involving cars traveling the wrong way on NYS roadways, many on Long Island roadways; and

WHEREAS, a significant number of these "wrong way" crashes involve cars who enter a NYS highway going in the wrong direction; and

WHEREAS, many of the wrong way crashes involve one or more of the drivers operating their vehicles in an intoxicated condition and due to the high rate of speed involved many of these crashes result in fatalities; and

WHEREAS, the New York Senate, by Bill S938, introduced by Senator Marcellino, seeks to address this problem of wrong way driving by requiring the NYS Department of Transportation and the NYS Department of Motor Vehicles to develop a program to address the problem of wrong way drivers within one year from passage of the bill; and

WHEREAS, Huntington resident John Rey, a beloved father and grandfather, who worked as an airport transportation driver for over 25 years, was one of several people killed in 2010 by wrong way drivers. He died on July 22, 2010 of injuries sustained in a wrong way crash on the Long Island Expressway while he was working; and

WHEREAS, the Town's support of a New York State Senate bill to develop a program to address the problem of wrong way drivers in New York State, is not an action as defined by 6 N.Y.C.R.R. §617.5(c)(29) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, in light of the dramatic increase in wrong way crashes on New York State roadways and the continued need to protect every driver and their passengers on NYS roadways; and further

HEREBY, requests that the Governor, Senate Majority and Minority Leaders, Assembly Speaker and Minority Leader, NYS Senators and Assemblypersons representing Nassau and Suffolk Counties support Bill S938; and further,

2011-31

RESOLUTION ADOPTING A FINDINGS STATEMENT PURSUANT TO SEQRA FOR ZONE CHANGE APPLICATION #2006-ZM-363, TRIANGLE EQUITIES (KENSINGTON ESTATES), REQUESTING TO CHANGE THE ZONE FROM R-40 RESIDENCE DISTRICT TO R-RM RETIREMENT COMMUNITY DISTRICT IN THE TOWN OF HUNTINGTON AND R1-1A DISTRICT TO RMF-10 DISTRICT IN THE TOWN OF OYSTER BAY FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF JERICHO TURNPIKE AND PLAINVIEW ROAD, WEST HILLS/WOODBURY.

Resolution for Town Board Meeting dated: January 11, 2011

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Triangle Equities 496 West Jericho Turnpike LLC, 30-56 Whitestone Expressway, New York 11354, submitted application #2006-ZM-363 for a change of zone from R-40 Residence District to R-RM Retirement Community District in the Town of Huntington and R1-1A District to RMF-10 District in the Town of Oyster Bay for property located on the southeast corner of Jericho Turnpike (NYS Route 25) and Plainview Road, West Hills/Woodbury, and designated as 0400-226-01-001 on the Suffolk County Tax Map and 13-D-114 & 115 on the Nassau County Tax Map; and

WHEREAS, the Commissioner of the New York State Department of Environmental Conservation declared the Huntington Town Board to be Lead Agency for review of the proposed action in accordance with SEQRA, §617.6(b)(5); and

WHEREAS, the Huntington Town Board issued a Positive Declaration for the proposed action on November 7, 2007, and a Draft Environmental Impact Statement (DEIS) dated December 2009 was accepted as complete on April 13, 2010; and

WHEREAS, the Huntington Town Board held simultaneous public hearings on May 17, 2010 and written public and agency comments were accepted through June 21, 2010 to gather public comment on the DEIS in accordance with Section 617.9(a)(4) of the SEQRA regulations, and to consider adopting Local Law Introductory No. 7-2010 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-40 Residence District to R-RM Retirement Community District the property designated on the Suffolk County Tax Map as 0400-226-01-001; and

WHEREAS, the Huntington Town Board adopted a Final Environmental Impact Statement (FEIS), dated July 2010, as complete on December 14, 2010, and the Notice of Completion of the FEIS was filed as required by SEQRA, §617.12; and

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 7-2010 CONSIDERING ZONE CHANGE APPLICATION #2006-ZM-363, TRIANGLE EQUITIES (KENSINGTON ESTATES), TO CHANGE THE ZONE FROM R-40 RESIDENCE DISTRICT TO R-RM RETIREMENT COMMUNITY DISTRICT FOR PROPERTY LOCATED ON THE SOUTH SIDE OF JERICHO TURNPIKE, EAST OF PLAINVIEW ROAD, WEST HILLS.

