

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 RAIK.

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 DECEMBER 8, 2015

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 8:54 P.M. Closed: 8:57 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 8:57 P.M. Closed: 8:58 P.M.

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 8:58 P.M. Closed: 8:58 P.M.

7:00 P.M. – TOWN HALL

Opened: 7:00 P.M. Closed: 8:54 P.M.

(Resolutions #2015-540 to 2015-598)

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 #: 0400-215.00-01.00-073.000

(2015-M-52)

Scheduled as per Resolution 2015-528 at 11-5-2015 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2015-595**

2. Consider acquiring conservation easement for Wawapek addition, Cold Spring Harbor with North Shore Land Alliance purchasing fee rights. (2015-M-53)

Scheduled as per Resolution 2015-529 at 11-5-2015 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

3. Consider authorizing the Supervisor to execute a license agreement with the Piccolo Family Limited Partnership for the use of a portion of Town lands. (SCTM #: 0400-198.00-03.00-058.000 – 230 East Jericho Turnpike, Huntington Station) (Term: 8/24/2015-8/23/2025) (2015-M-54)

Scheduled as per Resolution 2015-530 at 11-5-2015 Town Board Meeting

DECISION RESERVED

4. Consider adopting Local Law Introductory No. 42-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Clinton Avenue, Huntington – Parking Restrictions.

(Local Law Introductory No. 42-2015)

Scheduled as per Resolution 2015-531 at 11-5-2015 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 43-2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Depot Road, Huntington Station – Parking Restrictions.

(Local Law Introductory No. 43-2015)

Scheduled as per Resolution 2015-532 at 11-5-2015 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 44-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning) Article III (Residence Districts).

(Local Law Introductory No. 44-2015)

Scheduled as per Resolution 2015-534 at 11-5-2015 Town Board Meeting

**ENACTMENT
RESOLUTION 2015-594**

7. Consider adopting Local Law Introductory No. 45-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), Article IV (Commercial Districts) and Article V (Industrial Districts).

(Local Law Introductory No. 45-2015)

Scheduled as per Resolution 2015-535 at 11-5-2015 Town Board Meeting

DECISION RESERVED

8. Consider adopting Local Law Introductory No. 46-2015, considering Zone Change Application #2015-ZM-410, Gurwin Senior Housing, to change the zoning from R-40 and R-20 Residence Districts to R-HS Residential Health Services District for property located on the north side of Hauppauge Road and west side of Commack Road, Commack, SCTM #: 0400-251-01-017.003 & 018.

(Local Law Introductory No. 46-2015)

Scheduled as per Resolution 2015-536 at 11-5-2015 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

9. Consider comments on the Draft Environmental Impact Statement (DEIS), to consider an amendment to the Horizons 2020 Comprehensive Plan, and to consider adopting Local Law Introductory No. 47-2015, considering Zone Change Application #2013-ZM-397, Syndicated Ventures, to change the zoning from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for the property located on the northeast corner of Jericho Turnpike and Manor Road, Elwood, SCTM #: 0400-209-02-(003,004.001, 005.006) and determining that the DEIS is acceptable for commencing public review. (Local Law Introductory No. 47-2015)

Scheduled as per Resolution 2015-537 at 11-5-2015 Town Board Meeting

10. Consider adopting Local Law Introductory No. 48-2015, considering Zone Change Application #2015-ZM-406, Costco Wholesale Corp. Melville, to change the zoning from C-6 General Business District to C-11 Automotive Service Station District for property located on east side of Broad Hollow Rd. (NYS 110), south of Ruland Rd., Melville, SCTM: 0400-267-02-030. (Local Law Introductory No. 48-2015)

Scheduled as per Resolution 2015-538 at 11-5-2015 Town Board Meeting

**HEARING TO BE
CANCELLED
AND RESCHEDULED
AS PER
APPLICANT'S REQUEST**

**APPLICATION
WITHDRAWN
BY APPLICANT
(LEGAL NOTICE
WAS NOT PUBLISHED)**

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 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**

- | | | | | |
|------------------|--|------------------|------------------|---|
| 2015-540. | AUTHORIZE the Supervisor to execute a professional service contract with Cornell Cooperative extension of Suffolk County for the Town of Huntington Shellfish Enhancement and Educational Internship Program at Gold Star Battalion Beach, Huntington, New York. (Term: 5 years) | <u>SB</u> | | |
| | | <u>EC</u> | <u>FP</u> | <u>5</u> |
| 2015-541. | AUTHORIZE the Supervisor to execute a contract with Phil Bauccio Consultants & Associates to provide Risk Management Consulting Services. (Term: 1 year) | | | |
| | | <u>FP</u> | <u>EC</u> | <u>5</u> |
| 2015-542. | AUTHORIZE the Supervisor to execute a contract with Varron Solutions, LLC for matters related to Huntington Station and the Town of Huntington Department of Public Safety. | | | FP-AYE
MC-AYE
SB-AYE
TE-AYE
<u>EC-NO</u> |
| | | <u>FP</u> | <u>MC</u> | |
| 2015-543. | AUTHORIZE the Supervisor to execute an extension to the contract for landfill gas monitoring and related engineering services at the Town of Huntington East Northport landfill with R&C Formation, Ltd.
(Extension 12 month period) | | | |
| | | <u>TE</u> | <u>EC</u> | <u>5</u> |
| 2015-544. | AUTHORIZE the Supervisor to execute an extension to the existing contract with H2M architects + engineers for professional engineering services for the Colby Drive water storage tank, for the Dix Hills Water District, nunc pro tunc. (Extension 4 months: 12/31/2015-4/30/2016) | | | |
| | | <u>SB</u> | <u>EC</u> | <u>5</u> |
| 2015-545. | AUTHORIZE the Supervisor to execute a requirements contract for the tree maintenance with Conservation Control Corp. (Contract period: 1 year) | | | |
| | | <u>SB</u> | <u>EC</u> | <u>5</u> |
| 2015-546. | AUTHORIZE the Supervisor to execute an extension to the requirements contract for repair of gasoline and diesel pumps and leak detection systems with Henrich Equipment Co. Inc. (Extension period 1 year) | | | |
| | | <u>EC</u> | <u>FP</u> | <u>5</u> |
| 2015-547. | REMOVED FROM THE AGENDA AT THE WORKSHOP. | | | |
| 2015-548. | AUTHORIZE the Supervisor to execute an extension to a franchise agreement with Maxim Healthcare Services, Inc. D/B/A Maxim Staffing Solutions to provide a Licensed Practical Nurse for Camp Bright Star.
(Contract period 1/1/2016-12/31/2016) | | | |
| | | <u>SB</u> | <u>EC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-549. AUTHORIZE the Supervisor to execute an extension franchise agreement with Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center to provide a horseback riding facility and lessons at West Hills Park. (Period: 1/1/2016-12/31/2016)	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-550. AUTHORIZE the Supervisor to execute an agreement with the National Fish and Wildlife Foundation for a matching grant to fund a stormwater runoff control project at Centerport Beach nunc pro tunc.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-551. AUTHORIZE the Supervisor to execute agreements for the provision of various youth services on behalf of the Youth Bureau for the year 2016. (Re: Tri Community and Youth Agency, Inc. [Region I], Youth Directions and Alternatives, Community and Youth Agency, Inc. [Region II], Regional Enrichment Agency of Commack and Half Hollow Hills, Community and Youth Agency, Inc. [Region III], Family Service League of Suffolk County, Inc., Long Island Crisis Center, Inc., Huntington Youth Bureau Development Research Institute, Inc. [Non Drug related & Drug Related].)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-552. AUTHORIZE the Supervisor to execute agreements for meeting places for Senior Citizens of the Town of Huntington. (Re: St Paul's Lutheran Church, Gloria Dei Lutheran Church, Harborfields Public Library, Northport Public Library, Paumanack Village I & II, Paumanack Village III & IV, Presbyterian Church of Sweet Hollow and Union United Methodist Church)	<u>TE</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2015-553. AUTHORIZE the Supervisor to execute agreements on behalf of the Department of Human Services for the Year 2016. (Re: Child Care Council of Suffolk, Inc., Family Service League, Inc., Federation of Organizations, Inc., Huntington Breast Cancer Action Coalition, Inc. and Literacy Suffolk, Inc.)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-554. AUTHORIZE the Supervisor to execute an agreement with USI Consulting Group for actuarial consulting services-Department of Audit and Control. (Re: Fiscal years 2015 and 2016)	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-555. AUTHORIZE the Supervisor to enter into an agreement with Omni Recycling of Westbury, Inc. for single stream recycling. (Term: 1/1/2016-12/31/2016)	<u>FP</u>	<u>SB</u>	<u>FP-AYE</u> <u>SB-AYE</u> <u>EC-AYE</u> <u>TE-AYE</u> <u>MC-RECUSAL</u>
2015-556. AUTHORIZE the Supervisor to enter into a lease renewal agreement with Suffolk County Office for the Aging for a 2003 General Motors twelve passenger van, nunc pro tunc.	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-557. 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>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-558. AUTHORIZE the Supervisor to submit an application for an Entitlement Grant of Community Development Block Grant Funds under the Housing and Community Development Act of 1974 and authorizing all assurances connected with said application.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-559. AUTHORIZE the execution of an agreement with H2M architects + engineers to provide annual engineering retainer services for 2016 for the Huntington and Centerport Sewer Districts.	<u>EC</u>	<u>TE</u>	<u>5</u>
2015-560. AUTHORIZE the execution of a requirements contract for distribution system maintenance, installation and emergency services with Alessio Pipe and Construction Co., Inc. (Effective upon execution-period ending 10/31/2016)	<u>TE</u>	<u>EC</u>	<u>5</u>
2015-561. AUTHORIZE the Comptroller to amend the 2015 Operating Budget for the Town of Huntington and its special districts-various departments.	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-562. AUTHORIZE the Comptroller to amend the 2015 Operating and Capital Budget for the Town of Huntington and its special districts – Dix Hills Water District.	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-563. AUTHORIZE the Comptroller to amend the 2015 Capital Budget for the Town of Huntington and its special district – Highway Department.	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-564. AUTHORIZE the Comptroller to appropriate funds from the Parks and Recreation Capital Improvement Reserve Fund for the purpose of funding capital projects in lieu of bonding – Department of General Services. (SUBJECT TO PERMISSIVE REFERENDUM) (Re: Zamboni – J& C Ice Technologies, Inc)	<u>FP</u>	<u>MC</u> <u>SB</u>	<u>5</u>
2015-565. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Charles/Carl La Monica, 14 Valmont Avenue, Commack, SCTM#0400-224.00-02.00-071.000, Chapters 87, 133, 156 [§'s 45, 46]; Stephanie Warren [estate of], 18 Locust Place, Huntington Station, SCTM# 0400-239.00-03.00-045.000, Chapter 156 [§ 46]; Kristoffer/Jennifer Visconti, 58 Rushmore Street, Huntington Station, SCTM# 0400-240.00-01.00-101.000, Chapter 156 [§46]; Herbert/Barbara Stone, 201 Lowndes Avenue, Huntington Station, SCTM# 0400-140.00-03.00-069.000, Chapter 191)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-566. ACCEPT a donation of a media system for the Town of Huntington Senior Nutrition Center. (Re: Donation from Huntington Senior Site Council)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-567. ACCEPT a donation of entertainment and baked goods for the Town of Huntington Senior Nutrition Center, nunc pro tunc. (Re: Colombo Family)	<u>SB</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-568. ACCEPT donations from various merchants and businesses to the Town of Huntington for the Senior Reunion Luncheon, nunc pro tunc. (Re: Jonny D's Pizzeria, Spuntino, Alberts Mandarin Gourmet, Giuseppe's Pizzeria, La Hacienda, Pumpnickels, Waterside Caterers, Deli 51, Healy's Inn, Larkfield Manor, IMC Meat Company, Crestwood Manor, Paesano Pizzeria, Timothy's Pizzeria, Broadway Pizza and Old Field's Resauant)	<u>TE</u>	<u>EC</u> <u>MC</u>	<u>5</u>
2015-569. ACCEPT donation of landscaping and maintenance from Goldberg and Rodler Inc. Re: maintenance of Triangle on East Main Street and Washington Drive, Huntington, sponsored by Bottles and Cases and Bottle Bargains.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-570. ADOPT the Marina contract for spring, summer, and autumn wet storage at Town Marinas. (Re: 2016)	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-571. APPOINT Borg & Borg, Inc. as the broker of record for the Town of Huntington and authorize the Supervisor to execute a contract to provide insurance brokerage services with Borg & Borg, Inc. (Term: 3 years)	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-572. APPOINT a marriage officer for the Town of Huntington for the purpose of solemnizing a marriage. (Re: Susan A. Berland-12/8/2015 up to and including 1/8/2016)	<u>FP</u>	<u>TE</u> <u>MC</u> <u>EC</u>	<u>5</u>
2015-573. APPOINT a member to the Town of Huntington Citizens Advisory Committee for persons with disabilities. (Re: Jean Altieri; term expires 12/8/19)	<u>FP</u> <u>SB</u>	<u>TE</u> <u>EC</u>	<u>5</u>
2015-574. APPOINT and REAPPOINT members to the Town of Huntington Beautification Council. (Term to expire 12/31/2017; Appoint Judith Werber, John Pryputniewicz; Reappoint: Dr. William Walker, Pat Feder, Sandra Prior)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-575. APPROPRIATE funding necessary for acquisition by the Town of Huntington of New York State Department of Transportation property located in Huntington Station, New York, nunc pro tunc. (SCTM# 0400-094.00-03.00-052.004)	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-576. APPROVE Public Official Bonds. (Re: Jo-Ann Raia, Town Clerk effective 12/31/2015 – Public Official Policy #58486075; Ester Bivona effective 12/1/2015 – Public Official Policy #58477511)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-577. CONSENT to the change of control of Cablevision Systems Corporation, the franchise under the Cable Television Franchise Agreement made between the Town of Huntington and Cablevision Systems Huntington Corporation.	<u>FP</u>	<u>SB</u>	<u>FP-AYE</u> <u>SB-AYE</u> <u>MC-AYE</u> <u>EC-AYE</u> <u>TE-RECUSAL</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-578. CLARIFYING potential terms of shared Town-County acquisition of farm development rights for Tilden property, Greenlawn. (SCTM#s – 0400-107.00-03.00-006.001, p/o, 0400-107.00-03.00-008.000; 0400-107.00-03.00-006.010; 0400-107.00-04.00-002.000)	<u>MC</u> <u>FP</u>	<u>SB</u> <u>TE</u>	<u>5</u>
2015-579. 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>FP</u> <u>TE</u>	<u>5</u>
2015-580. REAPPOINT a member to the Town of Huntington Board of Ethics and Financial Disclosure. (Re: Edward Billia, Ph.D. term expires 12/31/2020)	<u>TE</u> <u>SB</u>	<u>MC</u>	<u>5</u>
2015-581. RECOGNIZING certain roads within the Town of Huntington, having been used as public highways for a period of 10 years or more, as public highways by usage pursuant to Highway Law Section 189.	<u>FP</u>	<u>EC</u> <u>TE</u>	<u>5</u>
2015-582. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2015-583. RESCIND the award of a contract to Lisa McQuilkin Land Surveying and authorizing the Supervisor to execute a contract with L.K. McLean Associates, P.C. for professional surveying services for two (2) Town of Huntington parking lots.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-584. SPONSOR an indoor holiday decorating contest with the Long Islander News in the Town of Huntington, New York.	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-585. URGE the Counties of Nassau and Suffolk to ban the sale of Biocide Formaldehyde as an additive for use in vessel and other temporary holding tanks.	<u>TE</u>	<u>SB</u>	<u>5</u>
2015-586. DIRECT the Planning Board to prepare an amendment to the Town of Huntington Horizons 2020 Comprehensive Plan and directing the Board to submit recommendations with respect to such amendment, rescinding a portion of Resolution No.: 2015-537, retaining an independent consultant, and directing that change of zone application No. 2013-ZM-397 be held in abeyance pending further resolution of the Town Board. (Re: Syndicated Ventures, LLC SCTM#’S 0400-209-02-(003, 004.001, 005.006) (Re: Greenman-Pederson, Inc- Traffic Studies)	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-587. REMOVED FROM THE AGENDA AT THE WORKSHOP.			

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-588. ENACTMENT: ADOPT 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).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-589. ENACTMENT: ADOPT 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. (Subject to the satisfaction of Covenants and Restrictions)	<u>FP</u>	<u>MC</u>	<u>FP-AYE MC-AYE SB-AYE EC-AYE TE-ABST</u>
2015-590. ENACTMENT: ADOPT Local Law Introductory Number 38-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G Re: Minetta Court, Huntington – Stop Signs.	<u>EC</u>	<u>FP</u>	<u>5</u>
2015-591. ENACTMENT: ADOPT Local Law Introductory Number 39-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: Laurel Road, East Northport – Parking Restrictions.	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-592. ENACTMENT: ADOPT Local Law Introductory Number 40-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), Article I (Use Regulations) and Schedule L (Town Parking Fields).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-593. ENACTMENT: ADOPT Local Law Introductory Number 41-2015 amending the code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal).	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-594. ENACTMENT: ADOPT Local Law Introductory No. 44-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts).	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-595. 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; Chang/Shin Kim, 9 Penrose Path, East Northport, SCTM# 0400-215.00-01.00-073.000)	<u>SB</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-596. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property).	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-597. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 49-2015 amending the Uniform Traffic code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J Re: Halyard Court - Cold Spring Harbor –Parking Restrictions.	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-598. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 50-2015, amending the Code of the Town of Huntington so as to amend Chapter 111 (Fire Prevention), Article IV (Operational Permits).	<u>MC</u> <u>FP</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-BT10. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 Applicant: Harbor Boating Club Location: 323 West Shore Rd., Huntington, NY 11743 S.C.T.M. #0400-024.00-01.00-005.000 & 0400-024.00-01.00-053.000.	<u>TE</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2015-BT11. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider 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: Brian McNally Location: 1 Clam Shell La., Northport, N.Y. 11768 S.C.T.M. #0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000.	<u>EC</u>	<u>TE</u>	<u>5</u>
2015-BT12. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider 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: Brian McNally Location: 1 Clam Shell La., Northport, N.Y. 11768 S.C.T.M. #0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2015-BT13. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider 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: Rob Henneborn On Behalf: Kevin McArdle Location: 57 Cherry Lawn La., Northport, N.Y. 11768 S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000.	<u>TE</u>	<u>EC</u>	<u>5</u>
2015-BT14. SCHEDULE A PUBLIC HEARING: January 12, 2016 at 2:00 PM To consider 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: Rob Henneborn On behalf: Kevin McArdle Location: 57 Cherry Lawn La., Northport, N.Y. 11768 S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000.	<u>TE</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-CD13. AUTHORIZE the Chairman to execute an extension to the contract with Cullen & Danowski, LLP, certified public accountants, to conduct an independent audit for the fiscal year ending December 31, 2015.

FP MC 5

2015-CD14. AUTHORIZE the sale of a certain premises bearing SCTM # 0400-140.00-02.00.150.000 commonly known as 17 Tower Street, Huntington Station, NY 11746 as is necessary to restore the property to the tax rolls and to ensure same will be used by an owner occupant for a period of at least five years.

FP EC 5

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: DECEMBER 8, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-LDC11AUTHORIZE the Chairman to execute an extension to the contract with Cullen & Danowski, LLP, certified public accountants, to conduct an independent audit for the fiscal year ending December 31, 2015.

FP TE 5

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: DECEMBER 8, 2015**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for New Liquor Licenses:
From: John Weeden for Blue Rhino (1850 Jericho Tpke, Huntington);
From: Patrick DeLuca for TBD (1197 Walt Whitman Road, Melville);
From: Brian Wolken for Cosmopolitan Caterers of Melville Ltd (2600 New York Avenue, Melville)

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:

NONE RECEIVED
3. Email and letter received from Cynthia Scudieri regarding the zone change application #2014-ZM-404, Platt's Park Avenue, LLC. The writer is questioning whether or not the property owner has had an Environmental Impact Study performed. (ccd Supervisor/Town Board/Historian)

Town Attorney
cc: Planning & Environment
4. Email received requesting that the budget for the First Aid Squad not be cut from Maria Cafiso and Paul Calecc

Supervisor
Town Board
cc: Town Attorney
5. Letter received from Kerry Reinhardt, District Treasurer/Accountant for the Commack Union Free School District. Attached was a copy of the 2016 Budget. (ccd Comptroller)

Supervisor
Town Board
cc: Town Attorney
6. Halesite Fire District 2016 Budget Summary, Appropriations, Estimated Revenues, Statutory Spending Limitation, Exclusions from Spending Limitations and a Certification were submitted.

Supervisor
Town Board
Town Attorney
cc: Comptroller
7. Email received from Donna DeSousa regarding Greenlawn. The writer indicates various conditions in the hamlet of Greenlawn that need to be addressed. (ccd Supervisor, E. Cook, S. Berland)

M. Cuthbertson
T. Edwards
Town Attorney
cc: Highway
8. Email received from Lois Hayn regarding landscaping noise. Her family is considering relocating to Huntington due to the noise pollution in Nassau County. The writer is requesting that the Town support the efforts of C.A.L.M. (ccd M. Cuthbertson, L. Levine, E. Cook, and T. Edwards)

Supervisor
S. Berland
Town Attorney
cc: Planning & Environment
9. Letter received from William Ryan, Project Manager for nationalgrid regarding the Town of Huntington's bulkhead construction project.

