

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 AND FINAL AGENDA AVAILABLE: <http://town.huntington.ny.us>

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED MAY 4, 2010

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 2:45P.M. Recessed: 2:50P.M. Resumed: 3:35P.M. Closed: 3:36P.M.

COMMUNITY DEVELOPMENT AGENCY BOARD MEETING FOLLOWING

Opened: 3:36P.M. Closed: 3:38P.M.

2:00P.M. – TOWN HALL

Opened: 2:15P.M. Recessed: 2:45P.M. Resumed: 2:50P.M. Closed: 3:35P.M.

(Resolutions #2010-220 to 2010-252)

HEARINGS:

ACTION

1. Consider granting a franchise agreement to the Huntington YMCA for the provision of an instructional sailing and kayaking program at Centerport Beach.
(2010-M-16)
2. Consider awarding a franchise agreement to conduct a kayaking program for the Town of Huntington Department of Parks and Recreation.
(2010-M-17)
3. Consider the acquisition of certain real property located at the southwest corner of New York Avenue and Lowndes Avenue, Huntington, New York 11743, pursuant to Section 201 of the Eminent Domain Procedure Law. (SCTM#'s 0400-094.00-03.00-045.000 and 0400-094.00-03.00-046.000)
(2010-M-19)

DECISION RESERVED

DECISION RESERVED

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, §2-2, Schedule B re: New York Avenue, Melville, NY - No Turn on Red.
(2010-TC-9-Ch.2)

DECISION RESERVED

5. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 5, Commercial and Construction Vehicles; Weight Limits; Section §5-1, Commercial Vehicle and Truck Exclusions; Weight Limits; Schedule M re: Truck Exclusion - Norview Court, Huntington Station, NY.
(2010-TC-10-Ch.5)

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 9-2010 amending the Code of the Town of Huntington, Chapter 21 (Environmental Open Space and Park Funds), Section 6 (Management of Environmental Open Space and Park Funds).
(Local Law Intro No. 9-2010)

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 10-2010 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article VI (Administration and Enforcement).
(Local Law Intro No. 10-2010)

DECISION RESERVED

8. Consider adopting Local Law Introductory No. 11-2010 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVIII (Administration and Enforcement) and Article XX (Accessory Apartments).

DECISION RESERVED

BOARD OF TRUSTEES' HEARINGS:

1. Consider authorizing the President of the Board of Trustees to execute a deed of conveyance and all necessary documents to transfer ownership of a beach parcel to the Huntington Beach Community Association, Inc. (HBCA). (SCTM#'s 0400-38-5-65 and 0400-39-5-65)
(2010-BT5)

DECISION RESERVED

2. Consider authorizing the President of the Board of Trustees to execute a deed of conveyance and all necessary documents to transfer ownership of a beach parcel to John and Angela DiMatteo. (SCTM#'s 0400-38-5-65 and 0400-39-5-65)
(2010-BT6)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: MAY 4, 2010**