Resolution for Town Board Meeting dated: January 11, 2011

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, Triangle Equities 496 West Jericho Turnpike LLC, 30-56 Whitestone Expressway, New York 11354, submitted application #2006-ZM-363 for a change of zone from R-40 Residence District to R-RM Retirement Community District in the Town of Huntington, and also submitted an application for a change of zone from R1-1A District to RMF-10 District in the Town of Oyster Bay for property located on the southeast corner of Jericho Turnpike (NYS Route 25) and Plainview Road, West Hills/Woodbury, and designated as 0400-226-01-001 on the Suffolk County Tax Map and 13-D-114 & 115 on the Nassau County Tax Map; and

WHEREAS, the proposal currently being considered consists of an 80-unit senior housing development with access from Jericho Turnpike and three (3) single-family homes along Plainview Road on 18.6 acres of land, of which 13.5 acres are in the Town of Huntington; and

WHEREAS, said application was forwarded to the Planning Board by the Town Board for study and recommendation under the applicable provisions of Huntington Town Code §198-127, and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the Commissioner of the New York State Department of Environmental Conservation declared the Huntington Town Board to be Lead Agency for review of the proposed action in accordance with SEQRA, §617.6(b)(5); and

WHEREAS, the Huntington Town Board issued a Positive Declaration for the proposed action on November 7, 2007, and a Draft Environmental Impact Statement (DEIS) dated December 2009 was accepted as complete on April 13, 2010; and

WHEREAS, the Huntington Town Board held simultaneous public hearings on May 17, 2010 to gather public comment on the DEIS in accordance with Section 617.9(a)(4) of the SEQRA regulations, and to consider adopting Local Law Introductory No. 7-2010 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the

Huntington Town Code, thereby rezoning from R-40 Residence District to R-RM Retirement Community District the property designated on the Suffolk County Tax Map as 0400-226-01-001, and

WHEREAS, a Final Environmental Impact Statement (FEIS), dated July 2010, was accepted as complete on December 14, 2010, and the Town Board adopted a Findings Statement on January 11, 2011, identifying mitigation measures that should reduce or avoid adverse impacts from the project, and

WHEREAS, by resolution dated March 10, 2010 the Planning Board concurred with the determination of the Town Board that the project may pose significant effects on the environment and therefore warranted a Positive Declaration, recommended that the Town Board schedule a public hearing on the application, and recommended the subject property as an appropriate location for higher density attached townhouses with the following conditions placed on any approval:

- (1) A maximum limit should be placed on the number of dwelling units allowed to be built on the property, and
- (2) An additional ten (10) feet of land along Jericho Turnpike shall be dedicated to the New York State Department of Transportation to provide space for future road widening, and
- (3) All landscaping shall be managed organically to prevent groundwater, pond, and wetland contamination, and
- (4) The Town of Huntington shall not be responsible for maintaining the function or appearance of the manmade pond and drainage system, and

WHEREAS, by letter dated May 17, 2010 the Suffolk County Planning Commission determined that the application is a matter for local determination; and

WHEREAS, the determination of the Town Board on this zone change application is distinct from the determination of the Town Board of the Town of Oyster Bay on its zone change application, since SEQRA does not change the jurisdiction of involved agencies, and it does not limit the ability of each agency to establish its own conditions of approval related to impacts identified in the FEIS in accordance with the SEQRA regulations, §617.3(b);

NOW THEREFORE THE TOWN BOARD

RESOLVES, that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the

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Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no site plan shall be approved by the Planning Board or signed by the Director of Planning and Environment unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any additional condition, restriction, or limitation established by the Planning Board during site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 7-2010, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. _____ - 2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

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

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

* * *

§ 198-7 Zoning Map

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

The premises located on the south side of Jericho Turnpike, east of Plainview Road, West Hills, designated on the Suffolk County Tax Map as 0400-226-01-001, to be rezoned from R-40 Residence District to R-RM Retirement Community District, more particularly described as:

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BEGINNING at a POINT on the southerly side of Jericho Turnpike, the following courses and distances east of the intersection with the easterly side of Plainview Road: 1) North 88 degrees 22 minutes 50 seconds East, 265.16 feet, thence 2) South 1 degree 43 minutes 13 seconds West, 14.46 feet,

THENCE from said POINT OF BEGINNING North 88 degrees 03 minutes 55 seconds East, 524.39 feet,