Supervisor
Town Board
Town Attorney
Maritime Services
cc: Engineering Services
10. Email received from Jim McGoldrick regarding 7 Tippin located in the Town of Huntington. The writer thanks the Town for handling this situation and looks forward to more positive improvements in Huntington Station. (ccd Supervisor, S. Berland, E. Cook, J. Rose, AJ Carter, J. Rinker)

M. Cuthbertson
T. Edwards
cc: Town Attorney

11. Letter received from Sarah Lansdale, Director of Suffolk County Department of Economic Development and Planning, regarding an Informational Meeting for Prospective Lease Applicants who are interested in participating in the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay. A copy of the legal notice was attached. (cc'd Supervisor)

Town Board
Town Attorney
Maritime Services
cc: Planning & Environment
12. Public Notice for the Village of Huntington Bay Zoning Board of Appeals received from Gail Devol, Village Administrator. The hearing will be held on 11-19-2015 at 7:30 pm in Village Hall. The following properties will have hearings: 228 Vineyard Road, 50 Soundview Drive and 38 Bay Crest.

Supervisor
Town Board
Town Attorney
cc: Planning & Environment
13. Email received from Karla Wright, Fire District Secretary for Huntington Fire District. Attached was a copy of the Legal Notice for the Annual Election to be held December 8, 2014 between the hours of 3:00 pm and 9:00 pm for the purpose of electing one commissioner for a five year term and to vote on a proposition. B) Additional email received from Karla Wright, attached was a copy of the Notice of Preparation of Registration Rolls for Annual Election.

Supervisor
Town Board
cc: Town Attorney
14. Letter received from Daniel Baker of Certilman Balin Attorneys, addressed to Anthony Aloisio, regarding the application of Costco Wholesale Corporation in Melville, Change of Zone Application #2015-ZM-406. The letter indicates that they are formally withdrawing the application.

Supervisor
Town Board
cc: Town Attorney
15. Email received from Huntington Calm regarding leaf blowers. Included was a email that was submitted to them from Sara Ford Monroe. Ms. Monroe writes that leaf blowers infringe on a persons' right to work from home. Huntington Calm is requesting that the Town of Huntington restricts gas leaf blowers during the summer. B) Additional email received with an article attached titled "Leaf Blowers Daily Dust Boost". (cc'd Frank Petrone, Councilpersons)

Town Attorney
cc: Planning & Environment
16. Emails received in favor of the proposed Elwood Orchard project proposed by Villadom from: Jordan Thompson, Thomas/Patricia Van de Merlen (2 emails), David/Lauren Koehler, Joe/Heather Mammolit, James/Kimberly Cameron, Lauren/Richard Ward.

Supervisor
Town Board
Town Attorney
cc: A. Aloisio, Director Planning & Env.
17. Letter received from Jason Stern Esq., of Weber Law Group, regarding a Public Hearing to consider an amendment o the Horizons 2020 Comprehensive Plan to accommodate a Zone Change Application known as Syndicated Ventures, #2013-ZM-397. The letter was addressed to Paul Mandelik, the Chairman of the Town of Huntington Planning Board and its members. This firm represents business owners in the area.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Email received from Nancy McFadzen, Secretary for the Commack Fire District, attached was a letter advising the Town Clerk to post the notice. The election will be held on December 8, 2015 between the hours of 3:00 pm-9:00 pm at the firehouse located on Jericho Turnpike. The election is for one commissioner for a five year term (1/1/2016-12/31/20) and one commissioner for a one year term (1/1/2016-12/31/2016)

Supervisor
Town Board
cc: Town Attorney
19. Email received from Liz Beach, Secretary /Treasurer of the Cold Spring Harbor Fire District. Attached was a copy of the Legal Notice for the Annual Election. The election will be held on December 8, 2015, between the hours of 6:00 pm-9:00 pm at the Cold Spring Harbor Fire Department. The election is for one Commissioner for a five year term (1/1/2016-12/31/2020)

Supervisor
Town Board
cc: Town Attorney

20. Email received from Louise Caputo, Secretary/Treasurer of the Greenlawn Fire District, regarding the election to be held on 12/8/2015 between the hours of 6:00 pm-9:00 pm, at the Greenlawn Fire Department Headquarters. A copy of the legal notice was attached. The election is for one commissioner for a 5 year term (1/1/2016-12/31/2020).
Supervisor
Town Board
cc: Town Attorney
21. Email received from Scott Dalrymple, District Manager for the Dix Hills Fire District, regarding the election to be held on December 8, 2015 between the hours of 4:00-9:00 pm, at the Fire House Headquarters. A copy of the legal notice was attached. The election is for one commissioner for a five year term. (1/1/2016-12/31/2020)
Supervisor
Town Board
cc: Town Attorney
22. Email received from Ed/Verne Leonard requesting the Town support the Huntington Community First Aid Squad.
Supervisor
Town Board
cc: Town Attorney
23. Letter hand delivered from Andrew Levitt and signed by Jennifer Coden, Lindsay Renert, Lili Hughes, Tom Cavallo, John Thrush, Gisela Nightingale and Alyssa Nightingale. The letter is regarding violations concerning the Sandbar Restaurant located north of Main Street and east of Shore Road in Cold Spring Harbor. B) Additional letter received from Andrew Levitt addressed to Christopher Modelewski, Chairman of the Zoning Board, regarding the Sandbar Restaurant in Cold Spring Harbor. (copies hand delivered to Supervisor, Councilpersons, Town Attorney, Director of Planning&Environment, Director of Public Safety, Chairman of Zoning Board and Chairman of Planning Board)
cc: File
24. Letter received from Andrew Freleng, Chief Planner for the Suffolk County Department of Economic Development and Planning, regarding Town of Huntington Resolutions #2015-529, 2015-534 and 2015-535. They consider this to be a matter of local determination.
Supervisor
Town Board
Town Attorney
cc: Planning & Environment
25. Email received from Kenneth Brown, of the firm Harras Bloom & Archer LLP, on behalf of Keith Archer, Esq, with a letter attached addressed to Jo-Ann Raia, Town Clerk, regarding the change of zone application #2013-ZM-397 for Syndicated Ventures, requesting that the Town Board cancel the simultaneous hearings scheduled for December 8, 2015 and reschedule for February 10, 2016. A second email was received from Keith Archer, attached was a letter addressed to Paul Mandelik, Chairman of the Town of Huntington Planning Board, requesting that the Board cancel its 11-18-2015 meeting. Included was a copy of Resolution #2015-537, a Planning and Zoning Analysis of the Northeast Corner of Jericho Turnpike and Manor Road dated 10-2015 and various photographs. (ccd Town Attorney and Director of Planning & Environment)
Supervisor
cc: Town Board
26. Letter received from Kristi Cartolano, District Secretary for the Eaton's Neck Fire District, attached was a Notice of the Annual Election. The election will be held on December 8, 2015, between the hours of 6:00 PM and 9:00 PM at the firehouse for the purpose of electing one fire commissioner for a 5 year term (1/1/2016 – 12/31/2020)
Supervisor
Town Board
cc: Town Attorney
27. Copy of the legal notice received from Bonnie Sammis, Secretary for the Halesite Fire District regarding the annual election. The election will be held on December 8, 2015 between the hours of 6:00 PM and 9:00 PM, at the Halesite Firehouse for the purpose of electing one commissioner for a five year term (1/1/2016-12/31/2020)
Supervisor
Town Board
cc: Town Attorney
28. Legal Notice of a Public Hearing received from Karen Navin, Clerk-Treasurer for the Incorporated Village of Laurel Hollow regarding a Board of Trustee hearing to be held on December 9, 2015 at 7:30 PM amending Chapters 22 and 23 of the Code of the Village of Laurel Hollow.
Supervisor
Town Board
cc: Town Attorney

29. Emails/ letters received in opposition the proposed Del Vino Winery to be located in Northport from: Neill/Joy Clenaghan , Scott Edwards, Donna Schmit, Tom Ryan, Richard/Vivian Rocco, Patrick/Janet Tighe, (cc'd Supervisor/Councilpersons)
 "Another Concerned Parent"
 Supervisor
 Town Board
 Town Attorney
 Engineering Services
cc: Planning & Environment
30. Letter addressed to Supervisor Petrone and copied to Jo-Ann Raia, Town Clerk, from David Yaffe of the law firm, Hamburger, Maxson, Yaffe & McNally LLP. The letter is written on behalf of the Greens At Half Hollow Home Owners Association, Inc., in opposition to the letter from Albert Natoli, Esq. Attachments were also provided.
 Town Board
 Town Attorney
 Engineering Services
cc: Planning & Environment
31. Letter addressed to Jo-Ann Raia, Town Clerk, received from John Breslin of the Law Office of John J. Breslin, Jr. regarding his clients' property, the Sandbar Restaurant located in Cold Spring Harbor. The letter is in rebuttal to a letter submitted by Andrew Levitt regarding this property (see #23 above); a copy of same was attached.
 Supervisor
 Town Board
 Town Attorney
 Public Safety
cc: Planning & Environment
32. Email received from Jennifer Coden, Esq, regarding violations at the Sandbar Restaurant located in Cold Spring Harbor. Attached were video's and a picture. (ccd Town Attorney, Traffic & Transportation, ZBA)
 Supervisor
 Town Board
 Town Attorney
 Public Safety
cc: Planning & Environment
33. Email received from Michael Levy requesting permission to fly his drone.
 Supervisor
 Town Board
cc: Town Attorney
34. Petition hand delivered by Alice Abbate on December 1, 2015. The petition is in opposition to the proposed plans of the Del Vino Vineyards. There are 248 signatures on the petition. (cc'd: Supervisor, Councilpersons)
 Town Attorney
cc: Planning & Environment
- B-** Updated petition hand delivered by Alice Abate on 12-1-2015. The letter attached (addressed to Paul Mandelik) indicates the petition now stands at 424 signatures in opposition to the Del Vino Vineyards. Ms. Abate requested that the petition be sent to appropriate personnel as she only delivered one copy to Town Clerk, Jo-Ann Raia.
 Supervisor
 Town Board
 Town Attorney
 Engineering Services
 Paul Mandelik
cc: Planning & Environment
35. Email received from the Ballentine family regarding the speeding on Melville Road and a large tree on the neighbors' property that they are in fear of falling on their home. Pictures were attached. (ccd Supervisor/Councilman Cook)
 Supervisor
 Susan Berland
 Mark Cuthbertson
 Tracey Edwards
 Town Attorney
 Public Safety
cc: Traffic & Transportation
36. Email and letter received from Ellen O'Brien, Executive Director of the Huntington Township Chamber of Commerce. The letter indicates that the Executive Committee of the Chamber is against the proposed legislation to add a "bistro" category.
 Supervisor
 Town Board
 Town Attorney
cc: Planning & Environment
37. Email forwarded by James McGoldrick from Hadee Melendez regarding conditions at Gateway Gardens. The writer indicates there is a mold problem and her child suffers from asthma. She would like the conditions remedied.
 Supervisor
 Town Board
 Town Attorney
cc: Public Safety

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICE CONTRACT WITH CORNELL COOPERATIVE EXTENSION OF SUFFOLK COUNTY FOR THE TOWN OF HUNTINGTON SHELLFISH ENHANCEMENT AND EDUCATIONAL INTERNSHIP PROGRAM AT GOLD STAR BATTALION BEACH, HUNTINGTON, NEW YORK.

Resolution for Town Board Meeting Dated: December 8, 2015

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

WHEREAS, the Town of Huntington is desirous to enter into a professional service contract to operate a shellfish enhancement, restoration and management program. Cornell Cooperative Extension of Suffolk County, which is a quasi-government organization as defined by County Law 224, will develop an educational and informational-based platform to inform residents of ongoing Town projects and foster stewardship of the harbors, and create an internship opportunity for local high school and college students providing real-time education and training in aquaculture and shellfish management; and

WHEREAS, Cornell Cooperative Extension of Suffolk County possess the qualifications and specialized skills, training and expertise that are required to perform this professional service contract; and

WHEREAS, Cornell Cooperative Extension of Suffolk County, 423 Griffing Avenue, Suite 11, Riverhead, New York 11901 has submitted a proposal; and

WHEREAS, the execution of a professional service contract for the Town of Huntington shellfish enhancement and educational internship program at Gold Star Battalion Beach, is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18) and (c)(21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a FIVE YEAR professional service contract and any documents in connection and related therewith, with Cornell Cooperative Extension of Suffolk County for the Town of Huntington shellfish enhancement and educational internship program at Gold Star Battalion Beach, Huntington, New York. The annual cost is estimated to be FIFTY SEVEN THOUSAND SEVEN HUNDRED AND EIGHTY FIVE DOLLARS (\$57,785.00) for 2016, and FIFTY NINE THOUSAND TWO HUNDRED TWENTY NINE DOLLARS (\$59,229.00) for 2017, and SIXTY THOUSAND SEVEN HUNDRED TEN DOLLARS (\$60,710.00) for 2018, and SIXTY TWO THOUSAND TWO HUNDRED TWENTY SEVEN DOLLARS (\$62,227.00) for 2019, and SIXTY THREE THOUSAND SEVEN HUNDRED EIGHTY THREE DOLLARS (\$63,783.00) for 2020 to be charged to Operating Budget No. A8790-4550 (*Outside Professional Services*) and Operating Budget No. A8790-4762

SHELLFISH ENHANCEMENT

PURCH/EC

12/3/2015, 4:55 PM

2015-540

(*Natural Marine Resources*), commencing upon the execution of the contract for a period of two (5) years and upon such other terms and conditions as may be acceptable to the Town Attorney.

FURTHER BE IT RESOLVED the Town Board authorizes the Comptroller to transfer Ten Thousand (\$10,000) Dollars into Revenue Code A2770-2770 for fiscal years 2016 through 2020 inclusive from TA-0085-A9200 (Dedicated Shellfish Fund) for the purpose of funding Shellfish Enhancement, Restoration and Educational Outreach and to make any necessary budget amendments for fiscal years 2016 through 2020 inclusive.

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.

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

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

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

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with Phil Bauccio Consultants & Associates to provide risk management consulting services for a one year term on an as-needed basis at an hourly rate of \$100 per hour not to exceed a total of TWELVE THOUSAND DOLLARS and NO/100 (\$12,000.00) to be charged as follows, Operating Budget lines- A9040-8030 - \$8,000 and A1420-4550 - \$4,000, 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- 542

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH VARRON SOLUTIONS LLC FOR MATTERS RELATED TO HUNTINGTON STATION AND THE TOWN OF HUNTINGTON DEPARTMENT OF PUBLIC SAFETY

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, officials of the Town of Huntington and Suffolk County have met to discuss ways to work together and with the community on measures to increase security in the community and to crack down on crime; and

WHEREAS, the Suffolk County Police Department assigned a Captain to the Second Precinct to work specifically on this effort and the Town has provided a liaison to achieve similar objectives; and

WHEREAS, said Town liaison will continue to work with the Suffolk County Police, with community leaders and social service agencies and will work with the Town of Huntington Department of Public Safety; and

WHEREAS, Dominick Varrone has unique qualifications, having served as Inspector for the SCPD Second Precinct and as Chief of Detectives for SCPD; and

WHEREAS, the execution of a contract is not an action as defined by 6 N.Y.C.R.R. §617.5(c)(20), 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 thereto with Varron Solutions LLC, 1515 A Street, West Babylon, New York, 11704 to provide consulting services and act as the Town's liaison with Suffolk County Police Department, community and social service agencies, and to provide assistance to the Town Department of Public Safety at a negotiated fee of ONE HUNDRED and NO/100 (\$100.00) DOLLARS per hour to be charged to operating budget A3010-4550 and on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-543

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR LANDFILL GAS MONITORING AND RELATED ENGINEERING SERVICES AT THE TOWN OF HUNTINGTON EAST NORTHPORT LANDFILL WITH R & C FORMATION, LTD.

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is required by a Record of Decision (ROD) to provide monitoring reports on Landfill Gas (LFG), as well as on the operation of LFG monitoring and control systems at its East Northport Landfill. This work has been provided by an outside consultant since the installation of an LFG control system in 1974, and the Town of Huntington periodically solicits competitive pricing; and

WHEREAS, Town Board Resolution 2015-11 authorized the execution of a contract with R & C Formation, Ltd. for landfill gas monitoring and related engineering services at the Town of Huntington East Northport Landfill; and

WHEREAS, said contract provides for two (2) additional twelve (12) month periods with no increase in the contract price or change in the terms and conditions; and

WHEREAS, R & C Formation, Ltd., 171 Deer Park Ave., Suite 3, Babylon, New York 11702 has requested the first one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract, and any documents in connection and related therewith, with R & C Formation, Ltd. for landfill gas monitoring and related engineering services at the Town of Huntington East Northport Landfill. The extension period shall be effective for a twelve (12) month period commencing on February 7, 2016, not to exceed the sum of TEN THOUSAND FIFTY and NO/100 (\$10,050.00) DOLLARS to be charged to the East Northport Landfill-Post Closure Maintenance operating budget line A8166.4550, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2015-543

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 EXTENSION TO THE EXISTING CONTRACT WITH H2M ARCHITECTS + ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COLBY DRIVE WATER STORAGE TANK, FOR THE DIX HILLS WATER DISTRICT, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by **COUNCILMAN COOK**

WHEREAS, Holzmacher, McLendon & Murrell, P.C. (Now H2M architects + engineers) was awarded the contract for Professional Engineering Services for the Rehabilitation of the Colby Drive Water Storage Tank, as authorized by Town Board Resolution 2013-474; and

WHEREAS, Town Board Resolution 2015-452 authorized an increase to the contract from \$157,000.00 to \$172,000.00; and

WHEREAS, an extension of the original term of the contract by four (4) months is further necessary to be authorized due to additional scope of work; 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,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to extend the contract period for H2M architects + engineers for engineering services for the Colby Drive Water Storage Tank Rehabilitation by four (4) months, from December 31, 2015 to April 30, 2016, nunc pro tunc, 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.

2015-545

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

Resolution for Town Board Meeting Dated: December 8, 2015

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

WHEREAS, under this contract, the Contractor shall provide all necessary labor, equipment and materials to maintain trees located within the Town right-of-way that are identified by the Highway Office for maintenance including removal, pruning and stump grinding.

WHEREAS, sealed bids were received on November 19, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the townwide requirements contract for tree maintenance, Contract No. HWY 2015-03/O-E and the same were opened publicly and read aloud; and

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

WHEREAS, the Townwide Requirements Contract for Tree Maintenance is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(14), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Conservation Control Corp. for tree maintenance. The contract period shall be one (1) year from the date of execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods at the same prices and under the same terms and conditions to be charged to Operating Budget Item No. DB-5140-2784, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-546

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR REPAIR OF GASOLINE AND DIESEL PUMPS AND LEAK DETECTION SYSTEMS WITH HENRICH EQUIPMENT CO. INC.

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **SUPERVISOR PETRONE**

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

WHEREAS, Town Board Resolution 2015-13 authorized the execution of a contract with Henrich Equipment Co. Inc. for the repair of gasoline and diesel pumps and leak detection systems, Bid No. TOH 14-12R-080; 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, Henrich Equipment Co. Inc., 42 Field Street, West Babylon, New York 11704 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 Henrich Equipment Co. Inc. for repair of gasoline and diesel pumps and leak detection systems. The extension period shall be effective for one (1) year commencing on March 14, 2016 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.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO A FRANCHISE AGREEMENT WITH MAXIM HEALTHCARE SERVICES, INC. D/B/A MAXIM STAFFING SOLUTIONS TO PROVIDE A LICENSED PRACTICAL NURSE FOR CAMP BRIGHT STAR

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, The Town is required to provide a Licensed Practical Nurse for Camp Bright Star as required by the New York State Sanitary Code Subpart 7-2 for Children's Camps; and

WHEREAS, Town Board Resolution No. 2013-38 granted a franchise agreement with Maxim Healthcare Services, INC. D/B/A Maxim Staffing Solutions to provide a Licensed Practical Nurse; and

WHEREAS, said contract provides for two (2) one (1) year extensions at the same terms and conditions; and

WHEREAS, Town Board Resolution 2014-524 granted a one (1) year extension at the same terms and conditions; and

WHEREAS, the Town of Huntington Department of Parks and Recreation and Maxim Healthcare Services, INC. D/B/A Maxim Staffing Solutions have requested a second (1) year extension at the same terms and conditions; and

WHEREAS, the Town agrees to pay Maxim Healthcare Services, INC. D/B/A Maxim Staffing Solutions \$46 (FORTY SIX DOLLARS) per hour when a Licensed Practical Nurse is needed for Camp Bright Star; and

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

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to a franchise agreement, and any documents in connection and related therewith, with Maxim Healthcare Services D/B/A Maxim Staffing Solutions, 700 Veterans Memorial Highway, Suite 212, Hauppauge, NY 11788 to provide Licensed Practical Nurse for Camp Bright Star. The agreement period shall commence January 1, 2016 and terminate December 31, 2016.

