

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

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

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

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilwoman	Tracey A. Edwards
Town Clerk	Jo-Ann Raia
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED SEPTEMBER 16, 2015

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 4:37 P.M. Closed: 4:37 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened 4:37 P.M. Closed: 4:39 P.M.

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 4:39 P.M. Closed: 4:41 P.M.

2:00 P.M. – TOWN HALL

Opened: 2:09 P.M. Closed: 4:37 P.M.

(Resolutions #2015-396 to 2015-449)

HEARINGS:

ACTION

1. Consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property).

SCTM #'S: 0400-205.00-03.00-041.000; 0400-263.00-03.00-123.000;

0400-193.00-02.00-068.000; 0400-190.00-02.00-132.001;

0400-096.00-01.00-009.000; 0400-200.00-03.00-170.000;

0400-250.00-01.00-016.000

(2015-M-41)

Scheduled as per Resolution 2015-388 at 8-11-2015 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2015-437**

HEARINGS (Continued):

ACTION

2. Consider adopting Local Law Introductory No. 21-2015, considering Zone Change Application #2014-ZM-401, Hess Corp-25A, to change the zoning from C-7 Minor Commercial Corridor District to C-11 Automotive Service Station District for property located on the southwest corner of Fort Salonga Road and Catherine Street, East Northport, SCTM #0400-056-02-030.
(Local Law Introductory No. 21-2015)
Scheduled as per Resolution 2015-337 at 7-14-2015 Town Board Meeting

DECISION RESERVED

3. Consider adopting Local Law Introductory No. 22-2015, considering Zone Change Application #2014-ZM-402, Power Land Corp. to change the zoning from C-6 General Business District to C-11 Automotive Service Station District for property located on the northwest corner of Jericho Turnpike and Elwood Road, Elwood, SCTM #0400-214-01-056.
(Local Law Introductory No. 22-2015)
Scheduled as per Resolution 2015-338 at 7-14-2015 Town Board Meeting

DECISION RESERVED

4. Consider adopting Local Law Introductory No. 23-2015, considering Zone Change Application #2015-ZM-409, Apple Farm Realty, LLC, to change the zoning from I-5 General Industry District to C-11 Automotive Service Station District for property located on the southeast corner of Oakwood Road and West 11th Street, Huntington Station, SCTM #0400-137-01-061.001.
(Local Law Introductory No. 23-2015)
Scheduled as per Resolution 2015-339 at 7-14-2015 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 28-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Printer Court, Huntington Station – Parking Restrictions.
(Local Law Introductory No. 28-2015)
Scheduled as per Resolution 2015-389 at 8-11-2015 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 29-2015, amending the Code of the Town of Huntington, Chapter 55 (Public Safety, Department of).
(Local Law Introductory No. 29-2015)
Scheduled as per Resolution 2015-390 at 8-11-2015 Town Board Meeting

DECISION RESERVED

7. Consider adopting Local Law Introductory No. 30-2015, amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits).
(Local Law Introductory No. 30-2015)
Scheduled as per Resolution 2015-391 at 8-11-2015 Town Board Meeting

DECISION RESERVED

8. Consider adopting Local Law Introductory No. 31-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations).
(Local Law Introductory No. 31-2015)
Scheduled as per Resolution 2015-392 at 8-11-2015 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

9. Consider adopting Local Law Introductory No. 32-2015, amending the Zoning map on the Town Board's own motion to change the zoning from C-6 Huntington Station Overlay District to C-1 Office-Residence District for the property located on the northeast corner of Depot Road and East Ninth Street, Huntington Station, SCTM #:0400-146-03-106.

(Local Law Introductory No. 32-2015)

Scheduled as per Resolution 2015-393 at 8-11-2015 Town Board Meeting

ENACTMENT
RESOLUTION 2015-435

10. Consider adopting Local Law Introductory No. 33-2015, considering Zone Change Application #2015-ZM-408, Stone Ridge III, to change the zoning from R-40 Residence District to R-3M Garden Apartment Special District for property located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills, SCTM#: 0400-278-02-170 & 171).

(Local Law Introductory No. 33-2015)

Scheduled as per Resolution 2015-394 at 8-11-2015 Town Board Meeting

DECISION RESERVED

11. Consider adopting Local Law Introductory No. 34-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development).

(Local Law Introductory No. 34-2015)

Scheduled as per Resolution 2015-395 at 8-11-2015 Town Board Meeting

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS: **OFF. SEC. VOTE**

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - FP
Councilwoman Susan A. Berland - SB
Councilman Eugene Cook - EC
Councilman Mark A. Cuthbertson - MC
Councilwoman Tracey A. Edwards- TE

- | | | | | |
|------------------|---|------------------|--------------------------------|---|
| 2015-396. | AUTHORIZE the Supervisor to execute a contract for the Halesite Marina Bulkhead – Reconstruction with Atlantic Coast Dock Construction Corp. (Contract period: 240 days) | <u>FP</u> | <u>MC</u>
<u>EC</u> | <u>5</u> |
| 2015-397. | AUTHORIZE the Supervisor to execute a contract Budget/Program Description Approval Form Revision No. One amending the agreement with Suffolk County Department of Health Services for the provision of Drug Treatment and Prevention Services. | <u>SB</u> | <u>EC</u> | <u>5</u> |
| 2015-398. | AUTHORIZE the Supervisor to execute a change to the existing contract with L.K. McLean Associates, P.C. for Professional Engineering Services for the Halesite Marina Rehabilitation, Route 110, Halesite NY 11743. | <u>FP</u> | <u>SB</u> | <u>5</u> |
| 2015-399. | AUTHORIZE the Supervisor to execute an extension to the requirements contract for hydraulic repairs and parts with Dependable Repair, Inc. (Extension period one year commencing 12/21/2015) | <u>EC</u> | <u>FP</u> | <u>5</u> |
| 2015-400. | AUTHORIZE the Supervisor to execute an extension to the requirements contract for the processing and recycling of Huntington Residential Yardwaste with PowerCrush, Inc. (Extension period one year commencing 1/4/2016) | <u>SB</u> | <u>EC</u> | <u>5</u> |
| 2015-401. | AUTHORIZE the execution of a contract for scavenger tank cleaning with Tully Environmental, Inc. (Contract period one year) | <u>MC</u> | <u>EC</u> | <u>5</u> |
| 2015-402. | AUTHORIZE the execution of an extension to the requirements contract for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District with Hinck Electrical Contractors, Inc. (Extension period one year commencing 1/1/2016) | <u>TE</u> | <u>SB</u> | <u>5</u> |
| 2015-403. | AUTHORIZE the Supervisor to execute an agreement with Cablevision Lightpath, Inc. D/B/A Optimum Lightpath for Fiber-Optic Services. (Term: Five years) | <u>EC</u> | <u>FP</u> | EC-AYE
FP-AYE
SB-AYE
MC-AYE
<u>TE-RECUSE</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-404. AUTHORIZE the Supervisor to execute a Municipal Cooperation Agreement with the Incorporated Village of Northport to allow for joint provisions of certain highway services.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-405. AUTHORIZE the Supervisor to enter into an Intermunicipal Agreement with the Greenlawn Water Authority.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-406. AUTHORIZE the Supervisor to execute an agreement with Adelphi University School of Social Work for the provision of assistance to the senior population through a social work internship program for Academic Year 2015-2016 nunc pro tunc. (Period: Two years)	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2015-407. AUTHORIZE the Supervisor to execute an agreement with the North Shore Veterinary Hospital and the League for Animal Protection for the purpose of conducting a free spaying and neutering program for pit bulls and pit bull mixes in recognition of National Pit Bull Awareness Month beginning October 1, 2015 and ending October 31, 2015.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-408. AUTHORIZE the Town of Huntington Animal Shelter to waive the adoption fee for pit bulls and pit bull mixes in recognition of National Pit Bull Awareness Month beginning October 1, 2015 and ending October 31, 2015.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-409. AUTHORIZE the Supervisor to apply for and receive funding from the Alzheimer's Foundation of America (AFA) for the provision of brain gym classes to enhance the Adult Day Care Program. (Period: 1/1/2016-12/31/2016)	<u>FP</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2015-410. AUTHORIZE the execution of Reciprocal Agreements for Master Plumber Licenses with various other municipalities.	<u>TE</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2015-411. AUTHORIZE the establishment of a special, one-day green fee at Crab Meadow Golf Course on October 21, 2015 as part of a 50 th anniversary celebration of the golf course opening. (Re: \$25.00 per person)	<u>MC</u>	<u>SB</u>	<u>5</u>
2015-412. AUTHORIZE the Town of Huntington to sponsor a Children's Halloween Parade on Saturday, October 31, 2015. (Time: 1:00 pm-2:00 pm)	<u>MC</u> <u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-413. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Camillo Foglia, 75 Centerport Road, Greenlawn, SCTM# 0400-080.00-03.00-004.001, Chapters 133, 156 [sections 45 & 46]; Frances Forst, 170 Huntington Bay Road, Huntington, SCTM# 0400-034.00-02.00-004.000, Chapter 133; Steven/Patricia Calder, 40 Trescott Street, Dix Hills, SCTM# 0400-275.00-02.00-087.000, Chapter 133; William Pape, 378 Oakwood Road, Huntington Station, SCTM# 0400-137.00-01.00-061.001, Chapter 133; Lydia Julie/William Broer, 99 Middleville Road, Northport, SCTM# 0400-061.00-03.00-048.000, Chapters 133,156; Donald Leone/Ivonne Reveron, 34 Alpine Way, Huntington Station, SCTM# 0400-207.00-02.00-028.000, Chapters 133, 156[sections 45 & 46]; Huntington Hills Associates, LLC C/O Hakimian Organization, Sienna Court, Dix Hills, SCTM# 0400-274.00-02.00-019.003, Chapters 133, 156, 191; Gary Robinson, 1 Gateway Place, Dix Hills, SCTM# 0400-262.00-03.00-019.000, Chapter 156; Robert Bohaty, 56 Westfield Drive, Centerport, SCTM# 0400-043.00-06.00-001.000, Chapter 156; Vaneet Kohli Punit, Kulbhushan & Rita Kohli, Hren Court, Huntington Station, SCTM# 0400-208.00-01.00-027.009, Chapter 156; Fraidun/Fahima Rahimzadeh, 23 Phaeton Drive, Melville, SCTM# 0400-228.00-02.00-012.012, Chapter 156; J Nazzaro Partnership LP, 840 Fort Salonga Road, Northport, SCTM# 0400-054.00-01.00-001.000, Chapter 156; Platt’s Park Avenue LLC, Park Avenue, Huntington, SCTM# 0400-073.00-02.00-001.000)</p>	MC	FP	
	<u>SB</u>	<u>EC</u>	<u>5</u>
<p>2015-414. AUTHORIZE settlement of a lawsuit (Bridgida Sardelli and Estate of Armando Sardelli v Town of Huntington, Index No.: 22536/2010).</p>	MC	EC	5
	<u>MC</u>	<u>EC</u>	<u>5</u>
<p>2015-415. AUTHORIZE the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its Special Districts – various departments.</p>	TE	EC	5
	<u>TE</u>	<u>EC</u>	<u>5</u>
<p>2015-416. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancements (Bellerose Avenue). (Re: Purchase and install two driver feedback signs that indicate vehicle speed)</p>	FP	SB	
	<u>FP</u>	<u>TE</u>	<u>5</u>
<p>2015-417. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended improvements (Sweet Hollow and Erb Farm/Burr’s Lane Parks). (Re: Construction/installation of playground equipment and surfacing, basketball courts, tennis courts, adult outdoor fitness area, sports courts line markings, irrigation system, landscaping, fencing and gates, trash receptacles, bicycle rack, game tables, signs and sculptures)</p>	FP	MC	
	<u>SB</u>	<u>TE</u>	<u>5</u>
<p>2015-418. ACCEPT donations from various merchants and businesses to the Town of Huntington Senior Center, nunc pro tunc. (Re: Champion Car Wash, Jonny D’s Pizza, Main Street Café, Mario’s, Brio Tuscan Grille, P.F. Changs, Ralph Rotten’s Nut Pound, Lily’s Bread Box, Panera Bread, Erica’s Day Spa and Salon)</p>	TE	SB	5
	<u>TE</u>	<u>SB</u>	<u>5</u>
<p>2015-419. ACCEPT the donation of two large “No Wake” buoys from the Greater Huntington Council of Yacht and Boating Clubs and Ten Haagen</p>	SB		
	<u>SB</u>		

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
Financial for the Department of Maritime Services.	<u>EC</u>	<u>FP</u>	<u>5</u>
2015-420. ACCEPT the dedication of Enclave Court, a recharge basin and four drainage easements for the subdivision known as Enclave at Dix Hills. (SCTM#'s 0400-274-01-25.013, 0400-274-01-25.012, 0400-274-01-parts of lots 25.005, 25.006, 25.007 and 25.008)	<u>MC</u>	<u>EC</u>	<u>5</u>
2015-421. ACCEPT matching funds from Greenlawn Civic Association in connection with its Round 9 Suffolk County Downtown Revitalization Grant Award and any and all matching funds associated with Rounds 8, 9, 10 and 12 by other organizations under same grant program.	<u>FP</u> <u>MC</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2015-422. ADOPT Home Rule Message urging the New York State Department of Transportation to abandon plans to build an expanded facility at the rest stop area located on the Long Island Expressway in the Dix Hills area.	<u>FP</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2015-423. AMEND Town Board Resolution 2014-362, to correct a scrivener's error.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-424. APPOINT member to the Board of Assessment Review. (Re: Dominick P. Feeney, Jr.; term- 10/1/2015-9/30/2020)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-425. APPOINT a member to the Town of Huntington Harbors and Boating Advisory Council. (Re: Gary Rozmus, P.E.; term expires 12/31/2019)	<u>SB</u> <u>MC</u>	<u>EC</u>	<u>5</u>
2015-426. DECLARE certain equipment and vehicles as surplus and/or obsolete and authorizes the sale at auction, trade in or disposal of the same.	<u>EC</u>	<u>TE</u>	<u>5</u>
2015-427. PROCLAIM October 6 as Organ Donor Enrollment Day in the Town of Huntington, New York.	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-428. REAPPOINT members to the Public Art Advisory Committee and designating a Chairperson. (Re: Mark McAteer term ending 9/10/2018; James Metcalfe term ending 9/10/2018; Michele Peppers term ending 9/10/2018 and Chairperson, Janine Seifert term ending 9/10/2016)	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-429. SUPPORT United States Geological Survey Sediment-Bound Contaminant Resiliency and Response Study and authorizing sediment sampling (Jerome Ambro Memorial Wetlands Preserve). (Re: Crab Meadow)	<u>FP</u>	<u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-430. URGE United States Congress to enact H.R. 2930, the Long Island Sound Restoration and Stewardship Act that continues further study of ecological issues, requires United States Environmental Protection to coordinate actions with other federal agencies, and addresses water quality issues that impact the Long Island Sound.	<u>TE</u> <u>EC</u>	<u>FP</u> <u>SB</u>	<u>5</u>
2015-431. ENACTMENT: ADOPT Local Law Introductory No. 24-2015 amending the Code of the Town of Huntington, Chapter 109 (Firearms).	<u>FP</u> <u>MC</u>	<u>SB</u>	<u>5</u>
2015-432. ENACTMENT: ADOPT Local Law Introductory No. 25-2015 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article II: Use Regulations and Restrictions.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-433. ENACTMENT: ADOPT Local Law Introductory No. 26-2015 amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article II: (Vacant Building Registration).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-434. ENACTMENT: ADOPT Local Law Introductory Number 27-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVI (Zoning Board of Appeals) and Article XIX (Zoning Chapter and Map Amendments).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-435. ENACTMENT: ADOPT Local Law Introductory Number 32-2015, amending the Zoning map on the Town Board's own motion to change the Zoning from C-6 Huntington Station Overlay District to C-1 Office-Residence District for the property located on the northeast corner of Depot Road and East Ninth Street, Huntington Station, SCTM# 0400-146-03-106, and issuing a Negative Declaration for said action to rezone.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-436. ADOPT the Huntington Station Gateway Plan.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-437. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedule A & B: Monique Baillergeau, 8 Silver Avenue, Huntington Station, SCTM# 0400-205.00-03.00-041.000; LSC1 Management Corporation, 29 Thornwood Drive, Dix Hills, SCTM# 0400-263.00-03.00-123.00; Raghav Sharma, 190 West 21 st Street, Huntington Stations, SCTM# 0400-193.00-02.00-068.000; Joseph Rafael, LLC, 391 W. Jericho Tpke, Huntington, SCTM# 0400-190.00-02.00-132.001; Gary Field, 425 New York Avenue, Huntington, SCTM# 0400-096.00-01.00-009.000; Realty 26 LLC, 449-455 E. Jericho Tpke, Huntington Station, SCTM# 0400-200.00-03.00-170.000; William/Eva Cunningham, 862 Larkfield Road, East Northport, SCTM# 0400-250.00-01.00-016.000); Schedule D: Robert/Lisa Cook, 4 Tuxedo Drive, Melville, SCTM# 0400-253.00-02.00-055.000; David/Ana Crocini, 131 East 2 nd Street, Huntington Station, SCTM# 0400-147.00-04.00-034.000; Estate of Shirley Kiesow, 413 2 nd Avenue West, East Northport, SCTM# 0400-175.00-01.00-025.000)	<u>SB</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-438. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A: Gloria/Jeffrey Gelmin, Jr., 3 Olmstead Lane, East Northport, SCTM# 0400-184.00-01.00-024.000; Wayne/Teresa Hughes, 19 Oakcrest Drive, Huntington Station, SCTM# 0400-201.00-03.00-044.000; Tom/Benia Keogh, 19 Oakley Drive, Huntington Station, SCTM# 0400-195.00-01.00-023.000)</p>	<u>SB</u>	<u>FP</u>	<u>5</u>
<p>2015-439. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM Re: Preliminary Annual Operating Budget (Re: Fiscal year beginning 1/1/2016).</p>	<u>TE</u>	<u>MC</u>	<u>5</u>
<p>2015-440. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM Re: Preliminary Capital Budget (Re: Fiscal year beginning 1/1/2016).</p>	<u>MC</u>	<u>TE</u>	<u>5</u>
<p>2015-441. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM Concerning the adoption of the Assessment Roll for the Huntington Sewer District.</p>	<u>SB</u>	<u>FP</u>	<u>5</u>
<p>2015-442. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM Concerning the adoption of the Assessment Roll for the Centerport Sewer District.</p>	<u>TE</u>	<u>SB</u>	<u>5</u>
<p>2015-443. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM To consider an amendment to the license agreement made with Huntington Hospital Association to utilize a portion of the Town of Huntington parking facility located adjacent to Mill Dam Park, nunc pro tunc.</p>	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>
<p>2015-444. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM To consider an amendment to the Land and Tower License Agreement made by and between the Dix Hills Water District and New York SMSA Limited Partnership, D/B/A Verizon Wireless to permit the relocation and reinstallation by Verizon Wireless of its communication facility to another location at the Dix Hills Water District Facility on Colby Drive.</p>	<u>MC</u>	<u>EC</u>	<u>MC-AYE</u> <u>EC-AYE</u> <u>FP-AYE</u> <u>SB-NO</u> <u>TE-RECUSE</u>
<p>2015-445. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM To consider an amendment to the license agreement made with Integrity Golf Company, LLC for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York, nunc pro tunc.</p>	<u>EC</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-446. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory Number 35-2015, considering Zone Change Application #2015-ZM-407, 569 Broadhollow Road, LLC, to change the zoning from I-2 Light Industry District to C-6 General Business District for property located on the east side of the intersection of Broadhollow Road and Spagnoli Road, Melville, SCTM# 0400-267-01-(005.002, 056, 057).</p>	<u>MC</u>	<u>FP</u>	MC-AYE FP-AYE EC-AYE TE-AYE <u>SB-ABSTAIN</u>
<p>2015-447. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory Number 36-2015, considering zone change application #2012-ZM-391, AP Commack Road Citgo, to change the zoning from C-6 General Business District to C-11Automotive Service Station District for property located on the east side of Commack Road, north of Genesee Drive, Commack, SCTM #0400-225-03-069.</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2015-448. SCHEDULE A PUBLIC HEARING: October 6, 2015 at 6:00 PM To consider adopting Local Law Introductory No. 37-2015, amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms).</p>	<u>TE</u>	FP SB <u>EC</u>	<u>5</u>
<p>2015-449. AUTHORIZE the issuance of a permit to extend the operation of a "Haunted House" at 26 Pinelawn Road, Melville, New York. (Re: SCTM# 0400-2255.00-01.00-012.000; Extended Dates: 10/23, 10/24, 10/25, 10/29, 10/30 and 10/31/2015)</p>	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-BT6. ENACTMENT: APPROVE the granting of a variance and issuance of a special use permit pursuant to the Marine Conservation Law, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly. Applicant: Land Use Ecological Service Inc. on Behalf: John Rittenhouse Location: 285 Asharoken Ave., Asharoken, N.Y. S.C.T.M. #0401-005.00-02.00-007.001 & 005.000.