THENCE South 00 degrees 25 minutes 50 seconds East, 93.17 feet,

THENCE South 00 degrees 21 minutes 10 seconds East, 450.40 feet,

THENCE South 03 degrees 17 minutes 30 seconds East, 226.72 feet,

THENCE South 00 degrees 52 minutes 50 seconds West, 376.77 feet,

THENCE North 87 degrees 45 minutes 00 seconds West, 568.47 feet,

THENCE North 01 degree 43 minutes 13 seconds East, 522.88 feet,

THENCE North 88 degrees 03 minutes 50 seconds East, 124.32 feet,

THENCE North 01 degree 56 minutes 10 seconds West, 232.47 feet,

THENCE South 88 degrees 03 minutes 50 seconds West, 109.46 feet,

THENCE North 01 degree 43 minutes 13 seconds East, 351.29 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the applicant of the following Covenants and Restrictions in a form acceptable to the Town Attorney. Such Covenants and Restrictions shall be filed at the applicant's own cost and expense in the Office of the Suffolk County Clerk.

- (1) All mitigation measures recommended by the Final Environmental Impact Statement and Findings Statement shall be provided, including but not limited to the conditions listed below; and
- (2) The maximum number of housing units to be built on the combined Huntington and Oyster Bay parcels shall be 83, with 80 of those units restricted for senior housing, and a minimum of 9 of those senior units in the Town of Huntington will be affordable in accordance with the current Town of Huntington Zoning Code; and

- (3) Land along Jericho Turnpike shall be dedicated to the New York State Department of Transportation upon their request to provide space for road widening and/or improvements; and
- (4) All landscaping shall be managed organically to prevent groundwater, pond, and wetland contamination, and a plan indicating how this will be done must be submitted and approved by the Planning Board during the site plan review process; and
- (5) The Town of Huntington shall not be responsible for maintaining the function or appearance of the manmade pond and drainage system; and
- (6) The developer must submit a soil management plan, which shall be reviewed by the Town's consultants at the developer's expense, and which shall require the approval of the Planning Board before site plan approval will be granted, and if on-site burial of contaminated soils is implemented, prospective and future owners shall be notified of the burial locations in the HOA prospectus and property deeds; and
- (7) The development must be connected to the Nassau County public sewer system; and
- (8) Buildings along the eastern perimeter of the property shall be oriented so that their shortest side faces east in order to reduce the amount of building façade facing the adjacent residences to the east; and
- (9) Natural areas shown on the proposed site plan shall remain natural in perpetuity, with no clearing or grading, and no cutting or soil disturbance except for the removal and/or replacement of dead or diseased vegetation, and with the exception of supplemental plantings that will be shown on the landscape plan for the property; and
- (10) Native aquatic plantings shall be added to the manmade pond and wetland area and a landscape buffer shall be provided along the eastern side of the property; and
- (11) The dwelling units shall not be subject to the provisions of New York State Real Property Tax Law Sections 580 and 581 or New York State Real Property Law Section 339-Y, however, this shall not prevent the dwelling units built as one-story stacked flats (with another dwelling unit above or below) from being owned as condominium units not subject to the above laws; and
- (12) All refuse generated on-site will be disposed of at the Town Resource Recovery Facility. Should the developer, HOA, or the residents of the development choose to contract with a company other than the Town-assigned carter for their neighborhood, they will still be responsible for paying the appropriate taxes to the Townwide Refuse District.

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Section 2. Severability

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 29-2010 AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 191 (UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES)

Resolution for Town Board Meeting dated: January 11, 2011

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN CUTHBERTSON

THE TOWN BOARD having held a public hearing on the 14th day of December, 2010 at 7:00 p.m. to consider adopting Local Law Introductory No. 29-2010, amending the Code of the Town of Huntington, Chapter 191 (Unsafe and Damaged Buildings and Structures), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 29-2010 amending the Code of the Town of Huntington, Chapter 191 (Unsafe and Damaged Buildings and Structures); as follows:

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

LOCAL LAW NO. 1 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 191 (UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 191 (Unsafe and Damaged Buildings and Structures); as follows:

CHAPTER 191
UNSAFE AND DAMAGED BUILDINGS AND STRUCTURES

* * *

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

* * *

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

* * *

- (5) A statement that in the event of the failure or refusal of the person to whom the notice is issued to bring the property into compliance by the date on the notice or approved date of extension, a fact-finding hearing will be held on the date, time and place specified in the notice before the Town Board or an Administrative Hearing Officer to determine whether the report of the code officer should be modified or withdrawn, and

whether in the absence of any action by the owner, the Town may repair or secure, demolish and remove the building, staging or structure.

