

**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:**

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

**AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 1, 2011**  
Opened: 7:00 P.M.    Recessed: 7:16 P.M.    Resumed: 7:17 P.M.    Closed: 8:52 P.M.

**BOARD OF TRUSTEES' MEETING FOLLOWING**  
Opened: 8:52 P.M.    Closed 8:53 P.M.

**COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING**  
Opened: 7:16 P.M.    Recessed: 7:17 P.M.    Resumed: 8:53 P.M.    Closed: 8:54 P.M.

**7:00P.M. – TOWN HALL**

(Resolutions #2011-42 to 2011-76)

**HEARINGS:**

**ACTION**

1. 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.  
(2011-TC-1-Ch. 2)

**DECISION RESERVED**

2. 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.  
(2011-TC-2-Ch.3)

**DECISION RESERVED**

**HEARINGS (Con't.):**

**ACTION**

3. 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.

(2011-TC-3-Ch. 3)

**DECISION RESERVED**

4. 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).

(Local Law Intro No. 1-2011)

**DECISION RESERVED**

**COMMUNITY DEVELOPMENT AGENCY HEARING:**

1. Obtain comments on the Amendment to the Community Development Agency Program Year 2011 regarding changes to the Huntington Community Development Block Grant Program.

**HEARING CONCLUDED**

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 1, 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

2011-42.	AUTHORIZE the Supervisor to execute an agreement for funding from the Suffolk County Youth Bureau for the C.A.S.T. (Communities and Schools Together) Program. (Period: 1/1/2011 – 12/31/2011)	FP <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-43.	AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the provision of the EISEP Housekeeper/Chore and Caregiver Program. (Period: 4/1/2011 – 3/31/2012)	MM GJ <u>SB</u>	<u>FP</u>	<u>5</u>
2011-44.	AUTHORIZE the Supervisor to execute a one-year extension of a license agreement for residential occupation of the Ezra Carl Homestead by a resident caretaker, nunc pro tunc. (1/1/2011 – 12/31/2011)	SB <u>GJ</u>	<u>FP</u>	<u>5</u>
2011-45.	AUTHORIZE the Supervisor to execute an agreement with Pederson-Krag Center for a bilingual outreach social worker in Huntington Station. (1/1/2011-12/31/2011)	FP <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-46.	AUTHORIZE the Supervisor to execute a contract with HP Financial Services Company, to finance the purchase of multifunction print/copy equipment for the Town Print Shop under New York State Contract. (Re: Toshiba Business Solutions)	MC <u>SB</u>	FP <u>MM</u>	<u>5</u>
2011-47.	AUTHORIZE the Supervisor to execute a license agreement with Vicobe Productions for the use of Crab Meadow Beach for a sprint triathlon and youth event on September 24 and 25, 2011. (Re: 9/24/2011:10:00 AM-2:00 PM; 9/25/2011: 4:45 AM-12:00 PM)	FP MM <u>GJ</u>	<u>SB</u>	<u>5</u>
2011-48.	AUTHORIZE the Supervisor to execute a requirements contract with Superior Overhead Door, Inc. for overhead and rollup door repairs and service. (Term: One year)	<u>SB</u>	<u>MM</u>	<u>5</u>
2011-49.	AUTHORIZE the execution of an extension to the requirements contract with Municipal Sales, Inc. for application of foaming root control in sanitary services. (Re: One year extension commencing 3/19/2011)	<u>GJ</u>	<u>FP</u>	<u>5</u>
2011-50.	AUTHORIZE the Supervisor to execute a requirements contract with Tyree Service Corporation for the repair of gasoline and diesel pumps and leak detection systems. (Re: Term – One year)	<u>SB</u>	<u>GJ</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 1, 2011**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2011-51. AUTHORIZE</b> the Supervisor to execute a contract with D.F. Stone Contracting, Ltd. for the Brownsfields Remediation Program at the Veteran's Nature Study Area. <b>(Re: Term – One year)</b>	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
<b>2011-52. AUTHORIZE</b> the Supervisor to enter into a memorandum of understanding with the Greater Long Island Clean Cities Coalition, nunc pro tunc.	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
<b>2011-53. AUTHORIZE</b> the settlement of a claim. (Ramirez/Flores v Town of Huntington).	<u>MC</u>	<u>FP</u>	<u>5</u>
<b>2011-54. AUTHORIZE</b> the execution of a requirements contract with Bancker Construction Corp. for the repair and/or replacement of manhole frames and covers in New York State roadways. <b>(Term: One year)</b>	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2011-55. AUTHORIZE</b> the execution of a contract with A.C. Schultes, Inc. for the Dix Hills Water District rehabilitation of well no. 6-3. <b>(Term: 120 Days)</b>	<u>SB</u>	<u>MC</u>	<u>5</u>
<b>2011-56. AUTHORIZE</b> 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. <b>(Jose Cruz, 110 West Pulaski Road, Huntington Station, SCTM# 0400-141.00-05.00-006.000, Chapter 124-Section 9D, Chapter 124-Section 13G and Chapter 133-Section 2A)</b>	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
<b>2011-57. AUTHORIZE</b> the Comptroller to amend the 2011 Operating Budget for the Town of Huntington and its special districts-various departments.	<u>FP</u>	<u>SB</u> <u>MC</u>	<u>5</u>
<b>2011-58. AUTHORIZE</b> the Comptroller to amend the 2011 Operating Budget for the Town of Huntington and its special district-Highway Office. <b>(Re: Snow Removal)</b>	<u>SB</u>	<u>GJ</u>	<u>5</u>
<b>2011-59. APPOINT</b> a member to the Huntington Historic Preservation Commission. <b>(Re: N. Chris Hansen term expires 3/12/2014)</b>	<u>SB</u>	<u>FP</u>	<u>5</u>
<b>2011-60. ESTABLISH</b> and adopt a standardized process for the verification of and review of vendors seeking to do business with the Town of Huntington.	<b><u>Resolution Withdrawn by Councilman Mayoka</u></b>		
<b>2011-61. GRANT</b> a permit for an aquatic event to the Carpe Paddlum Foundation, Inc. for its Kayak for a Cause XI Charity Kayaking Event. <b>(Re: July 29, 2011 – 1:00 PM deliver and stage kayaks in Crab Meadow Beach parking lot; Event to be held on July 30, 2011 - 7:00 AM, Crab Meadow Beach to Norwalk, Connecticut)</b>	<u>SB</u>	<u>FP</u> <u>GJ</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 1, 2011**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2011-62. GRANT</b> permission for the Huntington YMCA to utilize the Town Hall Parking Lot for the purpose of parking for its annual Memorial Day Carnival. <b>(Dates: May 25, 2011 – May 30, 2011)</b>	<b>FP</b> <b><u>GJ</u></b>	<b><u>SB</u></b>	<b><u>5</u></b>
<b>2011-63. ENACTMENT: ADOPT</b> Local Law Introductory Number 31-2010, amending the Code of the Town of Huntington, declaring a ninety (90) day moratorium on public hearings, approvals, grants, and conditional use permits by the Zoning Board of Appeals for wireless transmission facilities.	<b><u>GJ</u></b>	<b><u>MC</u></b>	<b>4-AYES 1-NO <u>(SB)</u></b>
<b>2011-64. ENACTMENT: ADOPT</b> Local Law Introductory Number 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).	<b>SB</b> <b><u>MM</u></b>	<b><u>FP</u></b>	<b>4-AYES 1-NO <u>(MC)</u></b>
<b>2011-65. ENACTMENT: GRANT</b> a license agreement to NY Islanders Iceworks to operate a Pro Shop Service at Dix Hills Park Twin Ice Rinks. <b>(Period: 5 years)</b>	<b><u>MC</u></b>	<b><u>FP</u></b>	<b>3-AYES 2-NOES <u>(SB)</u> <u>(MM)</u></b>
<b>2011-66. ENACTMENT: APPROVE</b> the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). Applicant: Pamela J. Vogt Location: 161 Old Winkle Point Rd., Northport, N.Y. S.C.T.M. #0400-005.00-03.00-004.002. <b>(Re: NSEW Consulting)</b>	<b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2011-67. ENACTMENT: AMEND</b> the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-2, Schedule B. Re: Elwood Road, No Turn on Red.	<b><u>FP</u></b>	<b><u>GJ</u></b>	<b><u>5</u></b>
<b>2011-68. ENACTMENT: AMEND</b> the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Royal Lane – Stop Signs.	<b><u>MC</u></b>	<b><u>GJ</u></b>	<b><u>5</u></b>
<b>2011-69. ENACTMENT: AMEND</b> the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Longfellow Drive, No Parking Restriction.	<b><u>GJ</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2011-70. ENACTMENT: AMEND</b> 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).	<b><u>GJ</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: FEBRUARY 1, 2011**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2011-71. ENACTMENT: APPROVE</b> the issuance of a Certificate of Approval in an Historic District. Re: 2 Country Meadow Court, Melville – Sweet Hollow Historic District. <b>(Applicant: Joseph/Jody Murawski)</b> <b>(SCTM# 0400-256.00-01.00-019.010)</b>	<b><u>SB</u></b>	<b><u>GJ</u></b>	<b><u>5</u></b>
<b>2011-72. ENACTMENT: ADOPT</b> Local Law Introductory Number 33-2010, amending the Code of the Town of Huntington, Chapter 120 (Harbors and Waterways), Article I (Regulations and Restrictions).	<b><u>SB</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>
<b>2011-73. ENACTMENT: ADOPT</b> Local Law Introductory No. 34-2010, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions).	<b><u>SB</u></b>	<b><u>FP</u> <u>GJ</u></b>	<b><u>5</u></b>
<b>2011-74. ENACTMENT: ADOPT</b> 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).	<b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<b>2011-75. SCHEDULE A PUBLIC HEARING: March 8, 2011 at 2:00 PM</b> To consider adopting Local Law Introductory Number 2 - 2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Articles IV (Commercial Districts) and XI (Conditional Uses; Supplementary Regulations) to update standards for game centers and commercial places of amusement and recreation in C-6 and C-7 Commercial Zoning Districts.	<b><u>FP</u></b>	<b><u>MC</u> <u>SB</u> <u>GJ</u></b>	<b><u>5</u></b>
<b>2011-76. ESTABLISH</b> a Building Homes for Huntington Heroes Committee. <b>(Appointees (non-voting): Carol Rocco and Peter Wolpensinger)</b>	<b><u>MM</u> <u>FP</u></b>	<b><u>SB</u> <u>GJ</u></b>	<b><u>5</u></b>