2015 - 548

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 EXTENSION FRANCHISE AGREEMENT WITH SWEET HILLS EQUESTRIAN STABLES D/B/A SWEET HILLS EQUESTRIAN CENTER TO PROVIDE A HORSEBACK RIDING FACILITY AND LESSONS AT WEST HILLS PARK

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, The Town of Huntington Department of Parks and Recreation wishes to continue offering horseback riding lessons to youth and adult residents of the Town of Huntington at West Hills Park in Huntington in the summer and fall seasons; and

WHEREAS; Town Board Resolution 2013-7 granted a franchise agreement with Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center to offer horseback riding lessons, and

WHEREAS, said contract provides for two (2) one (1) year extensions at the same terms and conditions; and

WHEREAS, Town Board Resolution 2014-525 granted a one (1) year extension at the same terms and conditions; and

WHEREAS, the Town of Huntington Department of Parks and Recreation and Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center have requested the second 1 (one) year extension at the same terms and conditions; and

WHEREAS, the Town agrees to pay Sweet Hills Equestrian ONE-HUNDRED THIRTY AND NO/CENTS (\$130.00) DOLLARS for each participant;

WHEREAS, the execution of an agreement is not an action as defined by 6 NYCRR section 617.2 (b), and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the franchise agreement, and any documents in connection and related therewith, with Sweet Hills Stables, D/B/A Sweet Hills Equestrian Center, 129 Palermo Street, Central Islip NY 11722 to provide a horseback riding facility and lessons at West Hills Park in Huntington. The contract period shall commence January 1, 2016 and terminate December 31, 2016, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2015 - 549

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 NATIONAL FISH AND WILDLIFE FOUNDATION FOR A MATCHING GRANT TO FUND A STORMWATER RUNOFF CONTROL PROJECT AT CENTERPORT BEACH NUNC PRO TUNC

Resolution for Town Board Meeting Dated: December 8, 2015

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN COOK**

WHEREAS, An application was made to the National Fish & Wildlife Foundation (NF&WF) by the Town's Department of Maritime Services in conjunction with Citizen's Campaign for the Environment (CCE) to seek a matching grant for a storm water runoff control rain garden demonstration project at the Town's Centerport Beach; and

WHEREAS, NF&WF has officially notified the Town that they are recommending an award of \$137,320.05 in matching grant funding, and has requested that a contract be signed as a condition of acceptance; and

WHEREAS, CCE has pledged \$30,000 toward the plan by offering to provide the communications (public outreach) required by the NF&WF; and

WHEREAS, authorizing the Supervisor to accept a grant application for the maintenance of landscaping or natural growth is a Type II action pursuant to 6 NYCRR § 617.5(c)6, therefore no further SEQRA review is required at this time;

NOW, THEREFORE, BE IT RESOLVED,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with National Fish and Wildlife Foundation for the acceptance of a matching grant for a stormwater runoff control project in Centerport, NY in the amount of \$137,320.05, nunc pro tunc, upon such terms and conditions as may be acceptable to the Town Attorney, and

HEREBY FURTHER AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets, as necessary, upon execution of all required documentation, not to exceed \$107,320.5 which is the amount of the Town's share of funding required with the remaining \$30,000 being provided by CCE as their share of the \$60,000 communications outreach required by NF&WS, and authorizing that the Town will collect and reimburse CCE \$30,000 from the total \$137,320.05 proceeds received from the NF&WF.

2015-550

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 -551

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS FOR THE PROVISION OF VARIOUS YOUTH SERVICES ON BEHALF OF THE YOUTH BUREAU FOR THE YEAR 2016

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington annually enters into contractual relationships with essential not-for-profit service providers in the Town of Huntington that offer assistance to all youth and families such as counseling, runaway and homeless youth services, homework help, recreational programs, employment and career planning, college prep and conflict resolution in the Town of Huntington funded through the Town's Youth Bureau; and

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

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

WHEREAS, the execution of youth services agreements is not an action as defined 6 NYCRR §617.2(b) and therefore no further SEQR review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor, on behalf of the Town of Huntington Youth Bureau, to execute agreements on such terms and conditions as may be acceptable to the Town Attorney for the provision of services pursuant to the Town's Comprehensive Youth Plan for the year 2016 with the following agencies:

Tri Community and Youth Agency, Inc. (Region I). West Hills Rd., Hunt., Sta., NY 11746	\$592,511.00
Youth Directions and Alternatives, Community and Youth Agency, Inc. (Region II) 7 Diane Court, E. Npt., NY 11731	\$438,230.00
Regional Enrichment Agency of Commack and Half Hollow Hills, Community and Youth Agency, Inc. (Region III) 525 Hall Hollow Rd., Dix Hills, NY 11746	\$349,050.00
Family Service League of Suffolk County, Inc. 790 Park Ave., Hunt., NY 11743	\$287,922.00

2015-551

Long Island Crisis Center, Inc. 2740 Martin Ave., Bellmore, NY 11710	\$ 15,594.00
Huntington Youth Bureau Youth Development Research Institute, Inc. (Non Drug related) 423 Park Ave., Hunt., NY 11743	\$1,034,213.00
Huntington Youth Bureau Youth Development Research Institute, Inc. (Drug related) 423 Park Ave., Hunt., NY 11743	\$ 859,312.00

BE IT UNDERSTOOD that services provided pursuant to the above agreements shall be financed with funds provided by the Town of Huntington (Operating Budget Items A7320.4001 & A4220.4001), Local Villages, the New York State Office of Children and Family Services, Suffolk County Youth Bureau, Dept. of Health and Human Services, Suffolk Dept. of Health; and

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute amendments to these agreements in order to adjust the amounts approved in this resolution, based on changes in funding provided by County and State sources without additional contributions by the Town of Huntington, subject to such terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the Comptroller to amend the Town's Operating Budget as necessary to reflect the changes in funding provided by County and State sources, upon execution of all required documentation, not to exceed the funded amount on the executed amendments.

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 Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

Resolution for Town Board Meeting Dated: December 8, 2015

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

WHEREAS, the Senior Citizens of the Town of Huntington utilize certain facilities within the Town for meeting places and agreements have been prepared concerning the utilization of said places for 2016 as follows:

- | | |
|-----------------------------|---|
| St. Paul's Lutheran Church | Paumanack Village I & II |
| Gloria Dei Lutheran Church | Paumanack Village III & IV |
| Harborfields Public Library | Presbyterian Church of Sweet Hollow (3) |
| Northport Public Library | Union United Methodist Church |

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the Supervisor to execute agreements, and any documents in connection therewith, for meeting places for senior citizens for 2016 for various fees and specified periods as per each agreement to be charged to A-6772.4710 and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AGREEMENTS ON BEHALF OF THE DEPARTMENT OF HUMAN SERVICES FOR THE YEAR 2016

Resolution for the Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

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

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

WHEREAS, this action has been classified a Type II action pursuant to 6 NYCRR Section 617.5 (c) (20), and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD HEREBY AUTHORIZES the Supervisor, to execute agreements, and any other documents in connection therewith, for the provision of services, pursuant to the indicated appropriations, for the year 2016 with the following agencies, and upon such other terms and conditions as may be acceptable to the Town Attorney:

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

FEDERATION OF ORGANIZATIONS, INC.
1 Farmingdale Road, W. Babylon, NY 11704
Foster Grandparents

A 6770.4013 \$10,220

HUNTINGTON BREAST CANCER
ACTION COALITION, INC.
P.O. BOX 1446, Huntington, NY 11743
Lend A Helping Hand
Students and Scientists Program

A 6770.4053 \$10,000
A 6770.4056 \$ 4,800

LITERACY SUFFOLK, INC.
627 N. Sunrise Service Road,
Bellport, NY 11713

A 6312.4001 \$ 9,500

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 Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH USI CONSULTING GROUP FOR ACTUARIAL CONSULTING SERVICES-DEPARTMENT OF AUDIT AND CONTROL

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: COUNCILWOMAN EDWARDS

WHEREAS, the Government Accounting Standards Board (GASB) issued Statement No. 45, requiring all municipalities to calculate the liability for other post-employment benefits (OPEB) every two years and record the annual cost of such benefits in the government-wide financial statements; and

WHEREAS, USI Consulting Group has provided actuarial consulting services for the Town for the last eight fiscal years beginning in 2007 and therefore it is cost beneficial to continue to utilize the same firm; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with USI Consulting Group, 95 Glastonbury Boulevard, Glastonbury, CT 06033 for actuarial consulting services for an amount not to exceed SEVEN THOUSAND AND NO/100 (\$7,000.00) DOLLARS for the fiscal years ended December 31, 2015 and December 31, 2016, commencing upon contract execution, and on such other terms and conditions as may be acceptable to the Town Attorney to be charged to A1315-4550.

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

2015-555

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH OMNI RECYCLING OF WESTBURY, INC. FOR SINGLE STREAM RECYCLING

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by Supervisor Petrone

and seconded by **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington changed its residential recycling program to provide for the collection of single stream recyclables beginning January 1, 2015; single stream recycling refers to a system in which all permitted residential recyclables are placed into a single recycling container for curbside pickup on scheduled days; and

WHEREAS, the collection of single stream recyclables has successfully increased the rate of curbside residential recycling by 9%; and

WHEREAS, Omni Recycling of Westbury, Inc. has agreed to enter into an agreement with the Town of Huntington to accept single stream recycling material delivered by the Town of Huntington to Omni's facility located at 7 Portland Avenue, Westbury; and

WHEREAS, Omni Recycling of Westbury, Inc. will pay the Town of Huntington the cumulative amount of TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS per year for all tons of Huntington recycled materials delivered to the Westbury Facility; and

WHEREAS, this action has been classified a Type II action pursuant 6 NYCRR Section 617.5 (c)(20) and (c)(27), and therefore, no further SEQRA reviews is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with Omni Recycling of Westbury, Inc. for a term of one year beginning January 1, 2016 and ending December 31, 2016, for the acceptance of single stream recyclables, and on such other terms and conditions as may be acceptable to the Town Attorney.

FURTHER AUTHORIZES, the acceptance of TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS for all tons of single stream recyclables delivered to the Omni facility in Westbury for processing, to be deposited into revenue account SR 2651.

2015-556

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A LEASE RENEWAL AGREEMENT WITH SUFFOLK COUNTY OFFICE FOR THE AGING FOR A 2003 GENERAL MOTORS TWELVE PASSENGER VAN, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington provides various services to elderly residents of Huntington including transportation; and

WHEREAS, the Town of Huntington and Suffolk County Office for the Aging desire to enter a lease renewal agreement whereby the County will renew a lease for a 2003 General Motors twelve passenger van to the Town for a period from January 1, 2014 through December 31, 2018 and said lease may be extended for one or more successive periods not to exceed five years per extension; and

WHEREAS, the leasing of a van by the Town from the County of Suffolk is not an action as defined by 6 NYCRR Section 617.2 (b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to enter into a lease renewal agreement with the Suffolk County Office for the Aging and to execute any documents in connection therewith for a General Motors twelve passenger van for the sum of ONE NO/CENTS DOLLARS (\$1.00) and on such other terms and conditions as may be acceptable to the Town Attorney, 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.

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: December 8, 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 SUPERVISOR TO SUBMIT AN APPLICATION FOR AN ENTITLEMENT GRANT OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AND AUTHORIZING ALL ASSURANCES CONNECTED WITH SAID APPLICATION

Resolution for the Town Board Meeting dated: December 8, 2015

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington under the Federal Housing and Community Development Act of 1974, is eligible to receive an estimated NINE HUNDRED ONE THOUSAND TWO NINETY NINE AND 00/100 (\$901,299.00) DOLLARS in Entitlement Funds available for fiscal year 2016; and

WHEREAS, the Town Board of the Town of Huntington held a public hearing on the 5th day of November, 2015 concerning the planning of the said application (Second Year Annual Action Plan) to provide a forum for the citizens of the Town of Huntington to participate in the planning of said Application for the Entitlement Funds available for the fiscal year 2016; and

WHEREAS, the authorization for submission of an application for Community Development Block Grant funding is a type II action pursuant to 6 N.Y.C.R.R. section 617.5 (c) (20), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to submit an Application, as outlined in the attached Second Year Annual Action Plan 2016 (Budget), which is attached hereto and made a part hereof, on behalf of the Town of Huntington for an entitlement grant of Community Development Funds under the Housing and Community Development Act of 1974 and to execute any documents in connection therewith; and

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

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

2015-558

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.

2015-559

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH H2M ARCHITECTS + ENGINEERS TO PROVIDE ANNUAL ENGINEERING RETAINER SERVICES FOR 2016 FOR THE HUNTINGTON AND CENTERPORT SEWER DISTRICTS

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

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

WHEREAS, H2M Architects + Engineers has submitted proposals for annual engineering retainer services for the Huntington and Centerport Sewer Districts for 2016 and the Department of Environmental Waste Management has evaluated the proposals and found them acceptable; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an agreement with H2M Architects + Engineers P.C., 538 Broad Hollow Road, Melville, New York 11747 for annual engineering retainer services for 2015 for the Huntington and Centerport Sewer Districts for an amount not to exceed the sum of FORTY EIGHT THOUSAND EIGHT HUNDRED EIGHTY AND NO/100 (\$48,880.00) DOLLARS to be charged to Operating Budget Items SS1-8131.4550 (\$46,200.00) and SS2-8132.4550 (\$2,680.00) and upon such other terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-560

RESOLUTION AUTHORIZING THE EXECUTION OF A REQUIREMENTS CONTRACT FOR DISTRIBUTION SYSTEM MAINTENANCE, INSTALLATION AND EMERGENCY SERVICES WITH ALESSIO PIPE AND CONSTRUCTION CO., INC.

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the purpose of this project is to provide installation, emergency work for the water distribution system for the Dix Hills Water District; and

WHEREAS, sealed bids were received on November 24, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the requirements contract for annual contract for the distribution system maintenance, installation and emergency services for the Dix Hills Water District, Contract No. DHWD 15-05 and the same were opened publicly and read aloud; and

WHEREAS, Alessio Pipe and Construction Co., Inc., 102 Fairground Ave, Huntington Station, New York 11746 is the lowest responsive, responsible bidder; and

WHEREAS, the distribution system maintenance, installation and emergency services is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), (c)(2), (c)(11) and (c)(20) 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 Alessio Pipe and Construction Co., Inc. for the annual requirements contract for the distribution system maintenance, installation and emergency services for the Dix Hills Water District. The contract period shall be effective upon the execution of the contract for period ending October 31, 2016 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to SW18321-2778, 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 COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **SUPERVISOR PETRONE**

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 position:

A-1225-1100	Legislative Aide	\$3,218
DB-5130-1100	Auto Mechanic III	3,466
SW1-8321-1100	Water Treatment Operator	3,419

Adjust the following appropriations:

A-1990-1100	Contingency	(\$3,218)
DB-1990-1100	Contingency	(3,466)
SW1-1990-1100	Contingency	(3,419)

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.

AUTHORIZE THE COMPTROLLER TO AMEND THE 2015 CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICT- HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

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, funds would be appropriated from the Fund Balance without incurring any additional debt service payments for principal and interest and therefore be cost beneficial to the Town of Huntington taxpayers; and

WHEREAS, Suffolk County Water Authority has approved payment to the Town of Huntington, in lieu of paving, after installation of a water main; and

WHEREAS, the Town Board has approved use of partial reimbursement from SCWA for Highway road rehabilitation in the 2015 Adopted Capital Budget; and

WHEREAS, the funding of road rehabilitation and amending the Operating and Capital budget 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 Comptroller to amend the 2015 Operating and Capital Budget as follows:

Increase the following revenue:

DB1789-1789	Revenue Account	\$464,857.74
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Increase the following appropriations

HW5197-2776-FB502	Road Rehabilitation	\$464,857.74
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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 APPROPRIATE FUNDS FROM THE PARKS AND RECREATION CAPITAL IMPROVEMENT RESERVE FUND FOR THE PURPOSE OF FUNDING CAPITAL PROJECTS IN LIEU OF BONDING – DEPARTMENT OF GENERAL SERVICES

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

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

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

WHEREAS, the Town Board approved appropriated funds to be set aside for the purposes of Parks and Recreation Reserve in accordance with Section 6-c of General Municipal Law; 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, funds would be appropriated from the Parks and Recreation Capital Improvement Reserve Fund without incurring any additional debt service payments for principal and interest and therefore be cost beneficial to the Town of Huntington taxpayers; and

WHEREAS, the Town of Huntington currently owns and operates the Dix Hills Ice Rink, containing two slabs of ice that require eighteen to twenty-five cuts per day (open 24 hours); and

WHEREAS, the Town is currently down to one, thirty year old Zamboni that is passed its' life cycle and we are in need of a new reliable unit; and

WHEREAS, the new unit will be purchased from J&C Ice Technologies, Inc., the sole-source vendor for Zamboni ice resurfacers in the Northeast region for the amount of \$133,465.00; and

WHEREAS, this resolution is adopted subject to permissive referendum as set forth in Town Law Section 90 and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and

2015-564

WHEREAS, the funding of a Zamboni Ice Resurfacer in lieu of bonding and amending the 2015 Capital Budget 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 AUTHORIZES the Comptroller to amend the 2015 Capital Budget as follows:

Reserves to be appropriated:

A-0878 Parks and Recreation Capital Improvement Reserve \$133,500

Increase the following appropriations:

GS-7197 Zamboni \$133,500

BE IT FURTHER RESOLVED that this resolution is passed subject to a permissive referendum as set forth in Town Law, Section 90, and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and, the Town Clerk is hereby directed within 10 days of adoption of this resolution to post and publish a notice which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof and specifying that such resolution was adopted subject to a permissive referendum.

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.

2015-565

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

Resolution for Town Board Meeting Dated: December 8, 2015

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

Schedule A

Chapter 87, Section 81A of the Code of the Town of Huntington
Authorizing the Securing of a Pool Fence

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
14 Valmont Avenue Commack, NY 11725	0400-224.00-02.00-071.000	Charles M La Monica Carl V La Monica	11/24/2015	N/A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
14 Valmont Avenue Commack, NY 11725	0400-224.00-02.00-071.000	Charles M La Monica Carl V La Monica	11/24/2015	N/A

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>
14 Valmont Avenue Commack, NY 11725	0400-224.00-02.00-071.000	Charles M La Monica Carl V La Monica	11/24/2015	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>
18 Locust Place Huntington Station, NY 11746	0400-239.00-03.00-045.000	Stephanie Warren (Estate of)	09/21/2015	N/A

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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>
58 Rushmore Street Huntington Station, NY 11746	0400-240.00-01.00-101.000	Kristoffer Visconti Jennifer Visconti	10/19/2015	N/A
14 Valmont Avenue Commack, NY 11725	0400-224.00-02.00-071.000	Charles M La Monica Carl V La Monica	11/24/2015	N/A

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>
201 Lowndes Avenue Huntington Station, NY 11746	0400-140.00-03.00-069.000	Herbert Barbara Stone	11/17/2015	33 E Carver Street Huntington, NY 11743

RESOLUTION TO ACCEPT A DONATION OF A MEDIA SYSTEM FOR THE TOWN OF HUNTINGTON SENIOR NUTRITION CENTER

Resolution for Town Board Meeting dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington Senior Nutrition Center offers lunch, social activities, special events and entertainment for senior citizens; and

WHEREAS, the Huntington Senior Site Council oversees the needs of, and implements special projects for, the Town of Huntington Senior Nutrition Center; and

WHEREAS, the Huntington Senior Site Council is offering to donate to the Department of Human Services Senior Division's Senior Nutrition Center a new media system to include a home theater system with a 75" display, a 4 channel digital DVR, 2 HD cameras, 7 speakers, wires, frames and associated components, to be purchased from and installed by Rob Saltman Media Design and Installation; and

WHEREAS, the new media system will enrich the experience of the seniors at the Department of Human Services Senior Division's Senior Nutrition Center by providing enhanced viewing and listening for educational and entertainment purposes; and

WHEREAS, the acceptance of a donation is not an action pursuant to 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 a donation of a new media system from the Huntington Senior Site Council, and thanks them for their generosity.

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 Tracy A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015-567

RESOLUTION TO ACCEPT A DONATION OF ENTERTAINMENT AND BAKED GOODS FOR THE TOWN OF HUNTINGTON SENIOR NUTRITION CENTER

Resolution for Town Board Meeting dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington operates an Adult Day Care program which provides socialization, a nutritious lunch and various activities in a safe, nurturing environment for frail seniors; and

WHEREAS, the Colombo family desires to add to the special events celebrated at the Town of Huntington's Adult Day Care by providing an afternoon of entertainment by Steve Cassano and a sheet cake from a local bakery on November 4, 2015; and

WHEREAS, the Colombo family makes the aforementioned donation in the memory of their loved one, Marie Colombo, who enjoyed her later years at the Town's Adult Day Care until her death; and

WHEREAS, the acceptance of a donation is not an action pursuant to 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 a donation of entertainment and baked goods from the Colombo family, extends their sympathy for the loss of their loved one and thanks them for their generosity.

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 Tracy A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARD DULY ADOPTED

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

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Councilwoman Edwards

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

WHEREAS, the Town of Huntington will be hosting a luncheon honoring Seniors that have lived in the Town of Huntington for 50 and are 75 years and older at the Moose Lodge, 631 Pulaski Road, Greenlawn, on October 30, 2015; and

WHEREAS, 16 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, on behalf of the Town of Huntington for the Senior Reunion Luncheon 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.