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

* * *

§191-09. Administrative Hearing. An administrative hearing may be held by the Huntington Town Board or a duly appointed Administrative Hearing Officer, at the option of the Town. Hearings may be adjourned only upon good cause shown.

* * *

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

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

§191-10. Action upon noncompliance.

- (A) Upon the failure, neglect or refusal of the owner, his agent, occupant, person-in-charge of the property, or person having a vested or contingent interest in the property to remove, remedy or abate the unsafe, unsanitary or dangerous condition within the specified period of time; or to appear at the hearing; 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 secure or repair, demolish or remove the building, staging or structure, to abate the hazard at the expense of the property owner, his agent, the occupant(s), or person-in-charge of the property as set forth herein.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2011-34

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 150 OLD COUNTRY ROAD, MELVILLE – SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: January 11, 2011

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

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

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 14th day of December, 2010, pursuant to Section 198-41 of the code of the Town of Huntington, to consider the application by Todd Braverman, Owner, 150 Old Country Road, Melville, NY 11747 for a Certificate of Approval to construct a below ground vinyl swimming pool (28' X 42') at the rear of the property, located at 150 Old Country Road, Melville, NY 11747, bearing Suffolk County Tax Map #0400-256.00-02.00-024.00, 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 Todd Braverman, for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-35

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 1 -2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE REQUIREMENTS), ARTICLE I (GENERAL PROVISIONS), ARTICLE III (BUILDINGS AND STRUCTURES) AND ARTICLE XII (ENFORCEMENT).

Resolution for Town Board Meeting Dated: January 11, 2011

The following Resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington wishes to schedule a Public Hearing to consider amending Chapter 124 of the Code of the Town of Huntington which sets forth required Housing Standards for dwellings within the Town; and

WHEREAS, the Town Board recognizes that there exist multiple residence structures within the Town which require periodic interior inspections of the common areas and dwelling units alike; and

WHEREAS, insuring that conditions within the interior of individual dwelling units located within multiple residences is necessary to avert a threat to the public health, safety, quality of life, and property values; and

WHEREAS, interior inspections of vacant individual dwelling units to insure they meet the minimum standards and requirements of the New York State Property Maintenance Code and the Huntington Town Code is a proper and legitimate method to insure the safety of future occupants and support the viability and stability of residential neighborhoods throughout the Town; and

WHEREAS, the Town Code presently sets forth minimum standards for dwelling units and articulates the distinction between single-family owner occupied dwellings and non-owner occupied multiple dwellings; and

WHEREAS, the Town Board wishes to consider an amendment to the code which would require inspections of the common areas and interiors of individual dwelling units upon vacature of each unit, prior to the re-letting of the unit to a new occupant; and

WHEREAS, performance of inspections of the interior of dwelling units will result in a cost to the Town that is proposed to be offset with the imposition and collection of an inspection fee equal to the Town's costs; and

WHEREAS, in order to protect the health, safety and welfare of its residents, the Town exercises its authority under Town Law § 130 (3-a)(5)(11)(15) and (16) and Municipal Home Rule Law

§10(1)(ii)(a)(11) and (12) in enacting amendments to the Code that require inspections of the interior of dwelling units between the time of their vacature and the re-letting of the dwelling unit; and

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

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 1ST day of February, 2011 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. -2011, Amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements), Article I (General Provisions), Article III (Buildings and Structures) and Article XII (Enforcement) as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 1 -2011
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE
REQUIREMENTS), ARTICLE I (GENERAL PROVISIONS),
ARTICLE III (BUILDINGS AND STRUCTURES), AND
ARTICLE XII (ENFORCEMENT)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance Requirements), Article I (Definitions) and Article III (Buildings and Structures); as follows:

CHAPTER 124
HOUSING STANDARDS AND PROPERTY MAINTENANCE REQUIREMENTS

ARTICLE I
GENERAL PROVISIONS

* * *

§124-03. Definitions.

* * *

MULTIPLE RESIDENCE – A one (1) or two (2) story building or structure containing three (3) or more dwelling units let for occupancy (with or without consideration) to a person(s) who is not the owner of record, pursuant to a written or verbal lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land, or otherwise. Structures listed on the Multiple Residence Registry are presumed to be established as Multiple Residences for compliance with this Chapter and the applicable provisions of the New York State Property Maintenance Code, but are not presumed to be legally established or in conformance with the zoning regulations.