**AGENDA FOR BOARD OF TRUSTEES'  
MEETING DATED: FEBRUARY 1, 2011**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2011-BT 3. SCHEDULE A PUBLIC HEARING: March 8, 2011 at 2:00 PM</b> To consider a variance and the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). Applicant: Dan P. Debono Location: 140 Old Winkle Point Rd., Eaton's Neck, N.Y. 11768 S.C.T.M. #0400-005.00-03.00-001.001.	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<b>2011-BT4. SCHEDULE A PUBLIC HEARING: March 8, 2011 at 2:00 PM</b> To consider the execution of a license agreement as is necessary for the construction of a residential fixed pier and floating dock assembly under Chapter 137, Marine Conservation. Applicant Dan P. Debono Location: 140 Old Winkle Point Rd., Eaton's Neck. N.Y. 11768 S.C.T. M. #0400-005.00-03.00-001.001.	<u><b>FP</b></u>	<u><b>GJ</b></u>	<u><b>5</b></u>
<b>2011-BT5. SCHEDULE A PUBLIC HEARING: March 8, 2011 at 2:00 PM</b> To consider a variance and the issuance of a Special Use Permit under Chapter 137 (Marine Conservation). Applicant: Kimberly A. Willen (Rev. Trust) Location: 29 Bluff Point Rd., Northport, N.Y. S.C.T.M. #0404-003.00-01.00-009.000.	<u><b>GJ</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2011-BT6. SCHEDULE A PUBLIC HEARING: March 8, 2011 at 2:00 PM</b> To consider the execution of a license agreement as is necessary for the construction of a residential fixed pier and floating dock assembly under Chapter 137, Marine Conservation. Applicant: Kimberly A. Willen (Rev. Trust) Location: 29 Bluff Point Rd., Northport, N.Y. S.C.T.M. #0404-003.00-01.00-009.000.	<u><b>GJ</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY  
MEETING DATED: FEBRUARY 1, 2011**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**2011-CD1. AUTHORIZE** the Chairman of the Huntington Community Development Agency to prepare and submit all required applications and permits to the Town of Huntington, Suffolk County and all other agencies having jurisdiction to develop eight (8) sites with eight (8) single family dwelling units each with an accessory apartment as affordable housing units in Huntington Station known as the Columbia Street Project.

**FP  
GJ    MC    5**

**INFORMATIONAL SHEET FOR TOWN BOARD MEETING**

**DATED: FEBRUARY 1, 2011**

**COMMUNICATION**

**ACTION**

1. Letters received Certified Mail – Applying for Liquor Licenses:  
From: Neena Bhasin for Om Sai Nath, Inc. – name to be determined; From: Thomas Schaudel for Jewel;  

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
2. Letters received Certified Mail – Renewal for Liquor Licenses:  
From: Jeffrey Bies for Jaybirds Club Inc.; From: Harry Korines for Huntington Golden Coach Inc.; From: Lawrence Goodman for Huntington Village Tavern; From: Stephen Seitz for Huntington Country Club; From: Ming Zhen Hu for Aki Japanese Cuisine; Theotokis Goussis for Skorpios Restaurant; John Raftery for The Head of the Bay Club Inc.; From: Vincent Bolger for Music Factory USA; From: Theodore Harbach for Huntington Post 360 American Legion; From: Hyun Chung for Osaka Sushi; From: Kristopher Wolff for Fredericks Restaurant; From: Angel Sorto for Southside Restaurant (Ground Floor); From: Gregory Black for Nags Head Ale House; From: William Hoest for Canterbury Ales; From: Angel Sorto for South Side Restaurant (First Floor); From: Charles O'Keefe for Pine Tree Inn; From: James Weis for 4810 Corporation Knights of Columbus; From: Joe Petrone for Tutto Pazzo Restaurant; From: Tadashi Watabe for Kurfune Inc.; From: Joseph Mercolino for Wyncote Club Inc.; From: Leonardo Lombardo for Strawberry's Grill & Bar, LLC;  

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
  
3. Letter received from Richard Brandenstein in support of the proposed Kensington Estates Project to be built on the Dougal Property.  

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
  
4. Email received from George and Elena Kafkarkou regarding TD Bank moving into the Aboff Building. The writer does not want to see this historic building destroyed or altered. In addition, they feel that the drive through portion of the proposed bank, is not in line with the 2020 Horizons Comprehensive Plan.  

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
  
5. Letter received from Gayle Snyder, Chairperson of the Cold Spring Hills Civic Association, regarding Triangle Equities Rezoning/Kensington Estates. The writer is expressing her disappointment and disgust with the approval given at the January 11, 2011 Town Board meeting, to approve 83 units to be built on this land.  

Supervisor  
Town Board  
Town Attorney  
Public Safety  
Engineering Services  
cc: Planning & Environment
  
6. Email received from Susan Hirschfeld, regarding damage from snow removal at 261 Main Street (corner of Main Street and New York Avenue). Pictures were attached indicating damage to the curb and bricks. Writer indicates it is a hazard to pedestrians.  

Supervisor  
Town Board  
Town Attorney  
Highway  
cc: Planning & Environment

7. Letter received from Carmine Clemente in support of the proposed development on the Dougal property to be known as Kensington Estates. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
8. Email received from Robin Araujo requesting that the Supervisor and the Town Board review the article she attached from the Village Tattler, "Preserve History, Preserve Hotel Huntington". Writer is requesting that this be designated as a Historic Landmark and therefore be preserved. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
9. Email received from Kay and Barbara Posillico, Co-Directors of Life Center Counseling and Health Services, regarding the Aboff Building. The writers are requesting that this building be preserved as a historic landmark. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
10. Letters received from Suffolk County Planning regarding: A) Huntington Town Board Resolution # 2010-632 – amendment to Chapter 120 "Harbors and Waterways B) Huntington Town Board Resolution # 2010-626 – Special Use Permit; Chapter 137 "Pamela Vogt" and C) Huntington Town Board Resolution # 2010-BT19 – License agreement Chapter 137 Patricia and Milan Nemes- The commission considers the aforementioned to be a matter of local determination which should not be construed as either an approval or disapproval. Supervisor  
Town Board  
Town Attorney  
Maritime Services  
Engineering Services  
cc: Planning & Environment
11. Letter received from the Association of Towns that the 2011 Training School and Annual Meeting will be held from February 20-23, 2011 at the Hilton New York and Sheraton New York and Towers. Supervisor  
Town Board  
Town Attorney  
Comptroller  
Assessor  
Engineering Services  
Receiver of Taxes  
Highway  
Traffic & Transportation  
cc: Planning & Environment
12. Letter received from mary McLaughlin who resides at 2 Beach Drive in Huntington Bay. Her letter indicates that there is also a 2 Beach Drive in Lloyd Harbor, at the far end of Lloyd Neck they are both in the Huntington 11743 zip code. There is a constant problem of mail going to the wrong party. Writer is also concerned that a bad situation will arise if there is a need to contact emergency services. Supervisor  
Town Board  
Town Attorney  
cc: Traffic & Transportation
13. Letter from Joseph Saladino, member of the Assembly, addressed to Jo-Ann Raia, Town Clerk, thanking her for sending Huntington Town Board Resolution #2011-30 regarding the John Rey Law. Assemblyman Joseph Saladino expressed his appreciation of his colleague, Assemblyman Andrew Raia, "in pushing for this legislation to protect our local communities." Supervisor  
Town Board  
cc: Town Attorney
14. Email received from Donna Cahill requesting no more section 8 housing in School District #3 and to say no to the proposal on 1A Lowndes and any others that may surface in the future. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment

15. Notice of Special Election was hand delivered by Todd Cohen, District Secretary for the Dix Hills Fire District. Special Election will be held on March 8, 2011 between the hours of 6:00 PM – 9:00 PM, the vote will be about a Bond Resolution for the construction of a new headquarters maintenance and training buildings. Supervisor  
Town Board  
Town Attorney  
cc: Fire Inspector
16. Email received from Gerard Seitz regarding "Saving the Legacy of WWI Marine, August H. Galow. Writer indicates that the old Huntington Hilton was designed by August Galow who was an ex-marine and became an architect. Mr. Seitz would like to see this building be preserved. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
17. Email received from Andrea Loughlin indicating that the hotel is a landmark that should be preserved and that allowing TD Bank to take over, would make traffic worse. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
18. Public Notice received from Richard Marino, Chairman of the Village of Laurel Hollow Board of Appeals, regarding a Public Hearing to be held on February 8, 2011 at 7:30 PM at Village Hall re: 1 Glen Lane install a garage, pool house, sports court, driveway alterations, pool, pool deck, spa, pool equipment and outdoor shower deck- setback requirements are not being met and certain items will not be located in rear yard as required. Also, there is an application to disturb a slope at this address. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
19. Emails received from Christine Pisani, Joe DeStefano, Neil Landman, James Cochran, Russ and Pat Brooks, Robert Araujo, PhD and Robin Araujo, DC all in support of preserving the Aboff Building and denying the TD Bank application in its present form. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
20. Letter received from Evelyn Herman regarding the proposed Kensington Estates to be built on the Dougal property. The writer is in favor of this project. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
21. Notification received from the State of New York, Division of Alcoholic Beverage Control, regarding a hearing to take place on February 8, 2011, at 11:00 am, at 317 Lenox Avenue, New York, New York. Hearing is regarding a liquor application filed on behalf of 5 Cheers Inc. d/b/a Honu Kitchen & Cocktails located at 363 New York Avenue. A hearing is being held because there are at least 3 other liquor licensed establishments within a 500 foot radius to the proposed establishment. Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
22. Emails received from Gerard Seitz, Ronald Seitz, Kathleen Harri, Elsie Zeese, Sue Anne Dennehy, Nancy Lipira, B. Platt, Jennifer Stylesand Carol Prives against tearing down the historical building (former Huntington Hotel) to build a TD Bank. Supervisor  
Town Board  
Town Attorney  
Engineering Services  
Planning & Environment  
cc: Historic Preservation Committee
23. Memorandum received from Robert Hughes, Secretary to the Historic Preservation Commission, advising that Charla Bolton moved to California therefore her seat on the Commission is vacant. Supervisor  
Town Board  
cc: Town Attorney

24. Email received from James Margolin, of the Law Offices Margolin & Margolin, regarding 410 New York Avenue, Huntington. Mr. Willen is a friend and client of Mr. Margolin. The letter indicates this property should not be designated as historic.

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

25. Email received from Lauri Mailloux regarding 410 New York Avenue, Huntington, she is in support of preserving the building.