**REMOVED FROM
THE AGENDA BY
SUPERVISOR
PETRONE**

2015-BT7. ENACTMENT: APPROVE the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, for the construction of a residential fixed pier and floating dock assembly Applicant: Land Use Ecological Service Inc. On behalf: John Rittenhouse Location: 285 Asharoken Ave., Asharoken, N.Y. S.C.T.M. #0401-005.00-02.00-007.001 & 005.000.

**REMOVED FROM
THE AGENDA BY
SUPERVISOR
PETRONE**

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-CD7. AUTHORIZE the Community Development Agency to advertise property for sale. (Re: 17 Tower Street, Huntington Station; SCTM# 400-140-2-150)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-CD8. AUTHORIZE the Chairman to execute an agreement with Long Island Housing Services, Inc., nunc pro tunc. (Period: 4/1/2015-3/31/2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-CD9. AUTHORIZE the Chairman of the Community Development Agency to execute an agreement with Reach CYA, Inc., nunc pro tunc. (Re: Millennium Hills; Period: 4/1/2015-3/31/2016)	<u>TE</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2015-CD10. AUTHORIZE the Chairman to execute an agreement with the Family Service League, Inc. for the provision of a Home Share Program for Huntington Residents, nunc pro tunc. (Period: 4/1/2015 – 3/31/2016)	<u>SB</u>	<u>FP</u> <u>EC</u>	<u>5</u>

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: SEPTEMBER 16, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-LDC3. ADOPT a 2016 Budget and Financial Plan.	<u>FP</u>	<u>SB MC</u>	<u>5</u>
2015-LDC4.RELEASE funds to support Huntington Opportunity Resource Center pursuant to the management and administration services agreement made by and between the Town of Huntington Local Development Corporation and the Town of Huntington.	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-LDC5.RESOLUTION of the Town of Huntington Local Development Corporation (The "Issuer") (1) Taking official action toward the issuance of tax-exempt and/or taxable revenue bonds (St. Anthony's High School Project), in multiple series, in an aggregate principal amount not to exceed \$38,000,000; for the purpose of financing or refinancing a certain project (as set forth below) for the benefit of St. Anthony's High School and Seraphic Properties, Inc.; (2) Describing the forms of financial assistance being contemplated by the issuer with respect to such project; and (3) Authorizing a public hearing with respect to such financing and the undertaking of such project and (4) Making certain findings and determinations with respect to the project.	<u>FP MC</u>	<u>SB</u>	<u>5</u>

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: SEPTEMBER 16, 2015**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From Alissa Yohey for Starbucks Coffee (3011 Jericho Tpke, E Npt); From: Alissa Yohey for Starbucks Coffee (1 Wall Street, Huntington); From: Patrick DeLuca for Barry Wohl or corp to be formed t/b/d (330 New York Ave, Huntington); From: Patrick DeLuca for Due Paesani Inc. name t/b/d (308 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: Vincenzo LoManto for Filettos Pizza (297 Clay Pitts Road, East Northport);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Nancy McFadzen, Secretary to the Commack Fire District. Ms. McFadzen advises that effective August 10, 2015 John Sanzeri is no longer employed as the District Treasurer. The new Treasurer is Sean Flanagan.

Supervisor
Town Board
cc: Town Attorney
4. Letter hand delivered by Kristi Cartolano, Secretary for the Eaton's Neck Fire District. Enclosed was a copy of the 2014 Independent Auditor's Report as well as the Auditor's Management letter with memorandum.

Supervisor
Town Board
Town Attorney
cc: Comptroller
5. Letter addressed to Town Clerk, Jo-Ann Raia, received from Dr. William Spencer, Suffolk County Legislator, regarding the Tilden Farm property in Greenlawn. Dr. Spencer expressed his support for this project and thanked Ms. Raia for reaching out to him.

Supervisor
Town Board
cc: Town Attorney
6. Email received from Jeannie Gedeon regarding blighted property at 7 Cherry Place. Ms. Gedeon did not have enough time to speak at the 8/11/2015 Town Board meeting so she submitted the rest of her comments. The condition of this residence is preventing her from selling her home.(cc'd Supervisor/Councilpersons)

Town Attorney
cc: Planning & Environment
7. Email received from Howard Nelson advising of his objections to the application of John Rittenhouse for a 210 foot dock. Email was forwarded by Ed Carr of Maritime Services.

Supervisor
Town Board
cc: Town Attorney
8. Letter received from John & Judy Ross of Asharoken expressing their support for the John Rittenhouse dock application. Included was a picture and a site plan map of the area. (cc'd Ed Carr-Maritime Services)

Supervisor
Town Board
cc: Town Attorney
9. Public Notice received from Gail Devol, Village Administrator for Huntington Bay, regarding a Zoning Board of Appeals hearing to be held on 8/20/2015 at 7:30 PM for the following properties: 2 Bay Crest, 1 Woodland Drive, 9 Beach Drive, 7 Kanes Lane, 317 Bay Avenue and 38 Bay Crest.

Supervisor
Town Board
Town Attorney
cc: Planning & Environment

10. Emails received from the following in support of bow hunting for deer: Candyce Kannengieser, Michael Tessitore, Jim Kannengieser and Rachel Moore Bogner
Supervisor
Town Board
cc: Town Attorney
11. Emails received from the following in opposition to bow hunting for deer: John Di Leonardo, Christina Raptis, Jonathan Chuang, Cynthia McGinnis, Mary DeBonis, Amanda Lindner, Pamela Green, Nancy Porcino, Jacqueline Schmidt, Jacqueline Leahy, Evelyn Franc, Dr. Edward Kush, Serena Gagnon, Isabella Santora, Marco Tralongo, and Margaret Frith.
Supervisor
Town Board
cc: Town Attorney
12. Multiple emails received from Tom D'Antonio regarding: 1) deer sterilization 2) an article regarding ticks a public health crisis 3) White Buffalo field study of East Hampton Sterilization project 4) a deer sterilization story (all cc'd to Supervisor/Councilpersons; except #2) The writer is in favor of the bow hunting legislation.
Supervisor
Town Board
cc: Town Attorney
13. Letter received from Joy Squires, Chairperson of the Conservation Board, regarding change of zone request for Stone Ridge II, 2015-ZM-408. The Conservation Board objects to this project and "emphasizes the need for comprehensive sewage disposal management for higher density projects". (cc'd Supervisor/Planning)
Town Board
cc: Town Attorney
14. Letter received from John Armentano of FARRELFRITZ PC, counsel for the not for profit group, Hunters for Deer, Inc. Attached was a copy of the NYSDEC Management Plan for White-Tailed Deer in New York State 2012-2016. Letter forward by Supervisor Petrone's office.
Town Board
Town Attorney
cc: Planning & Environment
15. Letter received from John Farrell of Sahn Ward Coschignano, PLLC, regarding the application of Platt's Park Avenue, change of zone application #2014-ZM-404. The writer is indicating that a petition received in opposition to this zone change should not be considered for various reasons.
Supervisor
Town Board
Town Attorney
cc: Planning & Environment
16. Email received from Vincent Cangelosi regarding the rezoning application from Benchmark. The writer opposes the rezoning of the property located at East Main Street and Old Northport Road for various reasons.
Town Attorney
cc: Planning & Environment
17. Letter received from Michael Corso, Consumer Advocate and Director, NYS Office of Consumer Affairs advising that they are sponsoring a series of regional information sessions and public statement hearings regarding two proceedings currently before the commission. The first is an examination of low income programs offered by the major electric and gas utilities in New York State. The second concerns an approval being sought by Time Warner Cable and Charter Communications for a merger.
Supervisor
Town Board
Town Attorney
Human Services
cc: T. Kinsley, Deputy Traf & Tran
18. Letter received from Keri Loughlin, Asst. Superintendent for Business for the Elwood Public Schools. Attached was a copy of the 2015-2016 school budget.
Supervisor
Town Board
Town Attorney
cc: Comptroller
19. Letter hand delivered by Keith Archer, of Harras Bloom & Archer LLP, regarding Change of Zone Application #2013-ZM-397. The writer is requesting that the Town Board, in connection with this zone change, amend the Town of Huntington Horizons 2020: Comprehensive Plan. (This was distributed to the Supervisor, Town Board, Town Attorney and Department of Planning & Environment)
cc: File

20. Multiple emails received from James McGoldrick regarding conditions in Huntington Station. The writer submitted pictures and is requesting that various situations be corrected. M. Cuthbertson
T. Edwards
cc: Town Attorney
21. Opposition Form received regarding the Hess Corporation application for a change of zone application for property located at 412 Fort Salonga Road, Northport from Albert Jensen, Carl Meinen, Carol Meinen, Barbara Freeth and Barbara Hollingsworth. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
22. Letter forwarded by Supervisor Petrone's office, from Howard A. Glickstein, advising that he is resigning his position as Chairperson for the Huntington Town Board of Ethics. The letter was dated May 23, 2015. Town Board
cc: Town Attorney
23. A copy of the South Huntington Water District adopted budget for 2016 was received. Supervisor
Town Board
Town Attorney
cc: Comptroller
24. Copy of the Public Notice received from Gail Devol, Huntington Bay Village Administrator, regarding a Zoning Board of Appeals hearing to be held on September 17, 2015 at 7:30 PM in Village Hall. The following properties are have hearings: 9 Beach Drive, 244 Vineyard Road and 38 Bay Crest. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
25. Emails/letters received in opposition to the proposed dock at the Rittenhouse resident in Asharoken from: Nadine Dumser, Lisa Dawn Angerame, Robert W. Holmes, Bob Abbatecola (2), Franz Kirsch, Jane Snyder and Claire Sarser. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Email received from Lisa Dawn Angerame regarding her concern about a project under consideration in Asharoken to have the Army Corp of Engineers fix the road to Eaton's Neck. The writer indicates part of the project includes putting sand on the beach using public money, that would in turn force the private beaches to become public. The writer is against making the beaches public. Supervisor
Town Board
Town Attorney
Highway
cc: Planning & Environment
27. Email received from Tammy Alario regarding various alleged illegal multi family dwellings located in Huntington Station. (cc'd Supervisor, Councilpersons, Public Safety) cc: Town Attorney
28. Email received from Suffolk County Department of Planning, attached was a letter regarding Town of Huntington resolution #'s 2015-392, 2015-393, 2015-394 and 2015-395. The letter indicates these are a matter for local determination. Supervisor
Town Board
cc: Town Attorney
29. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on October 6, 2015 at 2:00 PM. The hearing involves the amendment to Chapter 322 of the Code of the Town of Smithtown entitled Building Zone Ordinance. Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

30. Letter received from John O'Connell, Managing Director and Vice President of Electric Operations for PSEG listing different projects that will done in the Town of Huntington and the Village of Northport. Supervisor
Town Board
Town Attorney
Highway
cc: Traffic & Transportation
31. Letter received from Richard Koubek, PhD, President of the Huntington Township Housing Coalition, advising that the coalition is opposed to Resolution 2015-392. The letter indicates the reasons for the opposition. Supervisor
Town Board
Town Attorney
cc: Planning & Environment
32. Certified letter received from Ana Rua, Project Manager for the NYS Empire Development, regarding a public hearing to be held on September 22, 2015 from 2:00 PM – 3:00 PM at the W.H. Rogers Legislative Building in Hauppauge. Supervisor
Town Board
The meeting pertains to General Project Plan regarding a grant for MPI Consulting, Inc, located in West Babylon. cc: Town Attorney
33. Numerous letters hand delivered by Pat Irving; all letters are in opposition of the proposed dock at the Rittenhouse home located in Asharoken. The letters are from: Pat Irving, Anna Pollaci, Joseph Catanzano, Stephanie Quarles, John Irving, Nadine/John Dumser*, Kristen Wenderoth, Anthony Wenderoth, Macartney Family, Franz Kirsch*, Matthew Casamassima, Robert Holmes*and David/Claire Sarser* . Supervisor
Town Attorney
Engineering Services
cc: Planning & Environment
(*correspondence previously submitted see #25) (Hand delivered to Supervisor and Councilpersons).
34. Letter and copy of 2016 Proposed Budget for the Greenlawn Fire District was hand delivered by Louise Caputo, Secretary/Treasurer. Supervisor
Town Board
Town Attorney
cc: Comptroller
35. South Huntington UFSD Budget for 2016 received in the mail. Supervisor
Town Board
Town Attorney
cc: Comptroller

2015-396

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE HALESITE MARINA BULKHEAD – RECONSTRUCTION WITH ATLANTIC COAST DOCK CONSTRUCTION CORP.

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Contractor shall install a new steel sheet pile bulkhead for the Halesite Marina located on Route 110 in Halesite NY. Included in the work is reinstallation of the four (4) gangways, supplying new water, electric, and sewer utilities to the Marina as well as a bubbler system to prevent the harbor from freezing. Additionally, the parking lot is to be paved and striped at the end of the project once all of the other work is completed; and

WHEREAS, Atlantic Coast Dock Construction Corp., 71 Alder Drive, Mastic Beach, New York 11951 is the lowest responsive, responsible bidder; and

WHEREAS, bulkhead reconstruction 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 Supervisor to execute a contract, and any documents in connection and related therewith, with Atlantic Coast Dock Construction Corp. for the Halesite Marina bulkhead reconstruction. The contract period shall be effective upon the execution of the contract for two hundred forty (240) days, for an amount not to exceed the sum of TWO MILLION FOUR HUNDRED SIXTY FOUR THOUSAND SIX HUNDRED SIXTY FIVE AND NO/100 (\$2,464,665.00) DOLLARS, to be charged to EG7197 2103 2014P, and authorizes the Director of Engineering to execute contract changes with an aggregate value up to 10% of the contract value, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT BUDGET/PROGRAM DESCRIPTION APPROVAL FORM REVISION NO. ONE AMENDING THE AGREEMENT WITH SUFFOLK COUNTY DEPARTMENT OF HEALTH SERVICES FOR THE PROVISION OF DRUG TREATMENT AND PREVENTION SERVICES

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, pursuant to Town Board Resolution 2015-211, adopted on May 5, 2015, the Town of Huntington entered into an Agreement with the Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services in the amount not to exceed SIX HUNDRED FORTY-NINE THOUSAND THREE HUNDRED EIGHT AND NO/100 (\$649,306.00) and Alternatives for Youth Services in the amount not to exceed EIGHT THOUSAND THIRTY-NINE AND NO/100 (\$8,039.00) for a total contract amount not to exceed SIX HUNDRED FIFTY SEVEN THOUSAND THREE HUNDRED FORTY-SEVEN AND NO/100 DOLLARS (\$657,349.00) for the 2015 Budget Period; and

WHEREAS, funding for the 2015 Budget period was further increased for the Drug Treatment Prevention Services portion of said contract for the 2015 budget year in the amount of SIX THOUSAND NINE HUNDRED SIXTY-FIVE AND NO/100 (\$6,965.00), modifying the total amount for the Drug Treatment Prevention Services portion of said contract for the 2015 budget period to an amount not to exceed (SIX HUNDRED FIFTY-SIX THOUSAND TWO HUNDRED SEVENTY-THREE AND NO/100 DOLLARS (\$656,273.00)

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute Contract Budget/Program Description Approval Form Revision No. ONE amending the Agreement with the Suffolk County Department of Health Services for the Provision of Drug Treatment and Prevention Services, to increase funding in the amount not to exceed SIX THOUSAND NINE HUNDRED SIXTY-FIVE AND NO/100 DOLLARS (\$6,965.00), modifying the total amount of Drug Treatment and Prevention Services portion of the contract for the 2015 budget period to an amount not to exceed SIX HUNDRED FIFTY-SIX THOUSAND TWO HUNDRED SEVENTY-THREE AND NO/100 DOLLARS

2015-397

(\$656,273.00) to be recorded in Revenue Code A3831, Appropriation A4220, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CHANGE TO THE EXISTING CONTRACT WITH L.K. McLEAN ASSOCIATES, P.C. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HALESITE MARINA REHABILITATION, ROUTE 110, HALESITE NY 11743

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, L.K.McLean Associates, P.C. was awarded the contract for Professional Engineering Services for the rehabilitation of the Halesite Marina, as authorized by Town Board Resolution 2015-6; and

WHEREAS, the increase has been requested by the vendor for additional design work beyond original proposal and for unanticipated additional expenses for soil boring contractor; and

WHEREAS, the vendor has requested the contract increase from \$45,200.00 to \$52,200.00 to cover their increased efforts and expenses; and

WHEREAS, pursuant to SEQRA, 6NYCRR, §617.5(c)(20), engineering administration services is a Type II action and, therefore, no further review is required.

NOW, THEREFORE, upon the recommendation of the Director of Engineering Services, to amend the contract account as follows:

Original Contract Amount:	\$45,200.00
Change Order Number 1:	<u>\$ 7,000.00</u>
Revised Contract Amount:	\$52,200.00

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to increase the contract amount by \$7,000.00 from \$45,200.00 to 52,200.00 for L.K.McLean Associates, P.C. for engineering services for the Halesite Marina rehabilitation to be charged to Capital Budget Item No. EG7197-2103-2014P, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-399

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR HYDRAULIC REPAIRS AND PARTS WITH DEPENDABLE REPAIR, INC.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, in order to ensure safe operation and performance of hydraulic equipment, the Town of Huntington is committed to maintaining safe and efficient vehicles and equipment that utilizes these specialty services; and

WHEREAS, Town Board Resolution 2014-485 authorized the execution of a contract with Dependable Repair, Inc., 18 Ranick Drive West, Amityville, New York 11701 for hydraulic repairs and parts, Bid No. TOH 14-09R-054; and

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

WHEREAS, Dependable Repair, Inc. 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 Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Dependable Repair, Inc. for hydraulic repairs and parts. The extension period shall be effective for one (1) year commencing on December 21, 2015 to be charged to the various operating budgets of the Town, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-400

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

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is committed to processing and recycling residential yardwaste materials in an environmentally sound and lawful manner. The Town of Huntington schedules between thirty-two (32) and forty-five (45) separate yardwaste collections annually. The Town Refuse District Municipal and Contract Carters collect bundled branches less than 6" in diameter, and 4' in length, and bagged leaves or prunings, which are then delivered to the contractors facility; and

WHEREAS, Town Board Resolution 2012-517 authorized the execution of a contract and with PowerCrush, Inc., 140 Old Northport Road, Kings Park, New York 11754 for the processing and recycling of Huntington residential yardwaste, Bid No. TOH 12-10R-067. Town Board Resolution 2014-442 authorized the first one year extension; and

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

WHEREAS, PowerCrush, Inc., 140 Old Northport Road, Kings Park, New York 11754 has requested the final one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a final extension to the requirements contract, and any documents in connection and related therewith, with PowerCrush, Inc., for the processing and recycling of Huntington residential yardwaste. The extension period shall be effective for one (1) year commencing on January 4, 2016 to be charged to SR8158.4990, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-401

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR
SCAVENGER TANK CLEANING WITH TULLY ENVIRONMENTAL INC.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington requires tank cleaning services to pump, remove, transport and dispose of sludge, grit and wastewater residuals from the scavenger waste pretreatment facility equalization tanks at the Huntington Sewer District sewage treatment plant; and

WHEREAS, sealed bids were received on August 6, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for scavenger tank cleaning, Bid No. TOH 15-08-042 and the same were opened publicly and read aloud; and

WHEREAS, Tully Environmental Inc., 127-50 Northern Boulevard, Flushing, New York 11368 is the sole responsive, responsible bidder; and

WHEREAS, scavenger tank cleaning 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 Tully Environmental Inc. for scavenger tank cleaning. The contract period shall be effective upon the execution of the contract for a period of one year, for an estimated amount of ONE HUNDRED THOUSAND, TWO HUNDRED EIGHTY AND NO/100 (\$100,280.00) DOLLARS, to be charged to SS3 8133-4990, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 402

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR WASTEWATER TREATMENT FACILITY INSTRUMENTATION AND CONTROL MAINTENANCE FOR THE TOWN OF HUNTINGTON SEWER DISTRICT WITH HINCK ELECTRICAL CONTRACTORS, INC.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington is committed to providing preventive maintenance services to the Wastewater Control Systems at the Town of Huntington Sewer District facilities, and as such, these services may require specialized skills and outside support; and

WHEREAS, Town Board Resolution 2013-483 authorized the execution of a contract with Hinck Electrical Contractors, Inc. for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District, Bid No. TOH 13-09R-057. Town Board Resolution 2014-450 authorized the first one (1) year extension; and

WHEREAS, said requirements contract provides for three (3) one (1) year extensions with no increase in the bid price or change in the terms and conditions; and

WHEREAS, Hinck Electrical Contractors, Inc., 75 Orville Drive, Suite 1, Bohemia, NY 11716 has requested the second one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with Hinck Electrical Contractors, Inc. for wastewater treatment facility instrumentation and control maintenance for the Town of Huntington Sewer District. The extension period shall be effective for one (1) year commencing on January 1, 2016 to be charged to Operating Funds SS1-8131-4570, SS2-8132-4650 and SS3-8133-4650, 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 Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-405

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE GREENLAWN WATER AUTHORITY

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington operates a gasoline fuel pumping facility at Boxer Court; and

WHEREAS, The Greenlawn Water Authority has requested to enter into an Inter-Municipal Agreement with the Town of Huntington to allow the Greenlawn Water Authority to obtain gasoline from the Town of Huntington's gasoline facility; and

WHEREAS, the Greenlawn Water Authority utilizes approximately twelve thousand (12,000) gallons of gasoline per year; and

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

NOW, THEREFORE BE IT

RESOLVED that the Town Board hereby authorizes the Supervisor to enter into an Inter-Municipal Agreement with the Greenlawn Water Authority for the purpose of allowing the Greenlawn Water Authority to obtain gasoline from the Town of Huntington's gasoline facility in accordance with such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH ADELPHI UNIVERSITY SCHOOL OF SOCIAL WORK FOR THE PROVISION OF ASSISTANCE TO THE SENIOR POPULATION THROUGH A SOCIAL WORK INTERNSHIP PROGRAM FOR ACADEMIC YEAR 2015-2016 NUNC PRO TUNC

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the provision of assistance through a social work internship program with Adelphi University School of Social Work will positively impact the senior population; and

WHEREAS, the Town of Huntington desires to assist students in obtaining hands on experience in particular clinical skills being taught in the classroom; and

WHEREAS, Adelphi University School of Social Work will assume responsibility for planning, directing and implementing the educational program of the social work students; and

WHEREAS, entering into this contract for educational purposes 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 agreement with Adelphi University School of Social Work for the provision of assistance to the senior population through a social work internship program for a period of two years, and to execute any documents in connection and related therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor, Frank P. Petrone	AYE
Councilwoman, Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman, Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE NORTH SHORE VETERINARY HOSPITAL AND THE LEAGUE FOR ANIMAL PROTECTION FOR THE PURPOSE OF CONDUCTING A FREE SPAYING AND NEUTERING PROGRAM FOR PIT BULLS AND PIT BULL MIXES IN RECOGNITION OF NATIONAL PIT BULL AWARENESS MONTH BEGINNING OCTOBER 1, 2015 AND ENDING OCTOBER 31, 2015.