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**

- | | | | | | | |
|------------------|---|------------------|------------------|------------------|------------------|-----------------|
| 2010-220. | AUTHORIZE the Supervisor to execute an agreement (nonfinancial) with the County of Suffolk Department of Health Services for the provision of referral services to the Town’s Youth Bureau for the term April 1, 2010 thru March 31, 2013. | <u>SB</u> | <u>GJ</u> | <u>MC</u> | <u>5</u> | |
| 2010-221. | AUTHORIZE the Supervisor to execute all documents to reconfirm the Town of Huntington as a Federal Transit Administration (FTA) designated recipient as authorized by 49 U.S.C. Chapter 53 and to accept financial assistance for transportation (HART Bus). | <u>SB</u> | <u>GJ</u> | <u>5</u> | | |
| 2010-222. | AUTHORIZE the Supervisor to execute a modification and extension of the memorandum of understanding with Federation Employment and Guidance Service, Inc. (F.E.G.S) (Period: January 1, 2010 – December 31, 2010) | <u>GJ</u> | <u>SB</u> | <u>5</u> | | |
| 2010-223. | AUTHORIZE the Supervisor to apply for and receive financial assistance from the Iroquois Gas Transmission System Community Grant Program for Crab Meadow Watershed Hydrological Analysis and execute any related documents. | <u>MC</u> | <u>GJ</u> | <u>5</u> | | |
| 2010-224. | AUTHORIZE the use of Dix Hills Golf Course by the Special Olympics Long Island Region to conduct a golf program for athletes with special needs. (Re: Sunday evenings from June 27 to October 3, 2010 – 5:30 PM to 8:00 PM) | <u>MM</u> | <u>FP</u> | <u>SB</u> | <u>GJ</u> | <u>5</u> |
| 2010-225. | AUTHORIZE the Supervisor to execute a contract with the Huntington YMCA for use of the Dix Hills Park Pool in Summer 2010. (Re: June 28 – August 27, 2010 – 6:00 AM to 8:00 AM Monday through Friday) | <u>GJ</u> | <u>SB</u> | <u>5</u> | | |
| 2010-226. | AUTHORIZE the Supervisor to execute a contract with Toshiba Business Solutions, to procure two additional Copy/Print/Scan Machines for various town departments, nunc pro tunc. (Period: 60 months) | <u>MC</u> | <u>GJ</u> | <u>5</u> | | |
| 2010-227. | AUTHORIZE the Supervisor to execute all documents necessary to accept payment for the acquisition and/or temporary use of property by New York State for drainage and roadway improvements along NYS Route 110 (New York Avenue) (SCTM No. 0400-031.00-01.00-002.001-Huntington Halesite Marina), (SCTM No. 0400-031.00-01.00-002.002-TOH Municipal Lot #9). | <u>GJ</u> | <u>FP</u> | <u>5</u> | | |

**AGENDA FOR TOWN BOARD
MEETING DATED: MAY 4, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-228. AUTHORIZE the Supervisor to execute an agreement with an artist for a temporary public art installation in the Anne Frank Memorial Garden within Arboretum Park. (Artist: Thea Lanzisero; Work: Child's Dress)	<u>SB</u>	<u>GJ</u>	<u>5</u>
2010-229. AUTHORIZE the Supervisor to declare marina dock ramps surplus.	<u>FP</u>	<u>SB</u>	<u>5</u>
2010-230. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Clifford Soergel Outreach Garden).	<u>GJ</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2010-231. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended park improvements (Lewis-Oliver Dairy, Heron Park, Centerport & Senior Citizens Beach).	<u>MC</u> <u>GJ</u>	<u>SB</u>	<u>5</u>
2010-232. AUTHORIZE the Comptroller to amend the 2010 Operating Budget for the Town of Huntington and its special districts – various departments.	<u>FP</u>	<u>MC</u>	<u>5</u>
2010-233. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform Codes of the State of New York. (Re: David/Jeannette Lagone, 3 Forest Court, Huntington, SCTM# 0400-033.00-01.00-015.00, Chapters 87,133; Huntington Country Life Homeowners Association- ICO Club House, Barn Run Court, Huntington Station, SCTM# 0400-104.02-01.00-075.000, Chapter 119; Morgan Creek Development, LLC, Chimay Court, Huntington Station, SCTM# 0400-148.00-03.00-054.011, Chapter 119; Huntington Country Life Homeowners Association-ICO Club House, Harvest Time Court, Huntington Station, SCTM# 0400-104.01-01.00-064.000, Chapter 119; Irving Waterbuffalo Realty LLC, 1540 New York Avenue, Huntington Station, SCTM# 0400-146.00-01.00-017.000, Chapter 119; James/Assia Waddell, 8 Oswego Drive, Greenlawn, SCTM# 0400-112.00-02.00-010.000, Chapter 124; Herbert/Marjorie Smith, 66 Stony Hollow Road, Centerport, SCTM# 0400-114.00-01.00-019.000, Chapter 133; Michael/Rene Ingenito, 37 Fuller Street, Dix Hills, SCTM# 0400-284.00-02.00-196.000, Chapter 156 –Sections 45A and 46A; Lisa Sabrin, 21 Crawford Drive, Dix Hills, SCTM# 0400-264.00-01.00-055.000, Chapter 156)	<u>SB</u> <u>GJ</u>	<u>FP</u> <u>MC</u>	<u>5</u>
2010-234. REMOVED FROM AGENDA AT WORKSHOP.			
2010-235. ACCEPT the dedication of a widening of Walt Whitman Road for the site plan known as Canon USA.	<u>MC</u>	<u>GJ</u>	<u>5</u>
2010-236. AMEND Town Board Resolution 2009-565 scheduling regular meetings of the Town Board of the Town of Huntington for the Year 2010. (Re:			