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

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

Resolution for Town Board Meeting dated: February 1, 2011

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

And seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, the Suffolk County Youth Bureau wishes to provide funding in the amount of FIFTY-THREE THOUSAND FIVE HUNDRED AND NO/100 (\$53,500.00) for the period January 1, 2011 through 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, the execution of this agreement is not an action as defined by 6 N.Y.C.R.R., Section 617.2(b) and therefore no further SEQR review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Suffolk County Youth Bureau for funding in the amount FIFTY-THREE THOUSAND FIVE HUNDRED AND NO/100 (\$53,500.00) DOLLARS to be recorded in Operating Budget Item A3831 for the C.A.S.T. Program for the period January 1, 2011 through December 31, 2011; and

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

Increase the following revenue:

A3831	County Aid- Youth Bureau	\$53,500.00
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Increase the following appropriation:

A7320-4001	Contractual-Youth Services	\$53,500.00
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2011-42

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

Supervisor Frank P. Petrone	A YE
Councilwoman Susan A. Berland	A YE
Councilman Mark Cuthbertson	A YE
Councilwoman Glenda A. Jackson	A YE
Councilman Mark Mayoka	A YE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-43

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

Resolution for Town Board Meeting Dated: February 1, 2011

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

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

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

WHEREAS, the Adopted Suffolk County Operating Budget provides for funding at a rate of FOURTEEN and 54/100 (\$14.54) DOLLARS per unit of service/hour for the EISEP Housekeeper/Chore Program for the period of April 1, 2011 through March 31, 2012; and

WHEREAS, the 2011 Adopted Suffolk County Operating Budget includes TWENTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 (\$25,500.00) DOLLARS for funding of the Town of Huntington's Caregiver Program for the period of April 1, 2011 through March 31, 2012; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funds from the County of Suffolk for the provision of the EISEP Housekeeper/Chore Program at a rate of FOURTEEN AND 54/100 (\$14.54) DOLLARS per unit of service/hour for the period of April 1, 2011 through March 31, 2012, to be recorded in Operating Budget Item A3778 and to execute any documents in connection therewith and upon such other terms and conditions as are acceptable to the Town Attorney; and

FURTHER AUTHORIZES the Supervisor to apply for and receive funds from the County of Suffolk for the provision of the Caregiver Program in the amount of TWENTY-FIVE THOUSAND FIVE HUNDRED and NO/100 (\$25,500.00) DOLLARS for the period of April 1, 2011 through March 31, 2012, to be recorded in Operating Budget Item A3778 and to execute any documents in connection therewith and upon such other terms and conditions as are acceptable to the Town Attorney.

2011-43

VOTE:        AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-44

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A ONE-YEAR EXTENSION OF A LICENSE AGREEMENT FOR RESIDENTIAL OCCUPATION OF THE EZRA CARLL HOMESTEAD BY A RESIDENT CARETAKER, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: SUPERVISOR PETRONE

WHEREAS, upon recommendation of both the EOSPA Committee and the Huntington Historic Preservation Commission, the Town of Huntington acquired the historically significant Ezra Carll Homestead in Huntington Station (SCTM 0400-201-01-103) in 2001 (Resolution #2001-609); and

WHEREAS, consultation with area historical societies and other heritage organizations determined that no such qualified local agency was interested in either managing this property or utilizing it for appropriate interpretive or educational programs; and

WHEREAS, preservation of this circa 1740 structure could best be accomplished by its residential occupation by a caretaker who can provide on-site security for the property as well as perform specified maintenance duties; and

WHEREAS, pursuant to Town Board Resolution 2009-547, adopted on November 5, 2009 the Town of Huntington entered into a license agreement with a caretaker for a period of one (1) year with an option to extend such agreement for an additional one (1) year period upon mutual agreement; and

WHEREAS, the term of said license agreement expired on December 31, 2010 and the current resident caretaker and the Town of Huntington are desirous of extending such license agreement for the period commencing on January 1, 2011 and terminating on December 31, 2011; and

WHEREAS, extension of a license agreement for residential use of this property by a resident caretaker is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute an extension to the license agreement for the Ezra Carll Homestead with the current resident caretaker, Dominic Drwal, P.O. Box 1282, Smithtown, NY 11787-0895, for a period of one (1) year commencing on January 1, 2011 and termination on December 31, 2011, nunc pro tunc, and on such terms and conditions as may be acceptable to the Town Attorney.

2011-44

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.

2011-45

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH PEDERSON-KRAG CENTER FOR A BILINGUAL OUTREACH SOCIAL WORKER IN HUNTINGTON STATION

Resolution for Town Board Meeting Dated: February 1, 2011

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, in October 2009 Supervisor Frank P. Petrone formed the Huntington Station Action Coalition (HSAC) and appointed 20 distinguished community leaders to provide short and long term recommendations to address quality of life issues in Huntington Station; and

WHEREAS, in assessing the needs of the Huntington Station community the Education, Human and Social Services Subcommittee of the HSAC advised that it is necessary to develop a regular series of bi-lingual outreach programs to the community concerning the availability of educational, vocational and social programs throughout the Town that can help improve lives; and

WHEREAS, the HSAC supports this recommendation, concurring there is merit to deploying a bilingual social worker in Huntington Station to assist with these outreach programs and also to intervene in ongoing matters that might otherwise rise to crisis levels involving the use of emergency rooms, police resources, school resources, and ultimately, the streets; and

WHEREAS, for the year 2011, the Co-Chairs of the Education, Human and Social Services Subcommittee of the HSAC have requested a commitment of \$12,000 from the Town of Huntington to be combined with matching dollars from other sources to fund the cost of hiring a professional for this dedicated outreach position; and

WHEREAS, the Town of Huntington is desirous of achieving the stated revitalization goals as outlined in the March 2010 Report of Recommendations by the Huntington Station Action Coalition and in entering into an agreement with Pederson-Krag Center to administer the proposed bilingual outreach program; 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 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

2011-45

HEREBY AUTHORIZES the Supervisor to execute an agreement with Pederson-Krag Center, commencing on January 1, 2011 and terminating on December 31, 2011, for services related to assisting in the revitalization of Huntington Station by providing a bilingual outreach social worker to address needs in the Huntington Station community, in an amount not to exceed TWELVE THOUSAND AND NO/100 (\$12,000.00) DOLLARS, to be charged to Operating Budget Item A4225-4001, and on such other terms and conditions as may be acceptable to the Town Attorney; and

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

Decrease the following appropriation:

A6770-4031 Work/Family-Contractual (\$12,000.00)

Increase the following appropriation:

A4225-4001 Pederson Krag- Contractual Agreement \$12,000.00

VOTE:            AYES:    5            NOES:   0            ABSTENTIONS:   0

Supervisor Frank P. Petrone	A YE
Councilwoman Susan A. Berland	A YE
Councilman Mark A. Cuthbertson	A YE
Councilwoman Glenda A. Jackson	A YE
Councilman Mark Mayoka	A YE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-46

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH HP FINANCIAL SERVICES COMPANY, TO FINANCE THE PURCHASE OF MULTIFUNCTION PRINT/COPY EQUIPMENT FOR THE TOWN PRINT SHOP UNDER NEW YORK STATE CONTRACT

Resolution for Town Board Meeting Dated: February 1, 2011

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

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

WHEREAS, the Town's three year lease for print shop equipment is expiring on April 30, 2011 and must be replaced; and

WHEREAS, an analysis of various options determined that it is cost beneficial to the Town to purchase and finance two multifunction printers, two digital duplicating ink presses, and one high speed color printer at a budget savings of approximately \$3,540.00 per year for a total of \$14,160.00 over a four year period; and

WHEREAS, the equipment will be purchased from Toshiba Business Solutions under New York State Contract #01649-E and financed through HP Financial Services Company, with an interest rate of approximately 3.76% under New York State Lease Purchase Agreement-Contract #79-033; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with HP Financial Services Company, 420 Mountain Avenue, Murray Hill NJ 07974 under the New York State Lease Purchase Agreement-Contract #79-033 at a monthly rate not to exceed Four Thousand Four Hundred Twenty and 70/100 (\$4,420.70) DOLLARS for forty eight (48) months to be charged to Operating Budget A1670-2316, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-47

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A LICENSE AGREEMENT WITH VICOBE PRODUCTIONS FOR THE USE OF CRAB MEADOW BEACH FOR A SPRINT TRIATHLON AND YOUTH EVENT ON SEPTEMBER 24 AND 25, 2011

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, Vicobe Productions has requested permission to utilize Crab Meadow Beach, parking lot and pavilion to conduct a youth race event on Saturday, September 24, 2011 from 10 a.m. to 2 p.m. and a sprint triathlon from 4:45 a.m. to 12 p.m. on Sunday, September 25, 2011 and;

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

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby authorizes the Supervisor to execute a License Agreement with Vicobe Productions for the use of the northeast portion of the parking lot and the pavilion of Crab Meadow Beach for a youth race event on Saturday, September 24, 2011 from 10 a.m. to 2 p.m. and a sprint triathlon from 4:45 a.m. to 12 p.m. on Sunday, September 25, 2011; and

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

1. That Vicobe Productions shall coordinate the activities and secure all necessary approvals from the Town Department of Parks & Recreation, the Town Highway Department, the Town Department of Maritime Services, Town Department of General Services, the Town Department of Public Safety/Code Enforcement and any other Town, County, State or Federal agency having jurisdiction.

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

VOTE:            AYES:    5            NOES:    0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 48

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH SUPERIOR OVERHEAD DOOR, INC. FOR OVERHEAD AND ROLLUP DOOR REPAIRS AND SERVICE.

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILMAN MAYOKA**

WHEREAS, it is the intent of this requirements contract to provide repair service and general maintenance to a wide variety of overhead and rollup doors, as required by various Town facilities to ensure that all doors are operating in good working order; and

WHEREAS, sealed bids were received on January 6, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the overhead and rollup door service and repair, bid no. TOH 11-01R-001 and the same were opened publicly and read aloud; and

WHEREAS, Superior Overhead Door, Inc., 309 Magnolia Drive, Selden, New York 11784 is the low bidder; and

WHEREAS, overhead and rollup door service 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 requirements contract, and any documents in connection and related therewith, with Superior Overhead Door, Inc. for the overhead and rollup door service 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 two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to various departments in object code .4650 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.

2011-49

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE REQUIREMENTS CONTRACT WITH MUNICIPAL SALES, INC. FOR APPLICATION OF FOAMING ROOT CONTROL IN SANITARY SERVICES.

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by: COUNCILWOMAN JACKSON

and seconded by: SUPERVISOR PETRONE

WHEREAS, sewer lines within the Huntington Sewer District require annual maintenance for root intrusion with the injection of foaming herbicide to eliminate and inhibit roots that have grown and can prevent the flow of sewerage through the sewer lines; and

WHEREAS, Town Board Resolution 2010-69 authorized the execution of a requirements contract with Municipal Sales, Inc. for application of foaming root control in sanitary services, Bid No. 10-01R-002; and

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

WHEREAS, based on a review of current market conditions, it is in the best interest of the Town to exercise this extension; and

WHEREAS, Municipal Sales, Inc., P.O. Box 4743, Queensbury, NY 12831 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an extension to the contract, and any documents in connection and related therewith, with Municipal Sales, Inc. for application of foaming root control in sanitary services. The extension period shall be effective for one (1) year commencing on March 19, 2011 to be charged to the operating budget SS1.8131.4550, 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.

2011-50

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT WITH TYREE SERVICE CORPORATION FOR THE REPAIR OF GASOLINE AND DIESEL PUMPS AND LEAK DETECTON SYSTEMS.