2015-568

SCHEDULE "A"
SENIOR REUNION LUNCHEON OCTOBER 30, 2015
CONTRIBUTION ACKNOWLEDGEMENT LIST

RESTAURANTS

JONNY D'S PIZZERIA

91 Broadway
Greenlawn, New York 11740

2 trays of meatballs

SPUNTINO

687 Old Country Road
Dix Hills, New York 11746

2 Trays of meatballs

ALBERTS MANDARIN GOURMET

395 New York Ave
Huntington, New York 11743

4 tray of salad with ginger dressing
3 trays white rice

GIUSEPPE'S PIZZERIA

1727 New York Ave
Huntington Station, New York 11746

2 trays baked pasta

LA HACIENDA

1624 New York Ave
Huntington Station, New York 11746

1 tray meatballs 2 trays chicken marsala
1 tray baked ziti

PUMPERNICKELS

640 Main Street
Northport, New York 11768

2 trays of chicken marsala

WATERSIDE CATERERS

828 Route 25A
Northport, New York 11768

2 trays chicken marsala

DELI 51

51 Broadway
Greenlawn, New York 1170

1 tray of meatballs

HEALY'S INN

54 Broadway
Greenlawn, New York 11740

1 tray chicken marsala
1 tray salad

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LARKFIELD MANOR
507 Larkfield Road
East Northport, New York 11731

2 Trays chicken marsala

IMC MEAT COMPANY
279 Main Street
Huntington, New York 11743

2 Trays chicken Marsala

CRESTWOOD MANOR
1036 Fort Salonga Road
Fort Salonga, New York 11768

35 Table cloths and 250 napkins

PAESANO PIZZERIA
71 East Main Street
Huntington, New York 11743

2 Trays Baked Ziti

TIMOTHY'S PIZZERIA
10 Little Neck Road
Centerport, New York 11721

100 Garlic knots

BROADWAY PIZZA
60 Broadway
Greenlawn, New York

2 Trays Baked Ziti

OLD FIELDS RESTAURANT
81 Broadway
Greenlawn, New York 11740

Bread for 250 people

RESOLUTION ACCEPTING DONATION OF LANDSCAPING AND MAINTENANCE FROM GOLDBERG AND RODLER INC RE: MAINTENANCE OF TRIANGLE ON EAST MAIN STREET AND WASHINGTON DRIVE, HUNTINGTON, SPONSORED BY BOTTLES AND CASES AND BOTTLE BARGAINS

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN COOK**

WHEREAS, Goldberg and Rodler Inc, 216 E. Main Street, Huntington, NY 11743 has offered to provide landscaping and maintenance services for the area within the Triangle in the Town Right of way located at East Main Street and Washington Drive, Huntington NY 11743 as part of the Town of Huntington Beautification and maintenance process; and

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

NOW, THEREFORE,

THE TOWN BOARD, HEREBY ACCEPTS the donation of landscape planting and maintenance for the Triangle in the Town of Huntington located at Main Street and Washington Drive, Huntington NY 11743 from Goldberg and Rodler Inc, 216 E. Main Street, Huntington NY 11743, sponsored by Bottles and Cases and Bottle Bargains upon such terms and conditions as shall be acceptable to the Town Attorney and thanks them for their generosity.

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.

RESOLUTION ADOPTING THE MARINA CONTRACT FOR SPRING, SUMMER,
AND AUTUMN WET STORAGE AT TOWN MARINAS

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the marina contract for 2016 Spring, Summer, and Autumn Wet Storage requires approval; and

WHEREAS, the Harbors and Boating Advisory Council has recommended that Spring, Summer, and Autumn wet storage fees remain the same for the 2016 storage season; and

WHEREAS, adoption of the Marina Contract for Spring, Summer, and Autumn Wet Storage at Town Marinas is a Type II action pursuant to 6 NYCRR §617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD, upon the recommendation of the Department of Maritime Services and the Harbors and Boating Advisory Council,

HEREBY ADOPTS, the Marina Contract for Spring, Summer, and Autumn Wet Storage at Town Marinas for the 2016 season, as amended, attached hereto and made part of this resolution.

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 Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-570

TOWN OF HUNTINGTON
DEPARTMENT OF MARITIME SERVICES
2016 MARINA CONTRACT
PLEASURE BOATS ONLY

SCHEDULE A

TERMS AND CONDITIONS

1. The granting of berthing hereunder is from April 1, 2016 to October 31, 2016. User warrants that he owns the boat and has Marine Insurance Coverage. It is agreed between the Town and the User that no responsibility is assumed by the Town for injuries to any persons on Marina property, nor for the safety of any boat in the Marina area, or fire, theft, or damage to boat or equipment howsoever arising. The User shall save the Town and the Board of Trustees harmless from any such loss or damage and the Town of Huntington and the Board of Trustees shall be under no obligation to insure the User's boat, equipment or other property against any such loss or damage. The Town reserves the right to assume control of any vessel for protection of life and property as deemed necessary by the Department of Maritime Services of the Town of Huntington. The Town of Huntington hereby expressly reserves the exclusive right to assign or reassign a berth other than the berth specified herein. User hereby agrees to abide by same.
2. All boats occupying berths shall comply with the Federal, State, Town and Board of Underwriters regulations. Filling of gas tanks shall not be permitted at any Town Marina. The Department of Maritime Services shall have the exclusive right to determine if a vessel is seaworthy and suitable for placement in the Marina.
3. Berthing spaces are assigned to the User for a specified boat and are non-transferable. No other boat other than the one under contract may use the assigned berth. User shall be prohibited from subleasing or otherwise renting of berth. No boat occupying a Town Marina berth shall be used for chartering or for commercial purposes. Adequate lines for berthing shall be provided by boat owner and shall be replaced if, in the opinion of the Department of Maritime Services, such lines are inadequate or unsafe. Spring lines shall be a minimum of 3/8-inch nylon or equivalent. The bow and stern lines shall be of sufficient size as to safely berth boat.
4. The Owner of any vessel using the Marina shall be responsible for conduct of guests or persons visiting the boat. Swimming or fishing within Marina areas is strictly forbidden. No signs shall be placed on piers, parking areas or on any floats without prior permission. Service area floats shall not be utilized for more than fifteen (15) minutes, and no boats shall be stored or left on any float, bulkhead, parking field or in any of the Marina waters except as assigned. Boats including dinghies on davits must be tied in such a manner so that the float is clear at all times. Waterhose equipped with self-closing nozzles of the handgrip type shall be supplied by boat owner. Waste of water shall not be permitted.
5. The Town may cancel this agreement at any time and for any reason upon five (5) days written notice to the User at the address listed herein above.
6. (a) No garbage, oil, sludge, sewage or refuse matter of any kind shall be thrown, deposited, or permitted to fall from any boat using the Marina.
(b) Dumping of refuse overboard is prohibited. This includes, but is not limited to garbage, cans, bottles, paper products, dead fish, fish heads, or carcasses, and other substance or matter. Suitable containers are provided dockside, and shall be utilized for the above purpose.
(c) Swimming or fishing or cleaning of fish on floats, docks or within the Marina area is prohibited.
7. (a) Any boat in the area, that shall become a menace to navigation or unseaworthy or sinks, grounds, or otherwise becomes disabled or incapable of navigation, the determination of which shall be made exclusively by the Town of Huntington, shall be removed or restored to navigable condition by the User herein upon notice by the Town or its designated agent, which notice shall be made by regular mail and/or certified mail addressed to the User's last known address as given by him in this contract. (§120.17)*
(b) If such boat is not removed or restored to navigable condition by the said User within one (1) week of said notice, this contract shall terminate without any refund of fee and the Town, or its designated agent, may direct the removal of the boat, and the cost of said removal, including any and all charges as a result thereof, shall attach to, and become a lien upon, said boat, and said boat may be sold upon direction of the Town Board at public auction to defray said expenses, with any surplus being returned to the user of record. The Town and Board of Trustees shall not be liable for any damage done to said boat during its removal, storage and sale. Nothing contained in this section shall be construed to restrict or prohibit earlier action by the Department of Maritime Services, with or without notice to the owner, if, in the judgment of the Department, such boat severely impedes or severely restricts navigation, or is in such condition so as to cause immediate an/or serious danger to either the health, safety and/or welfare of the public or to property.
(c) Owners of boats which are not removed from the Town's marinas by October 31st, except those boats having a contract with the Town of Huntington for the same (identical) berth in the same marina for the immediately following winter storage season: 1) may be subject to a \$25.00 daily fee after October 31st, 2) user shall have their boat removed from the marina by the Town, and its designated agent may direct removal of the boat and the cost of said removal, including any and all charges as a result thereof, shall attach to, and shall become a lien upon said boat, and said boat may be sold upon direction of the Town Board at public auction to defray said expenses with any surplus therefrom being returned to the User of record. The Town or Board of Trustees

- shall not be liable for any damage done to said boat during its removal, storage and sale; 3) the User shall be prohibited from future participation in any Town of Huntington boat berthing or storage program.
8. The failure of the Town or Board of Trustees to insist upon a strict performance of the terms and conditions herein, shall not be deemed a waiver of any rights or remedies that the Town or Board of Trustees may have and shall not be deemed a waiver of any subsequent breach or default of the terms and conditions herein. This instrument may not be changed, modified, or altered orally.
 9. Provided the applicant has complied with the conditions set forth in this contract, Chapter 120 of the Town Code and the Marina Policy, the applicant shall have the option of renewal for the following season by depositing the non-refundable sum of \$250.00 with the Department of Maritime Services before the deadline date.
 10. Fees shall be payable on or before March 12th, or for late applicants, before the boat enters the Marina. No refunds will be made after March 15th.
 11. No boat shall be operated at a greater speed than five (5) miles per hour in the Marina, a channel or millpond. The term speed shall mean the speed of a boat measured in slack water in statute miles.
 12. Any violation of this contract, Chapter 120 of the Town Code or the Marina Policy may result in the revocation of berthing privileges and the forfeiture of any fees paid.
 13. Fees: seasonal fees are based upon length over all of boat at rate set forth by the Town Board. Boats with larger than normal beams will be charged at next higher category, i.e. 19' and under with beam in excess of 8' (eight feet) will be charged as 20' (twenty feet) boat.
 14. No change of berth may be made by User.
 15. No one shall, at any time during the term hereof, live aboard while the boat is in the Marina.
 16. Open flame fires, or grills or gasoline stoves are prohibited on boats, floats, or docks.
 17. All pets must be kept aboard boats. All pets being escorted to and from the boats must be on a suitable leash, at all times.
 18. Noise curfew is 11:00 PM to 7:00 AM. Halyards must be tied off. (§120-13)*
 19. Dinghies, canoes or portable sailing craft may not be used as play craft within the Marina or stored on floats. No part of boat or appurtenances shall overhang the floats.
 20. The Marina floats shall be open to Town of Huntington Users and their guests. In the absence of the User, no one shall be permitted to board a boat without prior written permission.
 21. All problems shall be immediately reported to the Department of Maritime Services.
 22. User shall be responsible for damage to other boats in the Marina or structures or facilities thereof, caused by User, or User's guest.
 23. Users shall have their PRINCIPAL RESIDENCE (domicile) in the Town of Huntington, before a contract may be issued by the Department of Maritime Services, and such proof as is deemed necessary shall be produced upon request prior to the issuance of such contract.
 24. The User shall be the owner of a boat that is registered in New York State, said boat shall be the boat described in this contract. If the boat is owned jointly, or by a partnership, all owners or members or partners shall have their principal residence (domicile) in the Town of Huntington.
 25. Boat owners warrant that his/her boat meets all Federal, State, and town laws with regard to marine toilet and sanitary facilities, and complies with all requirements of the NO DISCHARGE ZONE where applicable.
 26. Any boat or watercraft that shall occupy a berth in the Town of Huntington Marina shall be maintained in a safe and seaworthy condition.
 27. Berths must be occupied continuously. If a berth will be vacant for the season, the User must notify the Department of Maritime Services and provide, in writing, the reason why it will be vacant. Any berth that is vacated for one (1) full season must be occupied the following season by June 1st or else it will be deemed abandoned, thereby forfeiting any rights or privileges of the user of that berth. The berth will then revert back to the Town of Huntington for future disposition.
 28. No major repairs are to be made in the Marina either by the User or his agent, as to cause unreasonable inconveniences or bother other Users of the Marina.
 29. The identification decal must remain on your boat until the conclusion of the berthing season on October 31st.
 30. The Town and Board of Trustees have no duty or obligation to keep User's boat under surveillance at any time and the failure to maintain a guard or watchman shall not be deemed to constitute negligence on their part. User acknowledges that the Town of Huntington or Board of Trustees shall not provide any guard or watchman service during the term hereof. Nor shall the employment of such guard or watchman be deemed to create any obligation on the part of the Town and Board of Trustees for the care or safety of User's boat or the equipment thereon.
 31. Summer tenants may extend their season through the months of November and December at a rate set yearly by the Town Board. All rules, regulations, and policies for the summer season will be in full force and effect during this period. All summer tenants must have their request for winter and the fall extension prior to September 1st, if they want to remain in their summer berths.
 32. No person under ten (10) years of age shall be admitted to, or permitted in, a Town Marina unless accompanied by an adult who show full responsibility for the child's safety and conduct.
 33. A prorated refund will only be granted if the tenant has not used their berth for the season. There will be absolutely no refunds granted after June 30th.

2015-571

RESOLUTION TO APPOINT BORG & BORG, INC. AS THE BROKER OF RECORD FOR THE TOWN OF HUNTINGTON AND AUTHORIZE THE SUPERVISOR TO EXECUTE A CONTRACT TO PROVIDE INSURANCE BROKERAGE SERVICES WITH BORG & BORG, INC.

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: COUNCILWOMAN EDWARDS

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Town sought proposals from qualified insurance brokers to provide broker and consulting services for the Town's insurance needs and requirements for the Town's various properties, operations and organizations; and

WHEREAS, various types and levels of insurance are needed to protect the Town while meeting the enhanced level of operational service required in an efficient and cost effective manner; and

WHEREAS, sealed proposals were received on October 16, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, to provide insurance brokerage and consulting services for the Town of Huntington, RFP 2015-09-008 and the same were opened and read aloud; and

WHEREAS, all proposals were evaluated based on the established award criteria and interviews were conducted by a selection committee to further assess the level of service that proposers could provide; and

WHEREAS, based on the evaluation of the award criteria and the interviews conducted, the committee has determined that Borg & Borg, Inc., 148 East Main Street, Huntington, New York 11743-2909 is the best qualified proposer to meet the Town's insurance needs and requirements; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY APPOINTS Borg & Borg, Inc. as the broker of record for the Town of Huntington and authorizes them to obtain quotes, place insurance and advise the Town in insurance and risk management services as required or requested; and

2015-571

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection therewith, with Borg & Borg, Inc. for insurance brokerages services for the Town of Huntington. The contract period shall be effective upon the execution of the contract for a three (3) year term with an option to renew for two (2) additional one (1) year periods at the Town's discretion, for an amount not to exceed the sum of THIRTY THREE THOUSAND AND NO/100 (\$33,000.00) DOLLARS annually, to be charged to A1910-4150, 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 APPOINTING A MARRIAGE OFFICER FOR THE TOWN OF HUNTINGTON FOR THE PURPOSE OF SOLEMNIZING A MARRIAGE

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN EDWARDS, COUNCILMAN CUTHBERTSON, COUNCILMAN COOK**

WHEREAS, pursuant to Domestic Relations Law §11, the Town Board may appoint a Marriage Officer(s) to solemnize marriages in the Town of Huntington; and

WHEREAS, Councilwoman Susan A. Berland has been requested to act as a Marriage Officer for the purposes of solemnizing a marriage; and

WHEREAS, the appointment of a Marriage Officer 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 APPOINTS Councilwoman Susan A. Berland as a Marriage Officer for the Town of Huntington serving without salary or wage, from December 8, 2015 up to and including January 8, 2016 for the purpose of solemnizing a marriage.

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 A MEMBER TO THE TOWN OF HUNTINGTON CITIZENS
ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

Resolution for Town Board Meeting dated: December 8, 2015

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

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

WHEREAS, the appointment of an individual to an advisory board is not an action as defined by 6 N.Y.C.R.R. of 617.2(b) and therefore no SEQRA review is required; and

WHEREAS, the Town Board, upon the recommendation of the Citizens Advisory Committee for Persons with Disabilities,

NOW, HEREBY APPOINTS the following individual to a vacancy on the Town of Huntington Citizens Advisory Committee for Persons with Disabilities for a term to expire as indicated:

Jean Altieri
77 North Street
Huntington Station, New York 11746

Term Expires: 12/8/19

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 AND REAPPOINTING MEMBERS TO THE TOWN OF HUNTINGTON BEAUTIFICATION COUNCIL

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, The appointment of a member to the Huntington Beautification Council is not an action as defined by 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD UPON THE REQUEST OF THE BEAUTIFICATION COUNCIL,

HEREBY APPOINTS the following individuals to the Town of Huntington Beautification Council to fill a vacancy for a term to expire December 31, 2017:

Judith A. Werber
102 Folsom Avenue, Huntington Station, NY 11746

John E. Pryputniewicz
55 Briarfield Lane, Huntington, NY 11743

HEREBY REAPPOINTS the following individual's terms on the Town of Huntington Beautification Council :

Dr. William T. Walter
344 West Hills Road
Huntington, NY 11743

Expire: December 31, 2019

Pat Feder
36 Court Drive
Huntington Station, NY 11746

Expire: December 31, 2019

Sandra Prior
47 Shore Drive
Huntington, NY 11740

Expire: December 31, 2017

2015-574

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 TO APPROPRIATE FUNDING NECESSARY FOR ACQUISITION BY THE TOWN OF HUNTINGTON OF NEW YORK STATE DEPARTMENT OF TRANSPORTATION PROPERTY LOCATED IN HUNTINGTON STATION, NEW YORK NUNC PRO TUNC

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, on September 7, 2010 by resolution 2010-425 the Town Board memorialized a request to the State of New York to convey a 0.33-acre parcel of land located on the west side of New York Avenue in Huntington Station and identified as SCTM 0400-094.00-03.00-052.004 as recommended by the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee for the purpose of adding the property to the Town's existing Gateway Park; and

WHEREAS, the New York State Department of Transportation (NYSDOT) Real Estate Department informed Town staff that a use and occupancy agreement had to be processed prior to consideration of conveyance of the property and a survey was procured and a use and occupancy agreement was executed by the Supervisor as authorized by resolution 2010-425, and the Town has utilized the property since for park and community garden purposes, and

WHEREAS, the NYSDOT and the Town of Huntington are cooperating towards the transfer of fee title to the subject property from the State of New York to the Town of Huntington; and

WHEREAS, to accomplish said transfer, the Town of Huntington must meet the State's requirements for its transfer process, including, but not limited to: the preparation of a conveyance map, before and after appraisal, title insurance; the deed recording and related documents; and such other items and expenses as may be necessary to transfer fee title to the subject property in the Town of Huntington, and to convert said parcel to parkland; and an allocation not to exceed TEN THOUSAND AND XX/100 (\$10,000.00) DOLLARS to cover said acquisition costs, excluding customary closing expenses is recommended and the EOSPA Committee has supported use of EOSPA Program funding to add the subject site to the Gateway Park assemblage; and

WHEREAS, acquisition of the site for park use was classified as Unlisted pursuant to SEQRA, and the Town Board, as lead agency, issued a Negative Declaration on September 7, 2010;

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 an amount not to exceed TEN THOUSAND AND XX/100 (\$10,000.00) DOLLARS, excluding customary closing expenses, nunc pro tunc and charged to the appropriate capital budget account to cover such costs as may be incurred by the

2015-575

Town of Huntington in its acquisition of fee title to the subject premises, and its conversion of the subject premises to parkland.

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 APPROVING PUBLIC OFFICIAL BONDS

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the approval of public official bonds 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 TOWN BOARD, pursuant to the provisions of §25 of Town Law and §11 Public Officers Law,

HEREBY APPROVES the official undertakings of:

Jo-Ann Raia, Town Clerk of the Town of Huntington
Public Official Policy #58486075, effective December 31, 2015;

Ester Bivona, Receiver of Taxes for the Town of Huntington, nunc pro tunc
Public Official Policy #58477511, effective December 1, 2015.

HEREBY DIRECTS the Town Attorney to file said bonds with the Clerk of the County of Suffolk, Riverhead, New York.

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 CLARIFYING POTENTIAL TERMS OF SHARED TOWN-COUNTY ACQUISITION OF FARM DEVELOPMENT RIGHTS FOR TILDEN PROPERTY, GREENLAWN

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Councilman Cuthbertson, **SUPERVISOR PETRONE**

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

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee recommended that the Town Board pursue acquisition of farmland development rights with Suffolk County to preserve agricultural open space at the Tilden Farm in Greenlawn and on July 14, 2015 the Town Board scheduled and on August 11, 2015 held a public hearing pursuant to General Municipal Law §247.2, and

WHEREAS, the Tilden family nominated the farm for consideration by the Suffolk County Farm Committee and on October 1, 2015 the Suffolk County Farm Committee approved the application for recommendation of purchase of development rights (PDR) to the Suffolk County Legislature subject to conditions:

- 1) The approximate 0.5 acre onsite family cemetery will be cut out from the acquisition with access to a public road;
- 2) Prior to acquisition, the landowner shall remove all non-agricultural materials and debris on the property that were observed during a recent site inspection in addition to other items the landowner has stated will be removed (i.e., a truck body, an RV, a tractor covering, and a greenhouse frame);
- 3) Upon acquisition, the landowner shall merge three of the four contiguous lots (SCTM lot numbers 0400-107.00-03.00-006.001 p/o, 0400-107.00-03.00-008.000, and 0400-107.00-03.00-006.010) to create one large Farmland PDR parcel, in addition to the fourth parcel (SCTM lot number 0400-107.00-04.00-002.000);
- 4) The entire Farmland PDR property shall be engaged in commercial agricultural production and shall not lay fallow for more than two consecutive years in accordance with Chapter 8 of the Suffolk County Code, the Deed of Development Rights, and Contract of Sale; and
- 5) The Farmland PDR acquisition is contingent upon securing a 50/50 partnership with the Town of Huntington for the funding of the acquisition of Farmland Development Rights, and

WHEREAS, the owner indicated to the Suffolk County Farm Committee and to the Town Department of Planning and Environment that the conditions in their control could be met, and

WHEREAS, a clarifying resolution from the Town of Huntington responding to the County Farm Committee's conditions was requested by the County Department of Economic Development and Planning, and

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WHEREAS, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21) as it involves conducting studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and a SEQRA review will be completed by the Town Board prior to any authorization related to this project;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the County's conditions and pledges to split all costs 50% - 50% related to the potential acquisition of farmland development rights for the parcels identified above, comprising approximately 13.7 acres of the Tilden Farm, subject to an appraisal acceptable to the County and Town and to an offer acceptable to the seller, and

BE IT FURTHER

RESOLVED, the Town Board acknowledges and welcomes the possible shared 50% - 50% support of Suffolk County in acquiring farmland development rights at Tilden Farm.

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 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: December 8, 2015

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

and seconded by: **SUPERVISOR PETRONE, 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
12/08/15

2015-579 2015

TOH #	YEAR	MAKE	MODEL	VIN
Highway 43	1999	Ford	Explorer	1FTEF18L8VND27913
12	1997	Ford	F150	1FTEF18L8VND27913
106	1992	Ford	LN8000	1FDYR82AONVA32305

RESOLUTION REAPPOINTING A MEMBER TO THE TOWN OF HUNTINGTON
BOARD OF ETHICS AND FINANCIAL DISCLOSURE

Resolution for Town Board Meeting Dated: December 8, 2015

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

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the reappointment of a member to the Board of Ethics and Financial Disclosure is not an action as defined in 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD, pursuant to Chapter 29 of the Code of the Town of Huntington,

HEREBY REAPPOINTS the following individual to the Town of Huntington Board of Ethics and Financial Disclosure for a term to expire as indicated:

Term expires:

Edward William Billia, Ph.D.	12/31/2020
11 Stern Court	
Huntington, NY 11746	

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 RECOGNIZING CERTAIN ROADS WITHIN THE TOWN OF HUNTINGTON, HAVING BEEN USED AS PUBLIC HIGHWAYS FOR A PERIOD OF 10 YEARS OR MORE, AS PUBLIC HIGHWAYS BY USAGE PURSUANT TO HIGHWAY LAW §189.

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, 1st Street South, 7th Avenue East, 10th Avenue, Atlantic Place, Auburn Street, Catherine Street South, Commack Road Service Road West and East, Croton Court, Dalton Court, East 11th Street, East 20th Street, East Gate Drive, Elwood Road Service Rd, Enclave Court, Gregory Court, Hazard Street, High Hills Lane, Hillside Lane, Lewis Avenue, Madsen Lane, Margo Lane, Old Country Road Service Road, Park Circle, Pine Street, Soundview Drive, Spring Hollow Road, Suzanne Court, West Farm Drive, West Hills Place, West View Road, Yukon Court, 4th Street, Alma Lane, Bankside Drive North, Basill Lane, Bellerose Avenue, Blacksmith Lane, Brian Lane, Carley Avenue, Cather Avenue, Cherry Court, Cherry Street, Clare Drive, Commack Road East Service Rd, Cori Lane, Dean Court, Deposit Road, Service, East 25th Street, East 2nd Street, Edgewood Avenue, Elmay Place, Emerson Street, Evergreen Avenue, Fairfields Lane, Glades Way, Harley Avenue, Hemlock Avenue, Iceland Drive, Larkfield Road West Service Rd, Madsen Lane, Marshall Lane, Meath Avenue, Mill Dam Road, New Jersey Street, New York Avenue Service Roads East and West, Noel Court, Oakwood Road Service Rd, Preston Street, Pulaski Road Service Rd, Roe Street, Scott Street, Spruce Drive, Squire Avenue, Swathmore Lane, Thrush Court, Tollgate Drive, Thuxton Road, Valleywood Drive, Villanova Lane, Walters Avenue, Weeks Drive, Wintergreen Drive are streets that have been opened to the public and maintained by the Town of Huntington for over 10 years; and

WHEREAS, pursuant to Highway Law §189, "All lands which shall have been used by the public as a highway for the period of ten years or more, shall be a highway, with the same force and effect as if it had been duly laid out and recorded as a highway, and the Town Superintendent shall open all such highways..."; and

WHEREAS, the Superintendent of Highways consents to the designation of all of the streets named in this resolution as Town highways by Usage and agrees that such streets should be a part of the Town Highway System; 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

THE TOWN BOARD

HEREBY DESIGNATES 1st Street South, 7th Avenue East, 10th Avenue, Atlantic Place, Auburn Street, Catherine Street South, Commack Road Service Road West and East, Croton Court, Dalton Court, East 11th Street, East 20th Street, East Gate Drive, Elwood Road, Service, Enclave Court, Gregory Court, Hazard Street, High Hills Lane, Hillside Lane, Lewis Avenue, Madsen Lane, Margo Lane, Old Country Road Service Road, Park Circle, Pine Street, Soundview Drive, Spring Hollow Road, Suzanne Court, West Farm Drive, West Hills Place, West View Road, Yukon Court, 4th Street, Alma Lane, Bankside Drive North, Basill Lane, Bellerose Avenue, Blacksmith Lane, Brian Lane, Carley Avenue, Cather Avenue, Cherry Court, Cherry Street, Clare Drive, Commack Road East Service Rd, Cori Lane, Dean Court, Deposit Road, Service, East 25th Street, East 2nd Street, Edgewood Avenue, Elmay Place, Emerson Street, Evergreen Avenue, Fairfields Lane, Glades Way, Harley Avenue, Hemlock Avenue, Iceland Drive, Larkfield Road West Service Rd, Madsen Lane, Marshall Lane, Meath Avenue, Mill Dam Road, New Jersey Street, New York Avenue Service Roads East and West, Noel Court, Oakwood Road Service Rd, Preston Street, Pulaski Road Service Rd, Roe Street, Scott Street, Spruce Drive, Squire Avenue, Swathmore Lane, Thrush Court, Tollgate Drive, Thuxton Road, Valleywood Drive, Villanova Lane, Walters Avenue, Weeks Drive, Wintergreen Drive as Town Highways by Usage pursuant to Highway Law §189.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION RESCINDING THE AWARD OF A CONTRACT TO LISA MCQUILKIN LAND SURVEYING AND AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH L.K. McLEAN ASSOCIATES, P.C. FOR PROFESSIONAL SURVEYING SERVICES FOR TWO (2) TOWN OF HUNTINGTON PARKING LOTS

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILMAN COOK

WHEREAS, The Town of Huntington requires the services of a professional surveying firm to provide Property/Right-of-Way boundary surveys for the following two (2) Town of Huntington Parking Lots:

- New Street Parking Lot (bounded by New Street (to the east), Green Street (to the west), W. Carver Street (to the south), and an alleyway (to the north)
- Elm Street Parking Lot (bounded by Elm Street (to the south), Main Street (to the North), New York Avenue Route 110 (to the west), and Nassau road (to the east); and

WHEREAS, The Town Board authorized the Supervisor to execute an agreement with LISA MCQUILKIN LAND SURVEYING, however, LISA MCQUILKIN LAND SURVEYING declined to meet the terms and conditions of an agreement; and

WHEREAS, L.K. McLEAN ASSOCIATES, P.C. is the remaining proposer for the parking lot surveys to the Department of Engineering Services; and

WHEREAS, professional engineering/surveying services is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c) (2) and (c) (21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY RESCINDS THE AWARD OF A CONTRACT TO LISA MCQUILKIN LAND SURVEYING AND AUTHORIZES the Supervisor to execute an agreement with L.K. McLEAN ASSOCIATES, P.C., 437 South Country Road, Brookhaven, NY 11719 to provide professional Surveying services for two (2) Town of Huntington Parking Lots for an amount not to exceed SEVEN THOUSAND, ONE HUNDRED, AND NINETY dollars (\$7,190.00), to be charged to Budget No. A1440-4550, and authorizes the Director of Engineering to execute contract changes with an aggregate value up to 10% of the professional services contract, upon such other terms and conditions as may be acceptable to the Town Attorney.

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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.

2015-584

RESOLUTION TO SPONSOR AN INDOOR HOLIDAY DECORATING CONTEST
WITH THE LONG ISLANDER NEWS IN THE TOWN OF HUNTINGTON NEW
YORK

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Councilwoman Edwards and the Town of Huntington will sponsor an indoor holiday decorating contest where entries will be submitted starting on November 19, 2015 and ending on December 18, 2015 to the The Long Islander News and 5 winners will be chosen; and

WHEREAS, 5 winners will be chosen and awarded an Ornament commemorating their win for the year 2015; and

WHEREAS, the designation of a contest 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 sponsors an indoor holiday decorating contest from November 18- December 18, 2015 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.

RESOLUTION URGING THE COUNTIES OF NASSAU AND SUFFOLK TO BAN THE SALE OF BIOCIDAL FORMALDEHYDE AS AN ADDITIVE FOR USE IN VESSEL AND OTHER TEMPORARY HOLDING TANKS

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington has a long standing commitment to partnering with the Greater Huntington Council of Yacht and Boating Clubs (GHCYBC) to implement programs and enact legislation intended to improve on water quality; and

WHEREAS, the Town of Huntington owns and operates several pump-out facilities that collect marine vessel waste which is then treated at the Huntington Sewage Treatment Plant (HSTP), thereby decreasing the risk of vessel waste being discharged directly into local waterways; and

WHEREAS, the Town of Huntington, in furtherance of its efforts to encourage the proper and sanitary disposal of vessel holding tank waste, installed a new Marine Sewage Pump-out Station in Huntington Harbor that is connected directly to the Town of Huntington's HSTP; and

WHEREAS, the GHCYBC has raised the level of community awareness and concern over the fact that some vessel sanitary waste holding tank additives contain Biocidal Formaldehyde, a chemical that can adversely affect the HSTP and cause harmful environmental effects by eliminating good bacteria that is part of the HSTP treatment process; and

WHEREAS, this sense resolution is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD,

HEREBY URGES the County Legislators of the Counties of Nassau and Suffolk to enact legislation banning the sale of Biocidal Formaldehyde as an additive for use in vessel holding tanks and enabling the Nassau County Departments of Health and the Suffolk County Department of Health Services to adopt rules and regulations for the implementation of the prohibition on the sale of Biocidal Formaldehyde as an additive for use in vessel holding tanks; and

HEREBY DIRECTS the Huntington Town Clerk Jo-Ann Raia to forward certified copies of this resolution to Suffolk County Legislators William "Doc" Spencer, Steve

2015-585

Stern and Lou DeMaro, the Presiding Officer, Deputy Presiding Officer and Clerk of the Suffolk County Legislature and to the Presiding Officer, Deputy Presiding Officer and Clerk of the Nassau County Legislature.

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.

RESOLUTION DIRECTING THE PLANNING BOARD TO PREPARE AN AMENDMENT TO THE TOWN OF HUNTINGTON HORIZONS 2020 COMPREHENSIVE PLAN AND DIRECTING THE BOARD TO SUBMIT RECOMMENDATIONS WITH RESPECT TO SUCH AMENDMENT, RESCINDING A PORTION OF RESOLUTION NO.: 2015-537, RETAINING AN INDEPENDENT CONSULTANT, AND DIRECTING THAT CHANGE OF ZONE APPLICATION NO.: 2013-ZM-397 BE HELD IN ABEYANCE PENDING FURTHER RESOLUTION OF THE TOWN BOARD

Resolution for Town Board Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, on or about September 13, 2013, Syndicated Ventures, LLC, 536 Middle Neck Road, Great Neck, New York submitted application no.: 2013-ZM-397 for a change of zone from R-40 Residence District and C-6 General Business District to C-5 Planned Shopping Center District for property located on the northeast corner of Jericho Turnpike (NY Route 25) and Manor Road, Elwood, and designated as 0400-209-02-(003, 004.001, 005.006) on the Suffolk County Tax Map; and

WHEREAS the change of zone is required for the proposed construction of 486,380 square feet of commercial space, requiring the disturbance of more than 40 acres of land, and creation of parking for 1,929 vehicles on property listed on the Town's Open Space Index and adjacent to a County Park; and

WHEREAS by Resolution No.: 2014-462 on September 16, 2014, the Town Board classified the action as Type I and issued a Positive Declaration as it was found to have the potential to have significant adverse impacts on the environment and to be inconsistent with the Horizons 2020 Comprehensive Plan for the reasons set forth in the EAF Parts II and III adopted by the Board; and also directed that the Notice of Determination of Significance be filed, and that the applicant prepare a Draft Environmental Impact Statement (DEIS) in accordance with the SEQR regulations; and

WHEREAS, on September 1, 2015, Syndicated Ventures, LLC, requested that the Town Board, pursuant to Town Law §272-a, amend the Town of Huntington Horizons 2020 Comprehensive Plan so as to identify the subject property as suitable for mixed-use commercial development in accordance with the C-5 use regulations; and

WHEREAS, by Resolution No.: 2015-537 on November 5, 2015 the Town Board accepted the DEIS submitted by the applicant and scheduled simultaneous public hearings on the DEIS, change of zone application, and an amendment to the Horizons 2020 Comprehensive Plan; and

WHEREAS, upon further consideration and review, the Town Board desires to begin with the consideration of an amendment to the Comprehensive Plan; and

WHEREAS, the Town Board desires to retain the services of a consultant to review the traffic documentation and studies submitted by the applicant, and all other documentation relating to traffic as may be directed by the Director of Planning and Environment and the Planning Board, and to make recommendations in connection with same, at the applicant's own cost and expense, as set forth in this resolution; and

WHEREAS, these administrative steps are part of the review of the zone change application which received a Positive Declaration and is the subject of an active SEQR process, so they will not undergo a separate SEQR review, and the review is not required to be completed at this time;

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Planning Board to prepare an amendment to the Town Comprehensive Plan that would classify the subject property as appropriate for commercial use, and to submit its recommendations with respect to such proposed amendment to the Comprehensive Plan for full consideration by the Town Board, subject to whatever public hearings and other meetings the Planning Board deems necessary to assure full opportunity for public participation; and

HEREBY RESCINDS, Resolution No.: 2015-537 in its entirety, except for the portion that accepts the DEIS as complete, which shall remain in full force and effect; and

HEREBY HOLDS the consideration of the zone change application and the DEIS in abeyance until such time as the Planning Board has prepared a proposed amendment to the Comprehensive Plan and has submitted recommendations on the amendment for consideration by the Town Board, since those recommendations are necessary for the consideration of the overall land use proposal; and

HEREBY AUTHORIZES the retainer of Greenman-Pedersen Inc., 325 West Main Street, Building 1, Babylon, New York 11702, to review the traffic studies submitted by the applicant in connection with the change of zone and/or the proposed amendment to the Comprehensive Plan, and all other documents relating to traffic as deemed necessary by the Planning Director and/or Planning Board and make recommendations in connection with same, in conformance with the attached Scope of Work, in an amount not to exceed Thirty Thousand Five Hundred (\$30,500.00) Dollars, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY DIRECTS the applicant, as a condition of review, to deposit with the Department of Planning and Environment the sum of Thirty Thousand Five Hundred (\$30,500.00) Dollars, in cash or certified check made payable to the Town of Huntington, within twenty (20) days of the date of this Resolution, for deposit into a non-interest bearing trust and agency account maintained by the Town, to be utilized by the Town to

pay for such traffic services during the review process. Upon request, the applicant shall be provided with copies of invoices submitted to the Town for the work of said consultants and studies. In the event the sum initially deposited by the applicant is not sufficient and additional funds are necessary, the applicant shall pay such additional sums within twenty (20) days of the date on the written request for payment. After all reasonable charges have been paid to the consultant(s) by the Town, any balance remaining on deposit in the account shall be returned to the applicant. In the event an application is withdrawn at any stage by the applicant any unused portion of the monies shall be returned to the applicant; and

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

Increase the following appropriation:

B3310-4550 Outside Professional-Transportation & Traffic \$30,500.00

Increase the following revenue:

B2770-2770 Miscellaneous Revenue \$30,500.00

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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ENACTMENT: ADOPT 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: December 8, 2015

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

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, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on September 16, 2015; 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; 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 zone change 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, 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) 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, that the Town Board, having held a public hearing on the 5th day of November, 2015, to consider adopting Local Law Introductory Number 35-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from I-2 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), and due deliberation having been had

HEREBY ADOPTS

Local Law Introductory No. 35-2015, 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. 45 - 2015
 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 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,

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.

* * *

ENACTMENT: ADOPT 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: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

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, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on September 16, 2015; 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; 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 zone change 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, determines that the action will not have a significant effect

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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) 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, that the Town Board, having held a public hearing on the 5th day of November, 2015, to consider adopting Local Law Introductory Number 36-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-225-03-069, 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. 36-2015, 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. 7 - 2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

12-8-2015

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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 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,

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.

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ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 38-2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.
RE: MINETTA COURT, HUNTINGTON – STOP SIGNS

Resolution for Town Board Meeting dated: December 8, 2015

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 5th day of November, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 38-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 38-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW NO. 46 - 2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows

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UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
ADD:	Minetta Court	STOP	OF TRAVEL	<u>INTERSECTION OF:</u>
	(HUN)		NORTH	Carley Avenue

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.

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 DULY ADOPTED.

2015 - 591

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 39-2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: LAUREL ROAD, EAST NORTHPORT – PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD having held a public hearing on the 5th day of November, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 39-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 39-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW NO. 47 - 2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows

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UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Laurel Road/East From 60 feet north of Upland Drive north for 115 feet. (ENP)	No Parking	-----
ADD:	Laurel Road/East From 320 feet north of Upland Drive north for 110 feet. (ENP)	No Parking	-----

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.

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 DULY ADOPTED.

2015- 592

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 40-2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4 (PARKING FIELDS), ARTICLE I (USE REGULATIONS) AND SCHEDULE L (TOWN PARKING FIELDS)

Resolution for Town Board Meeting dated: December 8, 2015

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 5th day of November, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 40-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, ARTICLE I, and SCHEDULE L., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 40-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), Article I (Use Regulations), and Schedule "L" (Town Parking Fields); as follows:

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

LOCAL LAW NO. 48 – 2015

AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4 (PARKING FIELDS), ARTICLE I (USE REGULATIONS), AND SCHEDULE "L" (TOWN PARKING FIELDS).

Section 1. Amendment to Chapter 4 (Parking Fields), Article I (Use Regulations), §4-3 (Town Parking Fields) and Schedule "L" (Town Parking Fields) of the Uniform Traffic Code of the Town of Huntington; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

* * *

CHAPTER 4
(PARKING FIELDS)

2015- 592

ARTICLE I
(USE REGULATIONS)

* * *

§4-3. Town Parking Fields.

* * *

(C) Marina parking. In those Town parking fields designated in Schedule L as "marina parking," no vehicle shall be parked unless properly displaying a marina parking permit issued by the Department of Parks and Recreation except in designated public parking spaces located in the Woodbine Marina Town parking lot #45.

* * *

SCHEDULE "L"
(TOWN PARKING FIELDS)

§L-1. Town Parking Fields. In accordance with §TC 4-3, the areas described below are established as town parking fields and the parking, stopping and standing of vehicles in such lots shall be subject to the regulations and restrictions set forth in §TC 4-3 and any additional regulations or restrictions indicated below.

Lot No.	Location	Regulations/Time Limits
45	Woodbine Marina, west side of Woodbine Avenue (NPT)	Marina parking; <u>90 minutes as posted</u>

* * *

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman 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 41-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 117
(SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING AND DISPOSAL)

Resolution for Town Board Meeting dated: December 8, 2015

The following resolution was offered by: **Supervisor Petrone**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 5th day of November, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 41-2015, amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 41-2015 amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal), as follows:

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

LOCAL LAW NUMBER 49 - 2015

AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 117 (SOLID WASTE MANAGEMENT: COLLECTION,
RECYCLING AND DISPOSAL)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal), as follows:

CHAPTER 117
(SOLID WASTE MANAGEMENT: COLLECTION,
RECYCLING AND DISPOSAL)

§117-1. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

* * *

BATTERIES, REGULATED - Carbon-zinc, [alkaline,] lithium, nickel-cadmium and all other household rechargeable batteries, excluding sealed lead-acid batteries.

BULK ITEM - Residential solid waste which is larger than two (2) feet by two (2) feet by four (4) feet in any one of its dimensions or weighs more than fifty (50) pounds, [such as] including but not limited to mattresses, nonmetal furniture and rugs.

CONTAINER – Shall mean dumpsters, compactor units and roll-off containers collectively.

CONSTRUCTION AND DEMOLITION (C&D) DEBRIS - Uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads; and uncontaminated solid waste resulting from land clearing. Such waste includes, but is not limited to bricks, concrete and other masonry materials, soil, rock, wood (including painted, treated and coated wood and wood products), land clearing debris, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roof coverings, asphaltic pavement, glass, plastics that are not sealed in a manner that conceals other wastes, empty buckets ten gallons or less in size and having no more than one inch of residue remaining on the bottom, electrical wiring and components containing no hazardous liquids, and pipe and metals that are incidental to any of the above.

* * *

DEPARTMENT - The Department of Environmental Waste Management of the [town] Town.

DIRECTOR - The Director of the Department of Environmental Waste Management of the [town] Town.

DUMPSTER - A solid waste storage and collection container with a permanently attached cover used to hold two (2) to eight (8) yards of [for] putrescible or nonputrescible waste. Such container is usually placed at a business location for an extended period of time and emptied in place into a collection vehicle.

* * *

GLASS - All food and beverage containers composed of silica, soda ash and limestone, being transparent, translucent, green, blue or amber, but not including ceramics, china, light bulbs, [window panes] plate glass, oven-proof cookware or mirrors.

* * *

IMMEDIATE FAMILY – An individual’s spouse, parent, child or sibling.

MEDICAL WASTE, REGULATED (RMW) – [All infectious and noninfectious medical waste, including but not limited to surgical, pathological and biological waste.] Material generated in research, production and testing of biologicals or for health care purposes, including but not limited to infectious animal waste, human pathological waste, human

blood and blood products, needles and syringes (sharps) except for those used residentially for maintenance of chronic medical conditions, cultures and stocks (microbiological materials), and other biohazard waste such as materials contaminated with infectious agents such as the Ebola virus

* * *

NONPROCESSIBLE WASTE - Hazardous or regulated medical waste or that component of acceptable waste, including construction and demolition material, white goods, large items of machinery and equipment, liquid waste, sludges, regulated batteries, porcelain fixtures, and other material, the processing of which is likely to constitute a threat to health or safety or adversely affect the operation of the resource recovery facility or cause the violation of any applicable law or permit for said facility.

PROPERTY OWNER - [The person having legal title to property and also the person shown as the owner of the property on the current assessment rolls of the town.] The last known owner as set forth in the most current assessment roll of the Town, or the person-in-charge of the property.

* * *

PLASTIC - All household containers imprinted with resin code 1 through 7 (excluding styrofoam) used to contain [such] liquids [as] including but not limited to milk, juice, bleach, detergents, cleaners and automobile fluids.

* * *

RECEPTACLE - A waste storage and collection container which is durable, rust-resistant, nonabsorbent, watertight and capable of being tightly sealed with handles adequate for manual lifting .

RECYCLABLE ITEM - Any item normally discarded as solid waste that has the potential for reclamation or reuse and is designated as such by the Director for the purpose of waste stream reduction and/or resource conservation, including regulated batteries, cardboard, glass, metal cans, mixed paper, newspaper, plastic and any other item deemed recyclable by the Director.

* * *

RESOURCE RECOVERY FACILITY - The waste-to-energy facility and appurtenant structures located at or near 99 Town Line Road, [in] East Northport, New York. [in the town.]

ROLL-OFF CONTAINER - An open-top container used on a temporary or short-term basis for the collection of nonputrescible waste, including but not limited to construction and demolition material. Such container is typically loaded on a collection vehicle and transported to a transfer or disposal facility for processing or off-loading.

SOLID WASTE - All putrescible and nonputrescible materials or substances discarded or rejected as being spent, useless, worthless or in excess to the owner's at the time of such discharge or rejection, including but not limited to refuse, industrial and commercial waste, sludges from air or water control facilities, tires, contained gaseous material, construction and demolition material [and recyclable items], but not including sewage and other highly diluted water-carried materials or substances and those in noncontainerized gaseous form.

* * *

TOWN BOARD - The duly elected and constituted legislative body of the [town] Town.

* * *

WHITE GOODS - Metal household appliances [~~such as~~] including but not limited to stoves, refrigerators, washing machines and dishwashers or other large metal household waste items.

* * *

§117-2. License and[/or] permits required[; dates of issuance and expiration].

[A.] [Collection. It shall be unlawful for any person except the Town of Huntington or other municipal agency to operate, engage in, conduct or cause the operation of a business engaged in the collection of solid or liquid waste from the premises of any person or transporting such waste upon or across any street without having first obtained a license and permit(s) issued by the Town Clerk.]

[B.] [Permit required.]

[(1)] [A collection vehicle permit shall be affixed on the driver's side of the cab of each collection vehicle used by the licensee for collection in the town.]

[(2)] [A container permit shall be affixed to every dumpster, compactor unit and roll-off container used by the licensee for collection in the town. All container permits issued to a licensee shall be affixed by the licensee within two (2) weeks of receipt of the permits. A permit shall only be affixed provided the dumpster, compactor unit or roll-off container is in good condition, free from leakage and in working order and if the name and telephone number of the owner appears on two (2) opposite sides of the container in letters at least four (4) inches in height. All compactor units and roll-off containers shall have their permits affixed so that the permit is as close to the cab as possible on the driver's side of the vehicle transporting such containers. Upon the sale or transfer of a container, a permit issued to the new owner and the new owner's name and telephone number shall be affixed to the container prior to placing it in service.]

[(3)] [Any vehicle owned or operated by a landscaper, Suffolk County licensed electrician or home improvement contractor or Town of Huntington licensed plumber which is used to transport waste generated in the Town by the owner or operator's compensated activity shall have a permit affixed before entering a Town facility. The Town Clerk shall issue these permits and the Department shall establish rules and regulations thereto.]

[C.] [An owner or occupant may remove wastes generated on his premises without requiring a license or permit. It shall be a violation of this chapter for any person delivering waste to a Town facility to represent himself as an owner or occupant when said waste has been generated from a compensated activity.]

[D.] [Date of permit.]

~~[(1)] [New and renewal collection vehicle permits and container permits shall be effective as of January 1 of the year specified on the permit and shall expire on December 31 of that year, unless sooner suspended or revoked by the Town Board.]~~

[(2)] [A permit issued to a landscaper, Suffolk County licensed electrician or home improvement contractor or town-licensed plumber shall be effective as of the date of issuance and shall expire on that date of the succeeding year.]

(A) License. It shall be unlawful for any person to engage in or to permit, allow, or cause another to engage in the collection and/or disposal of solid or liquid waste, or to transport such waste across any street without benefit of a license issued by the Huntington Town Clerk, except that a property owner or lessee of property removing, disposing and/or transporting liquid or solid waste from his own property shall not require a license.

(B) Permits. The collection, disposal and transportation of solid or liquid waste shall require the following permits.

(1) Collection vehicle permit. It shall be unlawful for any person to permit, allow, or cause any vehicle under his control to be used for the collection or disposal of solid or liquid waste, or to be used for the transportation of such waste across any street without benefit of a permit having been issued by the Huntington Town Clerk, except that a property owner removing, disposing and/or transporting liquid or solid waste from his own property shall not require a permit. All permits shall be affixed to the front driver's side of such vehicles and be clearly visible at all times. Failure to affix the permit to the vehicle or to affix the permit in an improper fashion or location shall be a violation of this chapter; and

(2) Container permit.

(a) It shall be unlawful for any person to use, allow or cause another to use any dumpster, compactor unit, receptacle or roll-off container to collect, remove, dispose, hold, or contain solid waste without benefit of a permit having been issued for such container by the Huntington Town Clerk.

(b) A permit shall only be affixed provided the dumpster, compactor unit or roll-off container is in good condition, free from leakage and in working order and if the name and telephone number of the owner appears on two (2) opposite sides of the container in letters at least four (4) inches in height. All compactor units and roll-off containers shall have their permits affixed so that the permit is clearly visible and is as close to the cab as possible on the driver's side of the vehicle transporting such container. Upon the sale or transfer of a container, a permit issued to the new owner and the new owner's name and telephone number shall be affixed to the container prior to placing it in service. Failure to affix the permit to the container or to affix the permit in an improper fashion or location shall be a violation of this chapter; and

(C) Fraudulent practices. It shall be a violation of this chapter for any person, without a license and/or permit, delivering solid or liquid waste to a Town facility in furtherance of a business or commercial venture to represent himself as the property owner or lessee of property who generated the waste.

§117-3. Application for license; contents.

(A) All applications shall be filed in the Department of Waste Management on forms provided by the Director no later than November 15 of the year immediately preceding the year for which the license is requested. If November 15 falls on a weekend or a holiday, the deadline shall be automatically extended to the next business day. Any application for a renewal of a license filed after the deadline shall be subject to a late filing fee of \$100.00. All applications shall be verified under oath and contain by the following information: [Applicants for such license shall apply on a form provided by the Department. Every applicant for a license to collect solid waste in the Town shall be the owner or lessee of the vehicle or vehicle(s) to be used for such collection. Every person who desires to engage in or conduct the business of the collection of solid or liquid waste within the Town of Huntington shall file with the Department, not later than November 15, a completed application, verified under oath, containing the following statement:]

(1) Applicant information. The name, address, home telephone number, social security number, citizenship and date of birth of the applicant, if an individual and the person-in-charge of the waste collection business, if different, [specifying,] in the case of an[y] unincorporated association, the name, address, date of birth, home telephone number, social security number and citizenship of each member or associate thereof and, in the case of any corporation, the name, address, home telephone number, social security number, date of birth and citizenship of each officer or director and each stockholder owning more than twenty (20%) percent of the stock thereof. All business entities shall provide the Employer ID Number.

(2) Similar ventures. [The experience] Identify whether [of] the applicant, or each member or associate or partner thereof, if an unincorporated association or partnership, or each director and officer and stockholder owning more than twenty (20%) percent of the stock thereof, if a corporation, and their immediate families, currently holds an interest, either directly or indirectly, in any other business venture or entity which, either in whole or in part, collects, transports, or disposes of solid or liquid waste [in the business of collection and disposal of refuse and similar material].

(3) Prior convictions. Whether the applicant or a member or associate thereof, if an unincorporated association, or, if a corporation, any director or officer, and any stockholder owning twenty (20%) percent or more of the stock thereof has a record of a prior conviction or convictions within the past five (5) years of a felony or a crime which would now be classified as a Class A or Class B misdemeanor. Where there has been such a conviction or convictions, the applicant shall set forth in which court when, where, upon what charges and the sentence of the court, including the docket, index, indictment or file number in such court that imposed such conviction(s). If a certificate of relief from civil disabilities has been issued by a court of competent jurisdiction, the applicant shall submit a certified copy of same.

(4) Vehicle information. Every applicant for a license shall be the owner or lessee of all vehicles to be used for collection of solid or liquid waste. The applicant shall disclose [The] the number of collection vehicles to be [operated] utilized by the applicant and a description of each such vehicle, [including] the name and address of the owner of the vehicle, [ownership of the vehicle,] the make, model, and year, [model of chassis and] the body type, the cubic capacity, gross weight, color of vehicle, serial number, current registration and motor vehicle license plate number. [Each vehicle shall comply with §117-22 D or E.] In the event that a vehicle is not owned by the applicant, the name, address and telephone number of the owner is to be so stated, and, in the event that said owner is either an unincorporated association or a corporation, the owner shall be listed with the same detail as provided in [Subsection] (A)(1) of this section, and a copy of the lease agreement shall be provided.

(5) Storage location. A statement of the location of the storage area of the vehicles [referred to above] identified on the application.

(6) Operator information. The name, residence address, date of birth, gender and operator's or chauffeur's license number of [the] each person who [shall] will operate [such vehicle] or [shall] be assigned to work on [such] each vehicle identified on the application, together with all traffic infractions and violations for which there were convictions within three (3) years prior to application.

(7) Customer Service Schedule. A full and complete daily route sheet and pickup schedule, showing the customers to be serviced by the commercial carting applicant, in duplicate. [This information shall be submitted in duplicate.]

(8) Managing agent or official. The name, home address and telephone number, both day and night and cell number, of the [applicant] managing agent or the person in charge of the business.

[(9)] [Any other relevant information that the Director may require.]

(9) [(10)] Fingerprints and convictions. As part of the application process, all [All] applicants and members thereof, if an unincorporated association, or, if a corporation, each director or officer, and each stockholder owning twenty (20%) percent or more of the stock thereof, shall be fingerprinted through, and shall pay the cost for the services of, a New York State Division of Criminal Justice Service-approved statewide vendor-managed civil fingerprint capture system. In the case of a foreign corporation, directors or officers, and stockholders owning twenty (20%) percent or more of the stock who do not reside in the State of New York, shall not be required to submit fingerprints in compliance with this section, provided that with respect to such corporations there shall be fingerprints obtained from at least one responsible management official of the corporation who resides in the state and who oversees the operations for which the application is made. In the case of such foreign corporations, there shall be submitted an affidavit from each director or officer, and each stockholder owning twenty (20%) percent or more of the stock, stating whether they have been convicted of any:

* * *

[(11)] [In the event of any change in any of the information contained in the application, such information shall be forwarded and delivered to the Director within five (5) days after the same has been effected. Any false or misleading statements in any license application shall be grounds for invalidation of the license by the Town Clerk.]

(10) [(12)] In the event that any property[, real or personal,] of an[y] applicant [defined herein], whether real or personal, is either pledged or mortgaged, the name and address of the pledgee or mortgagee, and the amount pledged or mortgaged [are to be submitted] shall be disclosed.

(11) [(13)] [In the case of a foreign corporation, that the corporation is authorized to do business in the State of New York, in accordance with the requirements of the New York State Business Corporation Law.] The applicant shall produce the Certificate of Incorporation; or a Certificate of Assumed Name, if a general partnership or individual; Application for Authority and filed receipt of the Department of State if the applicant is a foreign corporation, as the case may be.

(12) Any other information or documentation requested by the Director or Town Clerk.

(B) Amendment to the Application. In the event there is a change in the information provided on the application, the applicant and/or licensee shall advise the Director in writing within five (5) calendar days of the change. Failure to notify the Director shall be deemed a violation of this Chapter. [Any person who maintains an up-to-date Suffolk

County home improvement or electrician's license may apply for a permit to deliver all acceptable waste to a Town facility. This permit shall be issued by the Town Clerk upon the presentation of a copy of the license, not the ID card, which shall be attached to the application.]

(C) False or misleading statements. Any false or misleading statements in any license application shall be grounds for invalidation of the license by the Huntington Town Clerk. [Upon proper presentation of proof, landscapers and town-licensed plumbers shall be issued a permit by the Town Clerk to deliver all acceptable waste to a Town facility.]

[D.] [Any license application submitted after the November 15 deadline shall be deemed a late filing and shall be subject to a late filing fee of one hundred (\$100.) dollars.]

* * *

§117-7. License and permit fees. All fees established in this chapter shall be non-refundable and paid by check made payable to the Huntington Town Clerk.

* * *

[(D)] [New permit. The fee for a permit to enter a Town facility for landscapers, Suffolk County licensed electricians and home improvement contractors and town-licensed plumbers shall be one hundred (\$100.) dollars for the first vehicle and fifty (\$50.) dollars for each additional vehicle.]

[(E)] [Substitute permit. As to those permit holders specified in Subsection D herein, the Town Clerk, upon the permit holder's presentation of proper proof and payment of a fee of fifty (\$50.) dollars, may issue a substitute permit in the event that the original permit is lost, destroyed or otherwise rendered illegible.]

[(F)] [Replacement permit. As to those permit holders specified in Subsection D herein, in the event that a permitted vehicle is replaced with another vehicle, the Town Clerk may issue a replacement permit for the replacement vehicle upon payment of a fee of fifty (\$50.) dollars.]

[(G)] [Any additional revenue derived herefrom shall be deposited into the designated revenue account in the Town of Huntington general fund to offset the cost of increasing enforcement by the Department of Environmental Waste Management in the Town of Huntington general fund.]

[(H)] [All references in this chapter to the Town Clerk solely indicate their status as Town licensing agent and all documents issued thereby shall be done so on the advice and recommendation of the Department of Environmental Waste Management.]

[(1)] [New license and permits fees provided for pursuant to § 117-7 shall be non-refundable.]

§117-8. Additional application requirements. At the time of application, the following documents and submissions shall be made. [Insurance; deposit. Prior to a license being issued by the Town Clerk, each applicant shall file with the Town Clerk the following:]

(A) Insurance. Proof of the following insurance coverage, consisting of a certificate of an insurance carrier naming the Town of Huntington as certificate holder and an additional insured:

- (1) Workers' compensation insurance.
- (2) Disability benefits insurance.
- (3) Automobile Liability Policy for [Bodily] bodily injury[, personal injury] and property damage [insurance; automobile insurance. The minimum limits should be] (with minimum limits of [one million (\$1,000,000.) dollars for each] \$1,000,000 per occurrence). [of bodily injury and property damage.] Coverage for owned, nonowned and hired vehicles shall be for the same limits [set forth herein].
- (4) General Liability and property damage (with a minimum limit of \$1,000,000 for each occurrence).

(B) Security deposit.

(1) Each applicant who obtains a charge account for solid waste from the Town shall submit a security deposit to the Town in the form of cash or surety bond in such form as may be acceptable to the [town] Town. In all instances, the [The] amount of the security deposit shall be determined by the Director. A cash deposit shall be no less than ten thousand (\$10,000.) dollars and shall be held by the Town in an interest-bearing account. [, and a] A surety bond shall be in an amount not [no] less than twenty-five thousand (\$25,000.) dollars, and shall be issued [from] by a bonding company authorized to do business in the State of New York with an AM Best rating of "A-" or better [, in such form as may be acceptable to the Town. The amount of the security deposit shall be determined by the Director].

* * *

(5) [(4)] Termination, revocation or surrender. The [security deposit] cash security and all accrued interest less payments due shall be returned to the licensee within ninety (90) [thirty (30)] days after termination, revocation or surrender of the license.

(4) [(5)] Financial exposure. In the event that the Director determines that a licensee's unpaid charges are in an amount which the Director reasonably believes exposes the Town to financial loss, the Director may immediately suspend the licensee's privileges and access to Town facilities. Upon payment by the licensee of amounts owed to the Town, including all late charges, together with sufficient security as may be determined

by the Director, the Director shall restore the licensee's privileges and access to Town facilities.

* * *

§117-12. Issuance of [L]license and permits; [issuance; transferal; surrender.] term of license; transfer; assignments; and surrender.

(A) Issuance of license. [If the Town Clerk shall find from the statements contained in a license application that the applicant is qualified and able to conduct the business of collection of solid waste and that said applicant complies with the provisions of this chapter and the rules and regulations as may be adopted hereunder, then the Town Clerk shall issue a license stating the name and address of the applicant and the date of issuance thereof. The Town Clerk shall also issue a collection vehicle permit for each authorized collection vehicle.] The Town Clerk, upon the recommendation of the Department of Waste Management that the applicant is qualified and able to conduct the business of solid and/or liquid waste disposal, and that based on the information on the application and submissions of the applicant, a license may be issued, shall issue such license and permits as requested by the applicant.

(B) Term of license and permits. All licenses and permits for vehicles and containers shall be effective as of January 1 of the year specified on the permit and shall expire on December 31 of that year, unless sooner suspended or revoked.

(C) Acceptance of license or permit. The acceptance of a license or permit shall constitute an agreement by the licensee that the business will be operated in compliance with the provisions of this chapter, the regulations of the Department and of all agencies having jurisdiction. A licensee who engages in the business, or causes the business to be operated in a manner that is not in compliance with the license or permit or applicable regulations shall be in violation of this chapter.

(D) [B] Non-transferability of license or permit.

(1) License. Any license issued pursuant to the provisions of this chapter shall not be transferred or assigned to any person nor used by any person other than the licensee to whom it was issued. Any person who transfers or assigns a license to another, or allows the license to be used by another, or uses the license issued to another shall be in violation of this chapter. In addition to any other penalty provided for herein, the license and all permits may be suspended or revoked.

(2) Permit. No person shall display or allow another to display, or use a permit on a vehicle or container other than on the vehicle or container for which the permit was issued. In such a case, the licensee to whom the permit was originally issued and the owner or person-in-charge of the vehicle or container, as the case may be, shall be deemed in violation of this chapter. In addition to any other penalty provided for herein, the license and all permits may be suspended or revoked.

(3) [C] Surrender. If a [permitted] collection vehicle is sold or transferred, or if a container is sold or decommissioned, such permit becomes null and void and the licensee must surrender the permit issued for such vehicle or container[held for it] to the Town Clerk within four (4) business days of the transfer, sale or date of decommission. Failure to surrender the permit or to do so on a timely basis shall be deemed a violation of this chapter.

(E) Alteration of license or permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a license or permit issued pursuant to this chapter. The licensee and the person who has possession of the altered document shall be liable for a violation of this chapter. In addition to any other penalty provided for herein, the license and all permits may be suspended or revoked.

* * *

§117-14. Markings and identification on collection vehicles, roll-off containers and dumpsters.

(A) Each permitted collection vehicle, roll-off container or dumpster shall have painted or otherwise permanently affixed on the outside of each door of the cab, or side of the roll-off container or dumpster, the name and telephone number of the licensee, in letters not less than [two (2)] four (4) inches in height. This section shall not apply to substitute collection vehicles which display proof of authorized use as provided in § 117-11.

* * *

§117-17. Suspension, [and] revocation or denial of license or permit; hearing.

(A) Suspension or revocation. Any license issued hereunder may be suspended or revoked after a hearing [by the Town Clerk] if the licensee, or such member, associate, partner, [or any] director, officer, [or] agent thereof, or [any] stockholder of the licensee owning twenty (20%) percent or more of the licensee's corporation [thereof shall be] is:

(1) Convicted of a violation of any provision of this chapter of the Code, including but not limited to the failure to maintain the scheduled collection according to a Town contract, or making a false statement or misrepresentation in the application to the Town, or made in the course of conducting the licensed business; or

* * *

(4) The maintenance or operation of the licensee's business creates a public nuisance or hazard, or threatens the life, welfare or safety of persons or property, in the opinion of the Town; or

(5) Notwithstanding any other provision to the contrary, the Director may suspend a license in accordance with §117-8(B)(4) and §117-28(C)(2).

(B) Hearing officer. It is the intention of the Town Board to protect the legal rights of the public by insuring every applicant under this chapter receives fair and expeditious due process by providing for an administrative hearing officer to alternatively preside over license suspension and application denial hearings. In order to accomplish this goal, the Town Board is exercising its authority under §10(1)(ii)(a)(12) and §10(1)(ii)(d)(3) of the Municipal Home Rule Law, §136(1) and §137 of the Town Law and any other applicable provision of law now or hereafter enacted, to supersede and/or expand upon the applicable provisions of § 137 of the Town Law, and any other applicable or successor law, in order to [permit] authorize an appointed administrative hearing officer to preside over [license suspension and application denial appeal hearings] appeals from the denial, suspension or revocation of licenses and permits.

(C) Hearings. Whenever the Town Clerk makes a determination to deny, or seeks to suspend or revoke a license[, certificate] or permit, or the license is suspended by the Director under §117-8(B)(4) or §117-28(C)(2) [pursuant to § 117-4 or 117-17A] the applicant or licensee, as the case may be, shall be given written notice of the reason for such action and[,] an opportunity to appear before the Town Board or a duly appointed hearing officer and present evidence in his own behalf. [shall be scheduled in accordance with this chapter. The hearings shall be held as follows:]

* * *

§117-18. [Routes to Town solid waste facility.] Reserved.

[The Director shall have the right to route any and all vehicles to and from any Town solid waste facility; and it shall be unlawful for any vehicle to use any route which shall not have been authorized by the Director.]

§117-19. [Powers of Director; approval of regulations.] Authority of Director.

(1) The Director, or [their] his designee, shall be authorized to establish such rules and regulations as he deems necessary for the day to day operation and maintenance of the Town solid or liquid waste disposal facilities and users thereof, subject to the rules and regulations promulgated by the Huntington Town Board. Any person who violates the rules and regulations established for the facilities shall be deemed in violation of this chapter; and [govern the complete operation and usage of any Town solid waste facility and the operation and usage of all vehicles entering, leaving and conducting any activity upon or with respect to said solid waste facility; and the Director, or their designee, shall make such rules and regulations as they shall see fit concerning the same. The regulations annexed hereto are approved.]

(2) The Director is authorized to establish the routes for users of the Town's solid and liquid waste disposal facilities, and it shall be a violation of this chapter for any person to deviate from or disregard, in whole or in part, the routes established by the Director; and

(3) No person shall fail, refuse or neglect to obey any reasonable request or order of the Director or his designee. Any person who fails to comply with such directives shall be deemed in violation of this chapter and subject to the penalties thereof.

* * *

§117-21. Standards for storage of waste. Any person who violates any of the following regulations shall be deemed to be in violation of this chapter.

(A) Storage of residential solid waste prior to collection.

(1) It shall be the responsibility of the property owner, tenant or occupant of a residential property to provide receptacles of sufficient capacity to contain the solid waste ordinarily generated on that property during ninety-six (96) consecutive hours. The receptacles shall be kept closed and maintained in good and sanitary condition by periodic cleaning, and, when filled, each receptacle shall not exceed fifty (50) pounds in total weight or [thirty-nine (39)] forty-two (42) gallons in volume. Said receptacles shall be placed for collection in an accessible area adjacent to the curb immediately in front of the property no earlier than 6:00 p.m. the day before the day of collection and removed no later than 12:00 p.m. the day after the day of collection to a location to the rear of the front line of the main dwelling.

* * *

(3) No more than six (6) receptacles, bags or bundles in combination, exclusive of yard waste and bulk items, may be placed for any one collection. Any owner, tenant or occupant of a residential property who places for collection any waste not generated on that property shall be in violation of this chapter.

* * *

(5) Yard waste shall be kept separate and apart from other waste when placed for collection. It shall be unlawful to commingle or cause to be commingled yard waste with other solid waste. All yard waste that is not securely bundled as described in Subsection A(2) of this section shall be placed for collection in uncovered receptacles or [transparent] plastic bags only. Grass clippings, vegetative debris with attached root balls, stumps, or limbs exceeding six (6) inches in diameter are prohibited from scheduled residential collection [shall not be placed for regularly scheduled collections].

(6) On the second pick-up date of the week, no more than four (4) bulk items shall be placed for collection on residential parcels receiving curbside collection from the Town or its designated contractors.

* * *

(C) Storage of commercial or industrial solid waste prior to collection.

(1) All commercial establishments shall provide for storage of waste on site. Any owner, user or occupant of commercially or industrially zoned or utilized property who removes any acceptable waste generated on that property and does not deliver it or have it delivered directly to a licensed transfer station or solid waste disposal [Town] facility shall be in violation of this chapter.

(2) Any owner, user or occupant of commercially or industrially zoned or utilized property in the Town having evening manual collection of solid waste shall place such waste at the curb or on the sidewalk in front of or abutting the subject premises no earlier than 4:00 p.m. nor later than 4:45 p.m. on any regularly scheduled collection day.

* * *

§117-23. Residential source separation.

* * *

(B) Collection of recyclable items shall occur once each week, except on weeks containing a holiday, at the discretion of the Director. Cardboard, mixed paper, newspapers, glass, metal cans and plastic may be commingled for collection. Collection days shall be designated in a schedule advertised by the Town. No collection of recyclables shall be made earlier than [6:00] 5:00 a.m.

(C) Residents receiving curbside collection service shall separate and place for collection their recyclable items in accordance with the provisions set forth in [§117-21B] §117-21(B).

§117-24. Commercial source separation.

* * *

(E) The Director shall from time to time publish a list of designated recyclable items for which economic markets exist. [pursuant to Subsection B of this section. The effective date for separation of such] Separation of newly designated recyclable items shall [be] become mandatory sixty (60) days after publication of [said] the list in the official newspaper of the Town or on the Town's website.

§117-25. Unacceptable waste.

It shall be unlawful for any licensee to collect and any person to place for collection, for delivery to a Town facility any hazardous waste, regulated medical waste, regulated batteries, mixed loads of construction and demolition material, cow or horse manure, or electronic waste pursuant to § 27-2611 of the Environmental Conservation Law, except

that household hazardous waste and electronic waste may be deposited for collection and recycling where designated at the Town's Recycling Center.

* * *

§117-27. Regulations on use of Town facilities.

* * *

(E) Prohibited materials. It shall be unlawful to deliver or to cause the following materials to be delivered [delivery of the following materials] to a Town facility under any circumstances:

* * *

(2) Hazardous or regulated medical waste.

* * *

§117-28. Fees for use of Town facilities.

* * *

(B) Exemptions:

(2) The fee for spot market waste and/or waste not generated within the Town which is delivered to the resource recovery facility to satisfy fuel inventory requirements shall be subject to prevailing local waste disposal market conditions, as determined from time to time by the Director or his/her designee. [, with available] Available disposal capacity shall be [being] first offered to the [spot market] waste hauler(s) paying the highest per-ton fee, and the remaining disposal capacity shall be offered successively to each such hauler paying the next-highest per-ton fee, until fuel inventory requirements are satisfied. The Director, or his/her designee, shall determine from time to time the interval with which to calculate fuel inventory requirements. All haulers delivering spot market waste or waste not generated within the Town to the resource recovery facility shall submit a [payment] security deposit to the Town as set forth in [§117-8B] §117-8 (B).

(C) Late payment charges.

* * *

(2) In the event a licensee fails to make full payment for any charges within ninety (90) days of the initial billing date, the Director shall suspend the licensee's license. In addition, the licensee shall be subject to all other penalties, including late charges, provided for in this chapter until the full amount due is paid in full.

ENACTMENT ADOPT LOCAL LAW INTRODUCTORY NO.44-2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS)

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

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

THE TOWN BOARD, having held a public hearing on the 8th day of December, 2015 at 7:00 pm to consider adopting Local Law Introductory No. 44-2015, amending the Code of the Town of Huntington, Chapter 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS) and after due deliberation having been had,

HEREBY ADOPTS,

Local Law Introductory No. 44-2015, amending the Code of the Town of Huntington, Chapter 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS), as follows:

LOCAL LAW NO. 50 - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE III (RESIDENCE DISTRICTS)

* * *

CHAPTER 198
ZONING

ARTICLE III
RESIDENCE DISTRICTS

§198-13. R-80 Residence District.

* * *

- I. Affordable housing requirement.** Every residential subdivision of land or site plan that results from an applicant-initiated zone change, resulting in an intensification over the original zoning, that occurs after the enactment of this subsection of the zoning code, shall comply with the requirements herein to provide affordable housing as a condition of the change of zone. These requirements shall apply to the R-5, R-7, R-10, R-15, R-20, R-40, R-80, R-3M and R-RM Districts and any other residence district(s) that may be adopted by the Town Board in the future. This subsection shall also apply to any commercial district that may, upon the enactment of this subsection or in the future, permit residential development. (Note: The words "subdivision" and "site-plan" shall be used interchangeably when the development results in residential units.)

(1) Applicability.

- (a) Affordable housing.** The provisions of this section, known as the Affordable Housing Law, shall apply to the subdivision, re-subdivision or development of land (site plans) in all zoning districts where five (5) or more residential lots or dwelling units are proposed, and where the land has been the subject of an applicant-initiated zone change which has resulted in an increase in the lot yield or density allowance.

[Added 12-12-2000 by L.L. No. 37-2000; amended 11-20-2001 by L.L. No. 19-2001; 5-24-2005 by L.L. No. 21-2005; 3-9-2010 by L.L. No. 5-2010]

(1) Affordable Housing Yield.

- (a)** Where an increase in lot yield or density results from an applicant-initiated change of zone, and five (5) or more residential lots or dwelling units are proposed for development, an applicant shall be required to set-aside and establish, as a condition of the zone change, affordable housing equal to twenty (20%) percent of the increase in lot yield or density (owner-occupied or rental units). In the event the number of units to be established results in a fraction of a unit, the applicant shall pay an amount equal to that fraction multiplied by the fee set forth in § 198-13(I)(1)(d).
- (b) Calculation.** The number of affordable dwelling units to be provided shall be determined by the Planning Board as part of the review and approval process. Applicants shall provide a fully conforming yield study for the subject property, as it would appear before the zone change took place, showing road configuration and park set-aside, drainage and grading, wetlands, steep slopes, and other required features. In addition, the applicant shall provide a fully conforming yield study at the property's new zoning classification, containing the same features for the Planning Board's consideration. The difference in the number of lots or residential units shown in the two maps or plans, shall be the number upon which the twenty (20%) percent shall be assessed.
- (c) Fulfillment of Requirements.** The applicant shall provide at least seventy-five (75%) percent of the required affordable housing on site, unless the applicant proposes and the Planning Board finds, in its discretion after applying planning principles, that the location of such housing is better suited off-site, and provided further that the property proposed for development of off-site affordable housing is (1) located within the same school district as the subject property; and (2) is zoned so as to yield the same or greater yield of affordable housing than would have been attained on the original site.

- (d)** In lieu of providing the remaining twenty-five (25%) percent of the affordable units, the applicant may pay over to the Town of Huntington Affordable Housing Trust and Agency Fund the amounts shown below. The Affordable Housing Advisory Board may recommend increases in the amounts payable from time to time, and such increases may be instituted as approved by the Town Board. The Planning Board shall specify the amount to be paid in any resolution granting conditional final approval of a subdivision, re-subdivision or site plan, and the amount shall be paid in full prior to the signing of a map or plan by the Director.
- (i)** One Hundred Thousand (\$100,000) Dollars per lot/dwelling in the R-5, R-7, R-10, R-15, R-3M and R-RM Zoning Districts.
- (ii)** One Hundred Seventy-Five Thousand (\$175,000) Dollars per lot/dwelling in the R-20 Zoning District.
- (iii)** Two Hundred Twenty-Five Thousand (\$225,000) Dollars per lot/dwelling in the R-40 Zoning District.
- (iv)** The amount payable in non-residential zoning districts where residential development is permitted, or in any newly-created zoning district containing a residential component shall be the same as in the zoning classification which has the closest yield.
- (2)** Affordable Housing Board. An Affordable Housing Advisory Board is created [for the purpose of administering] to make recommendations to the Town Board with respect to the administration of this fund in accordance with rules and regulations recommended by the Advisory Board and approved by the Town Board.
- (a)** The funds held in the Affordable Housing Trust and Agency Fund shall be used to finance affordable housing administration and initiatives that increase the number of available affordable units, including but not limited to renovation to existing homes, down payment assistance, purchase of land, construction of affordable homes, purchase of homes, rent assistance, sewer district extension or connection, mortgage assistance, purchase subsidies, and planning studies to identify and implement housing initiatives.
- (b)** Management of the Affordable Housing Trust and Agency Fund.
- (i)** [No] Expenditures shall be made from these funds [except] upon the specific authorization of the Town Board [and] or based on the recommendations of the Affordable Housing Advisory Board. The Affordable Housing Advisory Board shall develop criteria for the expenditure of funds deposited in the Affordable Housing Trust and Agency Fund and shall submit same to Town Board for approval. Thereafter, the Advisory Board shall make recommendations to the Town Board based on the approved criteria.
- (ii)** Membership. The Town Board shall appoint members to the Affordable Housing Advisory Board, and a Chairperson thereto none of whom shall be Town or Community Development Agency employees. The Affordable Housing Advisory Board shall be comprised of thirteen (13) voting members who shall serve without compensation. Each Town Board member shall appoint one (1) individual whose term of office shall coincide with that of the sponsoring Town Board Member. The Town Board shall select five (5) persons from among the member organizations of the Huntington Township Housing Coalition whose term of office shall be staggered as follows: one (1) individual to serve for a one-year term, two (2) individuals to serve for a two-year term and two (2) individuals to serve for a three-year term. Thereafter each member appointed shall serve for a term of three (3) years. The Town Board shall appoint three (3) additional persons, who shall be representatives of the various school districts within the Town and who shall

be selected by the Town Board, at large, and who shall serve for a term of three (3) years. In addition, the Director of the Huntington Community Development Agency or their designee; the Director of the Planning Department or their designee; and the Town Attorney or their designee shall serve as ex-officio, nonvoting members.

- (3) Conditions of the Change of Zone.** The following shall be established conditions of the change of zone, whether or not specifically incorporated in the town board resolution granting such change of zone:
- (a)** Unless approved by the Town Board, the affordable housing shall not be age-restricted except in the R-RM Retirement Community District.
 - (b)** Fifty (50%) percent of the non-age restricted units shall have two (2) or more bedrooms.
 - (c)** Once a certificate of occupancy is issued, the affordable housing units shall not be expanded (made larger) except as may be permitted by the Zoning Board of Appeals pursuant to criteria established by the Town Board, based on the recommendations of the Affordable Housing Advisory Board.
 - (d)** To maintain a consistent streetscape, affordable housing units may not stand out by their location or appearance as determined by the Planning Board, and shall be distributed among market rate housing.
 - (e)** Builder's extras shall not be permitted in affordable housing units.
 - (f)** Handicapped accessibility shall be addressed during the site plan or building permit review process.
 - (g) Covenants and Restrictions.** To insure continued compliance with this legislation, and as a condition of the change of zone, all affordable units shall be subject to covenants and restrictions that run with the land, and restrict the sale, resale and rental of such units in accordance with the requirements of the District. The covenants shall contain other restrictions established by the Town Board on the rezone. 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 local law will be filed. A copy of the recorded instrument shall be submitted to the Planning Board as part of any application for site plan, subdivision or re-subdivision approval for the property, and shall be noted on the map or plan signed by the Director. All deeds transferring title to affordable units shall contain a reference to the Liber and Page of the recorded covenants and restrictions.
- (4) Building permits and other approvals.** Affordable units shall be developed in advance of or at the same time as market value units as provided herein. The Planning Board may impose such restrictive covenants to aid in the enforcement of this section as it may deem advisable.
- (a)** Off-site units. No certificate of occupancy may be issued for any unit located on-site until certificates of occupancy for all off-site affordable housing units have been issued.
 - (b)** On-site units. In order to ensure that on-site affordable housing is developed in a timely fashion, for every one certificate of occupancy issued for an affordable unit, the Town may release up to seven (7) certificates of occupancy for market-value units.
- (5) Sale, Resale and Rental of Affordable Units.** The Community Development Agency shall monitor the sale, resale and rental of all affordable units for compliance with the

Affordable Housing Law. All contracts of sale and lease agreements shall be provided by the Community Development Agency, and shall not be amended except as authorized by the Director. The Director may pre-approve the developer's standard contract of sale and lease agreement in advance.

- (a) Initial Sales Price.** The initial sale price of each newly-created affordable unit shall be calculated based upon the median family income for a family of four (4) at the time of the contract of sale, as follows:
- (i)** For developments requiring the construction of only one (1) affordable unit, the initial sale price of the unit shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5.
- (ii)** For developments in which more than one (1) affordable unit is required, the initial sale price of half the units shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5. If the developer can demonstrate to the satisfaction of the Director of Community Development sufficient justification for the construction of one (1) or more units containing additional square footage, such as additional bedrooms over the number required, the initial sale price of such units shall be one hundred twenty (120%) percent of the median family income multiplied by 2.5. In no event shall these larger units comprise more than half of the number of affordable units. In the event an odd number of affordable units is required, the initial sale price of the additional unit shall be an amount equal to eighty (80%) percent of the median family income multiplied by 2.5.
- (b) Resale of Affordable Units.**
- (i)** Ownership of affordable units may not be transferred by will, devise, intestacy, gift, purchase on the open market, or otherwise, except that an affordable unit may be conveyed by its owner to a trust, provided that the owner is a beneficiary of the trust and the terms of the trust require that the trustee, within one-hundred and twenty (120) days of the date of the beneficiary's death, or the date when the unit is no longer being used as the beneficiary's primary residence, notify the affordable housing program administrator and offer the unit for sale to the next eligible applicant. Prior to conveying an affordable unit to a trust, a copy of the trust instrument shall be provided to, and approved by, the Director. Title may also be transferred to a court-appointed referee in mortgage foreclosure proceedings provided the unit is offered for sale and transferred to the next eligible applicant in accordance with the provisions of this legislation, and a copy of the Order of Reference and Order of Sale is provided to the Director.
- (ii)** All purchasers must be [pre-]approved by the Community Development Agency and taken from a waiting list maintained by the Agency. Any individual interested in selling an affordable unit must notify the Community Development Agency in writing that the unit is for sale, and the Community Development Agency shall notify the prospective seller of the next qualified applicant in the order of their appearance on the list maintained by the Agency, until a qualified purchaser has agreed to purchase the available unit.
- (iii)** Resale prices shall be restricted and calculated in accordance with the applicable percentage set forth in § 198-13(I)(5)(a)(i) using the median family income for a family of four (4) in effect at the time of the execution of the contract of sale, multiplied by 2.5. Notwithstanding any other provision to the contrary, the resale price of an affordable unit may be increased by an amount not to exceed fifty (50%) percent of the documented

capital improvements made by the seller, as approved by the Director, up to a maximum amount of ten thousand (\$10,000.) dollars.

(iv) Prior to closing, a copy of the executed Contract of Sale shall be provided to the Community Development Agency along with an executed and sworn affidavit by the Seller and Purchaser, attesting that the Contract of Sale is true and accurate, that there are no other agreements between the Seller and Purchaser, and that the Purchaser has not and will not pay any amounts to the Seller which are not reflected in the Contract of Sale.

(c) Rental Units.

(i) Rental Unit Developments. In developments where the units are specifically approved for rental, the monthly rental price shall be no greater than eighty (80%) percent of the HUD Fair Market Rental Value for Nassau-Suffolk County in effect at the time of the execution of the lease agreement, provided all utilities are included in the rental price. If all utilities are not included, the monthly rental price shall be no greater than eighty (80%) percent of the HUD Fair Market Rental Value for Nassau-Suffolk County reduced by the monthly utility allowance in effect at the time the lease agreement is executed.

(ii) Short Term Rental of Owner Occupied Units. Owner Occupied Units may only be rented with the prior written consent of the Community Development Agency. The Community Development Agency may consent to a rental for not more than six (6) months if the unit owner establishes to the satisfaction of the Director of the Community Development Agency a financial hardship through no fault of the owner requiring such rental. The Director may, for good cause shown, grant no more than one six-month extension of the rental period at his discretion. All tenants must meet the income and asset qualifications established hereunder. The monthly rental price shall be no greater than eighty percent (80%) of the HUD Fair Market Rental for Nassau-Suffolk County in effect at the time of the execution of the lease agreement.

(iii) No lease shall be transferred or assigned.

(iv) Prior to occupancy of a leased unit, a copy of the executed lease agreement shall be provided to the Community Development Agency along with an executed and sworn affidavit by the landlord and tenant, attesting that the lease agreement is true and accurate, that there are no other agreements between the parties, and that the tenant has not and will not pay any amounts to the landlord which are not reflected in the lease agreement.

(6) Financial Qualifications of Prospective Purchasers/Owners.

(a) In order to qualify as an eligible purchaser of an affordable unit, the annual household income may not exceed one hundred twenty (120%) percent of the median family income adjusted by family size at the time of the contract of sale. Applicants who have an annual household income of up to eighty (80%) percent of the median family income shall be eligible for the lower priced affordable units and those whose annual household income is between eighty-one (81%) percent and one hundred twenty (120%) percent of the median family income shall be eligible for the higher priced units. In all cases, applicants may not have assets which after deduction of the down payment and estimated closing costs exceed twenty-five (25%) percent of the contract sale price for non-senior housing and one hundred (100%) percent of the contract sale price for senior housing.

(b) Applicants must have adequate resources and credit to qualify for a home mortgage if he/she/they are not able to establish that they have sufficient funds to pay the purchase price and estimated closing costs.

- (c) Priority of Applications. Applicants who are residents of, or, who are employed full-time by a business or entity that maintains a verifiable physical location within the Town of Huntington, or non-residents who have parents, children, grandchildren or grandparents [of town residents] who are residents of the Town of Huntington shall have priority to purchase affordable units. Applicants who do not meet the above criteria may also enter a Town affordable housing lottery.
- (d) A list of [eligible] potential purchasers for affordable units shall be created for each development by a lottery system which will establish a ranking system by number. Those who are not offered a unit due to rank number shall be placed on a waiting list. [the order of eligibility for qualified purchasers. After the initial list is created, applicants will be added to the list in the order their completed application is accepted. It shall be the obligation of the qualified purchaser to update his/her contact information and verify eligibility on an annual basis, unless otherwise requested by the Director.]
- (e) Opening of Waiting List. When a waiting list for a given development is depleted, the Community Development Agency shall re-open the list. Placement on the re-opened list will be based upon a first come, first-served basis, with priority given based upon the criterion listed in paragraph 6(c) above. [Applicants who are qualified financially and are not residents of the Town of Huntington or a parent, grandparent, child or grandchild of a resident, may file an application with the Community Development Agency. In the event there are no qualified purchasers who meet all of the requirements, the applicants on the non-priority list will be confirmed and contacted by the Community Development Agency. The applicants on this list will be added in the order their complete application is accepted.]
- (7) Financial Qualifications of Prospective Tenants. The annual household income of prospective tenants shall not exceed the following thresholds upon application and at the time the lease is signed:
- (a) One bedroom or studio unit: Fifty (50%) percent of the medium family income for a family of two (2).
- (b) Two bedroom unit: Fifty (50%) percent of the medium family income for a family of four (4).
- (c) Three bedroom unit: Fifty (50%) percent of the medium family income for a family of six (6).
- (8) Administration Fees. The Community Development Agency shall receive the following fee for monitoring compliance with the provisions of this legislation:
- (a) One (1%) percent of the contract sale price per transfer of owner-occupied affordable unit paid by the seller at or prior to closing; and
- (b) One thousand (\$1,000) dollars per rental unit or short term rental of owner-occupied unit, or one month's rent, whichever is lower, paid by the tenant upon approval of the lease agreement by the Director.