**AGENDA FOR TOWN BOARD
MEETING DATED: MAY 4, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
District. (Applicant: Frank D'Amelio – SCTM# 0400-063.00-05.00-002.000)	<u>FP</u>	<u>MC</u>	<u>5</u>
2010-248. ENACTMENT: APPROVE the issuance of a Certificate of Approval for an Historic Building, Site or Landmark Re: 130 Old Country Road – Dr. Conklin House. (Applicant: Maria & Mario Diamandis – SCTM# 0400-256.00-02.00-010.000)	<u>SB</u> <u>GJ</u>	<u>FP</u>	<u>5</u>
2010-249. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 172 Woodhull Road – Old Huntington Green Historic District. (Applicant: Robert D'Angelo – SCTM# 0400-073.00-01.00-024.000)	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-250. SCHEDULE A PUBLIC HEARING: May 17, 2010 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, § 3-3, Schedule J Re: Wolf Hill Road, No Stopping Restrictions.	<u>GJ</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2010-251. SCHEDULE A PUBLIC HEARING: May 17, 2010 at 7:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, § 3-3, Schedule J Re: Tilden Lane, No Parking restriction.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-252. SCHEDULE A PUBLIC HEARING: July 6, 2010 at 7:00 PM To consider adopting Local Law Introductory No. 12 – 2010, considering the application of 29 Green Street, L.L.C. and 227 Main Street, L.L.C. to apply the Historic Building Overlay District to property known as 227 Main Street, Huntington located on the northeast corner of Main Street and Stewart Avenue, and to authorize the use of property as a Boutique Hotel. (SCTM# 0400-072-02-025.001)	<u>GJ</u>	<u>MC</u>	<u>(MM)</u> 4-AYES 1-NO
MOTION TO ADD A RESOLUTION; AUTHORIZE closing the day labor site, directing the Department of General Services to close and secure the site, to refund \$39,500 back to the treasury.	<u>MM</u>	<u> </u>	<u> </u> NO SECOND MOTION FAILS
MOTION TO ADD A RESOLUTION; AUTHORIZE a five percent reduction in the 2010 General Funds based on Resolution 2010-176 of the prior Town Board Meeting.	<u>MM</u>	<u> </u>	<u> </u> MOTION FAILS NO SECOND

**AGENDA FOR BOARD OF TRUSTEES’
MEETING DATED: MAY 4, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-BT7. AUTHORIZE the President of the Board of Trustees to execute all documents necessary to accept payment for the acquisition and/or temporary use of property by New York State for drainage and roadway improvements along NYS Route 110 (New York Avenue) (P/O SCTM NO. 0400-027.00-01.00-002.000-Former Naval Reserve).	<u>MC</u>	<u>GJ</u>	<u>5</u>
2010-BT8. AUTHORIZE the President of the Board of Trustees to execute all documents necessary to accept payment for the acquisition and/or temporary use of property by New York State for drainage and roadway improvements along NYS Route 110 (New York Avenue) (SCTM NO. 0400-031.00-01.00-010.000-American Legion), (SCTM NO. 0400-031.00-01.00-007.000-Parcel next to Coneys Marine), (SCTM NO. 0400-031.00-01.00-002.003-Ketewomoke).	<u>GJ</u> <u>MC</u>	<u>FP</u>	<u>5</u>
2010-BT9. ENACTMENT: APPROVE the issuance of a Special Use Permit under Chapter 137 (Marine Conservation) for the premises known as 175 East Shore Rd., Huntington, New York (Applicant: En-Consultants Inc. for Keith Richman). (SCTM# 0402-002.00-03.00-015.000)	<u>FP</u>	<u>MM</u>	<u>5</u>
2010-BT10. ENACTMENT: APPROVE the execution of a license agreement as is necessary for bulkhead construction at the premises known as 175 East Shore Road, Huntington, New York (En-Consultants, Inc. for Keith Richman). (SCTM# 0402-002.00-03.00-015.000)	<u>MM</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: MAY 4, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-CD4. AUTHORIZE the Chairman of the Community Development Agency to execute an agreement with the Reach CYA, Inc. (Re: Millennium Hills) (Period: April 1, 2010 – March 31, 2011)	<u>GJ</u>	<u>SB</u>	<u>5</u>
2010-CD5. AUTHORIZE the Chairman to execute a contract with Stalco Construction, Inc. for renovation of 1268-1268 A New York Avenue, Huntington Station – General Construction Contract.	<u>GJ</u>	<u>FP</u>	<u>5</u>
2010-CD6. AUTHORIZE the Chairman to execute a contract with Palace Electrical Contractors, Inc. for renovation of 1268-1268 A New York Avenue, Huntington Station – Electrical Contract.	<u>GJ</u>	<u>SB</u>	<u>5</u>
2010-CD7. AUTHORIZE the Chairman to execute a contract with JPR Plumbing for renovation of 1268-1268 A New York Avenue, Huntington Station – Plumbing Contract.	<u>GJ</u>	<u>SB</u>	<u>5</u>
2010-CD8. AUTHORIZE the Chairman to execute a contract with Blue Diamond for renovation of 1268-1268 A New York Avenue, Huntington Station – HVAC Contract.	<u>GJ</u>	<u>SB</u>	<u>5</u>

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: MAY 4, 2010

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Robert Lam for WSTB d/b/a to be determined; From: Nino Antuzzi for to be determined (287 Main Street, Huntington);

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

2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Marney Whittaker for Legal Sea Foods; From: Theodore Mitchel for Marriott Melville; From: Juana Valladares for Guevara Corp (10 Depot Road, Huntington Station); From: Lin Hua for Dragon Gate; From: Shirley Dabalsky for Cold Spring Valley Racquet Club; From: Michael Savino for Blue Bell Beer Distributors Inc.;;

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

3. Letter received from Peter Hans, Sr. Planner for the Town of Smithtown, addressed to John Zollo, Esq. regarding a Site Plan Application that was submitted to them for modifications to property located at SE/c Pulaski Road and Bread & Cheese Hollow Road, Kings Park. The Zoning Board denied an extension of time on this application. Letter advises applicant a new application must be submitted within 62 days or the application will be denied.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

4. Letter received from Michael Feinman in support of the development of the Dougal Property known as Kensington Estates.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

5. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding the Town of Huntington Change of Zone application #2008-ZM-372, Hilltop Homes. The letter indicates this is a matter of local determination, however letter does indicate the following: 1) retaining wall face should be landscaped to buffer the blank wall from passerby 2) petitioner should be directed to review the Suffolk County Planning Commission guidelines on Energy Efficiency & Public Safety 3) All storm-water runoff should be kept on site in accordance with modern best management practices.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

6. Faxed letter received from the law firm of Forchelli, Curto, Deegan, Schwartz, Mineo, Cohn & Terrana, LLP, signed by William Bonesso regarding the McDougal Property. Letter is in support of resolution #2010-186. However, writer indicates that there are many on going violations on this property that need to be addressed.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

7. Email received from Alicia Brown, Legislative Aide for the Suffolk County Legislature regarding the following resolution #278-2010 adopted on March 23, 2010 – Sale of County owned real estate pursuant to Local Law No. 13-1976 Keith and Barbara Ann McDonald.

Supervisor
Town Board
cc: Town Attorney

8. Letter from Todd Houslanger of Houslanger & Associates, PLLC located at 372 New York Avenue in Huntington and addressed to the United States Post Office and cc'd to Jo-Ann Raia, Town Clerk and Town Board. The letter is regarding pick up at the mail box located at the corner of New York Avenue and Elm Street in Huntington. Writer is complaining that the Post Office without notice, has changed the pick up from twice a day, with one pickup at 5:00 PM to once a day at 3:00 PM. The writer indicates this is a huge problem when there is a time element involved with affidavits of service.