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

WHEREAS, gasoline and diesel pumps and leak detections systems throughout the town require periodic maintenance and repair in order to comply with Suffolk County regulations. This annual requirements contract is for the repair and service of these systems, on an as needed basis, at various town facilities; and

WHEREAS, sealed bids were received on January 13, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the repair of gasoline and diesel pumps and leak detection systems, bid no. TOH 11-01R-007 and the same were opened publicly and read aloud; and

WHEREAS, Tyree Service Corporation, 208 Route 109, Farmingdale, New York 11735 is the low bidder; and

WHEREAS, the execution of this contract is a Type II action under SEQRA, 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 Tyree Service Corporation for the gasoline and diesel pumps and leak detection systems. 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 an additional one (1) year period under the same prices, terms and conditions, to be charged to various department operating budgets 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.

2011-51

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH D.F. STONE CONTRACTING, LTD. FOR THE BROWNSFIELDS REMEDIATION PROGRAM AT THE VETERAN'S NATURE STUDY AREA.

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Veterans Nature Study Area (VNSA) site is an underdeveloped 3-acre parcel within the 34-acre parcel located in Northport, New York and was donated to the Town of Huntington by the Veteran's Administration (VA). The site is largely wooded, with several unpaved roads and a former solid waste disposal area; and

WHEREAS, the Town has entered into a State Assistance Contract for the sum of \$1,550,649.00 with New York State Department of Environmental Conservation for the environmental restoration of the Veterans Nature Study Area in Northport; and

WHEREAS, this project is part of the New York State Department of Environmental Conservation (NYSDEC) Brownfield's Remediation Program and includes cleanup activities for fill and contaminated soils at the site. The selected remedial procedure for the VNSA site is excavation and disposal of fill and contaminated soils. The project involves stabilizing the access roads and cleaning the work area, followed by excavation, stockpiling, sampling and off-site disposal of fill and contaminated soil. After such work is performed the excavated work area will then be restored; and

WHEREAS, sealed bids were received on January 13, 2011 by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for the Brownsfields remediation program at the Veteran's Nature Study Area, Contract No. EWM 2011-01/O-E and the same were opened publicly and read aloud; and

WHEREAS, D.F. Stone Contracting, Ltd., 1230 Station Road, Medford, NY 11763 is the low bidder; and

WHEREAS, pursuant to Town Board Resolution 2004-455, the Town of Huntington adopted a Negative Declaration for the remediation of the Veterans Nature Study Area; and

WHEREAS, the current planned remediation of the Veterans Nature Study Area by means of excavation and disposal of fill and contaminated soils was originally examined by the Town as an alternative for remediation and this more environmentally beneficial means of remediation has been the subject of a NYSDEC public hearing, has been approved by the NYSDEC and NYS Department of Health and is the subject of an amended NYSDEC Record of Decision, and therefore no further SEQRA review is required.

2011-51

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with D.F. Stone Contracting, Ltd. for the Brownfields remediation program at the Veteran's Nature Study Area. The contract period shall be effective upon execution, for a twelve (12) month period for an amount not to exceed the sum of SIX HUNDRED SEVENTY TWO THOUSAND THREE HUNDRED AND THIRTY THREE AND NO/100 (\$672,333.00) DOLLARS, to be charged to WM8792-2103-GT020, 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	A YE
Councilwoman Susan A. Berland	A YE
Councilman Mark A. Cuthbertson	A YE
Councilwoman Glenda A. Jackson	A YE
Councilman Mark Mayoka	A YE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-52

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE GREATER LONG ISLAND CLEAN CITIES COALITION, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Greater Long Island Clean Cities Coalition (GLICCC) carries out the objectives of the United States Department of Energy (DOE) Clean Cities program by awarding grant funding for the purchase of alternative fuel vehicles; and

WHEREAS, GLICCC has awarded the Town's Department of Environmental Waste Management grant funds on two separate occasions totaling \$530,000.00 to achieve these objectives, and based on this relationship has deemed the Town a stakeholder; and

WHEREAS, the Town as part of its ongoing energy conservation and air quality mitigation strategy wishes to continue its relationship with GLICCC and be a viable candidate for future grant funds for the purchase of alternative fuel vehicles; and

WHEREAS, GLICCC requires an executed Memorandum of Understanding (MOU) annually from all stakeholders in order for those stakeholders to be eligible for future funding; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into a Memorandum of Understanding with the Greater Long Island Clean Cities Coalition and to execute any documents in connection therewith, upon such terms and conditions as are acceptable to the Town Attorney, nunc pro tunc; and

VOTE:           AYES:   5   NOES:   0   ABSTENTIONS:   0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM  
(Rameriz/ Flores v Town of Huntington)

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on August 17, 2010 a Notice of Claim was filed against the Town of Huntington on behalf of Pedro Rameriz, infant by his mother and natural guardian Antonia Flores seeking to recover damages sustained in an accident which occurred on July 7, 2010; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of TEN THOUSAND and NO/100 (\$10,000.00) DOLLARS for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept TEN THOUSAND and NO/100 (\$10,000.00) DOLLARS in full settlement of their claim; and

WHEREAS, all parties have agreed to this settlement subject to the approval of the Town Board and an Infant Compromise Order of the Court; and

WHEREAS, the settlement of this personal injury lawsuit is not an "action" as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to issue checks in settlement of this matter, not to exceed a total of TEN THOUSAND and NO/100 (\$10,000.00) DOLLARS pending receipt of closing papers therein and subject to an Infant Compromise Order, applied against Operating Budget Item No. A1930-4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement

VOTE:                    AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011- 54

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT WITH BANCKER CONSTRUCTION CORP. FOR THE REPAIR AND/OR REPLACEMENT OF MANHOLE FRAMES AND COVERS IN NEW YORK STATE ROADWAYS.

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN BERLAND**

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

WHEREAS, sealed bids were received on January 6, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the repair and/or replacement of manhole frames and covers in state roadways, Bid no. TOH 11-01R-003 and the same were opened publicly and read aloud; and

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

WHEREAS, repair and/or replacement of manhole frames and covers in state roadways is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with Bancker Construction Corp. for the repair and/or replacement of manhole frames and covers in state roadways. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged WM8197 2780 07807, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-54

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.

2011-55

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH A.C. SCHULTES, INC., FOR THE DIX HILLS WATER DISTRICT REHABILITATION OF WELL NO. 6-3.

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Dix Hills Water District is in need of performing rehabilitative work on Well 6-3, in accordance with the Suffolk County Department of Health Services (SCDHS) and the New York State Department of Environmental Conservation (NYSDEC). Experience has shown that pump capacity will decrease over time due to mechanical wear of the unit and changes in the hydraulic characteristics of the well. The loss of capacity can also be an indicator of potential pump failures. Therefore, periodic rehabilitation will generally restore lost well capacity and prevent the potential for premature pump failure. Work on this project will include the removal, inspection and replacement of the existing submersible well pumping unit and equipment, cleaning, bailing, disinfection, caliper logging and alignment testing; and

WHEREAS, sealed bids were received on January 6, 2011, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Dix Hills Water District rehabilitation of well no. 6-3, contract no. DHWD 2011-03/O-E and the same were opened publicly and read aloud; and

WHEREAS, A. C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, New Jersey 08096 is the low bidder; and

WHEREAS, Dix Hills Water District rehabilitation of well no. 6-3 is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with A. C. Schultes, Inc. for the Dix Hills Water District rehabilitation of well no. 6-3. The contract period shall be effective upon the execution of the contract until one hundred and twenty (120) days from that date for an amount not to exceed the sum of NINETY ONE THOUSAND TWO HUNDRED AND NO/100 (\$91,200.00) DOLLARS, to be charged to EG8397-2778-07321, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-55

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- 56

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: February 1, 2011

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

And seconded by: **SUPERVISOR PETRONE**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE:           AYES:    5       NOES:    0       ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-56

Schedule A

Chapter 124, Section 9D of the Code of the Town of Huntington  
Authorizing the Repair of a Fence

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
110 W. Pulaski Rd. Huntington Sta., NY 11746	0400-141.00-05.00-006.000	Jose Cruz	01/13/2011	N/A

Chapter 124, Section 13G of the Code of the Town of Huntington  
Authorizing the Repair of Overhanging Gutters

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
110 W. Pulaski Rd. Huntington Sta., NY 11746	0400-141.00-05.00-006.000	Jose Cruz	01/13/2011	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
110 W. Pulaski Rd. Huntington Sta., NY 11746	0400-141.00-05.00-006.000	Jose Cruz	01/10/2011	N/A

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: February 1, 2011

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

and seconded by: **COUNCILWOMAN BERLAND, 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, 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 follows:

Create the following positions:

A-7020-1100 Account Clerk Typist \$35,476

Reinstate the following positions:

A-1415-1100 Clerk Typist \$30,120

A-5630-1100 Bus Driver 59,938

Adjust the following Appropriations:

A-1990-1100 Contingency (\$125,534)

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 COMPTROLLER TO AMEND THE 2011 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICT - HIGHWAY OFFICE

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

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

WHEREAS, one such power and duty is to approve budgetary amendments; and

WHEREAS, funds are needed to purchase snow removal materials due to the multiple snow storms that have occurred; and

WHEREAS, pursuant to Town Board Resolution 1994-228, all budgetary transfers in the excess of \$5,000 require Town Board approval; and

WHEREAS, the purchase of snow removal materials is a type II action pursuant to 6 N.Y.C.R.R. (c)(25), and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

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

Decrease the following appropriation:

DB5142-4010      Snow Removal Contingency      (\$290,000)

Increase the following appropriation:

DB5142-4350      Snow Removal Material      \$290,000

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

# 2011-59

## RESOLUTION APPOINTING A MEMBER TO THE HUNTINGTON HISTORIC PRESERVATION COMMISSION

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, a vacancy exists on the Huntington Historic Preservation Commission; and

WHEREAS, the appointment of members to the Huntington Historic Preservation Commission is not an action as defined by 6 NYCRR §617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS the following individual to the Huntington Historic Preservation Commission for a term to expire March 12, 2014:

N. CHRIS HANSEN  
8 Harbor Park Drive, Centerport, New York 11721

VOTE:           AYES: 5           NOES: 0           ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 61

RESOLUTION GRANTING A PERMIT FOR AN AQUATIC EVENT TO THE CARPE PADDLUM FOUNDATION, INC. FOR ITS KAYAK FOR A CAUSE XI CHARITY KAYAKING EVENT

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by: Councilwoman Berland

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

WHEREAS, the Carpe Paddlum Foundation, Inc., 19 Pine Hill Avenue, Norwalk, Connecticut 06855, has requested a permit for an aquatic event allowing participants to launch and paddle kayaks from Crab Meadow Beach, Northport to Norwalk Connecticut, on Saturday, July 30, 2011 at approximately 7:00 a.m., and further requests permission to stage kayaks at Crab Meadow Beach on Friday, July 29, 2011 1:00 p.m. in preparation for the event; and

WHEREAS, the Carpe Paddlum Foundation, Inc. will file a float plan and obtain consent from the Coast Guard Station, and will have the local Flotilla # 72 in Norwalk, Connecticut review their safety plan; and

WHEREAS, the Town Board has previously approved similar events and wishes to continue to promote and encourage such events as the Kayak For A Cause XI Charity Kayaking event; and

WHEREAS, the granting of a permit for an aquatic event is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, pursuant to the Code of the Town of Huntington § 120-15, a permit for an aquatic event to the Carpe Paddlum Foundation, Inc., 19 Pine Hill Avenue, Norwalk, Connecticut 06855, for its Kayak for a Cause XI Charity Kayaking event on Saturday, July 30, 2011 allowing approximately 300 participants to launch and kayak from Crab Meadow Beach Northport to Norwalk Connecticut and furthermore grant permission to deliver and stage kayaks in the Crab Meadow Beach parking lot on Friday, July 29, 2011 at 1:00p.m., subject to: 1) the submission of a hold harmless agreement; 2) appropriate insurance in a form satisfactory to the Town Attorney; and 3) securing all required permits for said event; and on such other terms and conditions as may be acceptable to the Town Attorney.