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**
And seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board desires to promote the health, safety and welfare of the community; and

WHEREAS, the Town Board desires to improve the health of pit bulls and pit bull mixes in the Town of Huntington; and

WHEREAS, the Town Board in conjunction with North Shore Veterinary Hospital, 835 Fort Salonga Road, Northport, New York, and the League for Animal Protection, 4 Deposit Road, East Northport, New York desire to conduct a spaying and neutering clinic in an effort to improve the quality of health of pit bulls and pit bull mixes for the month of October 2015 at the North Shore Veterinary Hospital and the League for Animal Protection in recognition of National Pit Bull Awareness Month;

WHEREAS, conducting a spaying and neutering clinic for pit bulls and pit bull mixes 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 execute an agreement with North Shore Veterinary Hospital and the League for Animal Protection to conduct a no cost spaying and neutering clinic for pit bulls and pit bull mixes for the Town of Huntington from October 1, 2015 to October 31, 2015 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON ANIMAL SHELTER TO WAIVE THE ADOPTION FEE FOR PIT BULLS AND PIT BULL MIXES IN RECOGNITION OF NATIONAL PIT BULL AWARENESS MONTH BEGINNING OCTOBER 1, 2015 AND ENDING OCTOBER 31, 2015.

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: **COUNCILWOMAN BERLAND**
And seconded by: **COUNCILMAN COOK**

WHEREAS, under current Town Code, the adoption fee for seized pit bulls and pit bull mixes are eighty dollars (\$80), which includes the spaying and/or neutering of an adopted dog; and

WHEREAS, the Town Board wishes to waive the adoption fee in recognition of National Pit Bull Awareness Month for the period beginning October 1, 2015 and ending October 31, 2015; and

WHEREAS, the Town of Huntington wishes to waive the animal adoption fee due to the overcrowding at the Animal Shelter; and

WHEREAS, the implementation of the animal adoption fee waiver will allow families to adopt pit bull and pit bull mixes that are in desperate need of a home at this time of year, and

WHEREAS, the animal adoption fee waiver 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 WAIVES the Town of Huntington Animal Shelter's adoption fee from the period beginning October 1, 2015 and ending October 31, 2015.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-409

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE ALZHEIMER'S FOUNDATION OF AMERICA (AFA) FOR THE PROVISION OF BRAIN GYM CLASSES TO ENHANCE THE ADULT DAY CARE PROGRAM

Resolution for Town Board Meeting Dated: September 16, 2015

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

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

WHEREAS, a Brain Gym Program supports an individual's joy of living and learning through 26 simple, safe, and effective exercises, that can improve performance in focus, organization, mental clarity, emotional balance, communication, comprehension and whole body coordination, which are of tremendous value to persons suffering from various forms of dementia, including Alzheimer's Disease; and

WHEREAS, the Town seeks funding in the amount of FIVE THOUSAND NO/100 (\$5,000) DOLLARS from the AFA for the provision of brain gym classes to continue the broadened offering of the Brain Gym Program for seniors attending Adult Day Care; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to apply for and receive funds from the AFA for the provision of brain gym classes to enhance the Adult Day Care Program for the period January 1, 2016 through December 31, 2016, for an amount not to exceed the sum of FIVE THOUSAND NO/100 (\$5,000.00) DOLLARS, in Operating Budget Item A-6773-2705 expense code 4550 and to execute any documents in connection therewith upon such other terms and conditions as are acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXECUTION OF RECIPROCAL AGREEMENTS FOR MASTER PLUMBER LICENSES WITH VARIOUS OTHER MUNICIPALITIES

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: **COUNCILWOMAN EDWARDS,**
COUNCILMAN COOK

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Huntington Town Code Section 153-26 the Town Board may, authorize the execution of a written Reciprocal Agreement with another municipality waiving, upon the presentation of proper documentation, the written and practical examination of licensed master plumbers seeking a Reciprocal Master Plumber License in the Town of Huntington, upon the determination that another municipality maintains a standard for licensing master plumbers equivalent to that maintained in the Town of Huntington; and

WHEREAS, the Town Board believes that it is in the best interest of the Town for the Town, from time to time, to enter into such reciprocal agreements; and

WHEREAS, this action is considered routine or continuing agency administration and management therefore this action is a Type II action defined by SEQRA in 6 N.Y.C.R.R. 617.5(c)(20), and therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Huntington hereby authorizes the Director of the Department of Engineering Services, to enter into written Reciprocal Agreements with other municipalities upon the determination of that Director that the other municipality maintains a standard for licensing master plumbers equivalent to that maintained in the Town of Huntington and upon the prior written approval of the Town Attorney's Office; and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A SPECIAL, ONE-DAY GREEN FEE AT CRAB MEADOW GOLF COURSE ON OCTOBER 21, 2015 AS PART OF A 50TH ANNIVERSARY CELEBRATION OF THE GOLF COURSE OPENING

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, this year marks the 50th anniversary of the opening of Crab Meadow Golf Course, one of the most picturesque and enjoyable golf courses on Long Island; and

WHEREAS, to commemorate and honor this milestone anniversary, Integrity Golf Corporation and the Town of Huntington will hold a one-day event on Wednesday, October 21, 2015 consisting of a golf tournament followed by an evening of remembrance and celebration; and

WHEREAS, as a co-sponsor of the event, Integrity Golf Corporation has agreed to provide reduced fees for golf carts, driving range and food and the Department of Parks and Recreation is recommending a special one-day tournament green fee of \$25 per person; and

WHEREAS, the establishment of a one-day, reduced tournament green fee is not action as defined by 6 N.Y.C.R.R. 617.2(b) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the establishment of a one-day reduced tournament green fee of \$25 per person on October 21, 2105 as part of the 50th anniversary celebration of the opening of Crab Meadow Golf Course.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-412

RESOLUTION AUTHORIZING THE TOWN OF HUNTINGTON TO SPONSOR A CHILDREN'S HALLOWEEN PARADE ON SATURDAY, OCTOBER 31, 2015

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilman Cuthbertson,
COUNCILWOMAN BERLAND

And seconded by: **COUNCILMAN COOK**

WHEREAS, in conjunction with the Huntington Village Business Improvement District, which will be sponsoring a "Safe Trick-or-Treat Program" on Halloween, Saturday, October 31st; the Town of Huntington will sponsor a Halloween Parade for children of all ages to march in and show their costumes; and

WHEREAS, participants will assemble at 1:00 p.m. in front of the Huntington Post Office and proceed to parade down Gerard Street, at 1:15 p.m. and conclude at the intersection of Main Street (25A) and Wall Street; and

WHEREAS, the sponsoring of a children's parade is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Town of Huntington to sponsor and conduct a Children's Halloween Parade to be held on Gerard Street and Wall Street in Huntington on Saturday, October 31, 2015 from 1:00 p.m. until 2:00 p.m.; and

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilma Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: **COUNCILMAN CUTHBERTSON, COUNCILWOMAN BERLAND**
And seconded by: **SUPERVISOR PETRONE, COUNCILMAN COOK**

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-413

Schedule 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>
75 Centerport Road Greenlawn, NY 11740	0400-080.00-03.00-004.001	Camillo Foglia	08/06/2015	N/A
170 Huntington Bay Road Huntington, NY 11743	0400-034.00-02.00-004.000	Frances R Forst	08/25/2015	N/A
40 Trescott Street Dix Hills, NY 11746	0400-275.00-02.00-087.000	Steven Calder Patricia A Calder	06/25/2015	N/A
378 Oakwood Road Huntington Station, NY 11746	0400-137.00-01.00-061.001	William L Pape	08/07/2015	P.O. Box 74 Unionville, PA 19375
99 Middleville Road Northport, NY 11768	0400-061.00-03.00-048.000	Lydia Julie Broer William Broer	08/17/2015	N/A
34 Alpine Way Huntington Station, NY 11746	0400-207.00-02.00-028.000	Donald Leone Ivonne Reveron	08/30/2015	N/A
Sienna Court Dix Hills, NY 11746	0400-274.00-02.00-019.003	Huntington Hills Associates, LLC C/O Hakimian Organization, 5 th Fl	09/01/2015	8 W 40 th Street Fl 6 New York, NY 10018 60 Madison Avenue New York, NY 10010

2015-413

Chapter 156, Section 45 of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
75 Centerport Road Greenlawn, NY 11740	0400-080.00-03.00-004.001	Camillo Foglia	08/06/2015	N/A
34 Alpine Way Huntington Station, NY 11746	0400-207.00-02.00-028.000	Donald Leone Ivonne Reveron	08/30/2015	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Gateway Place Dix Hills, NY 11746	0400-262.00-03.00-019.000	Gary Robinson	08/20/2015	N/A
75 Centerport Road Greenlawn, NY 11740	0400-080.00-03.00-004.001	Camillo Foglia	08/06/2015	N/A
56 Westfield Drive Centerport, NY 11721	0400-043.00-06.00-001.000	Robert Bohaty	07/01/2015	N/A
Hren Court Huntington Station, NY 11746	0400-208.00-01.00-027.009	Vaneet Kohli Punit, Kulbushan & Rita Kohli	08/20/2015	41 Frost Valley Drive East Patchogue, NY 11772
99 Middleville Road Northport, NY 11768	0400-061.00-03.00-048.000	Lydia Julie Broer William Broer	08/17/2015	N/A
23 Phaeton Drive Melville, NY 11747	0400-228.00-02.00-012.012	Fraidun Rahimzadeh Fatima Rahimzadeh	08/10/2015	N/A

2015-413

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
34 Alpine Way Huntington Station, NY 11746	0400-207.00-02.00-028.000	Donald Leone Ivonne Reveron	08/30/2015	N/A
840 Ft Salonga Road Northport, NY 11768	0400-054.00-01.00-001.000	J Nazzaro Partnership LP	09/02/2015	8 Saxon Avenue Ste C Bay Shore, NY 11706
Park Avenue Huntington, NY 11743	0400-073.00-02.00-001.000	Platt's Park Avenue LLC	09/03/2015	71 N 1 st Street Deer Park, NY 11729
Sienna Court Dix Hills, NY 11746	0400-274.00-02.00-019.003	Huntington Hills Associates, LLC C/O Hakimian Organization, 5 th Fl	09/01/2015	8 W 40 th Street Fl 6 New York, NY 10018
				60 Madison Avenue New York, NY 10010

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
Sienna Court Dix Hills, NY 11746	0400-274.00-02.00-019.003	Huntington Hills Associates, LLC C/O Hakimian Organization, 5 th Fl	09/01/2015	8 W 40 th Street Fl 6 New York, NY 10018
				60 Madison Avenue New York, NY 10010

2015-414

RESOLUTION AUTHORIZING SETTLEMENT OF A LAWSUIT
(Bridgida Sardelli and Estate of Armando Sardelli v Town of Huntington, Index No.:
22536/2010)

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, a lawsuit was filed against the Town of Huntington on behalf of Bridgida Sardelli and Estate of Armando Sardelli seeking to recover for personal injuries sustained in an accident; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of forty-nine thousand five hundred dollars and no cents (twenty-four thousand seven hundred fifty dollars and no cents each plaintiff) for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the plaintiffs have agreed to accept in full settlement of their claims; and

WHEREAS, all parties have agreed to this settlement subject to the approval of the Town Board; 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, BE IT

RESOLVED, that the Comptroller is hereby authorized to issue checks in settlement of this matter, not to exceed a total of forty-nine thousand five hundred dollars and no cents (twenty-four thousand seven hundred fifty dollars and no cents each plaintiff) pending receipt of closing papers therein, applied against Operating Budget Item No. A1930.4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement; and

FURTHER AUTHORIZES the Comptroller to amend the 2015 Operating Budget as follows:

Decrease the following appropriation:

A1420-4550	Outside Professional	\$50,000
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Increase the following appropriation:

A1930-4160	Judgement & Claims	\$50,000
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2015-

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2015 Operating Budget

Reinstate the following positions:

A-1621-1100	Automotive Equipment Operator	\$10,677
A-5010-1100	Deputy Superintendent of Highway	31,894
SR-8158-1100	Automotive Mechanic III	18,323

Create the following positions:

A-1315-1100	Account Clerk	\$11,829
A-1680-1100	Computer Technician	11,829
A-3621-1100	Bureau Chief – Stipend	1,134
A-3621-1100	Bureau Chief – Stipend	1,134
DB-5110-1100	Heavy Equipment Operator II	21,355
DB-5110-1100	Laborer	9,379

Abolish the following position:

A-1315-1100	Principal Account Clerk	(\$23,046)
DB-5110-1100	Heavy Equipment Operator I	(20,541)

Adjust the following appropriations:

A-1990-1100	Contingency	(\$45,451)
DB-1990-1100	Contingency	(10,193)
SR-1990-1100	Contingency	(18,323)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENTS (BELLEROSE AVENUE)

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

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

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

WHEREAS, the Director of Transportation and Traffic Safety has requested an allocation toward Bellerose Avenue traffic calming to purchase and install driver feedback signs and the EOSPA Committee considered the request and determined that it was consistent with a prior recommendation that was already noted in Town Board resolution 2007-465 of August 28, 2007 and funding in addition to a residual account could be appropriated in an amount not to exceed \$20,000, and

WHEREAS, Bellerose Avenue traffic calming was considered as a mitigating measure as part of a coordinated review of a Type I Action for the Veterans Parks Complex Development that was issued a Negative Declaration by resolution 2007-466 on August 28, 2007, thus requires no further SEQRA review;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the neighborhood enhancements recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY

Bellerose Avenue traffic calming, Huntington, not to exceed \$20,000

Purchase and install two driver feedback signs that indicate vehicle speed for placement on Bellerose Avenue east of the Bellerose Elementary School and west of Veterans Park.

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

2015-416

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 417

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND AND NEIGHBORHOOD PARKS FUND FOR RECOMMENDED IMPROVEMENTS (SWEET HOLLOW AND ERB FARM/BURR'S LANE PARKS)

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

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

WHEREAS, the Town Board authorized bonding for development of Sweet Hollow and Burr's Lane/Erb Farm Parks by resolutions 2015-333 and 2015-334 on July 14, 2015, and

WHEREAS, Environmental Open Space and Park Fund Advisory (EOSPA) Committee reviewed and voted to support nominations from the Director of Engineering Services at its meeting of September 9, 2015 for partial funding from the EOSPA Park Improvement and the Neighborhood Parks Funds to support construction and installation of specific improvements planned for Sweet Hollow and Burr's Lane/Erb Farm Parks, and

WHEREAS, the proposed action requires no further SEQRA review as the Town Board classified the acquisition and development of Sweet Hollow Park and Erb Farm/Burr's Lane Park as Unlisted Actions and issued Negative Declarations;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and Neighborhood Parks Fund, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the park improvement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

DEPARTMENT OF ENGINEERING SERVICES

New active park development, not to exceed \$500,000

Sweet Hollow Park, Melville

Construction/installation of playground equipment and surfacing, basketball courts (surface, posts and hoops), tennis courts (surface, posts and netting), adult outdoor fitness area, sports courts line markings, irrigation system, landscaping, fencing and gates, trash receptacles, bicycle rack, game tables, signs and sculptures to be split between EOSPA Park Improvement (not to exceed \$400,000) and Neighborhood Parks (not to exceed \$100,000) Funds.

New active park development, not to exceed \$500,000

Erb Farm/Burr's Lane Park, Dix Hills

Construction/installation of the playground equipment and surfacing, soccer goals, complete parking lot, sidewalk and curbs, irrigation system, landscaping, fencing and gates, timber

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guide rail, park benches, and bicycle rack to be split between EOSPA Park Improvement (not to exceed \$400,000) and Neighborhood Parks (not to exceed \$100,000) Funds.

AND BE IT FURTHER

RESOLVED, that should additional funding be necessary to implement the above-listed project approved by the Town Board, including design and engineering of the specific improvements that may need to be contracted to outside consulting professionals, the EOSPA Committee may recommend additional funding to the Town Board.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING DONATIONS FROM VARIOUS MERCHANTS AND BUSINESSES TO THE TOWN OF HUNTINGTON SENIOR CENTER, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, the Town of Huntington will be hosting a free raffle for a giveaway at the Senior Center, 423 Park Avenue, Huntington, on August 28, 2015; and

WHEREAS, 10 merchants and businesses have donated various goods and services for the seniors; and

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY ACCEPTS various donations from the merchants and businesses listed on the attached Schedule "A" and thanks them for their generosity, NUNC PRO TUNC

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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SCHEDULE "A"
AUGUST 2015 "SURPRISE FRIDAY"
CONTRIBUTION ACKNOWLEDGEMENT LIST NUNC PRO TUNC

MERCHANTS

CHAMPION CAR WASH

402 Fort Salonga Road
Northport, New York 11768
Service Car

Gift Certificates for (50) Full
Washes

JONNY D'S PIZZA

91 Main Street
Greenlawn, New York 11740
Pizza Pies

(2) Gift Certificates for Large

MAIN STREET CAFE

47 Main Street
Northport, New York 11768

(12) \$25.00 Gift Certificates

MARIO'S

1-17 Schwab Road
Melville, New York 11747
Pizza Pies

(2) Gift Certificates for Large

BRIO TUSCAN GRILLE

160 Walt Whitman Road
Huntington, New York 11746

(5) \$20.00 Gift Certificates

P. F. CHANGS

160 Walt Whitman Road
Huntington, New York 11746

(5) \$20.00 Gift Certificate

RALPH ROT TEN'S NUT POUND

457 Rt 110
Melville, New York 11747

\$10.00 Gift Certificate

LILY'S BREAD BOX

75 Broadway
Greenlawn, New York 11740

\$10.00 Gift Certificate

PANERA BREAD

160 Walt Whitman Road
Huntington, NY 11746

Certificate for free bread monthly for a
year.

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ERICA'S DAY SPA AND SALON
680 East Jericho Tpk
Huntington Station, New York 11746

Gift Certificate for a haircut and styling

2015-419

RESOLUTION ACCEPTING THE DONATION OF TWO LARGE "NO WAKE"
BUOYS FROM THE GREATER HUNTINGTON COUNCIL OF YACHT AND
BOATING CLUBS AND TEN HAAGEN FINANCIAL FOR THE DEPARTMENT OF
MARITIME SERVICES

Resolution for Town Board Meeting Dated: September 16, 2015

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

WHEREAS, The Greater Huntington Council of Yacht and Boating Clubs (GH CYBC) recently held "Safe Boating Week" and raised funds to be used for safety on the waterfront; and

WHEREAS, Ten Haagen Financial is a local firm owned by a past Commodore and current Executive Officer of the GH CYBC who has been a strong advocate of waterfront safety; and

WHEREAS, The GH CYBC and Ten Haagen financial are desirous to purchase and donate two large "No Wake" buoys for placement in Huntington waters to encourage boating safety; and

WHEREAS, the acceptance of this donation 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 ACCEPTS the donation of two large "No Wake" buoys from the GH CYBC and Ten Haagen Financial for the Department of Maritime Services.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING THE DEDICATION OF ENCLAVE COURT, A RECHARGE BASIN AND FOUR DRAINAGE EASEMENTS FOR THE SUBDIVISION KNOWN AS ENCLAVE AT DIX HILLS.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by **COUNCILMAN COOK**

WHEREAS, the subdivision ENCLAVE AT DIX HILLS was granted Conditional Final Approval by the Huntington Planning Board on 2/24/10 and map #11809 was filed with the Suffolk County Clerk on 4/5/2011; and

WHEREAS, as a condition of approval, the applicant was to Dedicate to the Town of Huntington, Enclave Court (see Schedule "A" attached hereto and made a part hereof); a recharge basin (see Schedule "B" attached hereto and made a part hereof) and four drainage easements (see Schedules "C," "D," "E," and "F" attached hereto and made a part hereof) for the subdivision known as ENCLAVE AT DIX HILLS; and

WHEREAS, the Office of the Town Attorney is in possession of the necessary documents and filing fees in order to file the deeds and easements with the Clerk of Suffolk County and the Office of the Superintendent of Highways consents to the Dedication; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ACCEPTS the Dedication of Enclave Court, a recharge basin and four drainage easements for the subdivision ENCLAVE AT DIX HILLS.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"

SUGGESTED DESCRIPTION OF ENCLAVE COURT (LEONARD HORN COURT), TO BE DEDICATED TO THE TOWN OF HUNTINGTON, AS SHOWN ON "MAP OF ENCLAVE AT DIX HILLS", (FILED APRIL 5, 2011; FILE NO. 11809), SITUATED AT DIX HILLS, TOWN OF HUNTINGTON, COUNTY OF SUFFOLK, STATE OF NEW YORK.

S.C.T.M. DISTRICT 0400 SECTION 274 BLOCK 01 LOT 25.013

BEGINNING at the westerly end of the curve connecting the southerly side of Calumet Drive and the westerly side of Enclave Court (Leonard Horn Court) as shown on above captioned map.

RUNNING THENCE along Enclave Court (Leonard Horn Court) the following fifteen (15) courses:

1. N 46° 33' 45" E, 90.00 feet;
2. Southerly along the arc of a circular curve bearing to the left, having a radius of 20.00 feet, and a length of 31.42 feet;
3. S 43° 26' 15" E, 40.00 feet;
4. Southerly along the arc of a circular curve bearing to the right, having a radius of 225.00 feet, and a length of 176.72 feet;
5. S 01° 33' 45" W, 35.36 feet;
6. Southerly along the arc of a circular curve bearing to the right, having a radius of 225.00 feet; and a length of 176.72 feet;
7. S 46° 33' 45" W, 226.49 feet;
8. Westerly, northerly and easterly along the arc of a circular curve bearing to the right, having a radius of 50.00 feet, and a length of 218.63 feet;
9. Easterly along the arc of a curve bearing to the left, having a radius of 25.00 feet, and a length of 30.77 feet;
10. N 46° 33' 45" E, 155.78 feet;
11. Easterly along the arc of a curve bearing to the left, having a radius of 175.00 feet, and a length of 137.44 feet;
12. N 01° 33' 45" E, 35.36 feet;
13. Northerly along the arc of a curve bearing to the left, having a radius of 175.00 feet, and a length of 137.44 feet;
14. N 43° 26' 15" W, 40.00 feet;
15. Northerly along the arc of a curve bearing to the left, having a radius of 20.00 feet, and a length of 31.42 feet; to POINT or PLACE of BEGINNING.

SCHEDULE "A"

December 5, 2013

Job No. 03308c

SCHEDULE "B"

SUGGESTED DESCRIPTION OF RECHARGE BASIN EXPANSION TO BE DEDICATED TO THE TOWN OF HUNTINGTON, AS SHOWN ON "MAP OF ENCLAVE AT DIX HILLS", (FILED APRIL 5, 2011; FILE NO. 11809), SITUATED AT DIX HILLS, TOWN OF HUNTINGTON, COUNTY OF SUFFOLK, STATE OF NEW YORK.

S.C.T.M. DISTRICT 0400 SECTION 274 BLOCK 01 LOT 25.012

BEGINNING at the northwesterly corner of herein described parcel. Said point located the following two (2) courses from the southerly end of the curve connecting the southerly side of Calumet Drive and the easterly side of Enclave Court (Leonard Horn Court):

1. Southerly 339.60 feet as measured along the easterly side of Enclave Court;
 2. S 66° 09' 06" E, 176.88 feet;
- to the POINT of BEGINNING.

RUNNING THENCE N 42° 19' 06" E, 76.77 feet; to land now or formerly of the Town of Huntington.

THENCE along said land; S 02° 41' 28" W, 283.33 feet; to lot 4 as shown on above captioned map.

THENCE along said lot and lot 3 the following two (2) courses:

1. S 72° 52' 29" W, 117.11 feet;
2. N 15° 45' 04" E, 270.91 feet;

To the POINT or PLACE of BEGINNING.

SCHEDULE "B"

SUGGESTED DESCRIPTION OF PROPOSED DRAINAGE EASEMENT TO BE GRANTED TO THE TOWN OF HUNTINGTON, AS SHOWN ON "MAP OF ENCLAVE AT DIX HILLS", (FILED APRIL 5, 2011; FILE NO. 11809), SITUATED AT DIX HILLS, TOWN OF HUNTINGTON, COUNTY OF SUFFOLK, STATE OF NEW YORK.

S.C.T.M. DISTRICT 0400 SECTION 274 BLOCK 01 PART OF LOTS 25.005,

25.006, 25.007 AND 25.008

BEGINNING at the easterly side of Burrs Lane located southerly 304.51 feet as measured along said road line from the southerly end of the curve connecting said road line with the southerly side of Calumet Drive.

RUNNING THENCE the following four (4) courses:

1. N 43° 31' 16" E, 43.57 feet;
2. S 46° 28' 44" E, 76.15 feet;
3. N 72° 52' 29" E, 223.04 feet;
4. N 43° 28' 37" W, 184.62 feet;

To the southerly side of Enclave Court (Leonard Horn Court).

THENCE along said road line the following two (2) courses:

1. Easterly, along the arc of a circular curve bearing to the left, having a radius of 50.00 feet, and a length of 10.07 feet;
2. N 46° 33' 45" E, 10.00 feet;

THENCE the following two (2) courses:

1. S 43° 28' 37" E, 193.50 feet;
2. N 72° 52' 29" E, 177.73 feet;

To recharge basin expansion as shown on above captioned map.

THENCE along said recharge basin expansion as shown on above captioned map; S 15° 45' 04" W, 23.81 feet;

THENCE S 72° 52' 29" W, 461.02 feet; to the easterly side of Burrs Lane;

THENCE along said road line; N 37° 43' 40" W, 69.46 feet; to POINT or PLACE of BEGINNING.

SCHEDULES "C", "D", "E" + "F"

December 5, 2013

Job No. 03308b

RESOLUTION ACCEPTING MATCHING FUNDS FROM GREENLAWN CIVIC ASSOCIATION IN CONNECTION WITH ITS ROUND 9 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT AWARD AND ANY AND ALL MATCHING FUNDS ASSOCIATED WITH ROUNDS 8, 9, 10 AND 12 BY OTHER ORGANIZATIONS UNDER SAME GRANT PROGRAM

Resolution for the Board Meeting dated: September 16, 2015

The following Resolution was offered by: Supervisor Petrone ,
COUNCILMAN CUTHBERTSON

And seconded by: COUNCILMAN COOK ,COUNCILWOMAN BERLAND

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will enhance downtown business districts; and

WHEREAS, in connection with its Round 9 application Greenlawn Civic Association pledged \$5,000 as the program's required match toward the County's grant award for streetscaping work along Broadway, and those matching funds have now been captured; and

WHEREAS, the acceptance of funds 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 ACCEPTS, FIVE THOUSAND AND NO/100 (\$5,000.00) from Greenlawn Civic Association in connection with its Suffolk County Downtown Revitalization Round 9 Grant award, and any and all matching funds associated with Rounds 8, 9, 10 and 12 by other organizations under the same grant program; and

HEREBY AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets for Suffolk County Rounds 8, 9, 10 and 12, as necessary, upon execution of all required documentation.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 422

RESOLUTION ADOPTING HOME RULE MESSAGE URGING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ABANDON PLANS TO BUILD AN EXPANDED FACILITY AT THE REST STOP AREA LOCATED ON THE LONG ISLAND EXPRESSWAY IN THE DIX HILLS AREA

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington wishes to memorialize its opposition to the proposed plans of the New York State Department of Transportation to construct an expanded rest stop facility at the existing rest area between Long Island Expressway Exits 51 and 52 in the Dix Hills area of the Town of Huntington; and

WHEREAS, the locating of the proposed 9,000 square foot facility housing a Taste NY store with 200 parking spaces and four bus parking spaces in the Dix Hills area would have a deleterious negative impact upon the Dix Hills residential community abutting this location thereby adversely affecting the quality of life in this community; and

WHEREAS, the Town of Huntington supports the original more appropriate proposal of the New York State Department of Transportation to expand an existing rest stop area near Exit 67 of the Long Island Expressway to accommodate a Taste NY store, since that location is more proximate to the Long Island East End vineyards, is far more compatible with the proposed use and any adverse impacts would be mitigated as a result thereof; and

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

NOW THEREFORE,

THE TOWN BOARD,

HEREBY ADOPTS a Home Rule message urging the New York State Department of Transportation to restore its plan for a Taste NY facility to the original Exit 67 location where it can serve as a focal point for introducing locally made New York products to new consumers, boost the agricultural economy and welcome visitors to Long Island's Wine Country; and, to abandon recent plans to locate this facility in the Dix Hills area of the Town of Huntington between Exits 51 and 52 of the Long Island Expressway; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to Governor Andrew Cuomo, the New York State Department of Transportation (NYSDOT) Commissioner Matthew J. Driscoll, to Senate Majority Leader John Flanagan

2015-423

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2014-362, TO
CORRECT A SCRIVENER'S ERROR

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, Resolution 2014-362 accepted a donation from Jayette Lansbury, daughter of Phyllis Ungurath of one tree to be planted at the Centerport Senior Beach House with memorial plaque in memory of Phyllis Ungurath; and

WHEREAS, the correct location for the tree planting and memorial plaque was to be Heckscher Park; and

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY confirms that the correct location for the tree planting is Heckscher Park and Resolution 2014-362 is hereby corrected accordingly.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING MEMBER TO THE BOARD OF ASSESSMENT REVIEW

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, New York State Real Property Tax Law 523(1) provides that the terms of office of a member of a board of assessment review shall be five years and shall commence on October 1 and terminate on September 30 five years thereafter: and

WHEREAS, Dominick P. Feeney, Jr. was appointed to an unexpired term of office that expires on September 30, 2015, and the Town Board wishes to appoint him to a full term of office commencing October 1, 2015; and

WHEREAS, the subject of this resolution 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 APPOINTS the following individual to the term of office hereinafter described:

	<u>Term Commencement Date</u>	<u>Term End Date</u>
Dominick P. Feeney, Jr.	10/1/2015	9/30/2020

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015- 425

RESOLUTION TO APPOINT A MEMBER TO THE TOWN OF HUNTINGTON
HARBORS AND BOATING ADVISORY COUNCIL

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilwoman Berland
Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, the appointment of members to the Town of Huntington Harbors and Boating Advisory Council is not an action as defined by 6 N.Y.C.R.R. §67.2 (b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD, pursuant to Chapter 35 of the Code of the Town of Huntington,

HEREBY APPOINTS the following individual to the Town of Huntington Harbors and Boating Advisory Council for a term to expire as indicated:

Gary Rozmus, P.E.
23 Jay Court, Northport, NY 11768

Term Expires
December 31, 2019

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 426

RESOLUTION DECLARING CERTAIN EQUIPMENT AND VEHICLES AS SURPLUS AND/OR OBSOLETE AND AUTHORIZES THE SALE AT AUCTION, TRADE IN OR DISPOSAL OF THE SAME.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town of Huntington Department of Audit and Control is responsible for the disposition of Town wide Fixed Asset Surplus and/or Obsolete Inventory; and

WHEREAS, the Department of Audit and Control, Division of Purchasing wishes to dispose of the equipment contained in Schedule "A" through trade in, public auction, or disposal for scrap, which will be disposed of on an as-needed basis in a manner that proves to be most cost effective to the Town of Huntington; and

WHEREAS, the disposal of surplus government property is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DECLARES the specified equipment on Schedule "A" as surplus and/or obsolete and authorizes the sale of same at auction, or trade in, or disposal for scrap.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

TOWN OF HUNTINGTON
PURCHASING DIVISION
SURPLUS INVENTORY ITEMS
SCHEDULE A
06/09/15

2015-426

TOH#	Highway	Year	Make	Model	Vin Number	Asset #
28	Vehicle	2001	Ford	F150	1FTRF18W71KC23873	4153
206	Vehicle	1991	Ford	LTS8000	1FDYY82A5MVA04310	4050

2015 - 427

RESOLUTION TO PROCLAIM OCTOBER 6 AS ORGAN DONOR ENROLLMENT DAY IN THE TOWN OF HUNTINGTON NEW YORK,

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: **Councilwoman Edwards**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, New York State ranks last in the country in percentage of residents registered as organ donors. Only 25% of New Yorkers are enrolled on the registry making our state well below the national average of 50%; and,

WHEREAS, New York State and LiveOnNY, a nonprofit federal designated organ procurement organization serving a culturally and ethnically diverse population of 13 million has partnered together to enroll as many willing New Yorkers as possible. For every New Yorker who enrolls in the registry, up to eight lives can be saved with organs and another 50 lives can be saved or improved through eye and tissue donation; and

WHEREAS, to heighten awareness and increase enrollment, New York State has proclaimed October 6th as Organ Donor Enrollment Day; and,

WHEREAS, the Town of Huntington has supported local, state, and national efforts in the past to educate our residents on the critical need of organ, eye, and tissue donations and to increase participation in the registry; and,

WHEREAS, the Town of Huntington wishes to join Governor Andrew M. Cuomo and LiveOnNY by recognizing October 6th as Organ Donor Enrollment Day in the State of New York

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY DECLARES OCTOBER 6 as "**ORGAN DONOR ENROLLMENT DAY**" in the Town of Huntington

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-428

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

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: SUPERVISOR PETRONE

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

WHEREAS, the terms of current members Mark McAteer, James Metcalfe, and Michele Peppers expired on September 10, 2015; and

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

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

NOW, THEREFORE

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

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

MARK McATEER (for a term ending on September 10, 2018)
31 Prospect Street, Huntington, New York 11743

JAMES METCALFE (for a term ending on September 10, 2018)
137 Lodge Avenue, Huntington Station, New York 11746

MICHELE PEPPERS (for a term ending on September 10, 2018)
7 Diana Hill, Huntington, New York 11743

and

HEREBY DESIGNATES as Chairperson **JANINE SEIFERT**, 5 Emil Court, Huntington, New York, for a period to expire on September 10, 2016.

2015- 428

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 429

RESOLUTION SUPPORTING UNITED STATES GEOLOGICAL SURVEY
SEDIMENT-BOUND CONTAMINANT RESILIENCY AND RESPONSE STUDY
AND AUTHORIZING SEDIMENT SAMPLING (JEROME AMBRO MEMORIAL
WETLANDS PRESERVE)

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS the Town Department of Planning and Environment nominated the Crab Meadow Watershed to the United States Geological Survey (USGS) in response to a request for potential locations to be included in a planned baseline sediment study, and

WHEREAS, notification was received that Crab Meadow was selected for inclusion in the USGS Sediment-Bound Contaminant Resiliency and Response Study, which involves collection of baseline sediment samples in the Jerome Ambro Memorial Wetlands Preserve in the Crab Meadow Watershed and follow-up sampling after major storm events, and

WHEREAS, such study involves collection of only minimal amounts of sediment from the top two centimeters of deposition that will be analyzed and will enable the area to be compared to estuarine environments along the East Coast from Virginia to Maine, and

WHEREAS the proposed sediment sampling is a Type II action pursuant to 6 NYCRR 615(c)18, and no further SEQRA review is required;

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the United States Geological Survey to collect sediment samples on an ongoing basis following major storm events at the Crab Meadow Wetlands as related to the USGS Sediment-Bound Contaminant Resiliency and Response Study.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-430

RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT H.R. 2930, THE LONG ISLAND SOUND RESTORATION AND STEWARDSHIP ACT THAT CONTINUES FURTHER STUDY OF ECOLOGICAL ISSUES, REQUIRES UNITED STATES ENVIRONMENTAL PROTECTION TO COORDINATE ACTIONS WITH OTHER FEDERAL AGENCIES, AND ADDRESSES WATER QUALITY ISSUES THAT IMPACT THE LONG ISLAND SOUND

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilwoman Edwards
COUNCILMAN COOK

and seconded by: **SUPERVISOR PETRONE**
COUNCILMAN BERLAND

WHEREAS, The Town of Huntington under the leadership of Supervisor Frank Petrone has championed efforts that promote water quality, preserve open space and advocate for environmental policies that protect our natural resources; and

WHEREAS, United States Congress has identified the Long Island Sound (LIS) as an *Estuary of National Significance* and one of the region's most valuable natural resources; and

WHEREAS, in 2000 and again in 2005, Congress passed the Long Island Sound Restoration Act, providing federal dollars for projects focused on programs that significantly reduce the amount of nitrogen entering the LIS; and

WHEREAS, in 2006, Congress passed the Long Island Sound Stewardship Act, to authorize the acquisition of land around the Sound, provide funding to improve the natural areas that border the sound and ensure coordinated efforts are underway to preserve the overall ecosystem that protect the safety, social and economic development for future generations; and

WHEREAS, while progress has been made to protect and restore the LIS, threats remain and much work still needs to be done; and,

WHEREAS, bipartisan legislation was introduced on June 22, 2015 led by Rep. Steve Israel and Senator Kirsten Gillibrand that provides funding, oversight, and continued coordination of federal activities in support of the restoration and stewardship of the LIS through 2020; and

WHEREAS, a sense resolution urging the United States Congress to act favorably 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 HUNTINGTON TOWN BOARD

2015-430

HEREBY URGES the United States Congress to enact H.R. 2930, the Long Island Sound Restoration and Stewardship Act that continues further study of ecological issues, requires United States Environmental Protection to coordinate actions with other federal agencies, and addresses water quality issues that impact the Long Island Sound; and

HEREBY DIRECTS Huntington Town Clerk Jo-Ann Raia to forward certified copies of this resolution to Honorable K. Gillibrand, Honorable C. Schumer, Honorable R. Blumenthal, Honorable C. Murphy, Representative S. Israel and Representative L. Zeldin.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 24- 2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 109 (FIREARMS)

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone
COUNCILMAN CUTHBERTSON

and seconded by: COUNCILWOMAN BERLAND

THE TOWN BOARD, having held a public hearing on the 11th day of August 2015, at 2:00 p.m. to consider adopting Local Law Introductory No. 24-2015 amending the Code of the Town of Huntington, Chapter 109 (Firearms) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 24-2015, amending the Code of the Town of Huntington, Chapter 109 (Firearms); as follows:

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

LOCAL LAW NO 35 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 109 (FIREARMS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 109 (Firearms) is hereby adopted and will read as follows:

CHAPTER 109 (FIREARMS)

* * *

§109-3. Exemptions.

The provisions of this chapter shall not apply to:

- A. A law enforcement officer in the performance of his official duties.
- B. Programs conducted by public or private schools offering instruction or training in the use of firearms.
- C. The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation or by any municipal corporation.
- D. The lawful use of a firearm in the defense of person or property.

- E. Duly recognized parade or marching groups, including any United States military organizations and the Huntington Battalion of Minute Men and duly recognized veterans' groups.
- F. Long bow hunting, during deer hunting season only, as outlined by the New York State Department of Environmental Conservation, pursuant to a validly issued license by the New York State Department of Environmental Conservation.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a 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 IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 25- 2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES), ARTICLE II: USE REGULATIONS AND RESTRICTIONS

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

THE TOWN BOARD, having held a public hearing on the 11th day of August 2015, at 2:00 p.m. to consider adopting Local Law Introductory No. 25-2015 amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 25-2015, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities) as follows:

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

LOCAL LAW NO 36 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 159 (RECREATIONAL FACILITIES)
ARTICLE II: USE REGULATIONS AND RESTRICTIONS

Section 1. Amendment to the Code of the Town of Huntington, Chapter 159 (Recreational Facilities) is hereby adopted and will read as follows:

CHAPTER 159 (RECREATIONAL FACILITIES)
ARTICLE II: USE REGULATIONS AND RESTRICTIONS

* * *

§159-16 Hunting and Firearms

A. No person shall hunt, trap or pursue wildlife at any time. No person shall use, carry or possess firearms of any description or air rifles, spring guns, paintball weapons, bow and arrows, slings or any other form of weapon potentially harmful to wildlife and dangerous to human safety, or any instrument that can be loaded with and fire blank cartridges, or any kind of trapping device. Shooting into park areas from beyond park boundaries is forbidden. This provision does not apply to a law enforcement officer acting in the course of his or her official duties, [or] authorized personnel approved by the Director, or as set forth in §109-3 (F). The prohibitions described in §159-4 shall remain in full force and effect.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a 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 IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 26- 2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY), ARTICLE II: (VACANT BUILDING REGISTRATION)

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD, having held a public hearing on the 11th day of August 2015, at 2:00 p.m. to consider adopting Local Law Introductory No. 26-2015 amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article II: (Vacant Building Registration) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 26-2015, amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article II: (Vacant Building Registration); as follows:

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

LOCAL LAW NO 37 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY),
ARTICLE II: (VACANT BUILDING REGISTRATION)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article II: (Vacant Building Registration) is hereby adopted and will read as follows:

CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY)
ARTICLE II: (VACANT BUILDING REGISTRATION)

* * *

§ 160-15. Duty of the Department of Public Safety to maintain.

(A) The Department of Public Safety shall maintain the Vacant Building Registrations in the normal course of business which shall be available for public inspection, subject to all applicable laws.

(B) The Department of Public Safety shall inspect properties upon request to identify and confirm, in writing, whether or not dwellings within the Town of Huntington are

vacant and abandoned. This service shall be provided for an upfront fee, as established by the Town Board from time to time, payable to the Town of Huntington and submitted to the Department of Public Safety.

*

*

*

BE IT FURTHER RESOLVED, that the upfront service fee shall be established at One-Hundred (\$100.00) dollars.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a 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 IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 27-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE XVI (ZONING BOARD OF APPEALS) AND ARTICLE XIX (ZONING CHAPTER AND MAP AMENDMENTS)

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 11th day of August, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 27-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVI (Zoning Board of Appeals) and Article XIX (Zoning Chapter and Map Amendments), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 27-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVI (Zoning Board of Appeals) and Article XIX (Zoning Chapter and Map Amendments), as follows:

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

LOCAL LAW NO. 38 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE XVI (ZONING BOARD OF APPEALS)
AND ARTICLE XIX (ZONING CHAPTER AND MAP AMENDMENTS)

Section 1. Chapter 198 (Zoning), Article XVI (Zoning Board of Appeals) and Article XIX (Zoning Chapter and Map Amendments), are hereby amended, as follows:

CHAPTER 198
ZONING

* * *

ARTICLE XVI
ZONING BOARD OF APPEALS

* * *

§ 198-109. General powers. The Zoning Board of Appeals shall have the following general powers:

* * *

B. To decide any question involving the interpretation of a provision of [this chapter] the zoning regulations and to determine and establish the true location of district boundaries in a disputed case.

* * *

D. To authorize, upon appeal from a determination of the Building Inspector, a variance or modification in the strict application of the terms of [this chapter] the zoning regulations where literal enforcement would result in practical difficulty or unnecessary hardship.

* * *

§ 198-112. Rules as to procedure; hearings; notice.

* * *

H. The Zoning Board shall hold a pending application in abeyance, if, in the course of processing such application, it becomes necessary to rescind, modify, vary, or interpret a covenant or restriction imposed by the Town Board. In such event, the applicant shall be directed to file an application with the Town Board for such interpretation, variance or modification, and such Town Board determination shall be made before the Zoning Board can proceed with the application before it.

I. [H.] In the event there is a tie vote, or a failure to obtain a majority when less than seven (7) Board members have voted, and the Board determines that a member who was not present at the public hearing should vote, then such member shall, prior to casting a vote, visit the site of the subject application and review the minutes and record of the public hearing. In addition, a public hearing to supplement the record of the initial public hearing shall be scheduled by the Board for the purpose of affording the applicant or the public the opportunity to present any comments to the Board member who will be casting the deciding vote.

* * *

ARTICLE XIX
[ZONING CHAPTER AND MAP AMENDMENTS]
ZONING MAP AMENDMENTS

§198-126. Authority to amend [chapter or] the zoning map.

A. Change of zones. The Town Board may from time to time, in its discretion, amend, supplement, modify, repeal or change [this chapter or] the Zoning Map of the Town of Huntington on its own motion, on [petition or] application, or on recommendation of the Planning Board, but only after a public hearing has been held [before the] by the Town Board to consider [said change of zone] the action.

B. Rescission, modification or clarification of covenants and restrictions. Any application to rescind or modify covenants and restrictions established by the Town Board, or to interpret or clarify such covenants and restrictions, shall be referred first to the Town Board for a determination before an application to the Planning or Zoning Boards can be filed. In the event, a rescission, modification or an interpretation of

covenants and restrictions established by the Town Board becomes necessary in the course of processing an application before the Planning Board or Zoning Board of Appeals, then in that event the application shall be held in abeyance until such time as an application is filed before the Town Board for such relief and the matter is decided.

[§198-127.] [Referral of change of zone proposals to Planning Board.]

[The Town Board shall refer changes of zone change proposals to the Planning Board for recommendations and written report thereon, unless specifically determined otherwise, as provided in § 198-128 herein. The Town Board may specify a reasonable time within which such report shall be submitted, and no public hearing shall be held until such report has been received or the specified time has elapsed.]

§198-127. [§198-128.] Application[s] for a change of zone [by property owners].

- A. [Application to amend this chapter may be made by any property owner, to the Town Board, by submitting the proper documents to the Town Clerk.] A property owner, contract vendee, or lessee holding a current lease may apply to the Town Board for a change of zone by filing a complete application and all required supporting documentation with the Huntington Town Clerk. In every instance, the property owner must sign the application consenting to such relief. An application fee in the amount set forth in this Article is due and payable at the time of application. No application shall be accepted for filing unless it is complete.
- B. The Town Clerk shall [then] forward copies of the application [form] to the Town Board, Director of Planning and Town Attorney. [copies of the complete application, including all supporting materials, to the Town Attorney and the Director of Planning.]
- C. The Director of Planning and Environment shall, [Within] within thirty (30) days of receipt of a complete application, [by the Director of Planning and the Town Attorney, they shall] prepare and [forward to] provide the Town Board with a synopsis of the application, [which identifies] identifying the proposal's compatibility with adopted land use plans, local laws, and surrounding land uses and zoning. The Director may request additional documentation from the applicant as he deems necessary to complete the synopsis.
- D. Within thirty (30) days of receipt of the synopsis, the Town Board may determine whether to entertain the application, seek additional review, or refer it to the Planning Board [as provided in §198-127 above] for its written recommendation on the merits of the application and a declaration of significance pursuant to SEQRA. If the Town Board refers the application to the Planning Board, it may specify a reasonable period of time within which the Planning Board's written recommendations are to be submitted. If the Town Board fails to take any action within said thirty (30) day period, the application shall be automatically forwarded to the Planning Board [no action is taken, the application will be

forwarded to the Planning Board] for analysis. [The Planning Board shall, by resolution, forward a recommendation to the Town Board as to both the merits of the application and a declaration of significance pursuant to SEQRA.] Nothing contained in this Article shall prevent the Town Board from holding a public hearing on the merits of the zone change application without the recommendations of the Planning Board.

E. In the event the Town Board wishes to further entertain the application, it shall make a final decision only at the conclusion of the SEQRA process and after holding a public hearing on the application for a change of zone. If a positive declaration has been issued by the Town Board and a public hearing is scheduled, the Director of Planning and Environment shall coordinate the SEQRA review on behalf of the Town Board.

[E.] [The Town Board shall determine whether to further entertain the application. An affirmative determination requires scheduling a public hearing. A negative determination requires a resolution enumerating the Town Board's findings and terminates further SEQRA analysis.]

[F.] [If a public hearing is scheduled, after due deliberation the Town Board shall, by resolution, shall issue a determination of significance pursuant to SEQRA. When the Town Board issues a negative declaration or accepts a draft environmental impact statement as satisfactory with respect to its scope, content and adequacy, a public hearing may be scheduled for the purpose of commencing public review. The Town Board shall make a final decision only at the conclusion of the SEQRA process.]

[G.] [If a public hearing is scheduled, the Director of Planning shall coordinate pursuant to §52A-4B(2) of the Code the SEQRA review and provide the Town Board with the studies necessary for its reasoned determination of the proposed amendment.]

E. [H.] For residential zone changes see §198-13(I) concerning affordable housing requirements.

[§198-128.1] [Filing fees.]

[A.] [Upon filing with the Town Board a request for a change of zone or amendment to the Zoning Ordinance or Map, the applicant shall pay to the Town Clerk the sum of five hundred dollars (\$500.) as a base fee and the further sum of one hundred dollars (\$100.) per acre or any part thereof.]

[B.] [An applicant who has filed a request for a change of zone and wishes to amend that request to a zoning classification or use not sought in the original request shall pay a fee to the Town Clerk equal to twenty-five percent (25%) of the total original fee.]

[C.] [Should an applicant wish to change his/her requested yield (number of dwellings, industrial/commercial square footage or acreage) from what the original request was by fifteen percent (15%) or more, the amendment fee shall be twenty-five percent (25%) of the original fee (base fee plus the per acre fee).]

[D.] [No fee paid pursuant to this section shall be refunded.]

§198-128. Application requirements. The application requirements for a change of zone or to amend the original application as described in this section shall be deemed complete if accompanied by the following documents and such other documents as may be requested by the Director of Planning.

- A. An original and nine (9) copies of a signed and completed application form.
- B. Four (4) copies of the current deed to the property proposed for a change of zone indicating in whom title to the property is presently vested and containing a metes and bounds description and Suffolk County Tax Map Number. In the event only part of the total property holding is being proposed for a change of zone, four (4) copies of the deed to the owner's total property holding is still required.
- C. Four (4) copies of a metes and bounds description of the property proposed for a change of zone prepared by a duly licensed surveyor. Such metes and bounds description shall not include any area retaining its existing zoning and shall be shown on one of the maps or submitted as a separate document.
- D. If the property is in contract to be sold or leased for a term of years at the time of application, then four (4) copies of the executed contract of sale and/or lease agreement must be submitted.
- E. In each case where the applicant is not the property owner, the property owner's notarized signature consenting to the application for a change of zone shall be required on the application.
- F. Four (4) copies of any covenants and restrictions affecting the property proposed for a change of zone and/or the total contiguous property holding of the owner, if applicable.
- G. An original and three (3) copies of a disclosure affidavit which shall be executed by all applicants, property owners, contract vendees, and/or lessees of the property proposed for a change of zone.
- H. Six (6) copies of a Land Use and Zoning Map, with a five hundred (500) feet radius around the subject property (or total land holdings), or two hundred (200) feet as applicable, showing the following information: tax map parcels; zoning districts shown by various hatched lines or patterns; zoning legend; general

description of land use for each parcel (i.e. residence, retail, office, restaurant, gas station, etc.); rough outlines of buildings and structures only for parcels immediately adjacent to the subject property (or total land holdings if required by the Planning Department); road names; scale and north arrow.

- I. Eighteen (18) copies of a site plan showing the proposed development of property which is proposed for a change of zone.
- J. An original and two (2) copies of a fully completed Environmental Assessment Form (EAF) Part I shall be submitted with the application. A Draft Environmental Impact Statement voluntarily submitted by an applicant will be accepted in lieu of an Environmental Assessment Form pursuant to the State Environmental Quality Review Act (SEQRA) and its regulations; however, it will be considered only as an expanded environmental assessment form.
- K. Such additional copies and/or documentation as the Department of Planning and Environment deems necessary and/or advisable.

§198-129. Applications to rescind, modify or clarify covenants and restrictions.

A. Rescission or Modification. Applications to rescind or modify covenants and restrictions established by the Town Board as a condition of a prior zone change approval or otherwise shall be filed in the Office of the Town Clerk with the requisite application fee, and unless otherwise directed by the Director of Planning, shall contain the same information required of an applicant for a change of zone. Such application shall also include a reason for the relief requested, a copy of the proposed amendments, and such other information as may be requested by the Director of Planning. All of the procedures and requirements established for a change of zone, including the notice requirements except as to the posting of a sign, shall be applicable to applications for a rescission or modification.

B. Clarification. Applications for a clarification or interpretation of covenants and restrictions established by the Town Board as a condition of a prior zone change approval or otherwise shall be filed in the Office of the Town Clerk with the requisite application fee. The petition may be in the form of a letter to the Town Board explaining the reason for the relief, outlining the issues, and offering a proposed interpretation. The application may also include any supporting documentation deemed material or necessary by the applicant. An original and eight (8) copies of the application shall be filed with the Town Clerk. The Town Clerk shall forward two (2) copies of the application to the Department of Planning and Environment for analysis. Within sixty (60) days of receipt of the application, the Department of Planning and Environment shall submit its analysis and recommendations to the Town Board and Town Attorney for the Board's consideration. The Town Board shall consider all of the submissions and shall make its determination by resolution. No public hearing shall be required.

§198-130. Application fees.

- (1) A non-refundable application fee of five hundred (\$500) dollars as a base fee for the first acre, and an additional amount of two hundred (\$200) dollars per each additional acre, or any part thereof, shall accompany each application for a change of zone; and
- (2) An applicant who files an amended application for a more intensive zoning classification or use not sought in the original application shall pay a non-refundable fee equal to twenty-five (25%) percent of the total original fee to the Department of Planning and Environment; and
- (3) An applicant who files an amended application increasing the yield (the number of dwellings, industrial/commercial square footage, or acreage) shall pay a non-refundable fee of twenty-five (25%) percent of the total original fee to the Department of Planning and Environment.
- (4) An applicant seeking to rescind or modify any part of a covenant or restriction established by the Town Board as part of a prior approval shall pay the same non-refundable application fee as for a change of zone.
- (5) An applicant seeking an interpretation of a covenant or restriction established by the Town Board as part of a prior approval shall pay an application fee of five hundred (\$500) dollars.

§198-131. [§198-129] Public [H]hearing; notice requirements; decision of the Board.

- [A.] [By resolution adopted at a regular meeting of the Board, the Town Board shall fix the time and place of any public hearing upon an amendment to this chapter and shall give at least ten (10) days' notice thereof by publishing a notice in the official Town newspaper as required by law and by posting a printed copy of such notice on the signboard maintained by the Town Clerk pursuant to §30, Subdivision 6, of the Town Law.]
- A. Public Hearing. The Town Board shall fix the time and date of any public hearing for a change of zone or for a modification of covenants and restrictions established by the Board. The Huntington Town Clerk shall publish notice of the public hearing in the official newspaper(s) of the Town and post such notice on the official signboard maintained by the Town Clerk at least ten (10) days prior to the scheduled hearing date. Notice of the public hearing shall state the location of the building or premises, the name of the property owner, and the general nature of the application.
- [B.] [Notice of hearing shall state the location of the building or premises, the name of the owner and applicant and the general nature of the application.]

B. Notice of Hearing.

(1) In addition to the notice requirements set forth above, the applicant shall mail notice of the public hearing to the owners of all properties lying within five hundred (500) feet of the exterior boundary lines of the property owner's total contiguous property holding, as shown on the current assessment roll of the Town. Notice of public hearing shall include the date, time and place of the public hearing and a description of the proposed action, and shall be sent by regular mail to the addresses shown on the most recent assessment tax roll of the Town, and shall be post marked no less than thirty (30) days before the hearing date. A copy of the notice of hearing and certificate of mailing for each recipient, which legibly indicates the name and address of the person to which the notice was mailed and is duly certified by the post office, shall be filed in the Office of the Town Clerk by the applicant no less than fourteen (14) days before the hearing date. An affidavit of mailing by the person who actually mailed the notice attesting that the Notice was mailed shall also be filed within such period. No public hearing shall be held until the requirements of this section are fulfilled.

(2) In the event the Town Board, on its own motion or on recommendation of the Planning Board, initiates a change of zone, the Town Board shall, by and through the Department of Planning and Environment, give notice of the public hearing to the owners of the subject property and to the owners of all properties lying within five hundred (500) feet of the exterior boundary lines of the property being considered for a change of zone, except where the property considered for a zone change is in the R-15, R-10, R-7 and R-5 zoning districts and in such event notification shall be given to the owners of the property under consideration for a zone change and the owners of properties lying within two hundred (200) feet of the exterior boundary lines of the subject property owner's total contiguous property holding, by regular mail to the addresses shown on the most recent assessment roll of the Town no less than thirty (30) days before the hearing date. A copy of the notice and affidavit of mailing shall be filed in the Office of the Town Clerk by the Department of Planning and Environment no less than fourteen (14) days before the hearing date.

[C.] [In addition to the foregoing requirements, notice of any public hearing called pursuant to §198-126 or 198-128 of this chapter to consider an amendment to the Zoning Map shall be given by mailing or serving a notice thereof to the owners of the subject property and of all adjoining property within five hundred (500) feet of the exterior limits of the applicant's total property holding, as shown on the latest assessment roll. The applicant shall be required to make such notification, when the hearing is noticed pursuant to § 198-128, and proof of service shall be submitted to the Town Clerk not less than fourteen (14) days prior to the date of the hearing. Noncompliance, by an applicant, with these notification requirements and submittal of such to the Town Clerk may mean postponement of any scheduled public hearing. In cases where the Town Board, on its own motion or on recommendation of the Planning Board, initiates an amendment,

supplementation, modification, repeal or change in the Zoning Map which would affect only one contiguous parcel of land, the Town Board shall, by and through its designated agent, the Planning Department of the Town of Huntington, give notice of any prospective public hearing by mailing or serving a notice thereof to the owners of the subject property and to the owners of the adjoining property within five hundred (500) feet of the exterior limits of the property which is the subject of the prospective hearing. Such notice shall be given not less than thirty (30) days prior to the date of the hearing. The Town Board shall not call a public hearing upon any proposed zoning amendment until the applicant, excluding the Town Board or Planning Board, has paid the required filing fee to the Town Clerk and complied with the requirements of this section and with applicable disclosure requirements.]

- C. [D] Posting of signs. In addition to notifying adjoining property owners by mail, the applicant shall erect a sign on each frontage of the property announcing the date, time and place of the public hearing. In cases where the Town Board, on its own motion or upon the recommendation of the Planning Board, initiates [an amendment, supplementation, modification, repeal or change in the Zoning Map,] a change of zone which would affect only one (1) contiguous parcel of land the Town Board, by and through [its designated agent, the Planning Department of the Town of Huntington] the Department of Planning and Environment, shall erect or arrange for the erection of such a [the] sign [referred to herein]. Said sign shall be placed at the center of the frontage of the property and shall not be more than ten (10) feet from the street line. It shall not be less than two (2) feet nor more than six (6) feet above grade. The sign shall be erected on the property not more than ten (10) days nor less than five (5) days prior to the public hearing, and an affidavit of posting and photographs shall be submitted to the Town Clerk not less than four (4) days prior to the date of the public hearing. No public hearing shall be held until the requirements of this section are fulfilled. The applicant shall be responsible for the removal of the sign within three (3) days after the public hearing.
- D. Rescheduling public hearing. If a public hearing is rescheduled for any reason, the new public hearing date shall provide enough time to be advertised and a new mailing to neighbors shall be sent announcing said hearing. Re-advertising and re-mailing notices shall indicate that this is a hearing that was rescheduled from a specific date. If the applicant causes a postponement, for any reason, then he/she shall be responsible for the cost of re-advertising and re-mailing the notices as described above.
- E. Determination of the Board. Within ninety (90) days of the conclusion of the public hearing, the Town Board may approve an application, in whole or in part, and with or without special conditions or revisions, or may deny the application. Unless extended by the Town Board and subject to the provisions of §54-1, the application shall be deemed denied if the Board fails to act within such ninety (90) day period. The decision of the Board is final as to the Town of Huntington

and the resolution, if one is generated, shall be filed in the Office of the Town Clerk.

- F. Conditional approvals. In the event the Town Board approves a change of zone upon special conditions or upon the fulfillment of specified requirements, such conditions or requirements shall be fully complied with by the applicant. Said covenants and restrictions shall be prepared by the applicant and submitted to the Town Attorney for approval as to form and content. Upon approval by the Town Attorney, the applicant shall record the covenants and restrictions in the Office of the Suffolk County Clerk, at his or her own expense and provide the Town Attorney and the Department of Planning and Environment with a copy of the recorded instrument before the proposed local law will be filed with the Secretary of State or other agency having jurisdiction. A copy of the recorded instrument shall be submitted to the Planning Board and/or Zoning Board of Appeals as part of any application before such Boards following the change of zone.

[§198-130.] [Application requirements for Zoning Map amendments.]

[Any applicant or petitioner who requests an amendment to the Zoning Map shall submit to the Town Clerk, with the application for such amendment, the following supplementary materials, with the number of copies of each item:]

- [A.] [Deed(s) to property proposed for change of zone indicating in whom title to the property is presently vested.]
- [B.] [Disclosure affidavit(s) executed by applicant, owners of record, contract vendees, lessors, lessees, sublessors, sublessees, contract lessors, contract lessees, contract sublessors, contract sublessees, holders of any beneficial interests, holders of encumbrances and contract holders of encumbrances of property proposed for change of zone.]
- [C.] [Metes and bounds description of property proposed for change of zone, including Tax Map numbers of subject parcels, attached to the application as Schedule A.]
- [D.] [A reproducible survey, eight and one-half (8 1/2) inches by eleven (11) inches in size, at a scale of one inch equals one thousand (1,000) feet, prepared by a duly licensed surveyor or engineer, indicating the area proposed for change of zone and surrounding property on which the zoning is designated by standard symbols shown on the official Zoning Map.]
- [E.] [Land use and Zoning Map, indicating zone classifications and land uses within a distance of five hundred (500) feet of property proposed for change of zone.]
- [F.] [A site plan showing proposed development of property that is subject of change of zone application.]
- [G.] [A fully completed environmental assessment form. A draft environmental impact statement submitted voluntarily by an applicant with a change of zone application will be accepted in lieu of an environmental assessment form, pursuant to § 617.3(e) of the State Environmental Quality Review (SEQRA) Regulations; however, it will be considered only as an expanded environmental assessment form at that time.]

[H.] [Fee in the amount required by §198-128.1 of this article.]

[§198-131.] [Procedure upon adoption.]

[A.] [Any amendment to these regulations shall, upon adoption, be entered in the minutes of the Town Board shall be published and posted according to law, and ten (10) days shall elapse from the date of publication, for the Zoning Map amendment to be in effect.]

[B.] [In the event the Town Board approves the change of zone upon special conditions or upon the fulfillment of specified requirements, such conditions or requirements shall be fully complied with by the applicant before the expiration of two (2) years of the date of adoption of the resolution. If the conditions and/or requirements are not fully complied with to the satisfaction of the Town within such period, then the resolution shall have no force and effect and the property shall retain its original zoning classification.]

* * *

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]

VOTES: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 32-2015, AMENDING THE ZONING MAP ON THE TOWN BOARD'S OWN MOTION TO CHANGE THE ZONING FROM C-6 HUNTINGTON STATION OVERLAY DISTRICT TO C-1 OFFICE-RESIDENCE DISTRICT FOR THE PROPERTY LOCATED ON THE NORTHEAST CORNER OF DEPOT ROAD AND EAST NINTH STREET, HUNTINGTON STATION, SCTM# 0400-146-03-106, AND ISSUING A NEGATIVE DECLARATION FOR SAID ACTION TO REZONE.

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the property owner of the vacant parcel on the northeast corner of Depot Road and East Ninth Street, Huntington Station, SCTM# 0400-146-03-106, approached the Town of Huntington with a desire to build affordable housing for military veterans; and

WHEREAS, C-1 Office-Residence zoning would allow the property owner to construct a two-story building with four (4) one-bedroom dwelling units on the property, with the assistance of sanitary flow credits that are available from Suffolk County for affordable housing purposes; and

WHEREAS, all of the units in the building would be affordable rental units in perpetuity for United States military veterans; and

WHEREAS, although commercial zoning runs along Depot Road, the next two properties to the north and the property across Depot Road to the west are used residentially, thereby making the proposed development consistent with the character of the neighborhood; and

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

WHEREAS, the Department of Planning and Environment prepared an Environmental Assessment Form (EAF) Parts I, II, and III in connection with the proposal, which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and has classified the action Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and coordinated the EAF Part I with involved and interested agencies, none of which requested Lead Agency status; and

2015-435

WHEREAS, the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated August 26, 2015 the Planning Board recommended to the Town Board that the Town Board issue a Negative Declaration under SEQRA and approve the application;

NOW, THEREFORE, BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board, as Lead Agency, classifies the action as Unlisted in accordance with the SEQRA regulations, adopts the SEQRA findings and determines that the action will not have a significant effect upon the environment because the rezoning of the property and proposed site development will have no adverse environmental impacts; and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with the Board's long term planning policies and goals; and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information and/or revisions to the conceptual plan, the Town Board hereby:

- (1) Declares itself Lead Agency; and
- (2) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (3) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 16th day of September, 2015, to consider adopting Local Law Introductory No. 32- 2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6 Huntington Station Overlay District to C-1 Office-Residence District the property designated on the Suffolk County Tax Map as 0400-146-03-106, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

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

HEREBY ADOPTS

Local Law Introductory No. 32-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. 12 - 2016

AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS),
SECTION 198-7 (ZONING MAP)

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

CHAPTER 198 (ZONING)

* * *

ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

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

* * *

The premises to be rezoned to C-1 Office-Residence District, located on the northeast corner of Depot Road and East Ninth Street, Huntington Station, and designated as 0400-146-03-106 on the Suffolk County Tax Map, more particularly described as:

BEGINNING at a POINT at the intersection of the east side of Depot Road with the north side of East Ninth Street,

THENCE from said POINT OF BEGINNING North 10 degrees 43 minutes 30 seconds West, 100.00 feet,

THENCE North 79 degrees 16 minutes 30 seconds East, 100.00 feet,

THENCE South 10 degrees 43 minutes 30 seconds East, 100.00 feet,

THENCE South 79 degrees 16 minutes 30 seconds West, 100.00 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the property owner of the following Covenants and Restrictions, to run with the land in perpetuity. Such Covenants and Restrictions shall be in a form acceptable to the Town Attorney, and filed at the property owner's own cost and expense in the Office of the Suffolk County Clerk. Proof of such filing shall be provided by such owner to the Town Attorney, Director of Planning, and Huntington Town Clerk. All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

- (1) Affordable Units. All residential units shall be permanently managed and maintained by the property owner as affordable rental units in perpetuity and restricted solely for occupancy by United States military veterans pursuant to the procedure set forth in §198-13(I) of the Huntington Town Code, except that the eligibility and pricing requirements of Article 36 of the Suffolk County Administrative Code shall apply; and
- (2) Hardship Exemption. Upon the presentation of market information and documentation that clearly demonstrates to the satisfaction of the Huntington Community Development Agency that all reasonable efforts have been made, through collaboration with local, county and regional veteran agencies and organizations, to rent to United States military veterans, and there are no eligible candidates meeting the requirements of Article 36 of the Suffolk County Administrative Code, then in such event, the Director of the Huntington Community Development Agency may grant a hardship exemption for up to two (2) units, so that the affordable units may be occupied by non-veterans, as long as the non-veterans meet the eligibility requirements of Article 36 of the Suffolk County Administrative Code, and the term of each lease does not extend for more than one year. No exemption shall be granted if the hardship has resulted from the acts of the owner, or his agent.
- (3) Additional covenants. Additional covenants on this property may be established as a result of the acquisition of sanitary credits from Suffolk County or grants from other governmental or nonprofit agencies, which may place additional restrictions on the eligibility or pricing of these residential units.

ADOPT THE HUNTINGTON STATION GATEWAY PLAN.

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Huntington Town Board is engaged in an effort with Renaissance Downtowns to invigorate the New York Avenue corridor near the Huntington Train Station; and

WHEREAS, in order to properly consider the environmental impacts of three (3) proposed development projects utilizing existing zoning in the neighborhood the projects have been incorporated into the Huntington Station Gateway Plan; and

WHEREAS, the Huntington Station Gateway Plan is consistent with the Horizons 2020 Comprehensive Plan in that it furthers the stated goal to “promote the revitalization of Huntington Station to restore its traditional role as a hamlet center” by restoring the mix of commercial and residential uses that used to exist around the train station; and

WHEREAS, an Environmental Assessment Form Part I and Draft Environmental Impact Statement (to be treated as an Expanded Environmental Assessment Form) were prepared for the Plan, as well as a supplement to the EEAF containing a pedestrian circulation plan and other information in response to comments from the Suffolk County Planning Commission, New York State Department of Transportation, and Long Island Rail Road; and

WHEREAS, the Department of Planning and Environment reviewed the information provided with the Environmental Assessment Form (EAF) Part I and duly classified the action Type I for the potential construction of more than 240,000 sq. ft. of building space in accordance with the provisions of 6 NYCRR Part 617.4(b)(6)(v), SEQRA; and

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743, established itself as Lead Agency on April 21, 2015; and

WHEREAS, the Plan was referred to the Suffolk County Planning Commission in accordance with New York State General Municipal Law Section 239-m, and by resolution dated June 3, 2015 the Suffolk County Planning Commission recommended approval of the application subject to the following condition:

- (1) The applicants shall provide a pedestrian circulation plan that provides a clear connection to the LIRR Huntington Station and Suffolk County Transit stops accounting for motor vehicle conflicts and pedestrian safety. The pedestrian circulation plan should also account for any proposed Bus Rapid Transit (BRT) location to be situated at the LIRR Huntington Station; and

WHEREAS, this approval condition of the Suffolk County Planning Commission has been addressed in the EEAF Supplement submitted to the Town; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board finds that the action will not have a significant effect upon the environment because the various site development projects would be built in accordance with existing zoning, have access to public infrastructure including public sewers and mass transit, and will contain a mix of uses that generate traffic at different times, and that the overall plan is consistent with the Town of Huntington Comprehensive Plan and with long term planning policies and goals to reestablish the area around the train station as the Huntington Station Hamlet Center, and that no significant adverse environmental impacts have been identified; and additionally finds that any subdivision or site plan resulting from this Plan may require its own determination of significance if there are significant changes to the plans or if new information is identified, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED

THE TOWN BOARD, having held a public hearing on the 5th day of May, 2015, to consider adopting the Huntington Station Gateway Plan, and having extended the review time to November 1, 2015 by resolution #2015-307, and due deliberation having been had;

HEREBY ADOPTS the Huntington Station Gateway Plan.

2015-436

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-437

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

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: SUPERVISOR PETRONE

WHEREAS, on August 11, 2015 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties are being evaluated and considered for further action(s) to be taken; and

WHEREAS, pursuant to its authority under § 64 and §130 of New York State Town Law, New York State Executive Law § 382 and the Code of the Town of Huntington the Town Board wishes to authorize certain actions to remedy blight conditions; and

WHEREAS, the authorization of the action(s) to remedy blight conditions upon properties within the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (29) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" to this Resolution to be nuisances and that hereafter the Town shall be authorized to enter upon said properties where such blight exists to remedy such blight and to charge the cost or expense of such remediation against the property tax bill as a lien; and

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

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

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

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

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

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

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

VOTE: 5

AYES: 5

NOES: 0

ABSTENTIONS:

Supervisor Frank P. Petrone

AYE

Councilwoman Susan A. Berland

AYE

Councilman Eugene Cook

AYE

Councilman Mark A. Cuthbertson

AYE

Councilwoman Tracey A. Edwards

AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015-437

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
190	8 Silver Avenue Huntington Station	0400-205.00-03.00-041.000	Monique Baillergeau 8 Silver Avenue Huntington Station, NY 11743	6/15/2015	\$2,500.00
194	29 Thornwood Drive Dix Hills	0400-263.00-03.00-123.000	LSC1 Management Corp. 29 Thornwood Drive Dix Hills, NY 11746	6/19/2015	\$2,500.00
197	190 W. 21st Street Huntington Station	0400-193.00-02.00-068.000	Raghav Sharma 190 W. 21st Street Huntington Station, NY 11746-2122	6/29/2015	\$2,500.00
193	391 W. Jericho Tpke. Huntington	0400-190.00-02.00-132.001	Joseph Rafael, LLC 391 W. Jericho Tpke. Huntington, NY 11743	6/17/2015	\$5,000.00
196	425 New York Avenue Huntington	0400-096.00-01.00-009.000	Gary P. Field 425 New York Ave., Ste 204 Huntington, NY 11743	6/23/2015	\$5,000.00
195	449-455 E. Jericho Tpke. Huntington Station	0400-200.00-03.00-170.000	Realty 26 LLC 215-54 Jamaica Avenue Queens Village, NY 11428	6/22/2015	\$5,000.00
192	862 Larkfield Road E. Northport	0400-250.00-01.00-016.000	William Cunningham Eva Cunningham 862 Larkfield Road E. Northport, NY 11731	6/17/2015	\$2,500.00

2015-437

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
190	8 Silver Avenue Huntington Station	0400-205.00-03.00-041.000	Monique Baillergeau 8 Silver Avenue Huntington Station, NY 11743	6/15/2015	8/31/2015
194	29 Thornwood Drive Dix Hills	0400-263.00-03.00-123.000	LSC1 Management Corp. 29 Thornwood Drive Dix Hills, NY 11746	6/19/2015	8/31/2015
197	190 W. 21st Street Huntington Station	0400-193.00-02.00-068.000	Raghav Sharma 190 W. 21st Street Huntington Station, NY 11746-2122	6/29/2015	8/31/2015
193	391 W. Jericho Tpke. Huntington	0400-190.00-02.00-132.001	Joseph Rafael, LLC 391 W. Jericho Tpke. Huntington, NY 11743	6/17/2015	8/31/2015
196	425 New York Avenue Huntington	0400-096.00-01.00-009.000	Gary P. Field 425 New York Ave., Ste 204 Huntington, NY 11743	6/23/2015	8/31/2015
195	449-455 E. Jericho Tpke. Huntington Station	0400-200.00-03.00-170.000	Realty 26 LLC 215-54 Jamaica Avenue Queens Village, NY 11428	6/22/2015	8/31/2015
192	862 Larkfield Road E. Northport	0400-250.00-01.00-016.000	William Cunningham Eva Cunningham 862 Larkfield Road E. Northport, NY 11731	6/17/2015	8/31/2015

-SCHEDULE B-

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE
130	14 Kirby Lane Commack	0400-222.00-01.00-097.000	Irene Rostick Jo-Ann Rostick 14 Kirby Lane Commack, NY 11725-2716	7/8/2014
180	21 Deepdale Drive Huntington Station	0400-239.00-02.00-083.000	Maxine Mera, Estate of Cheryl Mera, Administrator 21 Deepdale Drive Huntington Station, NY 11746-4247	5/14/2015
182	47 Bayberry Lane Northport	0400-061.00-03.00-060.000	Bruce Linko Wayne Linko 47 Bayberry Lane Northport, NY 11768-2303	5/21/2015
134	26 Rustic Gate Lane Dix Hills	0400-277.00-02.00-062.000	James Lovell Judith A. & Neal Lovell 26 Rustic Gate Lane Dix Hills, NY 11746-6132	8/14/2014

-SCHEDULE C-
 IN COMPLIANCE

2015-437

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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
132	4 Tuxedo Drive Melville	0400-253.00-02.00-055.000	Robert S. Cook Lisa S. Cook 4 Tuxedo Drive Melville, NY 11747-2409	8/1/2014	\$ 2,500.00
31	131 E. 2nd Street Huntington Station	0400-147.00-04.00-034.000	David J. Crocini Ana Crocini 131 E. 2nd Street Huntington Sta., NY 11746	2/2/2012	\$ 2,500.00
129	413 2nd Ave. W. East Northport	0400-175.00-01.00-025.000	Estate of Shirley Kiesow 413 2nd Avenue W. East Northport, NY 11731	7/22/2014	\$ 2,500.00

**-SCHEDULE D-
PERSISTENT BLIGHT**

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

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

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

HEREBY SCHEDULES a public hearing to be held on the **6th** day of **OCTOBER**, 2015 at **6:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

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VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

2015-438

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
202	3 Olmstead Lane E. Northport	0400-184.00-01.00-024.000	Gloria A. Gelmin Jeffrey Gelmin, Jr. 3 Olmstead Lane E. Northport, NY 11731-4715	8/16/2015	\$2,500.00
199	19 Oakcrest Drive Huntington Station	0400-201.00-03.00-044.000	Wayne E. Hughes Teresa M. Hughes 19 Oakcrest Drive Huntington Station, NY 11746	8/12/2015	\$2,500.00
198	19 Oakley Drive Huntington Station	0400-195.00-01.00-023.000	Tom F. Keogh Benia Keogh 19 Oakley Drive Huntington Station, NY 11746	7/20/2015	\$2,500.00

RESOLUTION SCHEDULING PUBLIC HEARING RE: PRELIMINARY ANNUAL
OPERATING BUDGET

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD OF THE TOWN OF HUNTINGTON, having received the detailed statement of estimated expenditures and revenues from the Town Clerk, pursuant to the provisions of Section 106 of Town Law, and having received the tentative Annual Operating Budget for the fiscal year beginning January 1, 2016 from the Supervisor, pursuant to the provisions of Section 52 (2) of Town Law,

WHEREAS, the Operating Budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (21) and therefore no further SEQRA review is required; and

HEREBY APPROVES the aforementioned tentative Annual Operating Budget as the Preliminary Annual Operating Budget of the Town of Huntington for the fiscal year beginning January 1, 2016 and directs that such preliminary Annual Operating Budget be filed forthwith in the office of the Town Clerk of the Town of Huntington where it shall be available for inspection by any interested person at all reasonable hours; and

HEREBY SCHEDULES A PUBLIC HEARING for the 6th day of October 2015, at 6:00pm at Town Hall, 100 Main Street, Huntington, New York, for the purpose of reviewing said Preliminary Annual Operating Budget and hearing the public thereon; and

HEREBY DIRECTS that the Town Clerk shall give notice of such public hearing by publishing notice thereof in the Long Islander and The Observer, and that the Town Clerk shall cause a copy of such notice to be posted on the sign board of the Town of Huntington, in accordance with the provisions of Section 108 of Town Law.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

LEGAL NOTICE

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Huntington, New York, at a Town Board meeting held at Town Hall, 100 Main Street, Huntington, New York on the 16th day of September, 2015 at 2:00pm, duly adopted a resolution, an abstract of which is as follows:

NOTICE IS HEREBY GIVEN that the Preliminary Annual Operating Budget of the Town of Huntington, Suffolk County, New York, for the fiscal year beginning January 1, 2016, has been completed and filed in the office of the Town Clerk of the Town of Huntington, 100 Main Street, Huntington, New York, where it is available for inspection by any interested person at all reasonable hours; and

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Huntington will meet and review said Preliminary Annual Operating Budget and hold a public hearing thereon at Town Hall, 100 Main Street, Huntington, New York, on the 6th day of October, 2015, at 6:00pm, and that at such hearing any person may be heard in favor of or against the Preliminary Annual Operating Budget as compiled or for or against any item or items therein contained; and

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of Town Law, that the following are proposed annual salaries of Town Officers for the Town of Huntington to wit:

SUPERVISOR	\$162,903
COUNCILPERSON	\$76,841
TOWN CLERK	\$112,911*
SUPERINTENDENT OF HIGHWAY	\$139,969**
RECEIVER OF TAXES	\$130,253

*The Town Clerk also receives a stipend as Registrar of Vital Statistics of \$17,342

**The Superintendent of Highways also receives a stipend as Coordinator of Emergency Response-Public Works of \$7,000.00

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF HUNTINGTON

DATED: Huntington, New York
 September 16, 2015

RESOLUTION SCHEDULING PUBLIC HEARING RE: PRELIMINARY CAPITAL BUDGET

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD OF THE TOWN OF HUNTINGTON, having received the tentative Capital Budget prepared pursuant to the Code of the Town of Huntington Chapter 12 (Capital Program) that includes proposed capital projects to be undertaken during 2016,

WHEREAS, the Capital Budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (20) and (21) and therefore no further SEQRA review is required; and

HEREBY APPROVES the aforementioned tentative Capital Budget as the Preliminary Capital Budget of the Town of Huntington for the fiscal year beginning January 1, 2016, and directs that such preliminary Capital Budget be filed forthwith in the office of the Town Clerk of the Town of Huntington where it shall be available for inspection by any interested person at all reasonable hours; and

HEREBY SCHEDULES A PUBLIC HEARING for the 6th day of October 2015, at 6:00pm at Town Hall, 100 Main Street, Huntington, New York, for the purpose of reviewing said Preliminary Capital Budget and hearing the public thereon; and

HEREBY DIRECTS that the Town Clerk shall give notice of such public hearing by publishing notice thereof in the Long Islander and The Observer, and that the Town Clerk shall cause a copy of such notice to be posted on the sign board of the Town of Huntington, in accordance with the provisions of Section 108 of Town Law.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-441

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING THE ADOPTION OF THE ASSESSMENT ROLL FOR THE HUNTINGTON SEWER DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Law §239, the Town Board is required to hold a public hearing on the assessment roll for the Huntington Sewer District; and

WHEREAS, Town Law §239 requires that no less than ten nor more than twenty days before the public hearing the Town Clerk must publish a notice of the completed assessment roll and public hearing on such roll at least once in a newspaper published within the Town;

WHEREAS, Town Law §239 and applicable law require that such notice be mailed to each owner of taxable real property in the Huntington Sewer District; and

WHEREAS, the proposed budget for the sewer district and, as required by Town Law §239, the completed assessment roll for the Huntington Sewer District, will be on file in the Office of the Huntington Town Clerk; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing on the assessment roll for the Huntington Sewer District to be held on the 6th day of October, 2015 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York at which time all persons interested may be heard on such assessment roll; and

HEREBY DIRECTS the Town Clerk to publish at least once in a newspaper published within the Town a notice of the completed assessment roll and public hearing for the Huntington Sewer District no less than ten nor more than twenty days before the public hearing on said assessment roll; and

HEREBY FURTHER DIRECTS the Department of Information Technology, under the direction of the Department of Environmental Waste Management, to: (i) promptly print the notice of completed assessment roll and public hearing for the Huntington Sewer

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District for each owner of taxable real property in the District; and (ii) promptly deliver such notices to the Office of the Receiver of Taxes; and

HEREBY FURTHER DIRECTS the Office of the Receiver of Taxes, with the assistance of the Department of Environmental Waste Management, to: (i) arrange for the mailing of the notice of the completed assessment roll and public hearing for the Huntington Sewer District to each owner of taxable real property in the District within the prescribed legal time frame, but in no event later than September 26, 2015; and (ii) file with the Town Clerk no later than three days before such public hearing a notarized affidavit of service of the mailing, and the names and addresses to whom such notice was mailed.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 442

RESOLUTION SCHEDULING A PUBLIC HEARING CONCERNING THE ADOPTION OF THE ASSESSMENT ROLL FOR THE CENTERPORT SEWER DISTRICT

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, pursuant to Town Law §239, the Town Board is required to hold a public hearing on the assessment roll for the Centerport Sewer District; and

WHEREAS, Town Law §239 requires that no less than ten nor more than twenty days before the public hearing the Town Clerk must publish a notice of the completed assessment roll and public hearing on such roll at least once in a newspaper published within the Town;

WHEREAS, Town Law §239 and applicable law require that such notice be mailed to each owner of taxable real property in the Centerport Sewer District; and

WHEREAS, the proposed budget for the sewer district and, as required by Town Law §239, the completed assessment roll for the Centerport Sewer District, will be on file in the Office of the Huntington Town Clerk; and

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

NOW THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing on the assessment roll for the Centerport Sewer District to be held on the 6th day of October, 2015 at 6:00 p.m. at Town Hall, 100 Main Street, Huntington, New York at which time all persons interested may be heard on such assessment roll; and

HEREBY DIRECTS the Town Clerk to publish at least once in a newspaper published within the Town a notice of the completed assessment roll and public hearing for the Centerport Sewer District no less than ten nor more than twenty days before the public hearing on said assessment roll; and

HEREBY FURTHER DIRECTS the Department of Information Technology, under the direction of the Department of Environmental Waste Management, to: (i) promptly print

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the notice of completed assessment roll and public hearing for the Centerport Sewer District for each owner of taxable real property in the District; and (ii) promptly deliver such notices to the Office of the Receiver of Taxes; and

HEREBY FURTHER DIRECTS the Office of the Receiver of Taxes, with the assistance of the Department of Environmental Waste Management, to: (i) arrange for the mailing of the notice of the completed assessment roll and public hearing for the Centerport Sewer District to each owner of taxable real property in the District within the prescribed legal time frame, but in no event later than September 26, 2015; and (ii) file with the Town Clerk no later than three days before such public hearing a notarized affidavit of service of the mailing, and the names and addresses to whom such notice was mailed.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE LICENSE AGREEMENT MADE WITH HUNTINGTON HOSPITAL ASSOCIATION TO UTILIZE A PORTION OF THE TOWN OF HUNTINGTON PARKING FACILITY LOCATED ADJACENT TO MILL DAM PARK, NUNC PRO TUNC

Resolution for Town Board Meeting dated: September 16, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**
COUNCILMAN COOK

WHEREAS, pursuant to Town Board resolution no. 2014-376, the Town of Huntington entered into a license agreement dated August 1, 2014, with Huntington Hospital Association for the use of a portion of the Town of Huntington parking facility located adjacent to Mill Dam Park for the purpose of parking for, among others, hospital employees, volunteers, and clinical students; and

WHEREAS, pursuant to Town Board resolution no. 2015-387, during 2015 the Town of Huntington entered into a license agreement with Huntington Hospital Association for use of a portion of the above described parking facility as a helipad to air transport (i) medical patients in need or urgent/emergent care treatment from Huntington Hospital Association to the most appropriate health care facility to address the relevant health care need and (ii) harvested organs to and from Huntington Hospital Association; and

WHEREAS, the Town of Huntington and Huntington Hospital Association each wish to amend the license agreement dated August 1, 2014, to be effective as of August 1, 2015, to restate the licensed property and license fee due thereunder given the authorized use of a portion of the parking facility as a helipad pursuant to a license agreement made with Huntington Hospital Association during 2015; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 6th day of October, 2015 at 6:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider amending the license agreement dated August 1, 2014, made with Huntington Hospital Association, 270 Park Avenue, Huntington, New York 11743, to be effective as of August 1, 2015, nunc pro tunc, to restate the licensed property thereunder and the license fee due at the commencement of years two (2) and three (3) of the license term to EIGHTEEN THOUSAND SEVEN HUNDRED FIFTY & XX/100 (\$18,750.00) DOLLARS given the authorized use of a portion of the parking facility located adjacent to Mill Dam Park as a helipad pursuant to a license agreement also made with Huntington

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Hospital Association during 2015, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: 5 AYES: 5 NOES: 0 ABSENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-445

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE LICENSE AGREEMENT MADE WITH INTEGRITY GOLF COMPANY, LLC FOR THE OPERATION AND MANAGEMENT OF THE GOLF COURSE AND FOOD AND BEVERAGE OPERATIONS AT THE CRAB MEADOW GOLF COURSE AND THE GOLF COURSE OPERATIONS AT THE DIX HILLS GOLF COURSE IN THE TOWN OF HUNTINGTON, NEW YORK, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Board Resolution No. 2014-551, the Town of Huntington entered into a license agreement dated December 26, 2014, with Integrity Golf Company, LLC, for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York; and

WHEREAS, the Town of Huntington and Integrity Golf Company, LLC wish to amend the license agreement, to clarify the maintenance, reporting, and reimbursement responsibilities provided for thereunder; and

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of October, 2015 at 6 P.M. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider amending the license agreement made with Integrity Golf Company, LLC, 16301 Phil Ritson Way, Winter Garden, Florida 34787, for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York, to be effective as of January 1, 2015, nunc pro tunc, to clarify the maintenance, reporting, and reimbursement responsibilities provided for thereunder, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 35-2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-407, 569 BROADHOLLOW ROAD, LLC, TO CHANGE THE ZONING FROM I-2 LIGHT INDUSTRY DISTRICT TO C-6 GENERAL BUSINESS DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF BROADHOLLOW ROAD AND SPAGNOLI ROAD, MELVILLE, SCTM# 0400-267-01-(055.002, 056, 057).

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, 569 BROADHOLLOW RD, LLC, 104 Rocky Point Rd., Middle Island, NY 11953, owner and lessee, submitted application #2015-ZM-407 for a change of zone from I-2 Light Industry District to C-6 General Business District for property located on the east side of the intersection of Broadhollow Road (NYS 110) and Spagnoli Road, Melville, designated as 0400-267-01-(055.002, 056, 057) on the Suffolk County Tax Map; and

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

WHEREAS, this action does not meet the criteria of any Type I or Type II actions in accordance with SEQRA, 6 NYCRR Parts 617.4 & 617.5, and therefore it is classified as an Unlisted action; and

WHEREAS, the Town Board has coordinated the EAF Part I submitted with the application with all involved and interested agencies, and since no objections have been received and thirty (30) days has elapsed, the Town Board has now been established as Lead Agency; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so the SEQRA review is not required to be completed at this time;

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 5th day of NOVEMBER, 2015, at 2:00 PM to consider adopting Local Law Introductory No. 35-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from I-2

2015-446

Light Industry District to C-6 General Business District the property designated on the Suffolk County Tax Map as 0400-267-01-(055.002, 056, 057), as follows:

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

LOCAL LAW INTRODUCTORY NO. 35 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

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

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

* * *

§ 198-7 Zoning Map

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

The premises located on the east side of the intersection of Broadhollow Road and Spagnoli Road, Melville, designated on the Suffolk County Tax Map as 0400-267-01-(055.002, 056, 057), to be rezoned from I-2 Light Industry District to C-6 General Business District, more particularly described as:

BEGINNING at a POINT at a monument on the southwest corner of the combined properties, on the east side of Broad Hollow Road, 850.93 feet north of the intersection with the northerly side of Ruland Road,

THENCE from said POINT OF BEGINNING North 14 degrees 56 minutes 34 seconds West, 141.37 feet,

THENCE northerly along a curve bearing right with a radius of 3742.72 feet and a distance of 471.35 feet,

THENCE South 67 degrees 12 minutes 56 seconds East, 518.39 feet,

THENCE South 22 degrees 24 minutes 13 seconds East, 266.36 feet,

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THENCE South 45 degrees 36 minutes 10 seconds East, 206.75 feet,

THENCE South 50 degrees 20 minutes 30 seconds West, 57.63 feet,

THENCE South 51 degrees 56 minutes 30 seconds West, 97.71 feet,

THENCE North 42 degrees 58 minutes 52 seconds West, 244.82 feet,

THENCE South 78 degrees 23 minutes 39 seconds West, 106.77 feet,

THENCE North 11 degrees 36 minutes 21 seconds West, 43.00 feet,

THENCE South 81 degrees 04 minutes 50 seconds West, 40.00 feet,

THENCE South 56 degrees 41 minutes 10 seconds West, 188.10 feet to
the POINT OF BEGINNING.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: 5 AYES: 4 NOES: ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-447

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 36 -2015, CONSIDERING ZONE CHANGE APPLICATION #2012-ZM-391, AP COMMACK ROAD CITGO, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF COMMACK ROAD, NORTH OF GENESEE DRIVE, COMMACK, SCTM# 0400-225-03-069.

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, AP COMMACK RD SERVICE STATION CORP., 230 Commack Rd., Commack, NY 11725, property owner, submitted application #2012-ZM-391 for a change of zone from C-6 General Business District to C-11 Automotive Service Station District for property located on the east side of Commack Road (CR 4), north of Genesee Drive, Commack, designated as 0400-225-03-069 on the Suffolk County Tax Map; and

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

WHEREAS, this action does not meet the criteria of any Type I or Type II actions in accordance with SEQRA, 6 NYCRR Parts 617.4 & 617.5, and therefore it is classified as an Unlisted action; and

WHEREAS, the Town Board has coordinated the EAF Part I submitted with the application with all involved and interested agencies, and since no objections have been received and thirty (30) days has elapsed, the Town Board has now been established as Lead Agency; and

WHEREAS, pursuant to the SEQRA regulations, the scheduling of a public hearing to consider amending the Code of the Town of Huntington is not an action, so the SEQRA review is not required to be completed at this time;

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 5th day of NOVEMBER, 2015, at 2:00 PM to consider adopting Local Law Introductory No. 36 -2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6

2015-447

General Business District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-225-03-069, as follows:

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

LOCAL LAW INTRODUCTORY NO. 36 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 7 (ZONING MAP)

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

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

* * *

§ 198-7 Zoning Map

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

The premises located on the east side of Commack Road, north of Genesee Drive, Commack, designated on the Suffolk County Tax Map as 0400-225-03-069, to be rezoned from C-6 General Business District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT on the easterly side of Commack Rd, said point being the following two courses from the intersection of the easterly side of Commack Rd with the northerly side of Genesee Drive:

North 03 degrees 08 minutes 20 seconds East, 300.00 feet,

THENCE South 79 degrees 50 minutes 50 seconds East, 0.47 feet

THENCE from said POINT OF BEGINNING northerly along the arc of a curve bearing right having a radius of 1386.40 feet, turning a central angle of 06 degrees 37 minutes 37 seconds, a distance of 160.36 feet, the chord of which bears North 07 degrees 52 minutes 21 seconds East, a chord distance of 160.27 feet,

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THENCE South 65 degrees 34 minutes 20 seconds East, 146.29 feet.

THENCE South 03 degrees 08 minutes 20 seconds West, 125.00 feet.

THENCE North 79 degrees 50 minutes 50 seconds West, 150.66 feet to the POINT OF BEGINNING.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-448

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 37-2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 78 (ANIMALS) SO AS TO ADD ARTICLE VII (DEER MANAGEMENT), AND AMENDING CHAPTER 109 (FIREARMS)

Resolution for Town Board Meeting Dated: September 16, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **SUPERVISOR PETRONE**
COUNCILWOMAN BERLAND
COUNCILMAN COOK

WHEREAS, the Town Board has received notice from concerned residents regarding issues caused by overpopulation of deer in various communities within the Town of Huntington; specifically, Eatons Neck and Asharoken; and

WHEREAS, the Town Board is in receipt of a survey conducted by residents of Eatons Neck as well as several petition letters in support of amending the Town Code as it relates to a deer management program; and

WHEREAS, the Town Board is aware that, in addition to lethal methods to control deer populations, there are also non-lethal methods available that may prove effective by implementing a plan that focuses on food sources in affected residential areas and habitat modification in riparian and wildlife corridors; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **6th of October**, 2015 at **6:00** p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. **37** -2015, amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms) as follows:

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

LOCAL LAW INTRODUCTORY NO. 37-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 78
(ANIMALS) SO AS TO ADD ARTICLE VII (DEER MANAGEMENT), AND
AMENDING CHAPTER 109 (FIREARMS)

Section 1. Amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms); as follows:

CHAPTER 78
ANIMALS

* * *

ARTICLE VII

DEER MANAGEMENT

§78-41. Permitted Acts.

- A. In an effort to control deer populations, the following methods shall be permitted:
- (1) Installation of deer fencing;
 - (2) Planting of non-deer friendly plants and/or vegetation;
 - (3) Implantation of deterrent tactics such as pepper-based repellent sprays on foliage, motion detector/triggered lights and/or sprinklers, as well as displaying coyote effigies;
 - (4) Bow hunting of deer in accordance with Chapters 109 and 159 of the Code of the Town of Huntington.

§78-42. Prohibited Acts.

- A. No person shall engage in, or encourage, the feeding of deer.

§78-43 through §78-49. (Reserved)

§78-50. Penalties for offenses.

Any person who commits an act in violation of this Article shall, upon conviction thereof, be guilty of a violation subject to a fine or penalty of not less than one hundred (\$100.) dollars and not more than one thousand (\$1,000.) dollars for a conviction of a first offense; upon the conviction of a second offense, where the offense occurred within two (2) years of the commission of the first offense, a fine or penalty of not less than five hundred (\$500.) dollars and not more than two thousand five hundred (\$2,500.) dollars; and upon conviction of a third or subsequent offense, where the offense occurred within five (5) years of the commission of the first offense, shall be punishable by a fine or penalty of not less than five hundred (\$500.) dollars and not more than five thousand (\$5,000.) dollars.

* * *

CHAPTER 109 (FIREARMS)

* * *

§109-3. Exemptions.

The provisions of this chapter shall not apply to:

- A. A law enforcement officer in the performance of his official duties.
- B. Programs conducted by public or private schools offering instruction or training in the use of firearms.
- C. The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation or by any municipal corporation.
- D. The lawful use of a firearm in the defense of person or property.
- E. Duly recognized parade or marching groups, including any United States military organizations and the Huntington Battalion of Minute Men and duly recognized veterans' groups.
- F. Long bow hunting, during deer hunting season only, as outlined by the New York State Department of Environmental Conservation, pursuant to a validly issued license by the New York State Department of Environmental Conservation. Long bow hunting in accordance with this Chapter and Chapter 159 of the Code of the Town of Huntington shall be permitted providing that:
 - a. Notification, in writing, is given to the Town's Department of Public Safety and local police department, prior to the commencement of said activity; and
 - b. Residents whose homes are within 150 feet of long bow hunting activity shall be notified, in writing, prior to the commencement of said activity whenever possible and/or as circumstances permit. Anyone who willfully disregards this provision shall be subject to penalties as set forth in this Chapter.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section or other part of this Local Law shall for any reason be adjudged by a 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 IN PRESENT TEXT.
DELETIONS ARE INDICATED BY BRACKETS.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-449

RESOLUTION AUTHORIZING THE ISSUANCE OF A PERMIT TO EXTEND THE OPERATION OF A "HAUNTED HOUSE" AT 26 PINELAWN ROAD, MELVILLE, NEW YORK

Resolution for Town Board Meeting Dated: September 16, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to operate a "haunted house" at 26 Pinelawn Road, Melville, New York 11747 bearing Suffolk County Tax Map #0400-255.00-01.00-012.000 on the 2nd, 3rd, 4th, 9th, 10th and 11th of October, 2015 and on the 12th, 15th, 16th, 17th, 18th and 22nd of October, 2015; and

WHEREAS, §91-3 of the Huntington Town Code (Carnivals, Circuses, Fairs and Amusement Events) provides that each permit for such an event may be issued for a term not to exceed six (6) days and that no more than two (2) permits may be issued per person or organization for each calendar year; and

WHEREAS, the operator of F & W Schmitts Farm has applied for a permit to extend the operation of the "haunted house" for the 23rd, 24th, 25th, 29th, 30th and 31st of October, 2015; and

WHEREAS, the times of permitted operation on each date shall be set forth on such permit; and

WHEREAS, the issuance of a permit to extend the operation a haunted house is not an action as defined by 6 N.Y.C.R.R. 617.2(b), and therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the issuance of a permit to F & W Schmitts Farm for the operation of a haunted house on the 23rd, 24th, 25th, 29th, 30th and 31st of October, 2015, upon the following terms and conditions:

1. F & W Schmitts Farm shall secure an extension of the bond to cover the event including the period of extension; and
2. There shall be full compliance with the Code of the Town of Huntington including but not limited to the requirements of the Department of Public Safety, the Department of Engineering Services, the Huntington Fire Marshal, the

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Melville Fire Department and the rules and regulations of all County, State and Federal agencies having jurisdiction; and

3. F & W Schmitts Farm shall secure a policy of insurance covering the event which names the Town as certificate holder and as an additional insured, by endorsement, on the policy, with a policy limit in the minimum amount of \$2,000,000.00 per occurrence and a Certificate of Insurance evidencing same shall be provided to the Town Attorney's Office; and
4. F & W Schmitts Farm shall execute a hold harmless agreement in favor of the Town of Huntington, its agents and employees in a form acceptable to the Town Attorney; and
5. All applicable permit and/or application fees and/or deposits shall be fully paid in accordance with the Code of the Town of Huntington; and
6. Any additional costs incurred by the Town of Huntington for labor; services and/or inspections in connection with or resulting from the event shall be fully reimbursed by F & W Schmitts Farm and shall be paid to the Huntington Town Clerk no later than November 6, 2015; and
7. Patrons of the haunted house attraction at F & W Schmitts Farm shall not be permitted to park vehicles on the property identified as Suffolk County Tax Map # 0400-257-03-009.005; and

on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMMUNITY DEVELOPMENT AGENCY TO
ADVERTISE PROPERTY FOR SALE

Resolution for the Community Development Agency Board Meeting dated: September 16, 2015

The following resolution was offered by: Chairman Petrone

And seconded by: **MEMBER COOK**

WHEREAS, the Huntington Community Development is interested in offering a property for sale; and

WHEREAS, said property is a two-family residence located at 17 Tower Street, Huntington Station, New York 11746; SCTM #: District 400, Section 140, Block 2, Lot 150; and

WHEREAS, upon sale of the property the Agency shall record covenants and restrictions to the deed that will require the purchaser to reside in the dwelling for no less than five years; and

WHEREAS, the proposed property sale is classified an Unlisted action, and the Community Development Agency Board is the only agency "involved" in authorizing the sale, and therefore has been established as lead agency, and the Community Development Agency has drafted an Environmental Assessment Form (EAF) to facilitate completion of the necessary SEQRA review;

NOW THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY RESOLVES, that upon review of the EAF, there shall be no significant adverse impacts associated with the potential sale of the property at 17 Tower Street and hereby issues a Negative Declaration pursuant to SEQRA; and

HEREBY AUTHORIZES the Director to advertise for sale the Agency-owned premises located at 17 Tower Street, Huntington Station, New York, 11746; SCTM #: District 400, Section 140, Block 2, Lot 150 at an asking price of THREE HUNDRED THOUSAND DOLLARS AND NO/100 (\$300,000.00), accept best offer, subject to final approval by the Agency Board, and upon sale of said premises, authorize Agency to record covenants and restrictions to deed requiring the purchaser to reside in the dwelling for no less than five years and such other terms and conditions as approved by the Agency Attorney.

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VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 – CD8

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH LONG ISLAND HOUSING SERVICES, INC. NUNC PRO TUNC

Resolution for Huntington Community Development Agency Board Meeting dated: September 16, 2015

The following resolution was offered by: Chairman Petrone

And seconded by: **MEMBER COOK**

WHEREAS, it is an important goal of Huntington Community Development Agency to promote fair housing and fair housing practices by increasing public awareness of fair housing laws; and

WHEREAS, Long Island Housing Services, Inc., 640 Johnson Avenue, Bohemia, New York, is a not-for-profit corporation of the State of New York, based in Suffolk County and dedicated to the advancement of fair housing through education and counseling; and

WHEREAS, the adopted April 1, 2015 through March 31, 2016 budget approved by the Huntington Community Development Agency Board included Community Development Block Grant funds for the purpose of continuing the counseling and assistance provided by Long Island Housing Services, Inc.; and

WHEREAS, providing housing counseling for Town of Huntington residents is not an action pursuant to 6N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement, nunc pro tunc, with Long Island Housing Services, Inc. whereby outreach, public education, and counseling is provided to Town residents regarding landlord and tenant responsibilities, real estate discrimination, FHA mortgages, conventional mortgages, reverse mortgages and pre-purchase and post-purchase financial counseling, for the period April 1, 2015 through March 31, 2016, for an amount not to exceed the sum of SEVEN THOUSAND DOLLARS AND NO/100 (\$7,000.00) and upon such other terms and conditions as approved by the Agency Attorney.

2015 – CD8

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 – CD9

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE COMMUNITY DEVELOPMENT AGENCY TO EXECUTE AN AGREEMENT WITH REACH CYA, INC. NUNC PRO TUNC

Resolution for Community Development Agency Board Meeting dated: September 16, 2015

The following resolution was offered by: **MEMBER EDWARDS**
MEMBER BERLAND

And seconded by: **CHAIRMAN PETRONE**

WHEREAS, the Huntington Community Development Agency (HCDA) has the authority to develop programs that enhance the quality of life in the Town of Huntington; and

WHEREAS, REACH CYA, Inc., 525 Half Hollow Road, Dix Hills, 11746, a charitable 501(c)(3), non-profit organization provides social, recreational, informational, educational and advocacy programs for children, youth and families in Commack and Half Hollow Hills; and

WHEREAS, REACH CYA, Inc. and HCDA each recognize the need to provide on-site family support services to alleviate family concerns and promote self sufficiency and a particular need to provide housing assistance and counseling to the residents of Millennium Hills, an affordable housing complex for low income homeowners and renters within the Town of Huntington; and

WHEREAS, the adopted April 1, 2015 through March 31, 2016 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Reach CYA, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing services for Millennium Hills 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 COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement, nunc pro tunc, with REACH CYA, Inc., to provide social, recreational, informational, educational and advocacy programs to the residents of Millennium Hills for the period April 1, 2015 through March 31, 2016, for an amount not to exceed the sum of NINE THOUSAND DOLLARS AND NO/100 (\$9,000.00) and upon such other terms and conditions as approved by the Agency Attorney.

2015 – CD9

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 – CD10

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN AGREEMENT WITH THE FAMILY SERVICE LEAGUE, INC. FOR THE PROVISION OF A HOME SHARE PROGRAM FOR HUNTINGTON RESIDENTS NUNC PRO TUNC

Resolution for the Community Development Agency Board Meeting dated: September 16, 2015

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

And seconded by: **CHAIRMAN PETRONE**
MEMBER COOK

WHEREAS, the Family Service League, Inc., 790 Park Avenue, Huntington, New York, 11743, is a charitable 501 (c) (3), not for profit organization, which provides services to families and individuals in need of financial assistance, housing and counseling; and

WHEREAS, there are Huntington residents who are faced with losing their independence, or, are unable to achieve economic self sufficiency because they cannot find affordable housing, and the Family Service League Home Share Program matches individuals who own homes with individuals in need of housing; and

WHEREAS, the adopted April 1, 2015 through March 31, 2016 budget for the Huntington Community Development Agency included Community Development Block Grant funds for the purpose of entering into a contract with the Family Service League, Inc. for the provision of a Home Share Program for qualified Huntington residents and the HCDA has now received HUD approval for that contract; and

WHEREAS, providing family and housing counseling for seniors is not an action pursuant to 6 N.Y.C.R.R. § 617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a one year agreement, nunc pro tunc, with the Family Service League, Inc. for the provision of a Home Share Program to the residents of the Town of Huntington for the period April 1, 2015 through March 31, 2016 for an amount not exceed the sum of EIGHT THOUSAND DOLLARS AND NO/100 (\$8,000.00) and upon such other terms and conditions as approved by the Agency Attorney.

2015 – CD10

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-LDC3

RESOLUTION ADOPTING A 2016 BUDGET & FINANCIAL PLAN

Resolution for Local Development Corporation Board meeting dated: September 16, 2015

The following resolution was offered by: Chairman Frank P. Petrone

and seconded by: **MEMBER BERLAND**
MEMBER CUTHBERTSON

WHEREAS, The New York State Public Authorities Accountability Act requires public authorities to submit an annual budget and financial plan report; and

WHEREAS, the Town of Huntington Local Development Corporation (“THLDC”) was formed as a not-for-profit local development corporation of the State of New York during 2010, with the public or quasi-public objectives of, among other things, training community residents in the development of their business and living skills, reducing adult unemployment, promoting maximum adult employment by bettering, facilitating and maintaining adult job opportunities, and otherwise stimulating economic growth within the Town of Huntington by serving as a conduit for tax-exempt and taxable bond financing for the not for profit sector of the Town of Huntington; and

WHEREAS, said required public authority budget and financial plan must be presented to, and adopted by, the public authority’s board prior to posting at the State Authority Budget Office’s PARIS website; and

WHEREAS, it is the Corporation’s intent to comply with the New York State Accountability Act;

WHEREAS, the subject of this resolution 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, BE IT RESOLVED, that the Corporation hereby adopts its 2016 Budget and Financial Plan as presented by the Executive Director.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-LDC4

RESOLUTION RELEASING FUNDS TO SUPPORT HUNTINGTON OPPORTUNITY RESOURCE CENTER PURSUANT TO THE MANAGEMENT AND ADMINISTRATIVE SERVICES AGREEMENT MADE BY AND BETWEEN THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION AND THE TOWN OF HUNTINGTON

Resolution for Local Development Corporation Board meeting dated: September 16, 2015

The following resolution was offered by: Member Tracey A. Edwards

and seconded by: **CHAIRMAN PETRONE**

WHEREAS, the Town of Huntington Local Development Corporation (“THLDC”) was formed as a not-for-profit local development corporation of the State of New York during 2010, with the public or quasi-public objectives of, among other things, training community residents in the development of their business and living skills, reducing adult unemployment, promoting maximum adult employment by bettering, facilitating and maintaining adult job opportunities, and otherwise stimulating economic growth within the Town of Huntington by serving as a conduit for tax-exempt and taxable bond financing for the not for profit sector of the Town of Huntington; and

WHEREAS, by THLDC Board Resolution No. 3-12-2012-12, the THLDC was authorized to make a Management and Administrative Services Agreement with the Town of Huntington; and

WHEREAS, the Town of Huntington, in partnership with the Huntington Community Development Agency and the County of Suffolk’s Departments of Labor and Social Services, has launched Huntington Opportunity Resource Center (“HORC”) in Huntington Station to assist residents with resume preparation, job searches, career options, access to training, tips for interview success, job readiness, DSS applications, not-for profit service referrals, etc.; and

WHEREAS, the THLDC and the Town of Huntington wish to support ongoing training initiatives and operations at HORC through fees generated by THLDC; and,

WHEREAS, the subject of this resolution 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 BOARD OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY

AUTHORIZES the Executive Director to release funds to the Town of Huntington to support training initiatives and operations at Huntington Opportunity Resource Center,

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located at 1264 and/or 1268 New York Avenue, Huntington Station, New York, in an amount not to exceed the sum of TWENTY-FIVE THOUSAND & XX/100 (\$25,000.00) DOLLARS and upon such terms and conditions as may be acceptable to the corporation's counsel.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- LDC5

PRELIMINARY AND OFFICIAL INTENT RESOLUTION *(St. Anthony's High School Project)*

RESOLUTION OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION (THE "ISSUER") (1) TAKING OFFICIAL ACTION TOWARD THE ISSUANCE OF TAX-EXEMPT AND/OR TAXABLE REVENUE BONDS (ST. ANTHONY'S HIGH SCHOOL PROJECT), IN MULTIPLE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$38,000,000; FOR THE PURPOSE OF FINANCING OR REFINANCING A CERTAIN PROJECT (AS SET FORTH BELOW) FOR THE BENEFIT OF ST. ANTHONY'S HIGH SCHOOL AND SERAPHIC PROPERTIES, INC.; (2) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE ISSUER WITH RESPECT TO SUCH PROJECT; (3) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO SUCH FINANCING AND THE UNDERTAKING OF SUCH PROJECT AND (4) MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE PROJECT.

Resolution for Local Development Corporation Board meeting dated: September 16, 2015

The following resolution was offered by: Chairman Petrone
MEMBER CUTHBERTSON
and seconded by: **MEMBER BERLAND**

WHEREAS, The Town of Huntington Local Development Corporation (the "Issuer") a not-for-profit local development corporation duly organized and validly existing pursuant to Section 1411 of the Not-for-Profit Corporation Law ("N-PCL") of the State of New York (the "State"); and

WHEREAS, pursuant to the N-PCL the Issuer was established as a not-for-profit corporation for the purposes of relieving and reducing adult unemployment, promoting, facilitating and providing for additional and maximum adult employment, bettering and maintaining adult job opportunities and lessening the burdens of government and acting in the public interest, and has the powers, among other things, to construct, acquire, rehabilitate and improve, for use by others, industrial and/or manufacturing plants, to assist financially in such construction, acquisition, rehabilitation and improvement, to acquire real or personal property and to issue bonds, notes and other obligations thereof; and

WHEREAS, the territory in which the Issuer's activities are principally to be conducted is the Town of Huntington and its surrounding communities; and

ST. ANTHONY'S HIGH SCHOOL SOUTH HUNTINGTON, a not-for-profit education corporation organized and existing under the laws of the State of New York, on behalf of itself and **SERAPHIC PROPERTIES INC.**, a not-for-profit corporation organized and existing under the laws of the State of New York (collectively, the

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"Institution") submitted an application (the "Application" to the Issuer requesting that the Issuer issue, in one or more series, its tax-exempt and/or taxable revenue bonds in a principal amount not to exceed \$38,000,000 (the "Bonds") for the purpose of paying the costs associated with a certain project (the "Project") consisting of: (A) the current refunding of all or a portion of \$34,030,000 Suffolk County Industrial Development Agency Variable Rate Demand Civic Facility Revenue Bonds, Series 2006 (St. Anthony's High School Civic Facility) (the "Series 2006 Bonds"), the proceeds of which Series 2006 Bonds were used for the financing or refinancing of all or a portion of the costs of (1) various capital projects undertaken by the Institution including (a) the renovation and equipping of one existing building, consisting of approximately 270,000 aggregate square feet, located on the Institution's approximately 30-acre campus located at 275 Wolf Hill Road, South Huntington, Suffolk County, New York (the "Campus"), and (b) the construction and equipping of a new building on the Campus, consisting of approximately 140,000 aggregate square feet, all to be used by the Institution to develop and/or renovate various academic and athletic operations of the Institution, consisting of, but not limited to, the following: a new Student Center, a new Wrestling Room, a new Strength and Conditioning Room, new Boys and Girls Locker Room Facilities, a new Officials Room, a new Video Conference Room, new Chemistry Labs, new Biology Labs, a new Physical Therapy suite, a new School Store, new Music Rooms, new Art Studios, a new Senior Courtyard, an outdoor Football Field and Track and related fencing and site improvements (collectively, the "2006 Facility"); (2) funding a debt service reserve fund in connection with the issuances of the 2006 Bonds; and (3) funding certain costs of issuance in connection with the issuance of the series 2006 Bonds; (B) financing or refinancing of all or a portion of the costs of the renovation and equipping of an approximately 25,000 square foot science laboratory located on the second and third floors of the new Campus building, (the "2015 Facility" and collectively with the 2006 Facility, the "Facility") and (C) funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A), (B) and (C) being hereinafter collectively referred to as the "Project Costs"); and

WHEREAS, the Issuer is authorized under the Act to loan the proceeds of the Bonds to the Institution and the Issuer and the Institution will enter into a certain loan agreement or similar agreement whereby payments made by the Institution will be sufficient to pay the principal of premium, if any, purchase price and interest on the Bonds; and

WHEREAS, the Issuer desires to adopt a resolution describing the Project, authorizing a public hearing in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, any approval of the Project is contingent upon, among other things, a final determination by the members of the Issuer to proceed with the Project following determinations by the Issuer that (i) the public hearing and notice requirements and other procedural requirements contained in Section 147(f) of the Code, and (ii) the granting of the financial assistance is and will be in compliance with all other applicable requirements of the Act, Article 8 of the Environmental Conservation Law (the "SEQR Act") and the regulations adopted pursuant thereto (the "Regulations" and together with the SEQR Act, collectively,

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“SEQRA”), and all other statutes, codes, laws, rules and regulations of any governmental authority having jurisdiction over the Project (collectively, the "Applicable Laws")

WHEREAS, pursuant to the SEQR Act, the Issuer constitutes a “State Agency”; and

WHEREAS, to aid the Issuer in determining whether the Facility may have a significant effect upon the environment, the Institution has prepared and submitted to the Issuer an Environmental Assessment Form and related documents with respect to the Facility, a copy of which is on file at the office of the Issuer; and

WHEREAS, the Issuer determines that the actions relating to the acquisition, renovation and equipping of the Facility is an Unlisted action under SEQRA; and

WHEREAS, the Institution reasonably expects that it will (i) pay or incur certain capital expenditures in connection with the Project prior to the issuance of the Bonds, (ii) use funds from sources other than proceeds from the Bonds which are or will be available on a short-term basis to pay for such capital expenditures, and (iii) reimburse itself for the use of such funds with proceeds of the Bonds.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Based upon the information regarding the Facility supplied by the Institution, the Issuer determines that the Project involves an Unlisted Action under SEQRA as that term is defined by 6 NYCRR §617.2(ak). The Issuer is acting as Lead Agency pursuant to SEQRA and conducting an Uncoordinated Review pursuant to 6 NYCRR §617.6 Based upon a thorough and comprehensive review by the Issuer of the Application, the Short Environmental Assessment Form and related documents delivered by the Institutions to the Issuer, as well as other representations made by the Institutions to the Issuer in connection with the Project, the finds that the Project will result in no potential significant adverse environmental impacts requiring the preparation of an environmental impact statement for the action. Attached hereto as Schedule A is the Issuer’s Environmental Evaluation for purposes of the SEQR Act with respect to the Project. Notice of this determination shall be filed to the extent required by the applicable regulations under that Act or as may be deemed advisable by the Executive Director and Chief Executive Officer or Deputy Executive Director and Chief Financial Officer or the Chairman or Vice Chair of the Agency or counsel to the Agency.

Section 2. The Issuer hereby finds and determines:

(a) Pursuant to the Issuer's certificate of incorporation filed on April 7, 2010 with the Department of State as amended by the Issuer’s certificate of amendment to the certificate of incorporation filed on February 23, 2012 (the “Certificate”) and the purposes and powers contained within Section 1411 of the N-PCL, the Issuer is empowered to undertake the Project, issue the Bonds, and undertake the various transactions contemplated herein.

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(b) The Issuer, in undertaking the Project pursuant to the purposes and powers set forth within N-PCL Section 1411 and the Certificate is acting in the public interest by lessening the burdens of government.

Section 3. The proposed financial assistance being contemplated by the Issuer includes: (i) financing all or a portion of the Project Costs by the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$38,000,000 and (ii) an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 4. The issuance of the Bonds and the granting of the financial assistance as contemplated by Paragraph 3 of this Resolution, shall be subject to:

(a) agreement by the Issuer, the Institution and the purchaser of the Bonds on mutually acceptable terms for the Bonds and for the sale and delivery thereof and mutually acceptable terms and conditions for the security for the payment thereof; and

(b) approval by the Town Supervisor of the Town of Huntington, New York, of the issuance of the Bonds in accordance with the provisions of Section 147(f) of the Code; and

(c) approval by the Town Supervisor of Smithtown, New York, of the issuance of the Bonds in accordance with the provisions of Section 147(f) of the Code; and

(d) holding a public hearing as required by Section 147(f) of the Code (as authorized by Section 5 below); and

(e) compliance with all Applicable Laws.

Section 5. This resolution shall authorize the Issuer to hold a public hearing as required by Section 147(f) of the Code.

Section 6. The Institution is hereby authorized to conduct such feasibility and other studies and preliminary planning and budgetary processes necessary or convenient to enable the Issuer to make its final determination whether to approve the issuance of the Bonds, and the Institution is further authorized to advance such funds as may be necessary for such purpose, subject, to the extent permitted by law, to reimbursement from the proceeds of the sale of the Bonds, if the Bonds are issued. The officers, agents and employees of the Issuer are hereby directed to proceed to do such things or perform such acts as may allow the Issuer to proceed to its final consideration of the Project. This Resolution shall not be deemed to constitute, either an approval by the Issuer of the Project or a commitment by the Issuer to approve the Project or to grant the financial assistance.

Section 7. Counsel to the Issuer and Harris Beach PLLC, as Bond Counsel for the Issuer, are hereby authorized to work with counsel to the Institution and others to prepare

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for submission to the Issuer, all documents necessary to effect the authorization, issuance and sale of the Bonds and reimbursement of the cost of all such work prior to the date hereof is hereby authorized to the extent permitted by the Code.

Section 8. This Resolution shall constitute the adoption of "official intent" (within the meaning of the United States Treasury Regulations Section 1.150-2(d) with respect to issuance of the Bonds and the original expenditures which are reasonably expected to be reimbursed from the proceeds of the Bonds.

Section 9. The Chairman (or Vice Chairman), President and CEO and/or CFO of the Issuer are hereby authorized and directed to distribute copies of this Resolution to the Institution and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

VOTE: 5 AYES: 5 NOES: 0 ABSTENTIONS:

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.