Supervisor
Town Board
cc: Town Attorney

9. Letter hand delivered by Bram Weber of the Weber Law Group with an attachment of 20 letters submitted in support of the proposed Kensington Estates to be located on the Dougal Property. The following submitted letters: Ed Dubick, Gary Weissman, JoAnn Nostramo, Marie Engellis, A. Elwaya, J. Rodolico, P. Pavlowica, Joel KupperSmith, Loretta Micciantuoni, Donald Stone, Roberta Siminerio, Regina Panzella, Julia Lizzul, Arun Momilo, Frances Leavitt, R. Oster, Luis Veliz, M. Nasti, Ronald Puente and Valerie Stagnari.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

10. Letter submitted from Kenneth and Janine Katz regarding suspected Town Code violations at historic property, 42 Godfrey Lane in Huntington. Writers indicate various violations and want the town to make sure that the property is within code.

Supervisor
Town Board
Town Attorney
Public Safety
Historian
Engineering Services
cc: Planning & Environment

11. Letter from Amy Girimonti with petitions attached entitled "Petition to Swap Town Hall and Jack Abrams Intermediate School". There are a total of 831 names on the petition.

Supervisor
Town Board
cc: Town Attorney

12. Letter received from Elaine Learnard, Principal Planner for the Town of Smithtown regarding Town of Huntington resolutions # 2010-196, 2010-215 and 2010-218, the Town of Smithtown has no comments at this time.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

13. Letter received from Elizabeth Troffa, District Clerk for the Huntington Union Free School District, regarding Proposition # 1 Budget beginning July 1, 2010, will be increased from \$8, 173,390 to \$8, 237,818 vote: yes – 319 no – 91; also, Member Board of Trustees – Huntington Public Library 5 year term – Harriet Spitzer – 300 votes; Huntington Public Library complete a 1 year unexpired – Charles Rosner – 279 votes (write-in absentee ballot – Phyllis Castorina – 1)

Supervisor
Town Board
Town Attorney
cc: Comptroller

14. Email received from Evelyn Gose advising that she is against the establishment of a 7-11 store at 247 Walt Whitman Road. Writer indicates there is enough stores in this area and this would create traffic and parking problems.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

15. Email received from Daniel Lozza the writer is requesting the replacement of a tree on his property that was diseased and removed by the town. Supervisor
Town Board
Town Attorney
cc: Highway
16. Letter hand delivered by Bram Weber of the Weber Law Group with an attachment of 50 letters submitted in support of the proposed Kensington Estates to be located on the Dougal Property. Letters were submitted by James Ptucha, Alyssa Nightingale, Lori Staube, Kristina Beall, Susan Poli, Roger Troiano, Annette & Peter Bavaro, Rosemary Quinn, Margaret Shum, Frances Ryan, William Folsom, Brian McElhenny, Charles Reina, Arlene & Thomas Garguilo, Lorraine & Michael Massell, Frank Aliazzo, Margaret Ardito, Aurora Arena, Joan Beirne, Shelley Kay, Elaine Stanco, Pearl & Meyer Rosen, Jeff Maier, Richard Kristall, Mark Nackman, Neil Koenig, Barry Kessler, Vincent Franco, Mona Ives, Bea Blitzler, George Keurain, Leslie Stein, Donald Stein, Robert Wellen, Jennifer Ettenger, Susan Cohen, Gail Brill, Amy Plotnick, Jerry Herz, Fran Ross, Ben Cerrone, Jeff Gross, Patti Bloom, Ira Krinick, Maryse Rousseau, Mark Fitzgerald, J. Haagen, Susan Miller, Gail Steinberg and Stanley Lasky. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Letter hand delivered by Nicholas Wieland regarding closure of the Day Labor Site. The letter lists numerous violations regarding illegal aliens. Writer indicates that he will be submitting a petition to close this site. Supervisor
Town Board
Town Attorney
Highway
cc: Public Safety