2011-61

VOTE:            AYES:    5            NOES:   0            ABSTENTIONS:   0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-62

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

Resolution for Town Board Meeting Dated: February 1, 2011

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

WHEREAS, the Huntington YMCA will be sponsoring its annual Memorial Day Carnival, as a fund-raiser for the YMCA Scholarship Fund, from May 25, 2011 through May 30, 2011, and

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

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

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

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby grants permission to the Huntington YMCA for the use of the Town Hall parking lot for the purpose of parking during its annual Memorial Day Carnival from May 25, 2011 through May 30, 2011, subject to the submission of a Hold Harmless Agreement and appropriate insurance documents in a form satisfactory to the Town Attorney, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES:    5    NOES:    0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 63

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 31-2010 AMENDING THE CODE OF THE TOWN OF HUNTINGTON DECLARING A NINETY (90) DAY MORATORIUM ON PUBLIC HEARINGS, APPROVALS, GRANTS AND CONDITIONAL USE PERMITS BY THE ZONING BOARD OF APPEALS FOR WIRELESS TRANSMISSION FACILITIES

Resolution for Town Board Meeting dated: February 1, 2011

The following resolution was offered by: Councilwoman Jackson

And seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD, having held a public hearing on the 11<sup>th</sup> day of January, 2011 at 6:00 p.m. to 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, permits and/or conditional use permits in connection with communication, transmission and/or reception antenna and/or towers and/or wireless facilities; and due deliberation having been had,

NOW THEREFORE, THE TOWN BOARD

HEREBY ADOPTS

Local Law Introductory No. 31-2010 as follows:

LOCAL LAW NO.: 2 - 2011  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
DECLARING A NINETY (90) DAY MORATORIUM ON PUBLIC HEARINGS,  
APPROVALS, GRANTS AND CONDITIONAL USE PERMITS  
BY THE ZONING BOARD OF APPEALS FOR WIRELESS  
TRANSMISSION FACILITIES

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

Section 1. Amendment to the Code of the Town of Huntington for the purpose of declaring a ninety (90) day moratorium on public hearings, approvals, grants and/or conditional use permits by the Zoning Board of Appeals regarding wireless transmission facilities currently required to obtain a conditional use permit from the Zoning Board of Appeals as provided for in §198-68 (A)(6) of the zoning code is in the public interest.

Section 2. Legislative Intent, Purpose and Findings:

(1) The Code of the Town of Huntington has not been comprehensively updated since 1998 with respect to the regulation of wireless transmission facilities which refers to antennas, beacons, towers and accessory facilities as defined in §198-68 (A)(6)(b) of the zoning code of the Town of Huntington.

- (2) The wireless communications industry is characterized by the rapid development of new technologies that in many instances may result in community impacts as they are installed at various locations throughout the Town; furthermore, there have been numerous court decisions interpreting the extent of permissible local regulation of wireless transmission facilities.
- (3) It has become necessary to update Chapter 198, Section 198-68(A)(6) to ensure that the Code of the Town of Huntington regulates wireless transmission facilities and related improvements to the fullest extent permitted by applicable Federal and/ or State laws, and court decisions interpreting said laws, for purposes of preserving and enhancing the safety and welfare of the residents of the Town of Huntington and the public in general. The code amendments to be considered include but are not limited to the proof necessary to establish compliance with the federal RF emission limit, whether on-site testing of RF emissions should be required, and whether a gap in service requires location at a particular site; what standard of proof should apply to determine whether a gap in service exists and/or whether a particular location is necessary to satisfy a gap in service; what constitutes a gap in service; and to review alternative code language to mitigate the aesthetic impacts and whether particular types of structures such as lattice towers can be prohibited, and in otherwise considering amendments to the code that will comply with all applicable federal and state law.

Section 3. Declaration of Moratorium. A ninety (90) day moratorium on public hearings, approvals, grants and conditional use permits by the Zoning Board of Appeals for the construction or installation of wireless transmission facilities which are defined as antennas, beacons, towers and accessory facilities in §198-68 (A)(6)(b) of the zoning code of the Town of Huntington in order to provide the Town sufficient time to review the existing code and implement new regulations is hereby declared. This declaration applies only to wireless transmission facilities that are required to obtain a conditional use permit from the Zoning Board of Appeals pursuant to Chapter 198, Section 198-68 (A)(6) of the Town Code.

Section 4. Hardship Application. Any person or entity aggrieved by this moratorium may apply to the Town Board for relief from the moratorium based upon a hardship. Applications for such relief shall be made in writing to the Town Clerk and shall specify the basis for the claimed hardship; supply all supporting documentation and proof; and pay an application fee of \$150. The Board shall grant a hardship application only if it is established that the hardship is not self-created; that tangible and identifiable loss will occur if applicant is required to wait until the expiration of this moratorium before a hearing is held and/or a decision is rendered by the Zoning Board of Appeals, or that an emergency situation exists involving an imminent threat to public health and safety. The need for prompt application to provide or maintain emergency protection services shall be sufficient to establish entitlement to a hardship exemption.

Section 5. This moratorium does not apply to publicly owned properties. However, those applications will be required to undergo review by the Department of Engineering Services for compliance with requirements for a building permit before permission to proceed will be granted.

Section 6. 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 7. Effective Date. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.

ADDITIONS ARE INDICATED BY UNDERLINE.

DELETIONS ARE INDICATED BY [BRACKETS].

\* \* \* INDICATES NO CHANGE TO PRESENT TEXT.

VOTE:           AYES: 4   NOES: 1   ABSENCES: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	NO
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 - 64

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 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)

Resolution for Town Board Meeting dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 11th day of January, 2011 at 6:00 p.m. to 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), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 32-2010 amending the Code of the Town of Huntington, Chapter 180, (Taxicabs and Vehicles for Hire); as follows:

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

LOCAL LAW NO. 3 -2011  
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)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 180 (Taxicabs and Vehicles for Hire); as follows:

CHAPTER 180  
TAXICABS AND VEHICLES FOR HIRE

\* \* \*

ARTICLE III – VEHICLE REQUIREMENTS

\* \* \*

§180-13. Vehicle Regulations:

\* \* \*

- J. Car Top Advertising. Each vehicle used as a taxicab, may, upon annual application to the Town Clerk, be equipped with a car top advertising device no greater in size than forty-nine (49) inches long by fifteen (15) inches high.

\* \* \*

ARTICLE V – ADMINISTRATIVE REQUIREMENTS

§180-20. Transfers unlawful.

It is unlawful for any person to transfer or assign any license, car top advertising device, certificate or permit, or the identification device therefore, issued under the provisions of this chapter, to any other person or from one vehicle to another.

§180-21. Expirations and renewals.

- A. Expirations. All licenses, certificates with or without provision for car top advertising device and permits issued hereunder shall expire at 12:00 midnight on the first day of May next following the date of issuance.

\* \* \*

ARTICLE VIII – FEES, PENALTIES AND MISCELLANEOUS PROVISIONS

§180-36. Fees.

- A. Regular fees. The following fees shall be collected by the Town Clerk at the time applications are presented for issuance, replacement, substitution, processing, waiver or hearing:

\* \* \*

- (7) For a car top advertising device: fifty (\$50) dollars.

Section 2. Severability.

If any clause, sentence paragraph, subdivisions, 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

2011 - 64

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: 4 NOES: 1 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	NO
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2011-65

ENACTMENT: GRANT A LICENSE AGREEMENT TO NY ISLANDERS ICEWORKS TO OPERATE A PRO SHOP SERVICE AT DIX HILLS PARK TWIN ICE RINKS.

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by: COUNCILMAN CUTHBERTSON

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Department of Parks and Recreation wishes to engage the services of a qualified licensee to provide pro shop concession services for the Town's Dix Hills Ice Rink facility. These services will include but are not limited to skate sharpening, sales of hockey equipment, figure skating equipment and sales of related accessories and apparel; and

WHEREAS, requests for proposals were received on November 19, 2010, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for pro shop services at Dix Hills Park Twin Ice Rinks, RFP No. 2010-11-014 and the same were opened and read aloud; and

WHEREAS, NY Islanders Iceworks, 175 Underhill Blvd., Syosset, New York 11791 is the successful proposer; and

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

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 11<sup>th</sup> day of January, 2011, to consider granting a license agreement to the NY Islanders Iceworks, and due deliberation having been made,

HEREBY GRANTS a license agreement to the NY Islanders Iceworks to operate a pro shop service at Dix Hills Park Twin Ice Rinks and authorizes the Supervisor to execute a contract and any documents in connection and related therewith. The contract period shall be effective upon the execution of the contract for a period of five (5) years with an option to renew an additional five (5) years upon the mutual consent of both parties; in consideration for the payment of the following by the New York Islanders Iceworks: years 1 & 2 - \$900.00 per month; year 3 - \$1,000.00 per month; year 4 - \$1,100.00 per month; year 5 - \$1,200 per month; and if the contract is renewed, then years 6 & 7 - \$1,300.00; years 8 & 9 - \$1,400.00 per month; year 10 - \$1,500.00 per month to be deposited into Revenue Account No. A2012, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2011-65

VOTE:            AYES: 3    NOES: 2    ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	NO
Councilman Mark A. Cuthbertson	AYE
Councilwoman Glenda A. Jackson	AYE
Councilman Mark Mayoka	NO

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-66

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT UNDER  
CHAPTER 137 (MARINE CONSERVATION)  
APPLICANT: PAMELA J. VOGT  
LOCATION: 161 OLD WINKLE POINT RD., NORTHPORT, N.Y.  
S.C.T.M. #: 0400-005.00-03.00-004.002

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of  
Huntington, an application for a special use permit has been submitted by  
NSEW Consulting  
On behalf of  
Pamela Vogt  
161 Old Winkle Point Rd.  
Northport, N.Y. 11768

to construct a 10 ft wide by 125 ft long, 3 ft to 5 ft high tapered rock revetment consisting  
of two (2) rows of ½ ton to 1 ½ ton rocks placed on filter fabric to act as an erosion  
barrier at 161 Old Winkle Point Rd., Northport, 11768 S.C.T.M. # 400-005.00-003.00-  
004.002; and

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

WHEREAS, upon review of the Environmental Assessment Form, submitted by the  
applicant, and by the SEQRA review prepared by the Town Department of Maritime  
Services, it has been determined that no potentially adverse environmental impacts are  
posed by the pending action, providing the conditions requested by the Department of  
Maritime Services are adhered to.