2015-594

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2015-595

RESOLUTION AUTHORIZING APPROPRIATE ACTION(S) IN ACCORDANCE WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, § 156-67, ACTION BY TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS
Resolution for Town Board Meeting dated: December 8, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on November 5, 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" 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" 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

2015-595

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.

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

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

2015-595

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
203	9 Penrose Path E. Northport	0400-215.00-01.00-073.000	Chang S. Kim Shin J. Kim 9 Penrose Path E. Northport, NY 11731-6319	9/15/2015	\$2,500.00

2015-595

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	BLIGHT DESIGNATION DATE
203	9 Penrose Path E. Northport	0400-215.00-01.00-073.000	Chang S. Kim Shin J. Kim 9 Penrose Path E. Northport, NY 11731-6319	9/15/2015	11/5/2015

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

2015-595

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
169	1 Forest Drive E. Northport	0400-083.00-02.00-059.000	Linda J. Fitzpatrick 1 Forest Drive E. Northport, NY 11731	5/5/2015
201	5 Brown Meadows Court Huntington	0400-206.00-02.00-144.002	Damion DaCosta, President LI Assets Acquisitions 43 President Street Huntington Station, NY 11746	10/6/2015

-SCHEDULE C-
 IN COMPLIANCE

2015-596

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

Resolution for Town Board Meeting Dated: December 8, 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 **12th** day of **JANUARY**, 2016 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2015-596

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.

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

2015-596

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
204	3 Penn Court Dix Hills	0400-260.00-02.00-010.000	Rock Community Church PO Box 1186 Melville, NY 11747	10/8/2015	\$ 2,500.00
205	4 Lane E Huntington	0400-025.00-01.00-056.000	Patricia J. Young Lane E Huntington, NY 11743-1915	10/15/2015	\$ 2,500.00
207	69 W. 11th Street Huntington Station	0400-142.00-01.00-120.000	Matthew McKay W. 11th Street Huntington Station, NY 11746- 1605	10/29/2015	\$ 2,500.00
206	158 Depot Road Huntington Station	0400-146.00-03.00-041.000	Gibson Realty, LLC PO Box 471 Greenlawn, NY 11740-0471	10/26/2015	\$ 5,000.00

2015-597

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 49 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: HALYARD COURT – COLD SPRING HARBOR - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: December 8, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to further avoid potential obstruction on a residential roadway abutting a school; and

WHEREAS, pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (27) of SEQRA, regulations amending the Uniform Traffic Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 12 day of January, 2016 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 49 -2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 49 -2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2015-597

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

	<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD:	Halyard Court/North From its terminus to Thicket Dr. (CSH)	No Parking	8:00 a.m. to 4:00 p.m., school days
	Halyard Court/South From Thicket Dr. to its terminus (CSH)	No Parking	8:00 a.m. to 4:00 p.m., school days

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.

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 DULY ADOPTED.

2015-598

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 50 -2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON SO AS TO AMEND CHAPTER 111 (FIRE PREVENTION), ARTICLE IV (OPERATIONAL PERMITS)

Resolution for Town Board Meeting Dated: December 8, 2015

The following resolution was offered by: Councilman Cuthbertson
SUPERVISOR PETRONE

and seconded by: **COUNCILMAN COOK**

WHEREAS, by Local Law No. 26-2014 the Town Board amended Chapter 111 (Fire Prevention), Article VI (Operational Permits) to require carbon monoxide detectors for places of public assembly; and

WHEREAS, the State of New York has promulgated rules and regulations requiring carbon monoxide detectors within commercial buildings; and

WHEREAS, the Town Board wishes to consider amending this section of the Code of the Town of Huntington as to be congruent with the State of New York rules and regulations; and

WHEREAS, scheduling a Public Hearing to consider amending the Code of the Town of Huntington is not an action as defined by 6 N.Y.C.R.R. § 617.2(b) and, therefore, no further SEQRA review is required at this time.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the ~~12th~~ of **JANUARY**, 2016 at **2:00p.m.** at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. **50** -2015, amending the code of the Town of Huntington so as to amend Chapter 111 (Fire Prevention), Article VI (Operational Permits), as follows:

LOCAL LAW INTRODUCTORY NO. **50** -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 111 (FIRE PREVENTION), ARTICLE IV (OPERATIONAL PERMITS)

Section 1. Chapter 111 (Fire Prevention), is hereby amended as follows:

ARTICLE VI
OPERATIONAL PERMITS

* * *

§111-73.1 Reserved.[Places of public assembly].

[Carbon Monoxide Detectors. It shall be unlawful for a person, firm or corporation to fail to install operable carbon monoxide detection equipment in conformance with National Fire Protection Association (NFPA) Standard 720, or successor standard, in all places of public assembly by January 1, 2015.]

* * *

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: 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-BT-10

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE
ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE
CONSERVATION LAW, TOWN CODE CHAPTER 137

APPLICANT: HARBOR BOATING CLUB

LOCATION: 323 WEST SHORE RD., HUNTINGTON, N.Y. 11743

S.C.T.M. #: 0400-024.00-01.00-005.000 & 0400-024.00-01.00-053.000

Resolution for Board of Trustees Meeting Dated: December 8, 2015

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

and seconded by: **TRUSTEE COOK**
TRUSTEE BERLAND

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

Vincent Siragusa
On behalf of
Harbor Boating Club
323 West Shore Rd.
Huntington, N.Y. 11743

to perform maintenance dredging of the area set forth on the plan attached hereto as
"Schedule A," stamped by Richard B Kinch R.A., last revised on March 10, 2015. The
maximum depth of dredging shall be limited to five (5) ft below Mean Low Water. All
work shall conform to NYSDEC permit: 1-4726-00585/00011. Project located in a
portion of and proximity to S.C.T.M. # #: 0400-024.00-01.00-005.000 & 0400-024.00-
01.00-053.000 ; and

WHEREAS, a special use permit to perform maintenance dredging of underwater Board
of Trustee land is necessary; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the ~~12th~~ day of **January**, 2016, at
2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the
issuance of a special use permit to the Harbor Boating Club to perform maintenance
dredging of the area set forth on the plan attached hereto as "Schedule A," stamped by
Richard B Kinch R.A., last revised on March 10, 2015. The maximum depth of dredging
shall be limited to five (5) ft below Mean Low Water. All work shall conform

2015-BT/0

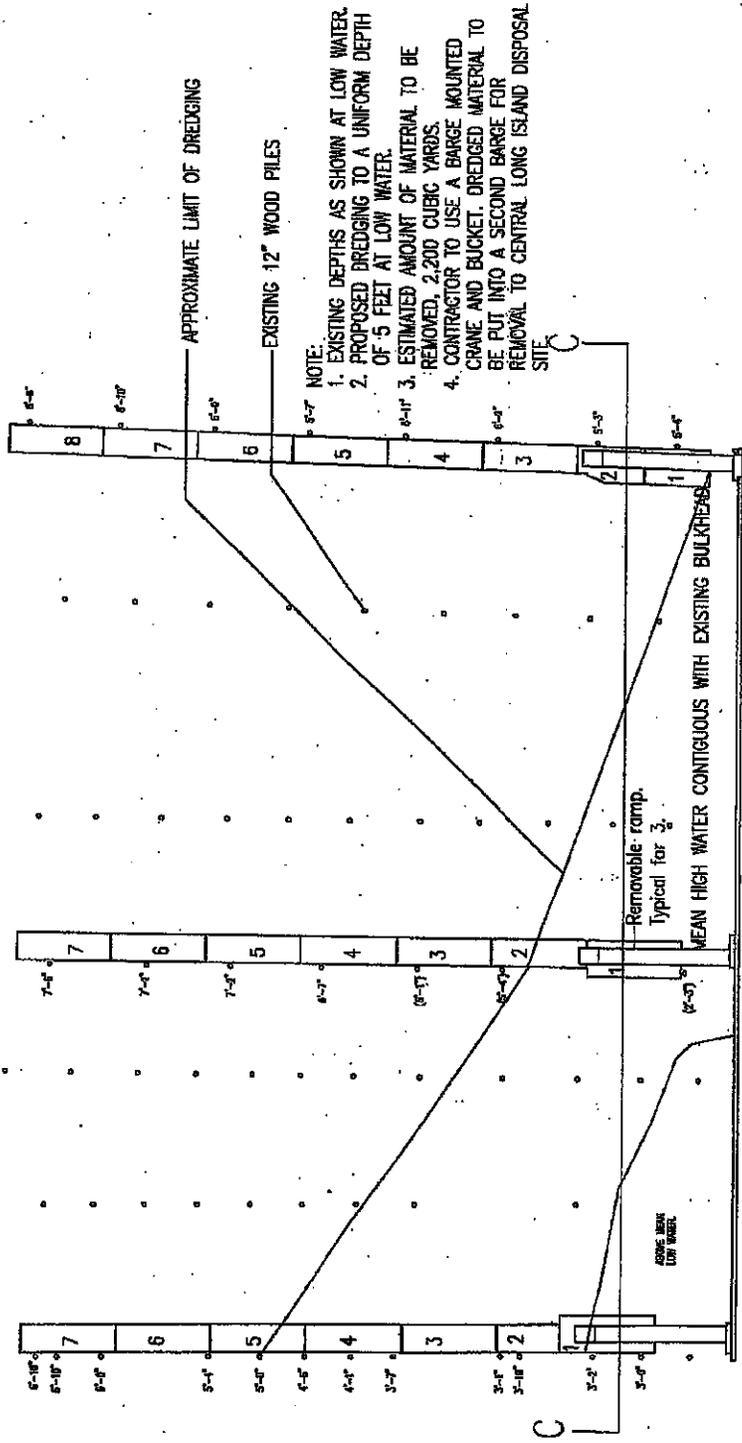
to NYSDEC permit: 1-4726-00585/00011. Project located in a portion of and proximity to S.C.T.M. #: 0400-024.00-01.00-005.000 & 0400-024.00-01.00-053.000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

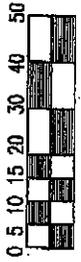
President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE - A



NOTE:
 1. EXISTING DEPTHS AS SHOWN AT LOW WATER.
 2. PROPOSED DREDGING TO A UNIFORM DEPTH OF 5 FEET AT LOW WATER.
 3. ESTIMATED AMOUNT OF MATERIAL TO BE REMOVED, 2,200 CUBIC YARDS.
 4. CONTRACTOR TO USE A BARGE MOUNTED CRANE AND BUCKET. DREDGED MATERIAL TO BE PUT INTO A SECOND BARGE FOR REMOVAL TO CENTRAL LONG ISLAND DISPOSAL SITE.



EXISTING MARINA LAYOUT

REVISION No.	DESCRIPTION	DATE
3	CHANGED DEPTH TO 5 FEET	3/7/15
2	CHANGED DEPTH	11/21/14
1	ADDED NOTES	5/11/14

SCALE: AS NOTED
 DATE: 10/14/13
 DRAWING #: 3 of 5

HARBOR BOATING CLUB
 323 West Shore Road
 Huntington, New York 11743

184 VINEYARD ROAD
 HUNTINGTON, NEW YORK 11743

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER 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: BRIAN McNALLY

LOCATION: 1 CLAM SHELL LA., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000

Resolution for Board of Trustees Meeting Dated: December 8, 2015

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

and seconded by: **TRUSTEE EDWARDS**

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

Brian McNally
1 Clam Shell La.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly is to measure 219 ft with 210 ft. seaward of the MHWL. Project site to be accessed via a construction barge 1 Clam Shell La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 12th day of JANUARY, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to § 137-26. A [1] and the issuance of a special use permit to Brian McNally to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft. Overall length of dock assembly is to measure 219 ft with 210 ft. seaward of the MHWL. Project site to be accessed via a construction barge at 1 Clam Shell La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000;

2015-BT //

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER 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: BRIAN McNALLY

LOCATION: 1 CLAM SHELL LA., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000

Resolution for Board of Trustees Meeting Dated: December 8, 2015

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

and seconded by: **PRESIDENT PETRONE**

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

Brian McNally
1 Clam Shell La.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 110 ft.. Overall length of dock assembly is to measure 219 ft with 210 ft. seaward of the MHWL. Project site to be accessed via a construction barge 1 Clam Shell La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000; and

WHEREAS, a license agreement for the construction of fixed pier and floating dock assembly for the docking of water-craft with a length of two hundred and ten ft. from the mean high water line on underwater Board of Trustee land is necessary; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 12th day of JANUARY, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137 for the use of underwater lands as is necessary for the construction of a residential fixed pier and floating dock assembly for the docking of water-craft with a length of two hundred and nineteen ft. with two hundred and ten ft. extending seaward of the mean high water line at 1 Clam Shell La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000, on such terms and conditions as may be acceptable to the Town Attorney.

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER 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: ROB HENNEBORN

ON BEHALF: KEVIN McARDLE

LOCATION: 57 CHERRY LAWN LA., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000

Resolution for Board of Trustees Meeting Dated: December 8, 2015

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

and seconded by: **TRUSTEE COOK**

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

Rob Henneborn
On behalf of
Kevin McArdle
57 Cherry Lawn La.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 66 ft. Overall length of dock assembly is to measure 166 ft from MHWL. Project site to be accessed via a construction barge at 57 Cherry Lawn La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.00 & 029.00; and

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 12th day of JANUARY, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider a variance to § 137-26. A [1] and the issuance of a special use permit to Kevin McArdle to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 66 ft.. Overall length of dock assembly is to measure 166 ft from MHWL. Project site to be accessed via a

2015-BT 13

construction barge at 57 Cherry Lawn La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.00 & 029.00;

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015-BT-14

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER 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: ROB HENNEBORN

ON BEHALF: KEVIN McARDLE

LOCATION: 57 CHERRY LAWN LA., NORTHPORT, N.Y. 11768

S.C.T.M. #: 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000

Resolution for Board of Trustees Meeting Dated: December 8, 2015

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

and seconded by: **COUNCILMAN CUTHBERTSON**

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

Rob Henneborn
On behalf of
Kevin McArdle
57 Cherry Lawn La.
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly that exceeds the one hundred (100) ft. maximum length limitation by 66 ft.. Overall length of dock assembly is to measure 166 ft from MHWL. Project site to be accessed via a construction barge at 57 Cherry Lawn La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.00 & 029.00; and

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

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 12th day of JANUARY, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137 for the use of underwater lands as is necessary for the construction of a residential fixed pier and floating dock assembly for the docking of

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water-craft with a maximum length of one hundred and sixty-six ft. from the mean high water line at 57 Cherry Lawn La., Northport, N.Y. 11768, S.C.T.M. # 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.00 & 029.00, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Eugene Cook	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 – CD 13

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

Resolution for Community Development Agency Board meeting dated: December 8, 2015

The following resolution was offered by Agency Board Member: Chairman Petrone

and seconded by Agency Board Member: **MEMBER CUTHBERTSON**

WHEREAS, the Huntington Town Board has extended the contract with Cullen & Danowski, LLP, Certified Public Accountants, to conduct the independent audit of the Town of Huntington based on the recommendation of the Town's Audit Committee and it is both advantageous and cost effective for the Community Development Agency to contract for and be audited in conjunction with the Town's audit; and

WHEREAS, the terms of the Federal Community Development Block Grant Program, which is the principal source of funding for the Agency, requires that an annual independent audit be conducted; and

WHEREAS, the Community Development Agency is an independent New York State public benefit corporation, established under Section 654 of general Municipal Law; and

WHEREAS, Community Development Agency Board Resolution 2013 CD-10 authorized the Chairman to execute a contract with Cullen & Danowski, LLP, Certified Public Accountants, to conduct an independent audit for the Community Development Agency; and

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

WHEREAS, Cullen & Danowski, LLP., Certified Public Accountants, has requested the Community Development Agency Board approval for the third one (1) year extension of the contract; and

WHEREAS, the execution of an extension to this 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 HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute the third extension to the contract with Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson, New York 11776, to conduct an audit for the fiscal year ending December 31, 2015, for an amount not to exceed the sum of SIX THOUSAND FIVE HUNDRED NO/100 (\$6,500.00) DOLLARS and upon any such terms as may be imposed by the Agency's counsel

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- CD 14

RESOLUTION AUTHORIZING THE SALE OF A CERTAIN PREMISES BEARING SCTM 0400-140.00-02.00-150.000 COMMONLY KNOWN AS 17 TOWER STREET, HUNTINGTON STATION, NY 11746 AS IS NECESSARY TO RESTORE THE PROPERTY TO THE TAX ROLLS AND TO ENSURE SAME WILL BE USED BY AN OWNER OCCUPANT FOR A PERIOD OF AT LEAST FIVE YEARS

Resolution for Community Development Agency Board meeting dated: December 8, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER COOK**

WHEREAS, the Huntington Community Development Agency is the owner of the premises commonly known as 17 Tower Street, Huntington Station, New York bearing S.C.T.M. #0400-140.00-02.00-150.000; and

WHEREAS, the premises was purchased by the Huntington Community Development Agency on October 20, 1995 utilizing HOPWA funds for both the acquisition and rehabilitation of the premises; and

WHEREAS, as a condition of the receipt of the HOPWA funds, the use of the property was restricted to the housing of HOPWA qualified individuals for a period of ten (10) years; and

WHEREAS, the restrictions were lifted on October 20, 2005 and the premises and the Huntington Community Development Agency has been using the premises as a rental property since that time; and

WHEREAS, since the expiration of the restrictions, the property has been sporadically rented to various tenants, has suffered damage from said tenants and has not been self-sustaining; and

WHEREAS, the Huntington Community Development Agency obtained an appraisal of the property indicating a value of \$260,000.00; and

WHEREAS, by Resolution 2015-CD7 dated September 16, 2015 the Agency was authorized to advertise for sale the property after determining that it is in the best interest of the Agency as well as the Town of Huntington to sell the premises, to use the proceeds of the sale for other pressing Agency needs and to restore the premises to the tax rolls; and

WHEREAS, The Huntington Community Development Agency marketed the property for sale for over eight weeks with no success before receiving an offer of \$270,000.00 from Ramon Bonilla who is currently a resident of the Town of Huntington

who has agreed to purchase the premises subject to the requirement that same will be utilized as his primary residence for a period of at least five (5) years; and

WHEREAS, the Huntington Community Development Agency Board has reviewed the Short Environmental Assessment Form prepared by the Huntington Community Development Agency at the Board's request; and

WHEREAS, the Huntington Community Development Agency Board is the Lead Agency and is the only agency authorized to transfer title to the premises; and

WHEREAS, this action is classified as an Unlisted Action pursuant to 6 NYCRR § 617.2(ak) of the SEQRA regulations; and

WHEREAS, pursuant to Town Law Section 64(2) this Resolution is subject to permissive referendum and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the Town voting on the referendum;

NOW THEREFORE, BE IT

RESOLVED that the Huntington Community Development Agency Board adopts the Short Environmental Assessment Form prepared by the Huntington Community Development Agency on September 17, 2015 and issues a negative declaration; and

HEREBY AUTHORIZES the sale of the premises commonly known as 17 Tower Street, Huntington Station, New York bearing S.C.T.M. #0400-140.00-02.00-150.000 to Ramon Bonilla for the price of \$270,000.00. The Contract of Sale shall be in a form approved by the Huntington Community Development Agency's attorney and shall impose the following condition on said sale:

1. Prior to closing, the Purchaser shall execute Covenants and Restrictions as approved by the Town Attorney which require the Purchaser to reside in same as his primary residence for a period of at least five (5) years after closing. At closing, Purchaser shall cause the title company to record said Covenants and Restrictions simultaneously with the deed in the Office of the Clerk of the County of Suffolk at his own cost and expense;

BE IT FURTHER RESOLVED, that the Agency is directed within ten (10) days after the passage of this resolution to cause this resolution to be published in the official newspapers of the Town and to post the resolution on the signboard of the Town maintained pursuant to Town Law, together with a notice of adoption thereof.

2015- CD 14

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 Tracy A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- LDC //

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AN EXTENSION TO THE CONTRACT WITH CULLEN & DANOWSKI, LLP, CERTIFIED PUBLIC ACCOUNTANTS, TO CONDUCT AN INDEPENDENT AUDIT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015

Resolution for Local Development Corporation Board meeting dated: December 8, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER EDWARDS**

WHEREAS, pursuant to Section 1411 of the Not-for-Profit Corporation Law, the Town of Huntington Local Development Corporation was established in 2010 as a not-for-profit local development corporation of the State to enhance economic development and business opportunities within the Town of Huntington; and

WHEREAS, the New York State Comptroller's Office requires local development corporations to obtain an annual independent audit; and

WHEREAS, the Town of Huntington solicited written quotes for Professional Auditing and Accounting Services and sealed proposals were opened and read aloud on October 11, 2013 for same; and

WHEREAS, Cullen & Danowski, LLP was determined to be the most qualified, responsive and responsible proposer to conduct the Town's and other Town agency's annual audits, including that of the Town of Huntington Local Development Corporation; and

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

WHEREAS, Cullen & Danowski, LLP, Certified Public Accountants, has requested Huntington Local Development Corporation Board approval for the third one (1) year extension of the contract; and

WHEREAS, the execution of an extension to this 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 OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

HEREBY AUTHORIZES the Chairman to execute the third extension to the contract with Cullen & Danowski, LLP, 1650 Route 112, Port Jefferson Station, NY 11776, to conduct an audit for the fiscal year ending December 31, 2015, for an amount not to exceed the sum of TWO THOUSAND FIVE HUNDRED NO/100 (\$2,500.00) DOLLARS and upon any such terms as may be imposed by the Corporation's counsel.

2015- LDC //

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.