MULTIPLE RESIDENCE REGISTRY- A registry of structures maintained by the Town of Huntington containing Multiple Residences subjected to prior inspection pursuant to the New York State Multiple Residence Law §§ 301 and 302.

* * *
ARTICLE III
BUILDINGS AND STRUCTURES
* * *

§124-15. [(Reserved.)] Multiple Residences.

(A) Inspection required. Inspections of the following areas within Multiple Residences on the Multiple Residence Registry for compliance with the provisions of this Chapter and the New York State Property Maintenance Code shall be conducted by the Code Officer at least once every thirty-six (36) months, except as otherwise provided. At the request of the property owner, his agent or person-in-charge of the property an inspection may be conducted at shorter intervals upon payment of the requisite fee payable in advance of the inspection.

(1) Interior common areas of the building; and

(2) Vacant dwelling units. Notwithstanding any other provision of this section to the contrary, inspections shall be conducted when the unit becomes vacant and prior to re-letting or permitting the re-occupancy of the unit. The property Owner, his agent or person-in-charge of the property shall notify the Code Officer as vacancies arise to schedule an inspection.

(B) Inspection Fees. The inspection fee shall be paid in advance of an inspection and is due and payable within thirty (30) days of the date on the invoice generated by the Code Officer. The following fees shall be applicable:

(1) All interior common areas of the building: Five hundred (\$500) dollars per inspection or part thereof.

(2) Vacant dwelling units: One room studio –two hundred (\$200) dollars; one bedroom dwelling – two hundred and fifty (\$250) dollars and fifty (\$50) dollars for each additional bedroom.

(C) Occupancy Permit. Upon the successful completion of an inspection and a finding by the Code Officer that the common areas or dwelling unit inspected complies with all applicable standards and regulations, an Occupancy Permit shall be issued to the owner of record. Each Occupancy Permit shall specify if the permit applies to the common area or a dwelling unit, and if it applies to a unit, it shall state with specificity the unit number or other detail sufficient to identify the unit.

(D) Prohibitions.

(1) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to remit payment of the inspection fee within the period provided in this Chapter; or

(2) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to schedule, or permit, or otherwise interfere with an inspection; or

(3) It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to notify the Code Officer of a vacancy as one arises; or

(4) It shall be unlawful for the property owner, his agent, or person-in-charge of the property to rent, lease or otherwise allow the occupancy of dwelling units within a Multiple Residence without an inspection or issuance of an Occupancy Permit.

* * *

ARTICLE XII
ENFORCEMENT

* * *

§124-68. Penalties for offenses.

* * *

(B) Any person who violates §124-15(B) shall be deemed to have committed an offense against this chapter and shall, upon conviction thereof, be subject to a fine or penalty of not less than five hundred (\$500) dollars; and

(C) [(B)] * * *

(D) [(C)] * * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the

legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-36

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G
RE: EIGHTH STREET, FIFTH STREET, SIXTH STREET – (THIRD AVENUE, EAST NORTHPORT) - STOP SIGNS

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, an amendment to the Uniform Traffic Code of the Town of Huntington regarding stop signs is a TYPE II action pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)(16) (c)20 and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 1st day of February, 2011, at 7 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections, §2-7, Stop and Yield Intersections Designated; Schedule G.

| ADD: | <u>SIGN ON</u> | <u>SIGN</u> | <u>DIRECTION OF TRAVEL</u> | <u>AT INTERSECTION OF:</u> |
|------|------------------------|-------------|----------------------------|----------------------------|
| | Eighth Street (ENP) | STOP | SOUTH | Third Avenue |
| | Fifth Street (ENP) | STOP | SOUTH | Third Avenue |
| | Sixth Street (ENP) | STOP | SOUTH | Third Avenue |

2011-36

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-37

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: HARBOR CIRCLE, NO STANDING RESTRICTION

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding parking restrictions are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the 1st day of February, 2011, at 7 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 3, Parking Regulations; Article II, Parking, Standing and Stopping Regulations; §3-3, Designation of Areas and Restrictions; Schedule J.

| | <u>NAME OF STREET/SIDE LOCATION</u> | <u>REGULATION</u> | <u>HOURS/DAYS</u> |
|------|---|-------------------|-------------------|
| ADD: | Harbor Circle/West From 90 ft. north of Route 25A to Route 25A. (CPT) | No Standing | ----- |
| | Harbor Circle/East From Route 25A north for 75 ft. (CPT) | No Standing | ----- |

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: VIEW ACRE DRIVE, NO PARKING RESTRICTION

Resolution for Town Board Meeting Dated: January 11, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, amendments to the Uniform Traffic Code of the Town of Huntington regarding parking restrictions are classified as Type II actions pursuant to SEQRA, 6 N.Y.C.R.R. §617.5 (c)16(c)(20) and (c)27, and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY SCHEDULES A PUBLIC HEARING for the **1ST** day of **FEBRUARY**, 2011, at **7:00p.m.** at Town Hall, 100 Main Street, Huntington, New York, to consider amending the Uniform Traffic Code of the Town of Huntington, as follows:

Under Chapter 3, Parking Regulations; Article II, Parking, Standing and Stopping Regulations; §3-3, Designation of Areas and Restrictions; Schedule J.

| | <u>NAME OF STREET/SIDE LOCATION</u> | <u>REGULATION</u> | <u>HOURS/DAYS</u> |
|---------|--|-------------------|-------------------|
| DELETE: | View Acre Drive/North From 1000 ft. east of Park Ave. to Park Ave. (HUN) | No Parking | ----- |
| | View Acre Drive/South From Park Ave. east for 1000 ft. (HUN) | No Parking | ----- |
| ADD: | View Acre Drive/North From Maple Hill Rd. to Park Ave. (HUN) | No Parking | ----- |
| | View Acre Drive/South From Park Ave. to Maple Hill Rd. (HUN) | No Parking | ----- |

2011-38

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|-----|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR A LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) GRANT FROM NEW YORK STATE EDUCATION DEPARTMENT, STATE ARCHIVES DIVISION AND TO EXECUTE ANY DOCUMENTS IN CONNECTION THEREWITH

Resolution for Town Board Meeting Dated: January 11, 2011

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

And seconded by **SUPERVISOR PETRONE**

WHEREAS, one of goals of the Town Clerk's Archives is to make as many records available for public and government use as possible; and

WHEREAS, annually there can be as many as 2,000 individuals, encompassing researchers, teachers and town employees who use the Archives; and

WHEREAS, many of the documents needed for research date back to the 1700's and are in fragile condition making them unavailable for use; and

WHEREAS, the Town Clerk wishes to apply for a Local Government Records Management Improvement Fund (LGRMIF) grant, due February 1, 2011, to the New York State Education Department, State Archives Division, seeking 2011-12 Grants-in-Aid funds, in the amount of \$10,000.00, to restore 155 very fragile school documents as well as the 1745-1831 Strays and Earmarks volume; and

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

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor, on behalf of the Town of Huntington, to apply for and receive the aforesaid grant funding and authorizes the Supervisor and the Town Clerk to execute any documents in connection therewith, on such terms and conditions as may be acceptable to the Town Attorney; and

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

VOTE: AYES: 5 NOES: 0 ABSTENSIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DULY ADOPTED

2011-40

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2010-540
SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF
HUNTINGTON FOR THE YEAR 2011

Resolution for Town Board Meeting Dated: January 11, 2011

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN - BERLAND**

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AMENDS Town Board Resolution 2010-540 scheduling regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2011, as follows:

7:00 PM

FEBRUARY

[8th] 1st

*** INDICATES TO CHANGE TO PRESENT TEXT
DELETIONS ARE INDICATED BY [BRACKETS].
ADDITIONS ARE INDICATED BY UNDERLINE.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda A. Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-41

RESOLUTION AUTHORIZING THE COMPTROLLER TO APPROPRIATE FUNDS TO PURCHASE AND INSTALL A NEW PHONE SYSTEM FOR ALL HIGHWAY OFFICE FACILITIES

Resolution for Town Board Meeting dated: January 11, 2011

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

And seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, during the past several years the Highway Office facilities have experienced power outages accompanied by a failure of the phone system and, the phone system is over 20 years old and needs to be replaced; and

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2011 Operating Budget to fund the purchase and installation of a new phone system for the Highway office facilities:

Increase the following revenue:

| | | |
|--------|---------------------------|-------------|
| A0599R | Appropriated Fund Balance | \$26,500.00 |
|--------|---------------------------|-------------|

Increase the following appropriation:

| | | |
|------------|------------------|-------------|
| A5010-2200 | Office Equipment | \$26,500.00 |
|------------|------------------|-------------|

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|--------------------------------|------------|
| Supervisor Frank P. Petrone | AYE |
| Councilwoman Susan A. Berland | AYE |
| Councilman Mark A. Cuthbertson | AYE |
| Councilwoman Glenda Jackson | AYE |
| Councilman Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-BT1

RESOLUTION AUTHORIZING THE COMPTROLLER TO PAY 2010/2011 TOWN OF HUNTINGTON TAXES ON BOARD OF TRUSTEE -OWNED PROPERTY

Resolution for Board of Trustee Meeting Dated: January 11, 2011

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

and seconded by: **TRUSTEE CUTHBERTSON**

WHEREAS, authorizing the Comptroller to pay taxes is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY AUTHORIZES the Comptroller to pay 2010/2011 Town of Huntington Taxes on Board of Trustees-owned property in an amount not to exceed the budgeted amount of SEVEN THOUSAND SEVEN HUNDRED FIFTY and NO/100 (\$7,750.00) DOLLARS to be charged to Operating Budget Item C1950-4170.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|-----------------------------|------------|
| President Frank P. Petrone | AYE |
| Trustee Susan A. Berland | AYE |
| Trustee Mark A. Cuthbertson | AYE |
| Trustee Glenda A. Jackson | AYE |
| Trustee Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: APPROVE THE ISSUANCE OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137, FOR THE CONSTRUCTION OF A RESIDENTIAL BULKHEAD

APPLICANT: PATRICIA & MILAN NEMES

LOCATION: 107 EAST NECK RD., HUNTINGTON, NEW YORK

S.C.T.M. #: 0400-036.00-01.00-004.001

Resolution for Board of Trustees Meeting Dated: January 11, 2011

The following resolution was offered by: **TRUSTEE BERLAND**
TRUSTEE JACKSON

and seconded by: **PRESIDENT PETRONE, TRUSTEE MAYOKA**

WHEREAS, pursuant to the Marine Conservation Law of the Town of Huntington, Chapter 137 an application has been submitted by:

Patricia Nemes of
107 East Neck Rd.
Huntington, N.Y. 11743-1567

to construct 475.0 linear ft. of composite inter-locking sheet-style bulkhead (within 3.0 feet seaward of existing concrete bulkhead) w/ 10 ft. return on each side of property and to back fill w/ approximately 2000 cu. yards of clean fill. Construction area is to be access via Town of Huntington, Board of Trustees regulated property at 107 East Neck Rd., Huntington, N.Y. 11743 S.C.T.M.# 0400-036.00-01.00-004.001; and

WHEREAS, a license agreement for the construction of a one hundred twenty-five foot long residential fixed pier and floating dock assembly for use on underwater Board of Trustee land is necessary; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the 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 requested by the Department of Maritime Services are adhered to.

NOW, THEREFORE

THE BOARD OF TRUSTEES, having held a public hearing on the 11th day of January, 2011, to consider the matter of the execution of a license agreement pursuant to the Marine Conservation Law Chapter 137 for the construction of 475.0 linear ft. of composite inter-locking sheet-style bulkhead (within 3.0 feet seaward of existing concrete bulkhead) w/ 10 ft. return on each side of property and to back fill w/ approximately 2000 cu. yards of clean fill. Construction area is to be access via Town of Huntington, Board of Trustees

regulated property at 107 East Neck Rd., Huntington, N.Y. 11743 S.C.T.M.# 0400-036.00-01.00-004.001; and due deliberation being had;

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF), submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY GRANTS the execution of a license agreement to Patricia Nemes to construct 475.0 linear ft. of composite inter-locking sheet-style bulkhead (within 3.0 feet seaward of existing concrete bulkhead) w/ 10 ft. return on each side of property and to back fill w/ approximately 2000 cu. yards of clean fill. Construction area is to be access via Town of Huntington, Board of Trustees regulated property at 107 East Neck Rd., Huntington, N.Y. 11743 S.C.T.M.# 0400-036.00-01.00-004.001 on such terms and conditions as may be acceptable to the Town Attorney

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

| | |
|-----------------------------|------------|
| President Frank P. Petrone | AYE |
| Trustee Susan A. Berland | AYE |
| Trustee Mark A. Cuthbertson | AYE |
| Trustee Glenda A. Jackson | AYE |
| Trustee Mark Mayoka | AYE |

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.