NOW, THEREFORE

THE TOWN BOARD, having held a public hearing on the 11<sup>th</sup> day of January, 2011 to  
consider the issuance of a special use permit to Pamela Vogt to construct a 10 ft wide by  
125 ft long 3 ft to 5 ft high tapered rock revetment consisting of two (2) rows of ½ ton to  
1 ½ ton rocks placed on filter fabric to act as an erosion barrier at 161 Old Winkle Point  
Rd., Northport, 11768 S.C.T.M. # 400-005.00-003.00-004.002; 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

2011-66

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 APPROVES the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington, to Pamela Vogt to construct a 10 ft wide by 125 ft long 3 ft to 5 ft high tapered rock revetment consisting of two (2) rows of ½ ton to 1 ½ ton rocks placed on filter fabric to act as an erosion barrier at 161 Old Winkle Point Rd., Northport, 11768 S.C.T.M. # 400-005.00-003.00-004.002, subject to the following conditions:

- 1) All work associated with the subject project must be completed during periods of low tides to eliminate any potential for turbidity to impact the waterway.
- 2) Access for delivery and placement of construction material and heavy equipment required to perform permitted work must be by the approved over land route and limited to the owner's property.
- 3) There shall be no disturbance to vegetated wetlands or protected buffer areas as a result of the permitted activities.
- 4) The applicant is responsible for adhering to all necessary local, State and Federal laws.
- 5) No construction equipment, materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas
- 6) Any debris or excess material from construction of this project shall be completely contained on the upland portion of the subject property and shall be removed from the site in a timely manner to an approved upland area for disposal.
- 7) All activities must be conducted in conformance with the New York State-DEC permit # 1-4726-00466/00003.
- 8) The applicant, owner and their duly authorized representatives (such as contractors, sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington, Dept. of Engineering Services, Dept. Of Maritime Services and the Town Attorney's Office. Any modification to or deviation from the approved plans, methodology and/or terms/conditions as included in the issued permit must be approved by the Town of Huntington prior to the commencement of activities
- 9) Applicant must notify the Dept. of Engineering Services, Dept. Of Maritime Services and the Harbor Master's office 48 hours prior to the commencement of

any construction/demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621

- 10) Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743

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.

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE II, §2-2, SCHEDULE B.  
RE: ELWOOD ROAD, NO TURN ON RED

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

THE TOWN BOARD having held a public hearing on January 11, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article II, Turning Movements; §2-2, Turns on Red Signals; Schedule B, as follows:

	<u>CONTROLLING TRAFFIC ON</u>	<u>DIRECTION OF TRAVEL</u>	<u>TURNING RIGHT TO</u>	<u>HOURS/ DAYS</u>
ADD:	Elwood Road (ENP)	South	Pulaski Road	7:00 a.m. to 6:00 p.m., school days

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-68

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.  
RE: ROYAL LANE – STOP SIGNS

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

THE TOWN BOARD having held a public hearing on the 11<sup>th</sup> day of January, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article IV, Stop and Yield Intersections; §2-7, Stop and Yield Intersections Designated; Schedule G, as follows:

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Royal Lane (DXL)	STOP	NORTH	Majestic Drive

VOTE:            AYES:    5            NOES:    0            ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011-69

ENACTMENT: AMEND THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.  
RE: LONGFELLOW DRIVE, NO PARKING RESTRICTION

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 11<sup>th</sup> day of January, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 3, Parking Regulations; Article II, Parking, Standing, and Stopping Restrictions; §3-3, Designation of Areas and Restrictions; Schedule J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Longfellow Drive/east From 390 feet north of Shelley Place north for 100 feet (HUS)	No Parking	-----

VOTE:            AYES:    5            NOES:    0            ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: AMEND 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)

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 11<sup>th</sup> day of January, 2011, to consider amending the Uniform Traffic Code of the Town of Huntington, and due deliberation having been had,

HEREBY AMENDS

the Uniform Traffic Code of the Town of Huntington, Chapter 2, Traffic Regulations; Article I, Traffic Control Signals; §2-1 Installation of Traffic Control Signals; Schedule A

<u>LOCATION</u>	<u>DESCRIPTION OF SIGNAL</u>
ADD: Centerport Rd.(CR86)/Blenheim Ln.(south) (CPT)	Semi-traffic-actuated

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011- 71

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL  
IN AN HISTORIC DISTRICT  
RE: 2 COUNTRY MEADOW COURT, MELVILLE – SWEET HOLLOW HISTORIC  
DISTRICT

Resolution for Town Board Meeting Dated: February 1, 2011

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

and seconded by: **COUNCILWOMAN JACKSON**

**THE TOWN BOARD**

HAVING HELD A PUBLIC HEARING on the 11th day of January, 2011, pursuant to Section 198-41 of the code of the Town of Huntington, to consider two applications by Joseph and Jody Murawski, Owners, 2 Country Meadow Court Melville, NY 11747 for a Certificate of Approval for 1) alterations to repair historic garage/barn damaged by fire; and 2) removal of existing foundation, construction of new foundation, preservation & relocation of surviving section of historic dwelling (18' x 21') by attachment to a new 2-story, one-family dwelling, located at 2 Country Meadow Court, Melville, NY 11747, bearing Suffolk County Tax Map #0400-256.00-01.00-019.010, 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 applications of Joseph and Jody Murawski, for a Certificate of Approval.

VOTE:                    AYES:    5            NOES:    0            ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 33-2010 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 120 (HARBORS AND WATERWAYS), ARTICLE I (REGULATIONS AND RESTRICTIONS)

Resolution for Town Board Meeting Dated: February 1, 2010

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 11th day of January, 2011 at 6:00 p.m. to 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), and due deliberation having been had;

HEREBY ADOPTS

Local Law Introductory No. 33-2010 amending the Code of the Town of Huntington, Chapter 120 (Harbors and Waterways), Article I (Regulations and Restrictions) as follows:

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

LOCAL LAW NO. 4 - 2011  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 120 (HARBORS AND WATERWAYS)  
ARTICLE I (REGULATIONS AND RESTRICTIONS)

Section 1. Chapter 120 (Harbors and Waterways) Article I (Regulations and Restrictions) of the Huntington Town Code is hereby amended as follows:

CHAPTER 120  
HARBORS AND WATERWAYS

ARTICLE I  
REGULATIONS AND RESTRICTIONS

\* \* \*

§120-2. Definitions. As used in this article, the following words shall have the meanings indicated:

\* \* \*

PERSON-IN-CHARGE --Any person who is not the owner but who is using, or is in custody, possession, in charge of or responsible for the vessel, float, mooring, slip or other object at issue.

\* \* \*  
§120-5. Public docks and floats.

\* \* \*  
B. Special events permits.

(1) [Special event permits.] Special event permits may be issued by the Department for an event requiring the use of the public dock or float as long as the event is limited to one (1) day, and provided the owner of the vessel applies for a special event permit, pays an application fee of fifty (\$50) dollars, provides a certificate of insurance [as set forth in (B)(2) herein], and signs a hold harmless agreement in favor of the Town and the Huntington Board of Trustees. If the applicant is a charter, then the application shall be accompanied by the documents set forth in §120-18(B) together with a fifty (\$50) dollar application fee.

(2) A copy of a certificate of insurance naming the Town of Huntington and the Huntington Board of Trustees as [an] additional [insured under a Protection and Indemnity Policy] insureds by endorsement with policy limits of:

(a) Liability for personal injury, including death, sustained on [town] public property and/or occurring as a result of the conduct of the special event, five hundred thousand (\$500,000) dollars per occurrence; and

(b) [Property damage to town] Damage to public or private property [or the property of others] as a result of the use of [town] public property and/or conduct of the special event[:], five hundred thousand (\$500,000) dollars per occurrence.

\* \* \*  
[E.] D. In the event a vessel is disabled, the vessel may remain at such public dock or float for a period not to exceed twenty-four (24) hours with the permission of the Department of Maritime Services. At no time shall a disabled vessel be tied up or made fast to the south float "pump-out area".

[D.] E. In addition to the penalties provided herein for a violation of any of the provisions of this article, the Department of Maritime Services may cause a vessel which is tied or made fast to a public dock or float in excess of one (1) hour, or as otherwise posted, to be removed, stored and/or secured at the expense of the owner or person in charge of such vessel. [A storage fee of five (\$5) dollars per foot as measured length overall for each day or any part thereof shall be due and payable to the Town of Huntington by the owner or person in charge of the vessel and said sum shall be fully paid by cash, certified or bank check or money order prior to the release of the vessel.]

\* \* \*  
§ 120-17. Unseaworthy, sunk or abandoned vessels.

\* \* \*

E. [(1)] In the event the vessel is not removed by the owner at the expiration of seven (7) days, and neither the Suffolk County Marine Bureau nor the Suffolk County Sheriff's Office has responded or has agreed to take possession of the vessel within such period, the Department of Maritime Services shall remove and impound the vessel and photograph same. Once the vessel is impounded, the owner shall be given notice that such vessel has been impounded and is in the custody of the Department of Maritime Services, and that if the vessel is not claimed within twenty (20) days of the date of the notice, same shall be sold at public auction. The notice shall further state that the proceeds of the sale shall be used to defray the costs of providing notice to the owner and of removal, storage and sale of the vessel and its contents, and all other expenses incidental thereto. The notice shall contain the address and telephone number of the Department of Maritime Services, a description of the vessel, its name, contents and condition, the location from where it was taken and its current location.

\* \* \*

(2) Proof of ownership in the form satisfactory to the Department of Maritime Services shall be provided prior to the release of any vessel. All costs and expenses incurred by the Town of Huntington, including but not limited to, the costs of notice to the owner and of removal, storage charges [in the sum of five (\$5) dollars per foot as measured length overall for each day or any part thereof], and all other expenses incidental thereto shall be fully paid by cash, money order, bank or certified check before a vessel will be released. The Department of Maritime Services shall maintain an accurate accounting of all costs and expenses incurred by the Town.

\* \* \*

§120-19. Impound facilities.

(1) It shall be unlawful for any [No] person [shall] to enter an impound facility owned, maintained [and/or] or operated by the Town of Huntington without authorization, [and no person shall] or to remove, damage, or tamper with any vessel or object stored thereat [without the prior approval and/or consent of the Department of Maritime Services or other town official].

(2) It shall be unlawful for any person to destroy, damage, or tamper with an impound facility owned, maintained or operated by the Town.

\* \* \*

§ 120-20. Town marinas.

A. Permit required.

\* \* \*

(3) Any boat removed may be redeemed upon proof of ownership and payment of all costs of removal, storage and maintenance of the boat, together with such other expenses incurred by the Town, by cash, certified or bank check, or money order. [A fee of five (\$5) dollars per foot as measured length overall for each day or any part thereof shall be charged for any boat stored by the Town of Huntington.]

\* \* \*

§120-21. Mooring of vessels and floats.

A. Permit required.

\* \* \*

(4) Any vessel, float and/or mooring removed may be redeemed by the owner or person-in-charge thereof, upon proof of ownership, the presentation of a valid permit and the payment by cash, certified or bank check, or money order of all reasonable costs, including but not limited to, the costs of removal, storage and maintenance of the vessel, float and mooring. [A storage fee of five (\$5) dollars per foot as measured length overall for each day or any part thereof shall be due and payable to the Town of Huntington, and an additional fee of one (\$1) dollar per pound shall be payable by the owner for the removal of the mooring.]

\* \* \*

H. Display of permit decals; identification of moorings.

\* \* \*

(5) Any vessel, float and/or mooring removed may be redeemed by the owner or person in-charge thereof upon proof of ownership, the presentation of a valid permit and the payment by cash, certified or bank check, or money order of all reasonable costs, including but not limited to, the costs of removal, storage and maintenance of the vessel, float and mooring. [A storage fee of five (\$5) dollars per foot as measured length overall for each day or any part thereof shall be due and payable to the Town of Huntington, and an additional fee of one (\$1) dollar per pound shall be payable by the owner for the removal of the mooring.]

I. Regulations and restrictions.

\* \* \*

(5) If, in the judgement of the Department of Maritime Services, a mooring, [and/or] or any part of a vessel or float being moored, is placed or located [in such manner] so as to impede or create a hazard to navigation or to another vessel or float, or is closer than fifty (50) feet of another mooring, or within fifty (50) feet of a channel marker, or within a channel, or within one hundred (100) feet of a town dock, float or ramp, or impedes the swing of any vessel or float already moored, or for any other reason has the potential to harm life or property, then in that event, the owner [of said vessel or float] or person-in-charge thereof shall be [provided with] given three (3) days notice to remove and/or relocate the mooring, [and/or] vessel or float by the Department of Maritime Services. In the event [the owner fails and/or refuses] of the failure, neglect or refusal to take corrective action within said three (3) day period, or any extension granted by the Department, then the Department is authorized to remove and/or relocate the mooring and vessel or float at the expense of the owner. Any vessel, float [and/or] or mooring removed may be redeemed by the owner or person-in-charge thereof upon proof of ownership and the payment of all reasonable costs incurred by the Town of Huntington. [A fee of thirty-five (35) cents per pound in the event the mooring is relocated, or one (\$1) dollar per pound if the mooring is removed, and five (\$5) dollars per foot as measured length overall for each day or any part thereof a vessel or float is stored, shall be payable by cash, bank or certified check, or money order.] Failure to pay [such] the

costs in full within ten (10) days of a request by the Town shall be cause for the immediate revocation of the permit by the Department of Maritime Services.

\* \* \*

§120-25. [(Reserved)] Fees.

(A) Impound and storage fees.

(1) The owner or person-in-charge of any vessel, float or mooring impounded by the Department pursuant to this chapter shall be liable for an impound fee of one hundred (\$100) dollars per float, vessel or mooring. An impounded vessel or float shall be stored at a cost of five (\$5.00) per foot as measured length overall for each day, or part thereof, a vessel or float is stored by the Director at town facilities. Moorings shall be stored at a cost of two (\$2.00) dollars per pound. These charges shall be in addition to any other direct or incidental cost incurred by the Town. In the event it is necessary for the Director to retain the services of an outside vender to render these services the impound fee shall be payable to the Town, and the owner or person-in-charge of the vessel, float or mooring shall be liable for the costs of hauling, transportation, and storage charged by the vender.

(2) The owner or person-in-charge of a vessel, float or mooring which has been impounded shall be notified by the Department and directed to claim and remove the vessel, float or mooring from the storage facility within 24 hours of receipt of the notice. Where the vessel, float or mooring is stored at a town facility, failure to claim and remove the same within the time specified shall subject the owner or person-in-charge to a storage fee to be calculated from the expiration of the 24 hour period. Notice may be given by telephone, regular mail, or certified mail return receipt requested, and addressed to the last known address of the owner or person-in-charge, or through any other method deemed reasonable or necessary by the Director.

(B) Relocation of moorings. A fee of fifty cents per pound in the event the mooring is relocated.

\* \* \*

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.



2011 - 73

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 34-2010 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES), ARTICLE II (USE REGULATIONS AND RESTRICTIONS)

Resolution for Town Board Meeting Dated: February 1, 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 11th day of January, 2011 at 6:00 p.m. to 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), and due deliberation having been had;

HEREBY ADOPTS

Local Law Introductory No. 34-2010 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions) as follows:

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

LOCAL LAW NO. 5 - 2011  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 159 (RECREATIONAL FACILITIES)  
ARTICLE II (USE REGULATIONS AND RESTRICTIONS)

Section 1. Chapter 159 (Recreational Facilities), Article II (Use Regulations and Restrictions) of the Huntington Town Code is hereby amended, as follows:

CHAPTER 159  
RECREATIONAL FACILITIES

\* \* \*

ARTICLE II  
USE REGULATIONS AND RESTRICTIONS

\* \* \*

§159-13. Dinghy and kayak storage.

\* \* \*

B. It shall be [a violation] unlawful for a person to place any dinghy, kayak or other [craft] vessel on a dinghy rack without first having obtained a permit; or, having secured a permit, [placed] place a dinghy, kayak or other vessel on the rack without having affixed the permit decal to the vessel. Such vessel shall be impounded by the Department of Maritime Services, in accordance with the procedures established for abandoned and

unseaworthy vessels in [§ 120-17 of the Huntington Town Code] Chapter 120. In all cases an impound fee [of fifty (\$50) dollars], and the actual cost of providing notice to the owner, removal charges, storage fees, [of five (\$5) dollars per foot per day,] and other expenses incurred by the Town pursuant to Chapter 120 shall be [borne] paid by the owner or person-in-charge of the vessel before the vessel is released, and if the owner is not found, the expenses shall be paid out of the proceeds of the public auction.

\* \* \*

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.

ENACTMENT: ADOPT 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)

Resolution for Town Board Meeting dated: February 1, 2011

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 11<sup>th</sup> day of January at 6:00 pm to 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) and due deliberation having been had,

NOW THEREFORE, THE TOWN BOARD HEREBY ADOPTS

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) as follows:

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

LOCAL LAW NO. 6-2011  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
TO ADD SUBSECTION D TO SECTION 174-3 OF CHAPTER 174  
(LIABILITY OF TOWN)

Section 1. Amendment to the Code of the Town of Huntington so as to add Subsection D to Section 174-3 of Chapter 174 (Liability of Town) as follows:

CHAPTER 174  
LIABILITY OF TOWN

\* \* \* \*

D. Exception: Notwithstanding Subsections A – C herein, the Huntington Town Board, the Huntington Board of Trustees, the Town of Huntington, its elected officials, public officers, agents, servants and/or employees, and an improvement or special district within the Town shall not be liable for damages or injuries to person or property from defects on Town owned, controlled or maintained highways or streets sustained between the fifteenth day of November and the first day of May.

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 State of the State of New York.

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

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 2 -2011 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLES IV (COMMERCIAL DISTRICTS) AND XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS) TO UPDATE STANDARDS FOR GAME CENTERS AND COMMERCIAL PLACES OF AMUSEMENT AND RECREATION IN C-6 AND C-7 COMMERCIAL ZONING DISTRICTS.

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Zoning Code has use and locational restrictions for game centers and commercial places of amusement and recreation that date from a time when video game arcades were the most common type of these uses, and they were associated with undesirable impacts such as school vagrancy; and

WHEREAS, the widespread availability of home video game systems has made video game arcades obsolete, and most game centers and commercial places of amusement today are associated with family or group activity; and

WHEREAS, since these uses are only allowed following review and approval of a special use permit in certain zoning districts by the Zoning Board of Appeals, there is no reason to specifically prohibit them in any zoning district; and

WHEREAS, the scheduling of a public hearing to consider changes to the Code of the Town of Huntington is not an action under SEQRA, therefore no SEQRA review is required at this time;

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 8TH day of MARCH, 2011 at 2 PM to consider adopting Local Law Introductory No. 2-2011 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Articles IV (Commercial Districts) and XI (Conditional Uses; Supplementary Regulations), to update standards for game centers and commercial places of amusement and recreation in C-6 and C-7 commercial zoning districts, as follows:

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

LOCAL LAW INTRODUCTORY NO. 2 - 2011  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

CHAPTER 198 (ZONING)  
ARTICLE IV (COMMERCIAL DISTRICTS) AND  
ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Articles IV (Commercial Districts) and XI (Conditional Uses; Supplementary Regulations) are amended as follows:

CHAPTER 198 (ZONING)  
ARTICLE IV (COMMERCIAL DISTRICTS)

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

\* \* \*  
D. Prohibited uses. The following uses are specifically prohibited:

[1] [Game rooms and game centers.]

- (1) [(2)] \* \* \*
- (2) [(3)] \* \* \*
- (3) [(4)] \* \* \*
- (4) [(5)] \* \* \*
- (5) [(6)] \* \* \*
- (6) [(7)] \* \* \*
- (7) [(8)] \* \* \*

[9] [Commercial places of amusement and recreation.]

- (8) [(10)] \* \* \*
- (9) [(11)] \* \* \*
- (10) [(12)] \* \* \*
- (11) [(13)] \* \* \*

\* \* \*  
ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

\* \* \*  
§ 198-68. Uses permitted by Board of Appeals.

A. The Zoning Board of Appeals may authorize the following uses after making all of the required findings and after public hearing as provided in Article XVI. Plans for parking and loading facilities for proposed uses shall be referred to the Planning Department for technical evaluation and advisory report, and no decision

shall be made until the report has been received or thirty (30) days has elapsed. Landscaping and fencing and, screening may be required in connection with any use permitted under this section.

- \* \* \*
- (2) Commercial places of amusement and recreation
  - (a) Commercial places of amusement and recreation in C-6 [General Business Districts] and C-7 [Minor] Commercial [Corridor] Districts, including but not limited to motion-picture theaters, billiard parlors, miniature golf courses, bowling alleys and slot-car racing establishments, except that drive-in theaters are specifically prohibited.
  - (b) Game centers in C-6 [General Business Districts] and [in] C-7 [Minor] Commercial [Corridor] Districts.

\* \* \*

§ 198-71. Location restrictions for certain uses.

A. No public garage, automotive repair shop, automotive service station, game center or commercial amusement place[, other than a game center,] shall be located in any district within two hundred (200) feet of the lot line of a premises used for a school, library, church, hospital or similar public or semipublic use.

[B.] [No game center shall be located in any district within two thousand (2,000) feet of the lot line of a premises used for a school, library, church, hospital or similar public or semipublic use]

- B. [C.] \* \* \*
- C. [D.] \* \* \*
- D. [E.] \* \* \*
- E. [F.] \* \* \*

Section 2. Severability.

If any clause, 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 effect, 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 part therein.

Section 3. Effective Date.

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

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

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ESTABLISHING A BUILDING HOMES FOR HUNTINGTON HEROES COMMITTEE

Resolution for Town Board Meeting Dated: February 1, 2011

The following resolution was offered by Councilman Mayoka, **SUPERVISOR PETRONE** and seconded by **COUNCILWOMAN BERLAND, COUNCILWOMAN JACKSON**

WHEREAS, the Huntington Town Board by Resolution, dated November 29, 1988, having found that Huntington Veterans deserve our continued remembrance and appreciation for the sacrifices they have made in the defense of the freedoms we all enjoy and in order to ensure that Huntington residents who serve our country are afforded every possible consideration in matters in which the Town Government plays a role, established the Veterans Advisory Board; and

WHEREAS, the Veterans Advisory Board since its creation has acted as the umbrella agency for giving assistance to the Veterans of the Town of Huntington and has acted as a *liaison* between the Town of Huntington and the various Veterans organizations within the Town; and

WHEREAS, the Town Board has determined that there is a need for the creation of the committee to be formed directly under the Veterans Advisory Board to be called the "Building Homes for Huntington Heroes Committee" which will report to the Veterans Advisory Board; and

WHEREAS, the Town Board calls upon Mario Buonpane, Chairman of the Veterans Advisory Board, to convene a meeting of the Veterans Advisory Board consisting of Fred Amore, Bill Amadio, Paul Kelly, William Ober, Dominick Feeney, Sr., Theodore Harbach, Alice Early Fay, Robert Santo, Michael J. Colamonico, Philip H. Tepe, Bernhard Easterby, Sal R. Tornatore and Morris Koffer, for the purpose of giving recommendations to the Town Board concerning who should be appointed to the "Building Homes for Huntington Heroes Committee", in addition to Carol Rocco, Coordinator of Veterans Affairs and the Town of Huntington Director of Engineering Services or his designee, who shall both served as *ex officio* members of said committee; and

WHEREAS, the purpose of this committee shall be to assist returning veterans, who established Town of Huntington residency before entering into the service and/or being deployed by their branch of the military, who were injured while serving their Country, with housing and handicap accessible issues, including Marine Corps Platoon Leader 1<sup>st</sup> Lieutenant James Byler, who sustained serious injuries resulting from his service to his Country while serving in Afghanistan; and

WHEREAS, the creation of the "Building Homes for Huntington Heroes Committee" and the appointment of members to the said committee is not an action as defined by 6 N.Y.C.R.R. § 617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED

THE TOWN BOARD

HEREBY CREATES the "Building Homes for Huntington Heroes Committee" under the auspices of the Town of Huntington Veterans Advisory Board, and appoints two non-voting *ex officio* members to this committee, consisting of Carol Rocco, Coordinator of Veterans Affairs within the Town of Huntington Department of Human Services and the Director of the Department of Engineering Services or his designee; and

HEREBY directs the Veterans Advisory Board to meet and make recommendations to the Town Board concerning the appointment of additional members to the "Building Homes for Huntington Heroes Committee".

VOTE:            AYES: 5    NOES: 0    ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A VARIANCE AND THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CHAPTER 137 (MARINE CONSERVATION)

APPLICANT: DAN P. DEBONO

LOCATION: 140 OLD WINKLE POINT RD., EATON'S NECK, N.Y. 11768

S.C.T.M. #: 0400-005.00-03.00-001.001

Resolution for Board of Trustees Meeting Dated: February 1, 2011

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

and seconded by: **TRUSTEE CUTHBERTSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Dan P. DeBono  
140 Old Winkle Point Rd.  
Eaton's Neck, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179 ft from MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **8TH** day of **MARCH**, 2011, at **2** pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to § 137-26.A [1] and the issuance of a special use permit to Dan P. DeBono to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179 ft from MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000

VOTE:           AYES: 5   NOES: 0   ABSTENTIONS: 0

President Frank P. Petrone	<b>AYE</b>
Trustee Susan A. Berland	<b>AYE</b>
Trustee Mark A. Cuthbertson	<b>AYE</b>
Trustee Glenda A. Jackson	<b>AYE</b>
Trustee Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2011 -BT4

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT AS IS NECESSARY FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY UNDER CHAPTER 137, MARINE CONSERVATION

APPLICANT: DAN P. DEBONO

LOCATION: 140 OLD WINKLE POINT RD., EATON'S NECK, N.Y. 11768

S.C.T.M. #: 0400-005.00-03.00-001.001

Resolution for Board of Trustees Meeting Dated: February 1, 2011

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

and seconded by: **TRUSTEE JACKSON**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Dan P. DeBono  
140 Old Winkle Point Rd.  
Eaton's Neck, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 79 ft.. Overall length of dock assembly is to measure 179 ft from MHWL. Project site to be accessed via a construction barge at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, S.C.T.M. # 0402-002.00-03.00-015.000; and

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

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 8TH day of MARCH, 2011 at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement as is necessary for the use of underwater lands as is necessary for the construction of a one hundred and seventy-nine ft long residential fixed pier and floating dock assembly to permit the docking of water-craft at 140 Old Winkle Point Rd. Eaton's Neck, N.Y. 11768, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES:    5            NOES: 0            ABSTENTIONS:0

President Frank P. Petrone	<b>AYE</b>
Trustee Susan A. Berland	<b>AYE</b>
Trustee Mark A. Cuthbertson	<b>AYE</b>
Trustee Glenda A. Jackson	<b>AYE</b>
Trustee Mark Mayoka	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A VARIANCE AND THE ISSUANCE OF A SPECIAL USE PERMIT UNDER CHAPTER 137 (MARINE CONSERVATION)

APPLICANT: KIMBERLY A WILLEN (REV. TRUST)

LOCATION: 29 BLUFF POINT RD., NORTHPORT, N.Y.

S.C.T.M. #: 0404-003.00-01.00-009.000

Resolution for Board of Trustees Meeting Dated: February 1, 2011

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

and seconded by: **PRESIDENT PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Kimberly A Willen (Rev. Trust)

29 Bluff Point Rd.

Northport, N.Y. 11768-1515

to repair and extend existing dock assembly used to dock and secure vessels(s) for residential and/or recreational use. The proposed dock repair and extension will create a dock assembly with an overall measure length of 243.0 ft. In addition to the extended length the applicant proposes the installation of two (2) boatlifts to be located at the end of the fixed pier. Project site to be accessed via a construction barge at 29 Bluff Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **8TH** day of **MARCH**, 2011, at **2** pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to § 137-26.A [1] and the issuance of a special use permit to Kimberly A Willen (Rev. Trust) to repair and extend existing dock assembly used to dock and secure vessels(s) for residential and/or recreational use. The proposed dock repair and extension will create a dock assembly with an overall measure length of 243.0 ft. In addition to the extended length the applicant proposes the installation of two (2) boatlifts to be located at the end of the fixed pier. Project site to be accessed via a construction barge at 29 Bluff Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000

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.

2011-BT6

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT AS IS NECESSARY FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY UNDER CHAPTER 137, MARINE CONSERVATION  
APPLICANT: KIMBERLY A WILLEN (REV. TRUST)  
LOCATION: 29 BLUFF POINT RD., NORTHPORT, N.Y.  
S.C.T.M. #: 0404-003.00-01.00-009.000

Resolution for Board of Trustees Meeting Dated: February 1, 2011

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

and seconded by: **PRESIDENT PETRONE**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a variance to § 137-26.A [1] and a special use permit has been submitted by:

Kimberly A Willen (Rev. Trust)  
29 Bluff Point Rd.  
Northport, N.Y. 11768-1515

to repair and extend existing dock assembly used to dock and secure vessels(s) for residential and/or recreational use. The proposed dock repair and extension will create a dock assembly with an overall measure length of 243.0 ft. In addition to the extended length the applicant proposes the installation of two (2) boatlifts to be located at the end of the fixed pier. Project site to be accessed via a construction barge at 29 Bluff Point Rd., Northport, N.Y. 11768 S.C.T.M. # 0404-003.00-01.00-009.000; and

WHEREAS, a license agreement for the construction of a two hundred and forty-three ft long residential fixed pier and floating dock assembly for use on underwater Board of Trustee land is necessary; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 8TH day of MARCH, 2011 at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement as is necessary for the use of underwater lands as is necessary for the construction of a two hundred and forty-three ft long residential fixed pier and floating dock assembly to permit the docking of water-craft at 29 Bluff Point Rd., Northport, N.Y. 11768, 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.

~~RESOLUTION AUTHORIZING THE CHAIRMAN OF THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY TO PREPARE AND SUBMIT ALL REQUIRED APPLICATIONS AND PERMITS TO THE TOWN OF HUNTINGTON, SUFFOLK COUNTY AND ALL OTHER AGENCIES HAVING JURISDICTION TO DEVELOP EIGHT (8) SITES WITH EIGHT (8) SINGLE FAMILY DWELLING UNITS EACH WITH AN ACCESSORY APARTMENT AS AFFORDABLE HOUSING UNITS IN HUNTINGTON STATION KNOWN AS THE COLUMBIA STREET PROJECT~~

Resolution for the Community Development Agency Meeting Dated: February 1, 2011

The following resolution was offered by: **CHAIRMAN PETRONE, MEMBER JACKSON**  
and seconded by: **MEMBER CUTHBERTSON**

WHEREAS, the Town Board authorized the transfer of land at Railroad Street and Lowndes Ave in Huntington Station to the Huntington Community Development Agency for development and sale of eight (8) affordable housing units; and

WHEREAS, the Huntington Community Development Agency will be filing various required paperwork to other agencies to build eight (8) units; and

WHEREAS, The Huntington Community Development Agency will be filing zoning, planning, building, engineering, Suffolk County Department of Health Services permits and others to build this affordable housing project; and

WHEREAS, the authorization and the submission of applications and permits is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (19) and (c) (20) and, therefore, no further SEQRA review is required; and

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman of the Huntington Community Development Agency or his designee to execute any and all documents and take all necessary actions for the development and sale of eight (8) affordable housing units known as the Columbia Street Project, on such terms and conditions as may be acceptable to the attorney for the Huntington Community Development Agency.

VOTE:                    AYES:    5            NOES:    0            ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED