

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

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

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

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED FEBRUARY 10, 2016

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 7:28 P.M. Recessed: 7:31 P.M. Resumed: 8:14 P.M. Closed: 8:18 P.M.

7:00 P.M. – TOWN HALL

Opened: 7:03 P.M. Recessed: 7:28 P.M. Resumed: 7:31 P.M. Closed: 8:14 P.M.

(Resolutions #2016-57 to 2016-99)

HEARINGS:

ACTION

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

**(SCTM #'S: 0400-092.00-02.00-004.000;
0400-093.00-01.00-084.000; 0400-102.00-01.00-005.002)**
(2016-M-2)

Scheduled as per Resolution 2016-51 at 1-12-2016 Town Board Meeting

**ACTIONS TAKEN
AS PER
RESOLUTION 2016-87**

2. Consider executing an agreement with the Incorporated Village of Northport to furnish fire protection services for the Town of Huntington Fire Protection District No. 1. (Period: 1/1/2016 to 12/31/2016)

(2016-M-3)

Scheduled as per Resolution 2016-56 at 1-12-2016 Town Board Meeting

**ENACTMENT
RESOLUTION 2016-86**

3. Consider adopting Local Law Introductory No. 1-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Bellerose Ave. - East Northport - Parking Restrictions.

(Local Law Introductory No. 1-2016)

Scheduled as per Resolution 2016-52 at 1-12-2016 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider adopting Local Law Introductory No. 2-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Little Neck Road – Centerport – Parking Restrictions. (Local Law Introductory No. 2-2016)

Scheduled as per Resolution 2016-53 at 1-12-2016 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 3-2016, amending the Code of the Town of Huntington by repealing Chapter 137 (Marine Conservation) in its entirety and replacing it with a new Chapter 137 (Marine Conservation and Regulation of Marine Structures).

(Local Law Introductory No. 3-2016)

Scheduled as per Resolution 2016-54 at 1-12-2016 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 4-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article V (Industrial Districts), Section 198-34 (I-1 Light Industry District).

(Local Law Introductory No. 4-2016)

Scheduled as per Resolution 2016-55 at 1-12-2016 Town Board Meeting

DECISION RESERVED

BOARD OF TRUSTEES' HEARING:

1. Consider amending a license agreement for the use of Board of Trustee land in Halesite, New York by the Ketewomoke Yacht Club Re: construction, maintenance and use of new brick walkway.

(SCTM #: 0400-031-01-002.003)

(2016-BT-2)

Scheduled as per Resolution 2016-BT-2 at 1-12-2016 Town Board Meeting

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2016**

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

2016-57.	AUTHORIZE the Supervisor to execute a contract for the Townwide requirements contract for road rehabilitation with Posillico Civil, Inc. (Term: 1 year but not prior to April 16, 2016)			EC-AYE FP-AYE SB-AYE TE-AYE <u>MC-RECUSAL</u>
		<u>EC</u>	<u>FP</u>	
2016-58.	AUTHORIZE the Supervisor to execute a contract for financial advisory services with Munistat Services, Inc. (Term: 1 year)	<u>FP</u>	<u>SB</u>	<u>5</u>
2016-59.	AUTHORIZE the Supervisor to execute a requirements contract for the bus services for various recreation programs with Baumann & Sons, Inc. and Long Island Limousine Corp. (Term: 1 year but not prior to 4/19/2016)	<u>SB</u>	<u>MC</u>	<u>5</u>
2016-60.	AUTHORIZE the Supervisor to execute a requirements contract for the lawn and landscape maintenance for the Highway Department with B & B Maintenance Services, Inc. (Term: 1 year but not prior to April 1, 2016)	<u>MC</u>	<u>EC</u>	<u>5</u>
2016-61.	AUTHORIZE the Supervisor to execute an agreement with Industrial and Utility Valuation Consultants, Inc., Re: review, analysis and defense of the 2016 Equalization and Residential Assessment Rates for the Town of Huntington and Special Segmentation Rates for the Cold Spring Harbor School District. (Re: Fiscal year 2016/2017)	<u>MC</u>	<u>FP</u>	<u>5</u>
2016-62.	AUTHORIZE the Supervisor to apply for and receive non-competing continuation funding from the U.S. Department of Health and Human Services, for the Huntington Youth Bureau Sanctuary Runaway, Homeless Youth Program. (Term: 9/30/2016 – 9/29/2017)	<u>FP</u> <u>SB</u>	<u>EC</u> <u>TE</u>	<u>5</u>
2016-63.	AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the provision of adult day care services, nunc pro tunc. (Term: 1/1/2016-12/31/2016)	<u>MC</u> <u>SB</u> <u>TE</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2016-64.	AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for the residential repair program for the elderly of Huntington, nunc pro tunc. (Term: 1/1/2016 – 12/31/2016)	<u>SB</u> <u>TE</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-65. AUTHORIZE the Supervisor to apply for and receive funding from the County of Suffolk for nutrition services for Senior Citizens, nunc pro tunc. (Term: 1/1/2016-12/31/2016)	<u>TE</u> <u>SB</u>	<u>EC</u>	<u>5</u>
2016-66. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2016-67. AUTHORIZE the Supervisor to execute a one year extension to the Intermunicipal Cooperative Agreement with the Elwood Union Free School District for use of the school district’s facilities for Town recreational programs. (Term: 7/1/2016-6/30/2017)	<u>TE</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2016-68. AUTHORIZE the Supervisor to execute an agreement with Gateway Community Garden, Inc. in connection with the Community Garden at Gateway Park. (Term expires 12/31/2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2016-69. AUTHORIZE the Supervisor to execute New York State Liquor Authority Special Event Permit Applications on behalf of various organizations for special events scheduled to be held on Town property. (Term: 1/1/2016 – 12/31/2016)	<u>MC</u>	<u>EC</u>	<u>5</u>
2016-70. AUTHORIZE the Supervisor to adopt the Suffolk County Multi-Jurisdictional Comprehensive Debris Management Plan, enter into mutual aid agreements, and to guide pre and post-disaster debris management actions.	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2016-71. AUTHORIZE application for funding from the National Creative Placemaking Fund of Artplace America for a “Huntington Station: Moving Forward Together” creative placemaking project. (Term: 1/1/2017 – 12/31/2019)	<u>FP</u>	<u>SB</u>	<u>5</u>
2016-72. AUTHORIZE execution of contract of sale and appropriating funding necessary for acquisition of conservation easement for Cold Spring Harbor property (Wawapek addition). (Re: SCTM#0400-016.00-08.00-007.000) (Re: 3 Mowbray Lane North)	<u>FP</u>	<u>SB</u>	<u>5</u>
2016-73. AUTHORIZE the establishment of a Title VI (Civil Rights) Policy for the Department of Transportation and Traffic Safety.	<u>TE</u>	<u>EC</u>	<u>5</u>
2016-74. AUTHORIZE Laser Industries, Inc. to perform court-ordered remedial work at 44 Bennett Avenue, Huntington Station, New York 11746 (SCTM# 0400-153.00-02.00-099.002). (Re: Paul Sabatino, II, Esq.-Receiver of property)	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-75. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Rosemarie Rosier, 38 West 11 th Street, Huntington Station, SCTM#0400-142.00-02.00-020.000, Chapters 133, 156, 191)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-76. AUTHORIZE the Comptroller to amend the 2016 Operating Budget for the Town of Huntington and its Special Districts-various departments.	<u>TE</u>	<u>FP</u>	<u>5</u>
2016-77. AUTHORIZE the Comptroller to amend the 2016 Operating and Capital Budget for the Town of Huntington and its Special Districts – Dix Hills Water District. (Re: Wildwood Drive, Pine Hill Lane, Clayton Drive in Dix Hills)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-78. ACCEPT donations from various merchants and businesses to the Town of Huntington, nunc pro tunc. (Re: Huntington Holiday Decorating Party-True North, IMC Meat Company, Honu Kitchen and Cocktails and the Long Islander News)	<u>TE</u>	<u>EC</u>	<u>5</u>
2016-79. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2016-80. REMOVED FROM THE AGENDA AT THE WORKSHOP.			
2016-81. APPOINT members to the Town of Huntington Board of Ethics. (Re: Sam Miller term expires 12/31/2017 and Sheryl Randazzo, Esq term expires 12/31/2018)	<u>TE</u>	<u>FP</u> <u>EC</u>	<u>5</u>
2016-82. EXTEND the retention of outside counsel (Goldberg Segalla LLP).	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-83. EXTEND the time to make a determination regarding the adoption of Local Law Introductory Number 46-2015, considering Zone Change Application #2015-ZM-410, Gurwin Senior Housing, to change the zoning from R-40 & 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. (Time extended to June 5, 2016)	<u>FP</u>	<u>EC</u>	<u>5</u>
2016-84. ENACTMENT: ADOPT Local Law Introductory Number 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>MC</u>	<u>EC</u>	<u>5</u>
2016-85. ENACTMENT: ADOPT 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>TE</u>	<u>5</u>
2016-86. ENACTMENT: AUTHORIZE the Supervisor to enter into an agreement with the Incorporated Village of Northport to furnish fire protection services for the Town of Huntington Fire Protection District No. 1, nunc pro tunc. (Term: 1/1/2016-12/31/2016)	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-87. AUTHORIZE appropriate actions(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: Joseph/Margaret Puca, 1 Briarwood Drive, Huntington, SCTM#0400-092.00-02.00-004.000; Mildred Russlend (Trust/Trustee), 59 Cedar Drive, Huntington, SCTM#0400-093.00-01.00-084.000; David Alan Nothman, 600 Park Avenue, Huntington, SCTM#0400-102.00-01.00-005.002; Schedule D: 1081 EJT, LLC, 1081 E. Jericho Tpke, Huntington, SCTM#0400-210.00-01.00-081.003)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-88. SCHEDULE A PUBLIC HEARING: March 8, 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). (Re: Schedule A: Kevin Enright, 26 Corlett Place, Huntington Station, SCTM#0400-099.00-05.00-081.000; Nora Brattoya, 116 Taylor Street, Centerport, SCTM#0400-039.00-02.00-020.000)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-89. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 5-2016 amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits), and Article IV (Administrative Remedies and Penalties).	<u>TE</u>	<u>MC</u>	<u>5</u>
2016-90. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 6-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions).	<u>TE</u>	<u>FP</u>	<u>5</u>
2016-91. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory Number 7-2016 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Stafford House, 10 Auserehl Court, Huntington, SCTM #0400-034-02-015. (Applicant: Historic Preservation Commission)	<u>SB</u>	<u>FP</u>	<u>5</u>
2016-92. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory Number 8-2016 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the building known as the Peter Crippen House, 61 Creek Road, Huntington, SCTM #0400-027-01-003. (Applicant: Raymond Carmen, Jr./Olga Carmen)	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: FEBRUARY 10, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2016-93. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 9-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter TC1 (General Provisions), Article III (Enforcement; Penalties), Chapter TC3 (Parking Regulations), Article II (Parking, Standing and Stopping), Schedule “L” (Town Parking Fields) and Schedule “P” (On-Street Metered Parking).</p>	<u>FP</u>	<u>MC</u>	<u>5</u>
<p>2016-94. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider adopting Local Law Introductory No. 10-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Laurel Hill Road – Northport – Parking Restrictions.</p>	<u>MC</u>	<u>EC</u> <u>TE</u>	<u>5</u>
<p>2016-95. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider the application of Deirdre Ventura for a conditional use permit to operate a Bed and Breakfast Homestay pursuant to Section 198-13 (B)(10) of the Town Code, for property located on the east side of Harbor Road, North of Lawrence Hill Road, Cold Spring Harbor, SCTM #0400-064-01-019.</p>	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
<p>2016-96. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider acquiring Huntington property (Creek Road Properties). (Re: SCTM#’s 0400-027.00-01.00-004.000, 0400-027.000-01.00-005.000, 0400-027.000-01.00-009.000 and 0400-027.000-01.00-010.000)</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2016-97. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider acquiring Fort Salonga property (Kruse). (Re: SCTM#s 0400-061.00-01.00-054.000, 0400-061.00-01.00-053.002 and 0400-061.00-01.00-052.000)</p>	<u>FP</u>	<u>SB</u>	<u>5</u>
<p>2016-98. SCHEDULE A PUBLIC HEARING: March 8, 2016 at 2:00 PM To consider authorizing the Supervisor to execute license agreements with sports related organizations for the use of Town facilities. (Re: Commack North Little League-Cedar Road Park; Huntington Tri-Village Little League-Greenlawn Park; Commack South Little League-Commack Park; Huntington Sports League-Mill Dam Park; Larkfield Little League- John Walsh Park; Half Hollow Hills Little League-Otsego Park; St Hughs/St. Elizabeth Youth League-Terry Farrell & Peter Nelson Park; Huntington Youth Football League-Manor Park; HBC-Half Hollow Park; Cold Spring Harbor Soccer-Breezy Park; Northport Youth Football League-Veterans Park)</p>	<u>SB</u>	<u>EC</u>	<u>5</u>
<p>2016-99. AUTHORIZE the comptroller to transfer funds from the Town’s Affordable Housing Trust and Agency Account to Huntington Community Development Agency for the purpose of administering the Town’s Affordable Housing Program, nunc pro tunc.</p>	<u>FP</u>	<u>TE</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES’
MEETING DATED: FEBRUARY 10, 2016**

RESOLUTIONS:	OFF.	SEC.	VOTE
2016-BT-3. ENACTMENT: APPROVE the granting of a variance and issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly. Applicant: Brian McNally Location: 1 Clam Shell Lane, Northport, NY 11768 S.C.T.M. #0401-005.00-01.00-012.000 and 0400-005.00-04.00-016.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-4. ENACTMENT: APPROVE the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, for the construction of a residential fixed pier and floating dock assembly. Applicant: Brian McNally Location: 1 Clam Shell Lane, Northport, NY 11768 S.C.T.M. #0401-005.00-01.00-012.000 and 0400-005.00-04.00-016.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-5. ENACTMENT: APPROVE the granting of a variance and issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly. Applicant: Robert Henneborn on behalf of: Kevin McArdle Location: 57 Cherry Lawn Lane, Northport, New York 11768 S.C.T.M. # 0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-6. ENACTMENT: APPROVE the execution of a license agreement pursuant to the Marine Conservation Law, Town Code Chapter 137, for the construction of a residential fixed pier and floating dock assembly. Applicant: Robert Henneborn on behalf of: Kevin McArdle Location: 57 Cherry Lawn Lane, Northport, New York 11768 S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000.	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-7. SCHEDULE A PUBLIC HEARING: March 8, 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: Land Use Ecological Services On Behalf of : Richard Kreider Location: 1 Woodland Drive, Huntington Bay, NY 11743 S.C.T.M.: 0402-002.00-01.00-040.000 & 041.000	<u>EC</u>	<u>FP</u>	<u>5</u>
2016-BT-8. SCHEDULE A PUBLIC HEARING: March 8, 2016 AT 2:00 PM To consider the execution of a license agreement as is necessary for the reconstruction, extension, maintenance and use of an existing bulkhead and for the maintenance and use of an existing dock assemblage at 1 Woodland Drive, Huntington Bay, N.Y. 11743 (Applicant: Land Use Ecological Services on behalf of Richard Kreider) (Re: S.C.T.M.: 0402-002.00-01.00-040.000 & 041.000)	<u>EC</u>	<u>FP</u>	<u>5</u>

AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: FEBRUARY 10, 2016

RESOLUTIONS:

OFF. SEC. VOTE

2016-CD

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: FEBRUARY 10, 2016**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail-Initial Application for Liquor Licenses:
From: Dean Cirella for Gastronomy Kitchen by Cirella (230 Walt Whitman Rd, Huntington Station); From: Marie Destil for Gingerbites (730 E Jericho Tpke, Huntington Station); From: Patrick DeLuca for TBD (387 New York Avenue, Huntington);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Peter Giannitsas for Dix Hills Diner (1800 Jericho Tpke, Huntington);

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Emails received regarding banning/restricting the use of gas powered leaf blowers from: Huntington CALM, Keni Fine, Geri Lipschultz, Heidi Hutner, Peter/Candi Calcandy, Gayle Payne, Elisa Fante, (ccd: Supervisor/Councilpersons) Beverly Horowitz, Lois Stern,

Supervisor
Town Board
Town Attorney
cc: Planning & Environment
4. Copy of letter sent by Carol Gaughran to Supervisor Petrone received. Letter indicates her term as a member of the Zoning Board of Appeals expired on 12-31-2015 and she does not want to be reappointed as a board member.

Town Board
Town Attorney
cc: Planning & Environment
5. Booklet received by Jo-Ann Raia, Town Clerk, from the Heartland Institute. The book is titled “Why Scientists Disagree About Global Warming” – the NIPCC Report on Scientific Consensus. Anyone interested in viewing the book may come to the Town Clerk’s Office during regular business hours.

cc: File
6. Email received from James McGoldrick regarding a house fire in Huntington Station.
(cc’d Supervisor, Councilpersons, Public Safety)

cc: Town Attorney
7. Email received from Al Natoli regarding the rate application at the Greens at Half Hollow LLC. Attached was a copy of a letter addressed to Supervisor Petrone and the members of the Town Board from the Law Offices of Albert Natoli, P.C. advising that the Town has until January 24, 2016 to act on the rate increase petition by the Greens at Half Hollow, LLC. (ccd Town Attorney)

cc: File
8. Letter received from Kathleen Ryan regarding a request to propose a Town ordinance to prohibit parking vehicles on unpaved residential property. Picture was attached.
(cc’d Councilpersons)

Supervisor
Town Attorney
Public Safety
cc: Planning & Environment

9. Copy of online petition "Planning@Huntington NY.gov." Maintain the Town of Huntington's Current Zoning Laws & Stop Mall Development on Jericho Turnpike". The email indicated 100 more people signed the petition. (#8-1/12/2016 Info Sheet)
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Letter received from Susan Racine, Secretary/Treasurer of the East Northport Fire District advising of the meeting dates for the Board of Fire Commissioners for 2016.
- cc: File
11. Email received from Janet Hayes regarding the Indian Hills project. The writer is against changing the zoning laws, cutting down trees and displacing wildlife.
- E. Cook
T. Edwards
Town Attorney
Engineering Services
cc: Planning & Environment
12. Email received from Dr. Bonnie Sager and the Huntington CALM Committee regarding an educational outreach. Dr. Jamie Banks of Quiet Communities will be available the week of February 1-6 to meet with various professionals, organizations, etc. regarding noise, health and the environment. (cc'd Supervisor/Councilpersons)
- Town Attorney
cc: Planning & Environment
13. Email received from Nicole Mulholland advising that she is opposed to the Del Vino Vineyard. She also wants to know if there is anything on the Town schedules regarding this mater. (cc'd Supervisor/Planning-Ltr addressed to Mr. Mandelik)
- Town Board
Town Attorney
cc: Planning & Environment
14. Copy of Legal Notice received from the Incorporated Village of Laurel Hollow regarding a Public Hearing to be held on February 10, 2016 at 7:30 PM which would authorize the Board of Trusees to adopt a budget for the fiscal year commencing June 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.
- Supervisor
Town Board
Town Attorney
Tax Assessor
cc: Tax Receiver
15. Email received from Lydia Gladstone regarding 75 Alton Avenue, Greenlawn. The writer indicates that the door to this home is constantly opened and she calls the police who have advised her to contact the Town as they can only close the door, they cannot put a lock on it. (cc'd Supervisor, Town Board, Highway and Tax Receiver)
- Town Attorney
Public Safety
cc: Planning & Environment
16. Letter received from Andrew Freleng, Chief Planner of Suffolk County Department of Economic Development and Planning regarding the Town of Huntington Resolutions # 2016-54 and 2016-55. The letter indicates that this is a matter for local determination which should not be construed as an approval or disapproval.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Letter received from Vincent Puleo, Town Clerk of Smithtown, regarding a Public Hearing to be held on February 25, 2016 at 7:00 PM at Cannataro Senior Center regarding a change to the Town's Zoning Code.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Letter received Certified Mail from Cecilla Thomas, of the Empire State Development, Loans and Grants Department, regarding the Huntington –Restore III-Plaza Retail Center Project in Suffolk County. A Public Hearing will be held on February 8, 2016 from 1:00 – 2:00 PM in the W.H. Rogers Legislative Building in Hauppauge to consider the General Project Plan.
- Supervisor
Town Board
Town Attorney
Engineering Services
Community Development
cc: Planning & Environment

19. Email received from June Margolin, Coordinator of the Huntington Matters Neighborhood Watch, regarding a video of Doc Spencer interviewing Commissioner Sini at Confirmation Hearing. Ms. Margolin and Matt Harris spoke at the Suffolk County Legislature Public Safety Committee meeting regarding the confirmation of Acting Commissioner Timothy Sini. (cc: Supervisor/Councilpersons/J.Rose/J.Rinker)

cc: Town Attorney

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR FINANCIAL ADVISORY SERVICES WITH MUNISTAT SERVICES, INC.

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, financial advisory services will provide pertinent advice and counsel to the Town concerning developments in the financial community in general and municipal finance in particular, to enable the Town to remain in the best possible financial posture; and

WHEREAS, sealed proposals were received on January 8, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for financial advisory services, RFP 2016-01-002 and the same were opened and read aloud; and

WHEREAS, Munistat Servies, Inc., 12 Roosevelt Avenue, Port Jefferson Station, New York 11776 is the successful responsive, responsible proposer; and

WHEREAS, contracting for financial advisory services is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Munistat Services, Inc. for financial advisory services. The contract period shall be effective for a one (1) year term commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for three (3) additional one (1) year periods under the agreed upon prices, terms and conditions as the original contract, to be charged to those operating budgets that will be utilizing the contract for bond proceeds 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.

2016-59

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE BUS SERVICES FOR VARIOUS RECREATION PROGRAMS WITH BAUMANN & SONS, INC. AND LONG ISLAND LIMOUSINE CORP.

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town of Huntington operates a variety of recreational programs which require bus transportation services for their program participants at various locations; and

WHEREAS, sealed bids were received on January 14, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the bus services for various recreation programs, Bid No. TOH 16-01-004 and the same were opened publicly and read aloud; and

WHEREAS, Baumann & Sons, Inc., 3355 Veterans Memorial Highway, Ronkonkoma, New York 11779 and Long Island Limousine Service Corp., 169 Sycamore Lane, Islandia, New York 11749 are the lowest responsive, responsible bidders; and

WHEREAS, bus service for recreation programs 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 requirements contract, and any documents in connection and related therewith, with Baumann & Sons, Inc., and Long Island Limousine Service Corp. for the bus services for various recreation programs. The contract period shall be effective for a one (1) year term commencing upon execution of the contract but not before April 19, 2016 to be charged to A7140-4410, A7141-4410 and A7187-4410, 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.

2016-60

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR THE LAWN AND LANDSCAPE MAINTENANCE FOR THE HIGHWAY DEPARTMENT WITH B & B MAINTENANCE SERVICES, INC.

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS the Town of Huntington Highway Department is responsible for the lawn and landscape maintenance of various Town roads, right of ways, medians, shoulders and recharge basins. This service includes mowing all grassed areas, trimming grass along fence lines, trees, shrubs, curb strips, and removal of all debris; and

WHEREAS, sealed bids were received on January 14, 2016 by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York, for the lawn and landscape maintenance for the Highway Department, Bid No. TOH 16-01R-005 and the same were opened publicly and read aloud; and

WHEREAS, B & B Maintenance Services, Inc., P.O. Box 183, Ronkonkoma, New York 11779 is the lowest responsive, responsible bidder; and

WHEREAS, the lawn and landscape maintenance for the Highway Department is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(6) and (c)(20), 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 B & B Maintenance Services, Inc. for the lawn and landscape maintenance for the Highway Department. The contract period shall be one (1) year from the date of execution of the contract but not prior to April 1, 2016 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-5140-4420, 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.

2016-61

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH INDUSTRIAL AND UTILITY VALUATION CONSULTANTS, INC, RE: REVIEW, ANALYSIS AND DEFENSE OF THE 2016 EQUALIZATION AND RESIDENTIAL ASSESSMENT RATES FOR THE TOWN OF HUNTINGTON AND SPECIAL SEGMENTATION RATES FOR THE COLD SPRING HARBOR SCHOOL DISTRICT

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the New York State Office of Real Property Tax Services (ORPTS), a Division of the New York State Department of Taxation and Finance, annually establishes Equalization and Residential Assessment Rates for the Town of Huntington, as well as a Special Segment Rate for the Cold Spring Harbor School District; and

WHEREAS, there are numerous functions specific to the Town of Huntington's "Equalization and Residential Assessment Rates", including among others: the defense of the residential tax base in Small Claim Assessment Review (SCAR) proceedings and the commercial tax base in certiorari proceedings; the amount of County police property taxation that is apportioned into Huntington in comparison to the other four Western Towns of Suffolk County; the amount of County property taxation that is apportioned into Huntington in comparison to the other nine Towns of Suffolk County; the amount of Basic & Enhanced STAR School tax savings to our resident property tax payers; and the amount of property tax savings for Veterans; and

WHEREAS, the "Special Segment Rates" apportions the annual tax levy of Cold Spring Harbor School District into the Towns of Huntington and Oyster Bay; and

WHEREAS, the Town continues to desire to: strengthen our SCAR and tax certiorari defense; decrease the amount of Suffolk County and County Police property taxation that is apportioned into Huntington; increase the amount of Basic & Enhanced STAR school tax savings our resident property taxpayers receive; increase the property tax savings that thousands of our Veterans receive; decrease the amount of Cold Spring Harbor School property taxes that are apportioned into Huntington; among other benefits to the Town of Huntington; and

WHEREAS, pursuant to Town Board Resolution No. 2015-160, dated April 21, 2015, INDUSTRIAL & UTILITY VALUATION CONSULTANTS, INC. was retained to represent the Town in discussions, review and negotiations with ORPTS in order to be in an advantageous position in critiquing & challenging the equalization and residential assessment rates and special segment rates for the 2015/16 property tax year (December 1, 2015 to November 30, 2016 tax bill);

2016-61

WHEREAS, INDUSTRIAL & UTILITY VALUATION CONSULTANTS, INC. has agreed to continue furnishing these ongoing services for the 2016-17 real property tax year (December 1, 2016 to November 30, 2017 tax bill) at the same rate; and

WHEREAS, retention of an outside consultant to assist the Town in the negotiations concerning the New York State Equalization and Special Segment Rates is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board hereby authorizes the Supervisor to execute an agreement with INDUSTRIAL & UTILITY VALUATION CONSULTANTS, INC., located at 582 New Loudon Road, Latham, New York 12110 to provide expert services in the areas of Equalization, Residential and Special Segment Rate challenges and other Real Property Tax Law representation set forth in the Scope of Services to be appended to and made a part of the agreement authorized by this resolution, at a rate of \$250.00 per hour in an amount not to exceed FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS, to be charges to the 2016 and 2017 Operating Budgets A1355-4550 (Outside Professional), and upon such other terms and conditions as may be acceptable to the Office of the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE NON-COMPETING CONTINUATION FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE HUNTINGTON YOUTH BUREAU SANCTUARY RUNAWAY, HOMELESS YOUTH PROGRAM

Resolution for Town Board Meeting Dated: February 10, 2016

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

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

WHEREAS, the Sanctuary Project provides runaway and homeless youth services to Town residents including referrals to short-term emergency housing, crisis intervention, youth and family counseling, advocacy and independent living skills training; and

WHEREAS, funding in the amount of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) DOLLARS is available from the U.S. Department of Health and Human Services for the continuation of the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program for the period September 30, 2016 to September 29, 2017.

WHEREAS, the authorization to apply for and receive funding 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 Supervisor to apply for and receive funding from the U.S. Department of Health and Human Services in the amount of TWO HUNDRED THOUSAND AND NO/100 (\$200,000.00) DOLLARS for the period September 30, 2016 through September 29, 2017 to implement the Huntington Youth Bureau Sanctuary Runaway and Homeless Youth Program and to execute any documents in connection therewith upon such terms and conditions as approved by the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016- 63

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE PROVISION OF ADULT DAY CARE SERVICES, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 10, 2016

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

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

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

WHEREAS, the 2016 Adopted Suffolk County Operating Budget includes TEN THOUSAND NO/100 (\$10,000) DOLLARS in funding for the Social Model Adult Day Care as a respite to family caregivers for the period January 1, 2016 through December 31, 2016; and

WHEREAS, applying for and receiving funds for 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 County of Suffolk for the provision of adult day care services for the period January 1, 2016 through December 31, 2016, nunc pro tunc for an amount not to exceed the sum of TEN THOUSAND NO/100 (\$10,000.00) DOLLARS, in Operating Budget Item A-4773 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 Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR THE RESIDENTIAL REPAIR PROGRAM FOR THE ELDERLY OF HUNTINGTON, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Residential Repair Program provides residential repair and renovations to upgrade substandard, unsuitable or unsafe housing including handicapped modifications for persons age 60 and older within the Town of Huntington; and

WHEREAS, the 2016 Adopted Suffolk County Operating Budget includes TWENTY-FOUR THOUSAND ELEVEN DOLLARS AND NO/100 (\$24,011.00) DOLLARS for the Residential Repair Program; and

WHEREAS, applying for and receiving funds for this 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 funding from the County of Suffolk for the Residential Repair Program for the elderly of Huntington for the period of January 1, 2016 through December 31, 2016, nunc pro tunc for an amount not to exceed the sum of TWENTY-FOUR THOUSAND ELEVEN DOLLARS AND NO/100 (\$24,011.00) DOLLARS to be recorded in 2016 Operating Budget A3774 and A4774, 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 Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE COUNTY OF SUFFOLK FOR NUTRITION SERVICES FOR SENIOR CITIZENS NUNC PRO TUNC

Resolution for Town Board Meeting dated: February 10, 2016

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

WHEREAS, the Department of Human Services, Senior Citizen Division, has successfully operated a nutrition program for senior citizens; and

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

WHEREAS, the 2016 Adopted Suffolk County Operating Budget includes THREE HUNDRED ELEVEN THOUSAND AND TWO HUNDRED AND TWENTY TWO AND NO/100 (\$311,222.00) DOLLARS in funding for the IIC Nutrition Program for the period January 1, 2016 through December 31, 2016; and

WHEREAS, applying for and receiving funds for the nutrition 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 County of Suffolk for the provision of nutrition services for the period January 1, 2016 through December 31, 2016, nunc pro tunc for a unit cost for the 2016 program year in the amount of \$4.26 per meal for congregate meals and a unit cost for the 2016 program year in the amount of \$4.55 per meal for home delivered meals, to be recorded in Operating Budget Account A3776 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 Edwards **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-68

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH GATEWAY COMMUNITY GARDEN, INC. IN CONNECTION WITH THE COMMUNITY GARDEN AT GATEWAY PARK

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by **COUNCILMAN COOK**

WHEREAS, via Town Board Resolution 2010-85, the Town Board authorized the Supervisor to, among other things, execute a two-year agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by Starflower Experiences, Inc., in connection with the development of a pilot community garden at Gateway Park; and

WHEREAS, via Town Board Resolution 2012-61, the Town Board authorized the Supervisor to, among other things, execute a two-year agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by Open Space Institute, for continued assistance in the ongoing development and management of the community garden at Gateway Park; and

WHEREAS, via Town Board Resolution 2014-352, the Town Board authorized the Supervisor to, among other things, execute a one-year agreement with the Long Island Community Agriculture Network (LI-CAN), then sponsored by the Family Service League, Inc. (FSL), 790 Park Avenue, Huntington, New York 11743, for continued assistance in the ongoing development and management of the community garden at Gateway Park; and

WHEREAS, via Town Board Resolution 2015-112, the Town Board authorized the Supervisor to, among other things, execute a one-year agreement with Gateway Community Garden, Inc., a New York not-for-profit corporation comprised of gardeners at Gateway Park, who was then sponsored by the Family Service League, Inc. (FSL), 790 Park Avenue, Huntington, New York 11743, for continued assistance in the ongoing development and management of the community garden at Gateway Park; and

WHEREAS, Gateway Community Garden, Inc. would like to continue assisting the Town of Huntington in the development and management of the community garden at Gateway Park; and

WHEREAS, it will be necessary to execute a new agreement with Gateway Community Garden, Inc., to continue the garden activities described above; and

WHEREAS, the Town Board wishes to exercise an agreement for Gateway Park, for a term lasting until December 31, 2016; and

2016- 68

WHEREAS, in consideration of the contributed expertise and the services enumerated above by the members of Gateway Community Garden, Inc., the Town will continue to support its community gardening efforts through assistance with the identification of grant sources and general support of its community gardening activities; and

WHEREAS, the proposed execution of a community garden use agreement may be classified Type II pursuant to 6 NYCRR 617.5(c)(20) and (27) as it is consistent with and supports the intent of Chapter 95 (Community Garden Program) of Town Code; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE

THE TOWN BOARD, hereby authorizes the Supervisor to execute an agreement with Gateway Community Garden, Inc., a New York not-for-profit corporation, 15 Cheshire Street, Huntington Station, New York 11746, for a term lasting until December 31, 2016, for community gardening activities at Gateway Park, and on any 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.

2016-69

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE NEW YORK STATE LIQUOR AUTHORITY SPECIAL EVENT PERMIT APPLICATIONS ON BEHALF OF VARIOUS ORGANIZATIONS FOR SPECIAL EVENTS SCHEDULED TO BE HELD ON TOWN PROPERTY

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington regularly considers applications and issues permits for Special Events to be held on Town property; and

WHEREAS, organizations submitting applications for such Special Events and who would like to serve/sell wine or beer at such events are required to submit a Special Event Permit Application to the New York State Liquor Authority for a Temporary Beer, Wine and Cider Permit; and

WHEREAS, as owner of the property to be utilized for said event, it is necessary for the Supervisor to sign the New York State Liquor Authority Special Event Permit Application (Temporary Beer, Wine and Cider Permit) for the applicant/organization; and

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

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor to execute New York State Liquor Authority Special Event Permit Applications (Temporary Beer, Wine and Cider Permits) for various applicants/organizations, upon the approval and recommendation of the Director of the Town of Huntington Department of Parks and Recreation and the Huntington Town Attorney, for the period commencing on January 1, 2016 and ending on December 31, 2016, and on the condition that all such other requirements for the events will be satisfied, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-70

RESOLUTION AUTHORIZING THE SUPERVISOR TO ADOPT THE SUFFOLK COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE DEBRIS MANAGEMENT PLAN, ENTER INTO MUTUAL AID AGREEMENTS, AND TO GUIDE PRE AND POST-DISASTER DEBRIS MANAGEMENT ACTIONS

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Suffolk County Department of Fire, Rescue and Emergency Services (FRES) is authorized under Suffolk County Resolution 1084-2013 (IR 2003-2013) to receive one hundred percent federal pass through grant funding from the Federal Emergency Management Agency (FEMA) Urban Area Security Initiative (UASI) Fiscal Year 2013 Grant Program through the New York State Department of Homeland Security and Emergency Services (NYS DHSES) to provide planning; and

WHEREAS, FRES utilized federal and state grant funds in the development of a Multi-Jurisdictional Debris Management Plan in coordination with the ten (10) Towns within Suffolk County; and

WHEREAS, each planning partner has committed to adopt this Multi-Jurisdictional Debris Management Plan; and

WHEREAS, the Emergency Operations Committee must continue to work with the other Towns and Suffolk County to update Multi-Jurisdictional Debris Management Plan; and

WHEREAS, FEMA approved the 2015 Suffolk County Multi-Jurisdictional Debris Management Plan in a letter dated December 14, 2015; now therefore be it

WHEREAS, the acceptance of this Plan is a Type II 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

HEREBY AUTHORIZES the Town Supervisor or his/her designee to adopt the Suffolk County Multi-Jurisdictional Comprehensive Debris Management Plan as approved by FEMA on December 14, 2015 and on such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES, the Town Supervisor or his/her designee to enter into mutual aid agreements between Suffolk County and the towns listed in the Suffolk County Multi-Jurisdictional Comprehensive Debris Management Plan as needed; and

2016-70

HEREBY AUTHORIZES, the Town Supervisor or his/her designee to guide pre and post-disaster debris management actions; and

HEREBY DIRECTS the TOWN CLERK to forward this Resolution to the Commissioner of Suffolk County Office of Fire, Rescue and Emergency Services for incorporation into the required submittal document and for distribution to the appropriate state and federal agencies for filing.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THIS RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING APPLICATION FOR FUNDING FROM THE NATIONAL CREATIVE PLACEMAKING FUND OF ARTPLACE AMERICA FOR A "HUNTINGTON STATION: MOVING FORWARD TOGETHER" CREATIVE PLACEMAKING PROJECT

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, on January 5, 2016 ArtPlace America issued a call for submission of proposals to their National Creative Placemaking Fund, which expects to award a total of \$10.5 million in grants nationwide to fund projects that work with artists and arts organizations to help build stronger, healthier communities; and

WHEREAS, the Town's Public Art Initiative has a history of completion of several successful public projects in Huntington Station in support of the Town's ongoing economic revitalization efforts in this community; and

WHEREAS, the Town's 2016 Public Art Plan (TBR #2015-514) outlines plans for additional public art projects in Huntington Station; and

WHEREAS, the Town's Public Art Advisory Committee proposes to build upon these past and planned projects by implementing "Huntington Station: Moving Forward Together," a new creative placemaking project that would utilize the arts and the work of artists to make the neighborhood more attractive and visitor-friendly, highlight the community's multi-cultural nature, foster an increase in visitation from people outside of the immediate neighborhood, and encourage increased economic activity; and

WHEREAS, the Public Art Advisory Committee proposes to work with a wide range of community partners in government, non-profit, and business sectors in the planning and implementation of this project; and

WHEREAS, the Nation Creative Placemaking Fund does not have a fixed matching requirement for their grant awards; and

WHEREAS, the Public Art Advisory Committee proposes to support this proposed new project primarily with a combination of grant funds and donated support from the community, limiting any Town support to only such in-kind staff support and Public Art Initiative funds that the Town Board has recently allocated in the annual Town Operating budget; and

WHEREAS, the Public Art Advisory Committee recommends that the Town seek grant funding in the amount of ONE HUNDRED FIFTEEN THOUSAND N0/100 (\$115,000)

2016-71

DOLLARS from the National Creative Placemaking Fund of ArtPlace America for the planning and implementation of the "Huntington Station: Moving Forward Together" Project; and

WHEREAS, the action is classified Type II pursuant to 6 NYCRR 617.5(c)(21) as it involves preliminary planning and budgetary process necessary to the formulation of a proposal for action, which does not commit the Town Board to commence, engage in or approve such action.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES, the application for funds from the National Creative Placemaking Fund of ArtPlace America for the planning and implementation of the "Huntington Station: Moving Forward Together" Project for the period January 1, 2017 through December 31, 2019, for an amount not to exceed the sum of ONE HUNDRED FIFTEEN THOUSAND N0/100 (\$115,000.00) DOLLARS.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT OF SALE AND APPROPRIATING FUNDING NECESSARY FOR ACQUISITION OF CONSERVATION EASEMENT FOR COLD SPRING HARBOR PROPERTY (WAWAPEK ADDITION)

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, 27.18 acres of the former Williams Property in Cold Spring Harbor, identified as SCTM 0400-016.00-02.00-013.007, were jointly acquired by the Town of Huntington, Suffolk County, and the North Shore Land Alliance, and an additional 4.01 acres were acquired separately by the North Shore Land Alliance with a conservation easement held by New York State, which together comprise a passive park known as Wawapek, and

WHEREAS, prior Town Board resolution supported acquisition of a conservation easement for the 3-acre property adjoining the Wawapek assemblage on its north side identified as SCTM 0400-016.00-08.00-007.000 and located at 3 Mowbray Lane North in Cold Spring Harbor as a shared acquisition with the North Shore Land Alliance (NSLA), and authorized the Supervisor, Town Attorney, Special Eospa Counsel and Comptroller to take the necessary actions to secure a conservation easement for the land in shared Town and NSLA ownership; however, specific costs and contract requirements must be met, including, but not limited to: surveys, title insurance, recording of deeds, and other closing costs reasonably related to the transaction; and

WHEREAS, a public hearing was held on December 8, 2015 pursuant to General Municipal Law §247 regarding shared Town and North Shore Land Alliance protection of the subject property; and

WHEREAS, prior to completing the acquisition of a conservation easement for the subject property, the Town Board has determined that its action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing expenditures against the Eospa Program funds, and therefore has been established as lead agency, and

WHEREAS, the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action to facilitate completion of the necessary SEQRA evaluation prior to the Town Board authorizing any action;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with acquisition of a conservation easement for the property and hereby issues a Negative Declaration pursuant to SEQRA, and

2016-72

BE IT FURTHER

RESOLVED, that the Town Board authorizes the Supervisor to execute a contract and related documents, on such terms and conditions acceptable to the Town Attorney, to purchase a conservation easement for the Wawapek Addition Property with the North Shore Land Alliance as identified above restricting future use of the site to that associated with the operation and programming related to the site's conservation purposes for the benefit of Huntington residents for an amount not to exceed the sum of SEVEN HUNDRED THOUSAND 00/100 DOLLARS (\$700,000) and subject to survey verification, plus closing costs, including but not limited to survey, appraisal, and title insurance, which are hereby authorized to be split 50% by the Town and 50% by the North Shore Land Alliance; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds in an amount not to exceed 50% of the full market purchase price or SEVEN HUNDRED THOUSAND 00/100 DOLLARS (\$700,000) DOLLARS subject to survey verification, excluding customary closing expenses, to cover costs related to the Town acquisition of a conservation easement for the subject property on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney's office to proceed to schedule a closing of title with the attorney for the owner/estate of the Wawapek Addition Property and authorizes the Supervisor and/or his designee to execute all documents related to the conservation easement acquisition and future use and management, upon which it is to be identified and mapped as protected open space in the records of the Department of Planning and Environment.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A TITLE VI (CIVIL RIGHTS) POLICY FOR THE DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY

Resolution for Town Board Meeting dated: February 10, 2016

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington has received Federal financial assistance from the Federal Transit Administration (FTA), and as a condition of receiving this assistance, the Town of Huntington is required to establish a Title VI (Civil Rights) Policy for the Department of Transportation and Traffic Safety and issue assurances that there is no discrimination in the award and administration of its contracts or any program or activity receiving federal financial assistance without regard to whether specific projects or services are federally funded; and

WHEREAS, pursuant to SEQRA Section 6 N.Y.C.R.R. of 617.5 (c)(20), the actions herein involve routine agency administration, which are Type II actions and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ESTABLISHES a Title VI (Civil Rights) Policy for the Department of Transportation and Traffic Safety including written assurances of compliance as set forth in Title VI of the Civil Rights Act of 1964 and subsequent Federal, State and Local laws, regulations and executive orders and authorizes the Supervisor to sign any documents in connection therewith 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 Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING LASER INDUSTRIES, INC. TO PERFORM COURT-ORDERED REMEDIAL WORK AT 44 BENNETT AVENUE, HUNTINGTON STATION, NEW YORK 11746 (SCTM NO.: 0400-153.00-02.00-099.002)

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, Suffolk County District Court Judge C. Stephen Hackeling issued an Order on June 25, 2015 appointing Paul Sabatino, II, Esq. as receiver of the property at 44 Bennett Avenue, Huntington Station, New York 11746 (SCTM No.: 0400-153.00-02.00-099.002) directing Mr. Sabatino to bring the subject premises into compliance with all applicable requirements of the Huntington Town Code and the applicable Codes of the State of New York; and

WHEREAS, Mr. Sabatino, as receiver, pursuant to Judge Hackeling's Order, prepared a written report detailing all required corrective measures to be taken and estimated the costs of achieving compliance with the law (Schedule "A"), and

WHEREAS, said written report was reviewed and the recommendations approved by the Court on August 27, 2015 (Schedule "B") and

WHEREAS, Lazar Industries, Inc. located at 1775 Route 25, Ridge, New York 11961, has agreed to do the remedial work at 44 Bennett Avenue, Huntington Station, New York for the sum of FIFTY FOUR THOUSAND EIGHT HUNDRED AND THIRTY EIGHT DOLLARS AND THIRTY CENTS (\$54,838.30) to be paid by the Town of Huntington; and

WHEREAS, actions taken in compliance with a judicial order are Type II actions requiring no review in accordance with 6 NYCRR Part 617.5(c)(29) of the SEQRA regulations;

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES Laser Industries, Inc., located at 1775 Route 25, Ridge, New York 11961, pursuant to Contract No. ES 2015-02 O/E, to perform the court-ordered work set forth in the Receivers report of August 5, 2015, as amended on January 8, 2016 (Schedule "A"), at 44 Bennett Avenue, Huntington Station, New York 11746, (SCTM Number: 0400-153.00-02.00-099.002) pursuant to the Order of the Court on August 27, 2015 (Schedule "B"), and the court-appointed Receiver has agreed to allow Laser Industries Inc., to do the work, all at a cost not to exceed FIFTY FOUR THOUSAND EIGHT HUNDRED AND THIRTY EIGHT DOLLARS AND THIRTY CENTS (\$54,838.30) to be paid from Budget Line Item No. A1621-4552, and on such other terms and conditions as may be acceptable to the Town Attorney; and

2016-74

HEREBY DIRECTS, the court-appointed receiver to notify all lien holders and any person having an interest in the property prior to performing the court-ordered remedial work; and

HEREBY DIRECTS the Receiver of Taxes to assess all costs and expenses associated with the measures authorized by this Resolution upon the real property tax bill of the subject property upon receipt of such costs and expenses from the Town Departments incurring the expenditures, and such costs and expenses shall be collected at the same time and in the same manner as real property taxes.

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

**REMEDIAL PLAN FOR COURT APPROVAL FOR ERALI PROPERTY
AT 44 BENNETT AVENUE, HUNTINGTON STATION, NEW YORK**

PREPARED BY PAUL SABATINO II, ESQ, AS RECEIVER, for said property, to bring the structures and property at 44 Bennett Avenue, Huntington Station, New York, into compliance with the Huntington Town Housing/Zoning Code as required by Judge Hackeling's June 25, 2015 Court Order.

The starting point for this Remedial Plan is that any and all tenants who have not vacated the premises by the time that this Remedial Plan has been submitted to Judge Hackeling for approval shall be evicted before any remedial work is completed. David Swan, Meghan Akan, Shah Ellis a/k/a John Doe, Tear-Destiny Ellis, and Steve Rocco were each notified in writing by me on July 9th and 10th of 2015 as to the fact that Paul Sabatino II was appointed as Receiver of the subject premises which they each currently occupy and use. They were also informed that rents for such use and occupancy should be paid to Paul Sabatino II, as Receiver, beginning in July 2015, and were informed as to the amount of alleged rental arrears owed by each. The letter advised them that Paul Sabatino II, as Receiver, would be evicting them as part of his court ordered obligation to bring the property into compliance with the Huntington Town Housing/Zoning Code, as required by Judge Hackeling's June 25, 2015 Court Order.

None of said occupants has made any payments to Paul Sabatino II, as Receiver, nor have any of them vacated the premises as of August 5, 2015.

FNG Contracting Inc. has provided the cost estimates (see attached Exhibit "B") for this Remedial Plan based on findings for code compliance made by the Town of Huntington as follows:

- 1.) Convert garage back to garage space.
- 2.) Remove the second kitchen on lower floor.
- 3.) Remove deck in rear of the house.
- 4.) Restore the lower level bedroom to a study.
- 5.) Repair plumbing leaks that are causing cesspool to over flow.
- 6.) Clean the stagnant water in the in-ground pool.

The plan is to restore property to original condition. Owner's personal property would have to be moved accordingly within the residence as originally designed or relocated off site to accommodate the necessary restoration work.

More particularly, the following work would be preformed at the following estimated costs:

Garage - convert existing garage apartment approximately 12'x16' back into original garage space

2016-74

- Demolish, remove, and dispose of all sheetrock, framing, and flooring
- Correct any electrical and plumbing issues to code
- Rework existing garage door to make operational

Total - \$6,500

2nd Kitchen – located on 1st floor

- Demolish, remove, and dispose of existing kitchen cabinets, and appliances
- Cut off and cap all necessary plumbing associated with kitchen
- Remove all electrical lines associated with kitchen

Total - \$3,200

Rear deck – off 2nd floor

- Demolish, remove, and dispose of existing deck
- Close off existing entrance to deck
- Supply and install window where existing door is located to access deck
- Patch and repair existing siding to accept new window
- Supply and install interior window trim

Total - \$3,250

Study – on 1st floor behind garage

- Remove approx. 6x6' of sheetrock area of current ceiling
- Check for structural damage or mold/moisture damage from upstairs bathroom leak
- Provided there is no structural damage, after plumbing issue is fixed in upstairs bathroom, we will sheetrock and spackle

Total- \$500

2nd Floor Bathroom

- Demolish, remove and dispose of approximately 3' x 2' tile area of front shower wall
- Supply and install new shower faucet and tub spout
- Supply and install new wall board and tile and grout, match tile as close as possible
- Check existing bathroom sink faucets and toilets for leaks (upon my inspection water was shut off to house and I could not make an assessment for these items)

Total - \$2,200

Swimming Pool

- Pump out existing water in pool
- Remove and dispose off all dead animals, hazards, and debris
- Clean pool
- Treat and refill pool with water and winterizing chemicals
- Supply and install pool cover

Total - \$3,300

The swimming pool reached its current condition due to an obvious failure to maintain it. A title search of the subject premises disclosed the following financial issues:

- 1.) A mortgage lien filed by the Suffolk County Commissioner of the Suffolk County Department of Social Services (DSS) on November 11, 2014 in the amount of \$ 200,000.00;
- 2.) A mortgage held by Live Well Financial since April 27, 2009 in the amount of \$ 787,500.00, for a property that is currently valued at only \$ 320,000.00; and
- 3.) A mortgage foreclosure proceeding commenced by Live Well Financial filing a Lis Pendens on November 20, 2013.

In addition, upon information and belief, PSEG-LI posted a notice on the door to the subject premises on or about 5:00 PM on July 30, 2015 stating that electric service would be terminated for non-payment of prior bills by the Defendant.

As a result, it is highly unlikely that the Defendant, after full implementation of this Remedial Plan by the Receiver, will have the financial ability to maintain the in-ground swimming pool in a safe and sound condition for the foreseeable future. This obvious inability to properly and adequately maintain the pool will pose a public health threat in the form of the potential spread of infectious diseases such as the West Nile Virus and a public safety threat in the form of liability for any injury to occupants, invitees, or trespassers arising out of an uncovered or non-secured pool.

Hence, it is recommended that the court impose an additional restriction on the use of said pool to protect public health and public safety. More specifically, this Plan requests the Court to prohibit the Defendant from reopening the in-ground swimming pool until such time as the mortgage lien, in the amount of \$ 200,000.00, filed by DSS against the subject premises, dated November 14, 2014 and recorded in office of the Suffolk County Clerk on November 25, 2014 at Liber 22543 mp 775 is either paid off or released and unless and until such time as the Plaintiff shall consent in writing to the re-opening of said in-ground swimming pool.

2016-74



Licensed & Insured

**FNG Contracting
126 Greenlawn Rd.
Huntington, NY 11743
516-909-6485
August 3, 2015**

Erali Receivership
c/o Paul Sabatino
44 Bennett Avenue
Huntington Station, Ny 11746

ESTIMATE

Job Description – Miscellaneous projects to bring property to compliance with Town of Huntington

Garage - convert existing garage apartment approx. 12x16' back into original garage space

- Demo, remove, and dispose of all sheetrock, framing, and flooring
- Correct any electrical and plumbing issues to code
- Rework existing garage door to make operational

Total - \$6,500

Exhibit "B"

2nd Kitchen – located on 1st floor, unpermitted

- Demo, remove, and dispose of existing kitchen cabinets, and appliances
- Cut off and cap all necessary plumbing associated with kitchen
- Remove all electrical lines associated with kitchen

Total - \$3,200

Option 1 - Rear deck – off 2nd floor, Town of Huntington option

- Demo, remove and dispose of existing deck
- Close off existing entrance to deck
- Supply and install window where existing door is located to access deck
- Patch and repair existing siding to accept new window
- Supply and install interior window trim

Total - \$3,250

Option 2 - Rear deck – off 2nd floor, Receivers Option

- Demo, remove and dispose of existing deck, except for staircase
- Reinstall existing staircase to current 2nd floor exit
- Make all necessary preparations to reinforce existing staircase as needed, as best as possible

Total - \$2,600

Study – on 1st floor behind garage

- Remove approx. 6x6' of sheetrock area of current ceiling

2016-74

- Check for structural damage or mold/moisture damage from upstairs bathroom leak
- Provided there is no structural damage, after plumbing issue is fixed in upstairs bathroom, we will sheetrock and spackle

Total- \$500

2nd Floor Bathroom

- Demo, remove and dispose of approx. 3x2' tile area of front shower wall
- Supply and install new shower faucet and tub spout
- Supply and install new wall board and tile and grout, match tile as close as possible
- Check existing bathroom sink faucets and toilets for leaks (upon my inspection water was shut off to house and I could not make an assessment for these items)

Total - \$2,200

Swimming Pool

- Pump out existing water in pool
- Remove and dispose off all dead animals, hazards, and debris
- Clean pool
- Treat and refill pool with water and winterizing chemicals
- Supply and install pool cover

Total - \$3,300

Exhibit B-3

2016-74

PAUL SABATINO II
ATTORNEY AT LAW
1617 NEW YORK AVENUE
HUNTINGTON STATION, NEW YORK 11746
PHONE NO. 631 423-5222
FAX NO. 631 423-8803

January 8, 2016

Unified Court System
Suffolk County District Court
1850 New York Avenue
Huntington Station, New York 11746

VIA FAX 631 854-4549 to court
and fax 631 351-3032 and e-mail
to the Town of Huntington and by
regular mail to the defendant

Honorable James Matthews

Re: HUTO 55-14; Erali
Receivership-Implement
Remediation Plan

Dear Judge Matthews:

Pursuant to Judge Hackeling's August 27, 2015 Order, approving my Receiver's Remedial Plan in connection with the captioned matter, detailing all required corrective measures and estimated costs necessary to bring the subject premises into compliance with all requirements of the Town of Huntington zoning/housing code, please be advised that I am ready to commence implementation of that plan.

Pursuant to the 5th "**ORDERED and ADJUDGED**" clause of that Order, directing me, as Receiver of the property located at 44 Bennett Avenue, Huntington Station, New York, to hire, on at least forty-eight (48) hours written notice to this Court and to the Plaintiff, "such vendors as may be necessary and appropriate to perform the repair, maintenance, and demolition work described in the Remedial Plan, please be advised that I intend to retain the following vendor for such work for the following reasons:

Laser Industries Inc. (Laser)

1775 Route 25, P.O. Box 315, Ridge, New York 11961 and its primary subcontractor, Millennium Limited Contracting, Inc, Miller Place, New York 11764 (Millenium).

- 1.) the Town of Huntington, which advances the funding for such remedial work when, as here, it petitions the court for the appointment of a Receiver, subject to such costs being charged back as a lien against such property, has directed the use of Laser Industries Inc. as the vendor to perform the necessary work to implement the Remedial Plan since Laser is on the Town's list of approved vendors; complies with Town requirements to pay prevailing wage in performing such contracts; and

complies with Town requirements to use union labor in performing such contracts; and

- 2.) Laser has proposed to use Millenium as its primary subcontractor to perform the work, whose cost estimate is acceptable to the Town.

Pursuant to the Town's formal retention of Laser as the authorized vendor for implementation of this Remedial Plan, I will use this vendor to perform whatever construction, repair, maintenance, and demolition work is necessary to bring the subject real property into Town of Huntington zoning/housing code compliance, as per the Remedial Plan approved by Judge Hackeling's August 27, 2015 Order, the funding for which is being advanced by the Town of Huntington. The only contemplated changes in implementation of the Remediation Plan are as follows:

- 1.) to empty the in-ground pool, including the removal of debris therein, and secure it with the installation of a wooden structure and self-adhering sheet, rather than refill it with water and winterizing chemicals, due to significant damage to the pool liner which would render winterization both dangerous and cost prohibitive; and
- 2.) refurbish the outdoor 2nd story deck rather than removing said deck.

I reserve the right to utilize previously designated FNG Contracting Inc. to oversee any such work in the event that any issues arise as to the conduct of such work which are beyond my expertise.

The estimated cost is now \$ 54,838.30, as compared to the original estimate of \$ 18,950.00, based on the change in circumstances since the time of my appointment as Receiver.

By copy of this letter, I hereby request the Town of Huntington, pursuant to the 3rd "ORDERED and ADJUDGED" clause in said August 27,2015 Order, to immediately execute all of the requisite documents necessary for the immediate implementation of the Remedial Plan.

Very truly yours,

PAUL SABATINO II 01/08/2016

Paul Sabatino II

PS/ap

CC: Cindy Elan-Mangano, Huntington Town Attorney-via fax
Laurie Gatto-Argiriou, Esq., Assistant Town Attorney-via e-mail
Laura Erali

DISTRICT COURT, SUFFOLK COUNTY: THIRD DISTRICT

TOWN OF HUNTINGTON

ORDER

PLAINTIFF

HON. C STEPHEN HACKELING

vs.

DATE:

LAURA ERALI

DEFENDANT

INDEX NO. HUTO 55-14

SUFFOLK COUNTY DISTRICT COURT 2015 AUG -7 PM 12:02

The court having conducted a hearing on August 27, 2015 upon the Notice of Motion and Supporting Affirmation, of PAUL SABATINO II, AS RECEIVER OF REAL PROPERTY LOCATED AT 44 BENNETT AVENUE, HUNTINGTON STATION, NEW YORK ("the Receiver"), dated August 6, 2015, seeking approval of the Court to implement a written report prepared by the Receiver, detailing all required corrective measures and estimated costs necessary to bring the subject premises into compliance with all requirements of the Town of Huntington zoning/housing code, hereinafter referred to as the "Remedial Plan"; and the Town of Huntington having appeared by Cindy-Elan-Mangano, the Town Attorney, and in support of the Receiver's Motion; and the Defendant having appeared in opposition; and the Court having determined that the Receiver's proposed Remedial Plan is a reasonable and cost-effective proposal to carry out the June 25, 2015 Order of this Court to restore the real property and premises located at 44 Bennett Avenue, Huntington Station, New York, to a single family residence and bring the subject premises into compliance with all standards and requirements of the Town of Huntington zoning/housing code; it is

ORDERED AND ADJUDGED that the Receiver's motion to approve the written report prepared by the Receiver, dated August 5, 2015, detailing all required corrective measures and estimated costs necessary to bring the subject premises into compliance with all requirements of the Town of Huntington zoning/housing code, is hereby granted and the Receiver's Remedial Plan set forth in said written report is hereby approved, to wit:

- 1.) Restore the converted garage back to garage space;
- 2.) Remove the second kitchen on the lower floor;
- 3.) Remove the deck in the rear of the house;
- 4.) Restore the lower level bedroom to a study;
- 5.) Repair plumbing leaks from the 2nd floor bathroom which are causing the cesspool to over flow;
- 6.) Pump out existing water in the in-ground swimming pool; remove and dispose off all dead

animals, hazards, and debris; clean the swimming pool; treat and refill the swimming pool with water and winterizing chemicals; and supply and install a pool cover; and
7.) Institute civil proceedings to evict illegal occupants and to recover payment for the use and occupancy of said premises including, but not limited to, rent, arrears, and/or fair market value.

And be it further

ORDERED AND ADJUDGED

That the cost of all of this work shall be charged back to the Defendant and shall constitute a lien on the subject premises (and appear on the annual real property tax bill of said premises) until such time as all such expenses incurred by the Town of Huntington to reimburse the Plaintiff for the cost of bringing the subject premises into compliance with all standards and requirements of the Town of Huntington zoning/housing code are fully recovered by the Town of Huntington.

And be it further

ORDERED AND ADJUDGED

That the Town of Huntington shall cooperate with the Receiver in issuing the requisite permits and advance funding necessary to bring the subject premises into compliance with all standards and requirements of the Town of Huntington zoning/housing code.

And be it further

ORDERED AND ADJUDGED

That the Defendant shall not reopen the in-ground swimming pool until such time as the mortgage lien, in the amount of \$ 200,000.00, filed by the Suffolk County Department of Social Services (DSS) against the subject premises, dated November 14, 2014 and recorded in office of the Suffolk County Clerk on November 25, 2014 at Liber 22543 mp 775, is either paid off or released and unless and until such time as the Plaintiff shall consent in writing to the re-opening of said in-ground swimming pool.

And be it further

ORDERED AND ADJUDGED

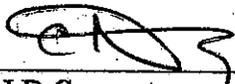
That, consistent with the 2nd "Ordered and Adjudged clause of the June 25, 2015 Decision of this Court, the Receiver shall hire such vendors as shall be necessary and appropriate to perform the repair, maintenance, and demolition work described in the Remedial Plan on at least forty-eight (48) hours written notice to this Court and to the Plaintiff. Such written notice shall include the reason for such retention and the name, address, and qualifications of such vendor.

And be it further

ORDERED AND ADJUDGED

That the Defendant shall cooperate with the Receiver by vacating the converted garage and/or causing Defendant's alleged in-laws to vacate the converted garage when so instructed by the Receiver, or Receiver's agent, on at least two (2) weeks' verbal and simultaneous written notice.

DATED: 8/27/2015



J.D.C.
76

Decision to be published on line _____ yes no

2016-75

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: February 10, 2016

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	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.

2016-75

Schedule A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
38 West 11 th Street Huntington Station, NY 11746	0400-142.00-02.00-020.000	Rosemarie Rosier	01/15/2016	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>
38 West 11 th Street Huntington Station, NY 11746	0400-142.00-02.00-020.000	Rosemarie Rosier	01/25/2016	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>
38 West 11 th Street Huntington Station, NY 11746	0400-142.00-02.00-020.000	Rosemarie Rosier	01/15/2016	N/A

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2016 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: February 10, 2016

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

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 2016 Operating Budget

Reinstate the following positions:

A-5630-1100	Bus Driver	\$63,845
DB-5110-1100	Heavy Equipment Operator II	66,374
DB-5110-1100	Labor Crew Leader II	74,220
DB-5130-1100	Automotive Mechanic III	71,494
SR-8158-1100	Heavy Equipment Operator II	66,374
SW1-8321-1100	Maintenance Mechanic II	66,374

Adjust the following appropriations:

A-1990-1100	Contingency	(\$63,845)
DB-1990-1100	Contingency	(212,088)
SR-1990-1100	Contingency	(66,374)
SW1-1990-1100	Contingency	(66,374)

2016-76

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.

2016-78

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

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILMAN COOK**

WHEREAS, The Town of Huntington held the first annual Huntington Holiday Decorating Contest with the Long Islander News from November 19, 2015 thru December 18, 2015. Three grand prize winners were selected

WHEREAS, The Long Islander News donated 3 one year subscriptions to their newspaper and 3 restaurants have donated \$100 gift certificates to the winners; and

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

NOW, THEREFORE,

THE TOWN BOARD,

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE "A"
2015 "Holiday Decorating Contest"
CONTRIBUTION ACKNOWLEDGEMENT LIST NUNC PRO TUNC

MERCHANTS

<u>TRUE NORTH</u> 54 New Street Huntington, NY 11743	\$100.00 Gift Certificate
<u>IMC Meat Company</u> 67 Broadway Huntington, NY 11743	\$100.00 Gift Certificate
<u>Honu Kitchen and Cocktails</u> 363 New York Ave Huntington, NY 11743	\$100.00 Gift Certificate
<u>The Long Islander News</u> Wall Street Huntington, NY 11743	3 One year subscriptions

RESOLUTION APPOINTING MEMBERS TO THE TOWN OF HUNTINGTON BOARD OF ETHICS

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Councilwoman Edwards

And seconded by: **SUPERVISOR PETRONE**
COUNCILMAN COOK

WHEREAS, the appointment of a member to the Board of Ethics 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 APPOINTS the following individuals to the Town of Huntington Board of Ethics for a term to expire as indicated:

	<u>Term expires:</u>
Sam Miller 20 Robin Drive Huntington, NY 11743	12/31/2017
Sheryl L. Randazzo, Esq. 40 Scudder Avenue Northport, NY 11768	12/31/2018

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 EXTENDING THE TIME TO MAKE A DETERMINATION REGARDING THE ADOPTION OF LOCAL LAW INTRODUCTORY NUMBER 46-2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-410, GURWIN SENIOR HOUSING, TO CHANGE THE ZONING FROM R-40 & 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.

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, Town Board Resolution 2015-536 scheduled a public hearing, and the same was held on the 8th day of December, 2015, to consider adopting Local Law Introductory No. 46-2015, amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from R-40 & R-20 Residence Districts to R-HS Residential Health Services District the property designated on the Suffolk County Tax Map as 0400-251-01-017.003 & 018; and

WHEREAS, the Town Board reserved decision; and

WHEREAS, pursuant to the Code of the Town of Huntington Chapter 54, the 90 day time period to make a determination on the application is set to expire on March 7, 2016; and

WHEREAS, a time extension is not an action pursuant to SEQRA as defined by 6 NYCRR §617.2(b) and therefore no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY EXTENDS the time to make a determination concerning the above referenced change of zone application for an additional 90 day time period to June 5, 2016.

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.

2016 -84

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 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: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 12th day of January, 2016 at 2:00 p.m. 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., and due deliberation having been had,

HEREBY ADOPTS

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 NO. 5 - 2016
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

2016-84

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.

2016-85

ENACTMENT: ADOPT 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: February 10, 2016

The following resolution was offered by: **Councilman Cuthbertson**
and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD having held a public hearing on the 12th day of January, 2016 at 2:00 p.m. 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) and due deliberation having been had,

HEREBY ADOPTS

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:

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

LOCAL LAW NO. **6 - 2016**
AMENDING THE CODE OF THE TOWN OF HUNTINGTON SO AS TO AMEND
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 Places of public assembly. **REPEALED IN ITS ENTIRETY.**

[§111-73.1 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	<u>AYE</u>
Councilwoman Susan A. Berland	<u>AYE</u>
Councilman Eugene Cook	<u>AYE</u>
Councilman Mark A. Cuthbertson	<u>AYE</u>
Councilwoman Tracey A. Edwards	<u>AYE</u>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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: February 10, 2016

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on January 12, 2016 the Town Board designated certain properties as “blighted” and scheduled a public hearing to consider further action to remedy the conditions of blight; and

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

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

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

NOW THEREFORE,

THE TOWN BOARD

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

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

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

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

FURTHER DIRECTS the Town Attorney to notify the property owners of properties listed on Schedule "B" to this Resolution that structure(s) upon their properties are being evaluated for further action to mitigate blight; and

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

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

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

VOTE: 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

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
208	1 Briarwood Drive Huntington	0400-092.00-02.00-004.000	Joseph A. Puca Margaret Puca 1 Briarwood Drive Huntington, New York 11743-4137	11/12/2015	\$ 2,500.00
209	59 Cedar Drive Huntington	0400-093.00-01.00-084.000	Mildred P. Russlend (Trust) Mildred P. Russlend-Trustee 226 N. Prospect Avenue Redondo Beach, CA 90277-3227	11/30/2015	\$ 2,500.00
118	600 Park Avenue Huntington	0400-102.00-01.00-005.002	David Alan Nothman 600 Park Avenue Huntington, New York 11743-3833	11/24/2015	\$ 2,500.00

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
208	1 Briarwood Drive Huntington	0400-092.00-02.00-004.000	Joseph A. Puca Margaret Puca 1 Briarwood Drive Huntington, New York 11743-4137	11/12/2015	1/12/2016
209	59 Cedar Drive Huntington	0400-093.00-01.00-084.000	Mildred P. Russlend (Trust) Mildred P. Russlend-Trustee 226 N. Prospect Avenue Redondo Beach, CA 90277-3227	11/30/2015	1/12/2016
118	600 Park Avenue Huntington	0400-102.00-01.00-005.002	David Alan Nothman 600 Park Avenue Huntington, New York 11743-3833	11/24/2015	1/12/2016

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 ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
132	4 Tuxedo Drive Melville	0400-253.00-02.00-055.000	Robert S. Cook Lisa S. Cook 4 Tuxedo Drive Melville, NY 11747-2409	8/19/2014
153	69 Republic Road Melville	0400-267.00-02.00-020.001	Sunil Mathew 69 Republic Road Melville, NY 11746	12/9/2014
139	74 Old Northport Road Huntington	0400-077.00-02.00-012.000	Angelo Karastamatis 74 Old Northport Road Huntington, NY 11743-2995	10/21/2014

-SCHEDULE C-
 IN COMPLIANCE

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 ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE	ANNUAL REGISTRATION FEE
5	1081 E. Jericho Tpke Huntington	0400-210.00-01.00-081.003	1081 EJT, LLC 1055 E. Jericho Tpke Huntington, NY 11743	2/4/2014	\$ 5,000.00

-SCHEDULE D-
 PERSISTENT BLIGHT

2016- 88

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: February 10, 2016

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 **8th** day of **MARCH**, 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.

2016-88

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

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
62	26 Corlett Place Huntington Station	0400-099.00-05.00-081.000	Kevin M. Enright 26 Corlett Place Huntington Station, NY 11746- 1012	12/16/2015	\$ 2,500.00
212	116 Taylor Street Centerport	0400-039.00-02.00-020.000	Nora Brattoya 116 Taylor Street Centerport, NY 11721-1335	1/7/2016	\$ 2,500.00

2016-88

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 5 -2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY), ARTICLE III (RESIDENTIAL RENTAL PERMITS) AND ARTICLE IV (ADMINISTRATIVE REMEDIES AND PENALTIES)

Resolution for Town Board Meeting Dated: February 10, 2016

The following Resolution offered by: Councilwoman Edwards

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, The town board passed a resolution in November of 2014 to modify Chapter 111 and Chapter 160 in order to establish a permit for non-owner occupied dwellings, and requiring those property owners to obtain the permits prior to advertising or leasing non-owner occupied residences to preserve the health, safety and welfare of the tenants and community within the town; and

WHEREAS, the Board has evaluated the progress of the rental permit process and is amending the code based on those findings to further advance and protect the health, safety, and welfare of the tenants, extend the length of the permit for landlords maintaining their properties, and enhance the violation provisions of the rental registration law, and

WHEREAS, in amending its Code, the Town Board is exercising its statutory authority under §130 (3-a), (5), (11), (15) and (16) of the Town Law; §10(1)(ii)(a)(11) and (12) and §10(1)(iii)(d)(3) of the Municipal Home Rule Law, and any other applicable law, rule or statute in order to require owners of property to maintain minimum maintenance and safety standards, protect the occupants of non-owner occupied housing, preserve property values, and enhance the quality of life; and

WHEREAS, adding administrative procedures, including a denial and revocation procedure to the permit process for residential rental properties is a Type II Action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(18, 19, 20, & 27), requiring no further environmental review because the legislation involves the continuing establishment and maintenance of Town administrative procedures,

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **8th** day of **March**, 2016 at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 5 -2016, amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article IV (Administrative Remedies and Penalties); as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 5 -2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY), ARTICLE III (RESIDENTIAL RENTAL PERMITS) AND ARTICLE IV (ADMINISTRATIVE REMEDIES AND PENALTIES)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article IV (Administrative Remedies and Penalties); as follows:

CHAPTER 160
REGISTRATION AND PERMITTING OF PROPERTY

* * *

ARTICLE III
RESIDENTIAL RENTAL PERMITS

§160-21. As used in this article, the following words shall have the meanings indicated:

* * *

OWNER - Any person, business entity, or association who, alone or jointly with others, holds a fee interest in real property with or without accompanying actual possession thereof; or a managing agent who is responsible for the maintenance and/or operation of real property; or [as] an executor, administrator, trustee, receiver or guardian of an estate; or [as] a mortgagee who has secured a judgment of foreclosure and sale, or who is in possession, title or control of real property, including but not limited to a bank or lending institution, regardless of how such judgment, possession, title or control was obtained.

* * *

§160-22. [Rental permit required.] Prohibited acts.

(A) Owner or managing agent.

(1) It shall be unlawful for the owner or managing agent to lease or rent, or offer to lease or rent, any rental property or dwelling unit for which a valid rental permit has not been issued pursuant to this article. It shall be immaterial whether or not rent or any other consideration is paid or tendered to the owner or managing agent by the occupant of such dwelling unit or rental property[.]; and

(2) It shall be unlawful for the owner or managing agent to submit for filing pursuant to this chapter false or misleading statements or information, or to submit for filing a certification or other document generated by one who did not inspect all portions of the rental property; and

* * *

(C) Engineer and Architect. Any engineer or architect who generates a certification or other document for filing pursuant to this chapter containing false or misleading statements or information; or generates a certification without entering into and/or inspecting all portions of the rental property, shall be deemed to be in violation of this article.

§160-23. [Violation of article; presumptive evidence.] Presumptive evidence.

* * *

§160-24. Term of permit.

A rental permit and renewal thereof shall be valid for a period of [one (1) year] two (2) years from the date of issuance unless sooner terminated.

* * *

§160-25. Application for rental permits.

* * *

(9) A certification from a [licensed] professional engineer[,] or [licensed] registered architect licensed in the State of New York and containing their seal, or a certification of a Town ordinance/code enforcement officer attesting that [that] the property at issue is in compliance with the Huntington Town Code, and meets the requirements of all applicable county, state and federal laws, codes, rules and regulations. Nothing in this article, except in the case of an emergency [pursuant to §160-36(B)] as set forth in this chapter, shall be deemed to authorize the Town to conduct an inspection of any property without the consent of the owner or managing agent or occupant of the property in the absence of a warrant duly issued by a court of law.

* * *

§160-26. Issuance of permit; fees.

(A) Permit fee. A non-refundable permit fee of four hundred and seventy-five (\$475) dollars per property shall be payable [on or] before a rental permit or renewal permit is issued.

* * *

(C) Re-inspections. If the owner has requested that an inspection be performed by the Town instead of a licensed professional engineer or registered architect, a re-inspection fee of seventy-five (\$75) dollars shall be charged if the property owner or his agent fails to appear for a scheduled inspection for a second time.

D [(C)] Compliance required. * * *

§160-27. Renewal of permit.

A rental permit may be renewed by application to the Department of Public Safety as in the case of an original permit application, with payment of a non-refundable application fee of twenty-five (\$25) dollars and the production of any documents deemed necessary by the Director. All applications for a renewal of a permit shall be filed before the expiration of the original permit, and are subject to the late charges set forth in § 160-26(B). A permit may only be renewed by the same owner for the same property upon the payment of the permit fee set forth in §160-26(A). [A renewal permit fee of four hundred and seventy-five (\$475) dollars shall be payable before a renewal is issued.]

§160-28. Denial of Application.

(A) Basis for denial. Any application for a rental permit, including the renewal or transfer of a permit, can be denied for the reasons set forth in §160-36. In the event an application is denied, notice of denial shall be given in writing and served by registered or certified mail, return receipt requested, and by regular mail, to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be valid.

(B) Notice of denial. The notice of denial shall set forth the grounds therefor and contain a statement that the applicant may appeal such denial by filing a written request for an appeal thereof with the Huntington Town Clerk within twenty (20) days of receipt of the notice of denial, together with payment of one hundred (\$100) dollars to cover the costs of processing the appeal. The notice shall also contain a statement that the applicant may submit written objections to the denial, and any other information the applicant deems advisable or necessary. The Town Clerk shall forward a copy of the appeal to the Town Attorney and the Department of Public Safety for further processing.

(C) Notice of an administrative hearing. Notice of the date, time and place of the administrative hearing shall be given in writing and served by registered or certified mail, return receipt requested to the applicant at the address shown on the application. The notice shall contain a statement that (1) the applicant is entitled to be represented by legal counsel at the hearing and may present the testimony of witnesses and such other evidence in his or her own behalf as may be deemed relevant or necessary, and (2) in the

event the applicant fails to appear for the hearing, the denial shall remain in full force and effect and be final.

(D) Conduct of hearing. The hearing shall occur before a duly appointed Administrative Hearing Officer, and may be adjourned by the Hearing Officer only upon good cause shown. At the administrative hearing the applicant shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. The applicant may present the testimony of witnesses, experts and other evidence in his or her own behalf as he or she deems advisable. The code officer or other witness may appear and give testimony or submit evidence in support of the determination to deny a permit, or to deny the transfer or renewal of same, as deemed necessary by the Town. All hearings shall be recorded.

(E) Administrative Hearing Officer. The Hearing Officer shall consider the evidence presented and shall submit his or her findings in writing within thirty (30) days of the close of the hearing or sooner. A copy of the Hearing Officer's determination shall be filed with the Department of Public Safety and the Huntington Town Clerk, and served on the applicant or applicant's attorney in the same manner as the original notice. The Hearing Officer's determination shall be final as to the Town of Huntington.

§160-29. Final order. The failure of the applicant or his attorney to appear and participate at the administrative hearing shall result in the automatic affirmance of the denial. The denial shall stand and is final as to the Town of Huntington. The final order of denial shall be served upon the applicant or applicant's attorney in the same manner as the original notice of denial.

§160-30. Reapplication for a permit. Once an application has been denied, no reapplication for a permit, or a renewal or transfer of a permit, shall be accepted for filing until the applicant has remedied the conditions that formed the basis for denial to the satisfaction of the Town.

[§160-28] §160-31. through §160-35. (Reserved).

ARTICLE IV DENIAL AND REVOCATION PROCEEDINGS

§160 -36. Denial of Rental Permit. An application for the issuance of a permit may be denied, including an application for the renewal or transfer of a permit, under the following circumstances. The procedures set forth in §160-28 and §160-29 shall be applicable.

(A) The rental property, or parts thereof, is determined to be unfit for human habitation or occupancy or a hazard to the public because of the failure of the owner or occupant to comply with notice(s) or order(s) issued by the town, or due to a prolonged lack of maintenance or owner failure; or

(B) The rental property, or parts thereof, contains unsafe equipment, wiring, pipes or other conduit or installation, or lacks illumination, ventilation, sanitation, heat or other facilities adequate to protect the health and safety of the occupants or the public; or

(C) The rental property, or parts thereof, is damaged, decayed, dilapidated, unsanitary, unsafe or infested in such a manner as to create a hazard to the health and safety of the occupants or the public; or

(D) The rental property, because of its location, general condition, state of the premises, number of occupants or other reason, is unsanitary, unsafe, hazardous, overcrowded or for other reasons is detrimental to the health and safety of the occupants or the general public in whole or part; or

(E) Occupancy of the rental property by the persons using the premises creates a hazard or public nuisance or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order or quality of life in the surrounding community; or

(F) The existence of any other condition or circumstance which, in the opinion of the Town is dangerous, unsafe or jeopardizes the health, welfare and safety of the general public or occupants.

§160-37. Revocation of Permit. Any permit issued pursuant to this chapter may be revoked by the Town, under the following circumstances:

(A) The permit was issued in error, or issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted for filing, including but not limited to the schematic, or certification by the licensed professional engineer or registered architect; or

(B) A rental permit has been issued and the Town either has or is in the process of suspending or revoking the certificate of occupancy or letter in lieu for the rental property.

§160-38. Revocation or suspension of the certificate of occupancy or letter in lieu for rental property.

(1) Pending application. In the event a certificate of occupancy or letter in lieu for a rental structure is in the process of being suspended or revoked, then any pending application for a rental permit, or for the renewal or transfer of a permit, shall be held in abeyance pending the outcome of such suspension or revocation proceeding, and the application shall be denied if the certificate of occupancy or letter in lieu is ultimately suspended or revoked. Any decision to deny an application for a permit, or a renewal or transfer of same because of the suspension or revocation of a certificate of occupancy or letter in lieu shall be final.

(2) Existing Permit. In cases where a rental permit has already been issued, a notice of the Town's intention to suspend or revoke the certificate of occupancy or letter in lieu may be served simultaneously with a notice of the Town's intention to revoke a rental permit, either in one notice document or two. When a rental permit is proposed for revocation due to the anticipated revocation or suspension of a certificate of occupancy or letter in lieu, the procedure set forth in chapter 87 of the Town Code to suspend or revoke the certificate of occupancy or letter in lieu shall control and apply equally to the proposed revocation of the rental permit, except that any notice of the Town's proposal to revoke the rental permit shall cite this section as a basis for such action. If a revocation or suspension of a certificate of occupancy or letter in lieu has already occurred, and the rental permit has already been issued, either in error or as a result of a false, untrue or misleading statement, the proposed revocation of the rental permit shall follow the procedure set forth in this chapter and notice of the proposed revocation shall cite this section as a basis for the action.

§160-39. Written notice. Written notice of the Town's intention to revoke a permit shall be served by registered or certified mail, return receipt requested, and by regular mail, to the applicant at the address shown on the application. If the notice is returned by the Post Office as undeliverable for any reason, as long as it was properly addressed, service of the notice shall be valid. Said notice shall state that the applicant is entitled to be represented by legal counsel at the hearing and may present the testimony of witnesses and such other evidence in his or her own behalf as may be deemed relevant or necessary.

(A) Error or Fraudulent Practices. In the event the permit was issued in error or as a result of a false or misleading statement, submission or certification, the notice shall identify the error, omission, false or misleading statement or submission at issue; the date, time and place of the administrative hearing to be held before an Administrative Hearing Officer to revoke the rental permit; and a statement that upon the applicant's failure to appear for the administrative hearing, then in such event the rental permit shall be automatically revoked.

(B) Amendment, modification or withdrawal. The code officer may amend, modify or withdraw any notice issued if, in his or her judgment, the circumstances warrant such action provided the amended or modified notice is served in the same manner as the original notice within five (5) days of mailing the original notice, and a hearing has not occurred, except that a notice may be withdrawn in its entirety and not reissued at any time.

§160-40. Conduct of hearings. At the administrative hearing the applicant shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. He may present the testimony of witnesses, experts and other evidence in his own behalf as he deems necessary and relevant. The code officer or other person may appear and give testimony or submit evidence in support of the proposal to revoke the permit. All hearings shall be recorded and may be adjourned by the Hearing Officer upon good cause shown.

(A) Administrative Hearing Officer. The Hearing Officer shall consider the evidence presented and shall submit his or her findings in writing within thirty (30) days of the close of the hearing or sooner. A copy of the Hearing Officer's report shall be filed with the Department of Public Safety and Huntington Town Clerk and served on the applicant or applicant's attorney in the same manner as the original notice. The Hearing Officer's report shall be final as to the Town of Huntington.

§160-41. Final order. The failure of the applicant or his attorney to appear at the administrative hearing shall result in the automatic revocation of the rental permit. The order of revocation shall be mailed to the applicant or his attorney in the same manner as the original notice.

§160-42. Effect of Revocation. If a permit is revoked, no application for a new permit will be accepted for filing until the applicant has remedied the conditions that formed the basis of the revocation to the satisfaction of the Town, if applicable. Once remedied, the applicant will have to apply for a new permit and pay the fee as in the case of an original application.

§160-43. through § 160-47. (Reserved)

[ARTICLE IV] ARTICLE V
ADMINISTRATIVE REMEDIES AND PENALTIES

§160-48. [§160-36.] Authority of the Town.

* * *

§160-49. [§160-37.] Penalties for offenses.

(A) A violation of Article [IV] III of this Chapter shall be punishable by a fine or penalty of not less than one hundred and fifty (\$150) dollars nor greater than seven hundred fifty (\$750) dollars and/or imprisonment for a period not to exceed 15 days; a conviction of a second offense, within a period of five (5) years of the first conviction, shall be punishable by a fine or penalty of not less than seven hundred and fifty (\$750) dollars nor greater than one thousand five hundred (\$1,500) dollars and/or imprisonment for a period not to exceed 15 days; and a conviction of a third or subsequent offense, within a period of five (5) years of the second conviction, shall be punishable by a fine or penalty of not less than one thousand five hundred (\$1,500) dollars nor greater than two thousand five hundred (\$2,500) dollars and/or imprisonment for a period not to exceed 15 days. Each week or part thereof the violation continues shall be deemed a separate and distinct offense punishable in like manner.

* * *

(D) In addition to any criminal and civil penalty and any equitable relief to be exercised by the Town, any person or occupant of rental properties aggrieved by the

actions of the owner or other person violating the provisions of this chapter may assert his or her own cause of action to recover rental payments advanced, or such other relief as may be permitted by law.

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016- 90

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 6 -2016, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS)

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Councilwoman Edwards

and seconded by: **SUPERVIOSR PETRONE**

WHEREAS, the Town of Huntington (Town) created a new classification of food service establishment, "bistro", with Local Law 4-2016; and

WHEREAS, the available parking is limited within the hamlet centers of the Town; and

WHEREAS, the Town wants to alleviate the parking situation in the hamlet centers; and

WHEREAS, the proposed amendment to the Town's Code, Chapter 198 (Zoning), will not add any additional parking demand within the hamlet centers by not permitting bistro uses in these locations; and

WHEREAS, the scheduling of a public hearing is not an action as defined by 6 N.Y.C.R.R. 617.2(b) and therefore SEQRA review of the scheduling of a public hearing is not required at this time.

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **8th of March**, 2016 at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. **6** - 2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions), as follows:

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

LOCAL LAW INTRODUCTORY NO. 6 -2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 198 (ZONING),
ARTICLE I (GENERAL PROVISIONS),

Section 1. The Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions); is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *

§198-2. Definitions and word usage.

* * *

B. Definitions. For the purpose of this chapter, the following terms and phrases shall have the meanings indicated:

* * *

BISTRO - A commercial establishment not greater than 2,500 square feet total gross floor area, and located outside of a hamlet center as defined in the Horizons 2020 Comprehensive Plan, which is open to the general public for the preparation, service and consumption of food, and shall, subject to the issuance of an assembly permit, at all times provide:

* * *

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.

2016- 91

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 7 - 2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), §198-42 (DESIGNATION OF SITES AND BUILDINGS), TO DESIGNATE AS AN HISTORIC LANDMARK THE BUILDING AND PROPERTY KNOWN AS THE STAFFORD HOUSE, 10 AUSEREHL COURT, HUNTINGTON, SCTM# 0400-034-02-015.

Resolution for Town Board Meeting dated: February 10, 2016

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Historic Preservation Commission has petitioned the Town Board for the historic designation of the building and property known as the Stafford House, 10 Auserehl Court, Huntington, and the Commission and the Department of Planning and Environment have prepared reports in accordance with the Code of the Town of Huntington §198-40.3; and

WHEREAS, designating historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 8th day of March, 2016 at 2:00 p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 7 - 2016 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Stafford House, 10 Auserehl Court, Huntington, SCTM# 0400-034-02-015, described as follows:

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

LOCAL LAW INTRODUCTORY NO. 7 - 2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

§198-42. Designation of Sites and Buildings

* * *

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

* * *

(115) Stafford House, 10 Auserehl Court, Huntington (main building and lot only), SCTM# 0400-034-02-015.

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: 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.

2016-92

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 8 - 2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), SECTION 42 (DESIGNATION OF SITES AND BUILDINGS), TO REVOKE THE DESIGNATION AS AN HISTORIC LANDMARK OF THE BUILDING KNOWN AS THE PETER CRIPPEN HOUSE, 61 CREEK ROAD, HUNTINGTON, SCTM #0400-027-01-003.

Resolution for Town Board Meeting dated: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Peter Crippen House, 61 Creek Road, Huntington, was designated as an historic landmark by the Town Board on September 23, 2008, by Local Law No. 27-2008; and

WHEREAS, only the house was designated because the high groundwater table and frequent flooding threatened the preservation of the house, and it was hoped that the house could be moved to a safer location; and

WHEREAS, over the past few years the house has sunk into the ground, rendering it uninhabitable and making it impossible to move or save; and

WHEREAS, the current property owner submitted a petition to the Town Board to revoke the historic designation in accordance with the requirements set forth in Chapter 198, Section 40.5 (Revocation of Designation; Petition for Hardship) of the Huntington Town Code, and the petition was filed with the Town Clerk on November 23, 2015; and

WHEREAS, the Historic Preservation Commission has reviewed the request and submitted an advisory report with a recommendation to the Town Board; and

WHEREAS, the designation of historical landmarks is a Type II action requiring no review in accordance with 6 NYCRR Part 617.5(c)(32) of the SEQRA regulations;

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 8th day of MARCH, 2016 at 2:00 p.m. at Town Hall, 100 Main Street Huntington, New York, to consider adopting Local Law Introductory Number 8 - 2016 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings), to revoke the designation as an historic landmark of the building known as the Peter Crippen House, 61 Creek Road, Huntington, SCTM #0400-027-01-003, described as follows:

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

LOCAL LAW INTRODUCTORY NO. 8 - 2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS) SECTION 42
(DESIGNATION OF SITES AND BUILDINGS)

Section 1. Amendment to Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), Section 42 (Designation of Sites and Buildings) of the Code of the Town of Huntington is hereby amended to read as follows:

CHAPTER 198 (ZONING)
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)
SECTION 42 (DESIGNATION OF SITES AND BUILDINGS)

* * *

§198-42. Designation of Sites and Buildings

* * *

B. Each of the following buildings or landmarks is hereby defined and designated by the Town Board as an historic building, site or landmark, and each shall be appropriately delineated by metes and bounds and/or by the section, block and lot number of the Suffolk County Tax Map and/or street address:

* * *

(110) (Reserved) [Peter Crippen House (house only), 61 Creek Road, Huntington, SCTM# 0400-027-01-003.]

* * *

Section 2. Severability

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

Section 3. Effective Date

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

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

2016-92

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.

2016 - 93

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 9 -2016 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER TC1 (GENERAL PROVISIONS), ARTICLE III (ENFORCEMENT; PENALTIES), CHAPTER TC3 (PARKING REGULATIONS), ARTICLE II (PARKING, STANDING AND STOPPING), SCHEDULE "L" (TOWN PARKING FIELDS) AND SCHEDULE "P" (ON-STREET METERED PARKING)

Resolution for Town Board Meeting dated: February 10, 2016

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

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board desires to apply certain prohibitions pertaining to the parking of vehicles along our roadways equally to parking vehicles in the town-owned parking fields contained in Schedule "L" and to update certain penalties in the code; and

WHEREAS, pursuant to §1-6 (F) of the Uniform Traffic Code of the Town of Huntington the Director of Public Safety has made a recommendation as to metered parking, and same has been accepted by the Town Board; and

WHEREAS, pursuant to §3-8 of Chapter 3 (Parking Regulations) of the Uniform Traffic Code of the Town of Huntington, the Town Board is empowered to establish rates for on-street and off-street parking spaces for which parking meters and multi-space parking pay station systems have been established and installed; and

WHEREAS, administrative updates to the Town's parking enforcement policies are classified as Type II Actions in accordance with SEQRA, 6 NYCRR §617.5 (c)(20) and (c)(27) and therefore, no further environmental review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the **8th** day of **MARCH**, 2016, at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **9** -2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter TC1 (General Provisions), Article III (Enforcement; Penalties), Chapter TC3 (Parking Regulations), Article II (Parking, Standing and Stopping), Schedule "L"(Town Parking Fields), and Schedule "P" (On-Street Metered Parking); as follows:

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

LOCAL LAW INTRODUCTORY NO. 9 -2016

AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON CHAPTER TC1 (GENERAL PROVISIONS), ARTICLE III (ENFORCEMENT; PENALTIES), CHAPTER TC3 (PARKING REGULATIONS), ARTICLE II (PARKING, STANDING AND STOPPING), SCHEDULE "L" (TOWN PARKING FIELDS), AND SCHEDULE "P" (ON-STREET METERED PARKING)

Section 1. Amendment to Chapter 1 (General Provisions), Article III (Enforcement; Penalties), Chapter TC3 (Parking Regulations), Article II (Parking, Standing and Stopping), Schedule "L"(Town Parking Fields) and Schedule "P" (On-Street Metered Parking) of the Uniform Traffic Code of the Town of Huntington; as follows:

CHAPTER TC1
(GENERAL PROVISIONS)

* * *

ARTICLE III
(ENFORCEMENT; PENALTIES)

* * *

§1-7. Penalties. Any person or business entity who commits any acts in violation of any provision of the Uniform Traffic Code shall be deemed to have committed an offense against this Code and shall be liable for such violation and the penalty therefor and shall, upon conviction thereof, be subject to a fine or penalty or imprisonment as follows:

A. [Zero dollars (\$0) for the first offense; twenty-five dollars (\$25) for the second offense; fifty dollars (\$50) for each and every offense thereafter] Twenty-five dollars (\$25): § TC3-6(A).

* * *

CHAPTER TC3
(PARKING REGULATIONS)

* * *

ARTICLE II
(PARKING, STANDING AND STOPPING)

§3-3. Designation of areas and restrictions.

A. The parking, standing or stopping of vehicles in the locations described in Schedule "J" and Schedule "L" is hereby restricted as follows:

* * *

SCHEDULE "L"
TOWN PARKING FIELDS

§ L-1. Town parking fields.

In accordance with the provisions of § TC4-3, 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 § TC4-3, §TC3-3(A), and any additional regulations or restrictions indicated below.

* * *

SCHEDULE "P"
ON-STREET METERED PARKING

§ P-1. On-street parking meter zones. In accordance with the provisions of §TC3-4(A), on-street parking meter zones are established as indicated in the following locations.

Name of Street/Side	Location	Zone
	* * *	
Wall Street/East	From Main St. (Rt. 25A) to Gerard St. (HUN)	[Secondary] <u>Prime</u>
Wall Street/West	From Gerard St. to Main St. (Rt. 25A) (HUN)	[Secondary] <u>Prime</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.

2016 - 93

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 Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-94

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 10 -2016 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: LAUREL HILL ROAD – NORTHPORT - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: February 10, 2016

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

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

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; 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 8th day of March, 2016 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 10 -2016 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. 10 -2016
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2016-94

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>
DELETE: Laurel Hill Road/North From Elwood Rd. to 40 ft. west of Pine Hill Ct. (NPT)	No Parking	-----
Laurel Hill Road/North From 270 ft. west of Pine Hill Ct. to Maplewood Dr. (NPT)	No Parking	-----
ADD: Laurel Hill Road/North From Elwood Rd. to Maplewood Dr. (NPT)	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.

2016-94

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.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE APPLICATION OF DEIRDRE VENTURA FOR A CONDITIONAL USE PERMIT TO OPERATE A BED AND BREAKFAST HOMESTAY PURSUANT TO SECTION 198-13(B)(10) OF THE TOWN CODE, FOR PROPERTY LOCATED ON THE EAST SIDE OF HARBOR ROAD, NORTH OF LAWRENCE HILL ROAD, COLD SPRING HARBOR, SCTM# 0400-064-01-019.

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, DEIRDRE VENTURA, 253 Harbor Rd., Cold Spring Harbor, NY 11724, property owner, submitted an application known as 253 Harbor Road Bed-and-Breakfast Homestay, for property located on the east side of Harbor Road (NYS 25A), north of Lawrence Hill Road, Cold Spring Harbor, and designated as 0400-064-01-019 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 §198-10(B)(10), and pursuant to the New York State Environmental Conservation Law, Article 8, State Environmental Quality Review Act (SEQRA), 6 NYCRR Part 617; and

WHEREAS, the Department of Planning and Environment classified the conditional use permit application as a Type I action in accordance with 6 NYCRR Part 617.4(B)(9), as the project is located on a property in the Harbor Road National Historic District;

WHEREAS, the house is located in the Cold Spring Harbor Town Historic District, which was designated as a historic district by the Town Board on September 14, 1976; and

WHEREAS, this application was reviewed by the Department of Planning and Environment, and a report dated July 29, 2015 was prepared, and submitted to the Town Board along with a recommendation from the Planning Board; and

WHEREAS, the applicant has recently amended their application to request the rental of two (2) bedrooms, replacing the original request for four (4) rental bedrooms; and

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

NOW THEREFORE BE IT

2016- 96

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING HUNTINGTON PROPERTY (CREEK ROAD PROPERTIES)

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

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

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee

- received a nomination from the representative of the owner indicating there is a potentially willing seller for 7.0 acres identified as SCTMs 0400-027.000-01.00-004.000, 0400-027.000-01.00-005.000, 0400-027.000-01.00-009.000 and 0400-027.000-01.00-010.000, located on the north side of Creek Road in Huntington;
- conducted a field investigation of the property that adjoins the Town's Mill Dam Park and Huntington Sewer Plant; and
- recommended that the Town Board pursue acquisition of the property for park and/or partial general municipal use, recognizing that any area to be acquired for non-park purposes would need to be separately funded with non-EOSPA funds, and

WHEREAS, the Town Board wishes to proceed with acquisition of this specific real property as recommended by the EOSPA Committee, and acknowledges that the property has been sought previously for public acquisition and although a hearing was held in 2002 to consider such purchase, sufficient time has passed that the present consideration is considered a new action, and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21) as it involves (21) 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 schedules a public hearing pursuant to General Municipal Law §247.2 for the 8th day of MARCH, 2016 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified

2016-96

Creek Road Properties parcels for passive parkland/community trails and potential general municipal use; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition as necessary for the appraisal.

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.

2016- 97

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
FORT SALONGA PROPERTY (KRUSE)

Resolution for Town Board Meeting Dated: February 10, 2016

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

and seconded by **COUNCILWOMAN BERLAND**

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

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee

- received a nomination from the representative of the owner indicating there is a potentially willing seller for 7.5 acres identified as part of SCTMs 0400-061.00-01.00-054.000, 0400-061.00-01.00-053.002 and part of 0400-061.00-01.00-052.000, located at the northern terminus of Timber Point Drive in Fort Salonga;
- conducted a field investigation of the property that adjoins the 3.5-acre Tanenbaum Property that is in contract and pending Town acquisition;
- considered that the 7.5 acres has already been approved by the Planning Board as a Transfer of Density Flow Rights (TDFR) sending site, and accordingly, the remaining interest will be appraised based on the remaining unbuildable fee interest, and
- recommended that the Town Board pursue acquisition of the property for passive park use to enable public access and enjoyment of trails already in community use, and

WHEREAS, the Town Board wishes to proceed with acquisition of this specific real property as recommended by the EOSPA Committee and recognizes that the site's fair market value has already been reduced by the filing of a conservation easement pursuant to Planning Board sending area approval under the Town TDFR Program, and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, this action is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(21) as it involves (21) 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 schedules a public hearing pursuant to General Municipal Law §247.2 for the 8th day of MARCH, 2016 at 2:00 p.m. at Huntington

Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Kruse Property for passive parkland and community trails use; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition as necessary for the appraisal.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AUTHORIZING THE SUPERVISOR TO EXECUTE LICENSE AGREEMENTS WITH SPORTS RELATED ORGANIZATIONS FOR THE USE OF TOWN FACILITIES

Resolution for Town Board Meeting: February 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, various sports related organizations in the Town of Huntington have requested the use of Town of Huntington facilities; and

WHEREAS, the Town of Huntington is desirous of making its facilities available to said organizations to enable the continued provision of programs to Huntington residents; and

WHEREAS, each sports related organization utilizing Town Facilities shall be required to sign a License Agreement with the Town of Huntington which shall include, but not be limited to, the following terms and conditions. Each sports related organization shall: a) if using a building and/or structure that utilizes electricity, pay the cost of such electric service at the Town of Huntington's rate for same; b) provide a Certificate of Insurance in a form and in an amount acceptable to the Town Attorney; c) provide any and all required Suffolk County Department of Health Services documentation and/or permits related to the service of food and beverages, if applicable; and d) pay a license fee to the Town of Huntington in the amount of FIFTY AND NO/100 DOLLARS (\$50.00) per year; and

WHEREAS, scheduling a public hearing to consider entering into a license agreement is a Type II action pursuant to SEQRA regulations §617.5 (20) requiring no further review.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby schedules a public hearing for the 8th day of March 2016, at 2:00 p.m. at Town Hall, 100 Main Street, Huntington, New York 11743 to consider authorizing the Supervisor to execute license agreements for the use of Town of Huntington facilities with various sports related organizations enumerated in the attached "Schedule A", for a period of one (1) year commencing on April 1, 2016 and terminating on March 31, 2017, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016- 98

Schedule "A"

	<u>Location</u>
Commack North Little League 275 Townline Road East Northport, New York 11731	Cedar Road Park
Huntington Tri-Village Little League 103 Dawson Drive Greenlawn, New York 11740	Greenlawn Park
Commack South Little League 8 Cedar Crest Drive Dix Hills, New York 11746	Commack Park
Huntington Sports League 53 Conklin Lane Huntington, New York 11743	Mill Dam Park
Larkfield Little League 304 10 th Avenue East Northport, New York 11731	John Walsh Park
Half Hollow Hills Little League 27 Jagger Court Melville, New York 11747	Otsego Park
St. Hughs/St. Elizabeth Youth League 35 Woodoak Lane Huntington, New York 11743	Terry Farrell & Peter Nelson Park
Huntington Youth Football League 278 Red Maple Dr. South Levittown, New York 11756	Manor Park
HBC (Huntington Boys Club Soccer) 7 Norman Court Dix Hills, New York 11746	Half Hollow Park
Cold Spring Harbor Soccer PO Box 89 Cold Spring Harbor, New York 11724	Breezy Park
Northport Youth Football League PO Box 408 East Northport, New York 11731	Veterans Park

2016-99

RESOLUTION AUTHORIZING THE COMPTROLLER TO TRANSFER FUNDS FROM THE TOWN'S AFFORDABLE HOUSING TRUST AND AGENCY ACCOUNT TO HUNTINGTON COMMUNITY DEVELOPMENT AGENCY FOR THE PURPOSE OF ADMINISTERING THE TOWN'S AFFORDABLE HOUSING PROGRAM, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: February 10, 2016

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, via Resolution #2015-594 the Town Board enacted Local Law #44-2015 amending the Code to, among other things, allow funds from the Affordable Housing Trust Fund to be utilized for administration of its Affordable Housing Program; and

WHEREAS, the Huntington Community Development Agency, on behalf of the Town Board, administers the Town of Huntington Affordable Housing Program; and

WHEREAS, the Town Board wishes transfer funds to Huntington Community Development Agency to administer the Town's affordable housing programs; and

WHEREAS, the transfer of funds is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1) and (c)(4) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY DIRECTS the Comptroller to transfer funds from the Affordable Housing Trust and Agency Account TA-0085-I0023 in an amount not to exceed ONE HUNDRED FIFTY THOUSAND AND NO/100 (\$150,000.00) to Huntington Community Development Agency for the purpose of administering the Town's Affordable Housing Program, nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

CERGOL/affordable admin

2016-BT3

ENACTMENT: APPROVE THE GRANTING OF A VARIANCE AND ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137 FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: BRIAN MCNALLY

LOCATION: 1 CLAMSHELL 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: February 10, 2016

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 Clamshell Lane
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 feet seaward of MHWL. Project site to be accessed via a construction barge at 1 Clamshell Lane, 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 variance meets the standards for a variance as set forth in 137-22(c)(4) because: (i) the structure for which the variance is sought is not a continuous fixed pier assemblage; (ii) the extension or seaward terminus of the structure is a floating pier and ramp assemblage; (iii) the Harbormaster has determined that the extended structure will not impede navigation nor conflict with 137-26(A)(7); (iv) the application, if granted, will be in conformity with all codes, rules and regulations of the Building Code of the Town of Huntington; and (v) the application, if granted, will not have a significant effect on the environment, is not located in in critical environmental area as set forth in the SEQRA regulations and is not under any designation that recommends or prohibits construction of such structure.

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

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

2016-BT 3

Maritime Services are adhered to; and

THE BOARD OF TRUSTEES, having held a public hearing on the 12th day of January, 2016, to consider the matter of granting a variance to Section 137-26. A [1] of Chapter 137, the Marine Conservation Law 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 feet seaward of MHWL. Project site to be accessed via a construction barge at 1 Clamshell Lane, Northport, N.Y. 11768, S.C.T.M. #0401-005.00-01.00-012.000 & 0400-005.00-04.00-016.000; and due deliberation being had

NOW, THEREFORE

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

HEREBY GRANTS the variance of Section 137-26. A [1] of Chapter 137, the Marine Conservation Law 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 feet seaward of MHWL. Project site to be accessed via a construction barge at 1 Clamshell Lane, 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 follows

1. Applicant must notify the Dept. of Engineering Services, Dept. of Maritime Services and the Harbor Masters office 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
2. A License Agreement for the use of Town of Huntington underwater land is required for this project; and
3. All activities must be conducted in conformance with the approved US Army Corp. of Engineers, New York State DEC Tidal Wetlands Permit and/or local permits and associated approved plans; and
4. The proposed structure will be permitted as a residential/recreational structure and shall be maintained, used and operated solely for non-commercial purposes; and
5. No additions, extensions, reconfigurations or increases of the capacity of this structure is permitted without prior approval from the Town of Huntington; and
6. No Materials or debris shall be discharged or otherwise permitted in tidal waters, tidal

2016-BT 3

wetlands and/or protected buffer areas; and

7. All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas or via sea barge; and
8. All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
9. There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
10. The applicant is responsible for scheduling all required Town of Huntington inspections at the appropriate intervals during the course of demolition/construction; and (See permit for required inspections and contact phone number)
11. The applicant, owner and their duly authorized representatives (such as contractors, sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington, Dept. of Engineering Services, Dept. Of Maritime Services and the Town Attorney's Office. Any modification or deviation from the approved plans, methodology and/or terms/conditions as included in the issued permit must be approved by the Town of Huntington prior to the commencement of activities; and
12. Upon the completion of the proposed activity, any debris or excess material shall be removed from the site in a timely manner and properly disposed of at a state approved disposal area; and
13. Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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.

2016-BT4

ENACTMENT: APPROVE THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137, FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: 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: February 10, 2016

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 feet being seaward of the MHWL. Project site to be accessed via a construction barge at 1 Clamshell 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 proposed dock assembly is to be located beyond the deed line of the property known as 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 in which construction equipment/material is to access the project site via a construction barge; and

WHEREAS, a license agreement for the construction of a two hundred nineteen foot (219') long residential fixed pier and floating dock assembly, with 210 feet being seaward of the mean high water line, for use on underwater Board of Trustee land is necessary; and

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

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

THE BOARD OF TRUSTEES, having held a public hearing on the 12th day of January, 2016 to consider the execution of a license agreement 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 watercraft with a length of two hundred nineteen feet (219'), with two hundred ten feet (210') 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; and and due deliberation being had

NOW, THEREFORE THE BOARD OF TRUSTEES

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

HEREBY AUTHORIZES the President of the Board of Trustees to execute a license agreement with Brian McNally as is necessary 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 feet being seaward of the MHWL; said license agreement to be for a term fifteen (15) years from the date of execution, upon payment of \$250.00 as and for an administrative fee for each year of the license agreement, and upon 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.

2016-BT5

ENACTMENT: APPROVE THE GRANTING OF A VARIANCE AND ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137 FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: ROBERT HENNEBORN

ON BEHALF OF: KEVIN MCARDLE

LOCATION: 57 CHERRYLAWN 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: February 10, 2016

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

Rob Henneborn
On behalf of
Kevin McArdle
57 Cherry Lawn Lane
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 Lane, Northport, N.Y. 11768, S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000; and

WHEREAS, the variance meets the standards for a variance as set forth in 137-22(c)(4) because: (i) the structure for which the variance is sought is not a continuous fixed pier assemblage; (ii) the extension or seaward terminus of the structure is a floating pier and ramp assemblage; (iii) the Harbormaster has determined that the extended structure will not impede navigation nor conflict with 137-26(A)(7); (iv) the application, if granted, will be in conformity with all codes, rules and regulations of the Building Code of the Town of Huntington; and (v) the application, if granted, will not have a significant effect on the environment, is not located in in critical environmental area as set forth in the SEQRA regulations and is not under any designation that recommends or prohibits construction of such structure.

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

2016-BT 5

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

THE BOARD OF TRUSTEES, having held a public hearing on the 12th day of January, 2016, to consider the matter of granting a variance to Section 137-26. A [1] of Chapter 137, the Marine Conservation Law 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 construction barge at 57 Cherry Lawn Lane, Northport, N.Y. 11768, S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000; and due deliberation being had

NOW, THEREFORE

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

HEREBY GRANTS the variance of Section 137-26. A [1] of Chapter 137, the Marine Conservation Law 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 construction barge at 57 Cherry Lawn Lane, Northport, N.Y. 11768, S.C.T.M. #0401-005.00-01.00-011.000 & 0400-005.00-02.00-010.000 & 029.000 on such terms and conditions as follows

1. Applicant must notify the Dept. of Engineering Services, Dept. of Maritime Services and the Harbor Masters office 48 hours prior to the commencement of any construction/ demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
2. A License Agreement for the use of Town of Huntington underwater land is required for this project; and
3. All activities must be conducted in conformance with the approved US Army Corp. of Engineers, New York State DEC Tidal Wetlands Permit and/or local permits and associated approved plans; and
4. The proposed structure will be permitted as a residential/recreational structure and shall be maintained, used and operated solely for non-commercial purposes; and

5. No additions, extensions, reconfigurations or increases of the capacity of this structure is permitted without prior approval from the Town of Huntington; and
6. No Materials or debris shall be discharged or otherwise permitted in tidal waters, tidal wetlands and/or protected buffer areas; and
7. All construction equipment, vehicles and materials must be stored/operated upland of any tidal/inter-tidal wetlands areas or via sea barge; and
8. All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
9. There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
10. The applicant is responsible for scheduling all required Town of Huntington inspections at the appropriate intervals during the course of demolition/construction; and (See permit for required inspections and contact phone number)
11. The applicant, owner and their duly authorized representatives (such as contractors, sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington, Dept. of Engineering Services, Dept. Of Maritime Services and the Town Attorney's Office. Any modification or deviation from the approved plans, methodology and/or terms/conditions as included in the issued permit must be approved by the Town of Huntington prior to the commencement of activities; and
12. Upon the completion of the proposed activity, any debris or excess material shall be removed from the site in a timely manner and property disposed of at a state approved disposal area; and
13. Upon completion of the project the applicant must notify the Dept. of Engineering Services and the Dept. Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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.

2016-BT⁶

ENACTMENT: APPROVE THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137, FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: ROBERT HENNEBORN

ON BEHALF OF: KEVIN MCARDLE

LOCATION: 57 CHERRYLAWN 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: February 10, 2016

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

Rob Henneborn
On behalf of
Kevin McArdle
57 Cherry Lawn Lane
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 the mean high water line (MHWL). Project site to be accessed via a construction barge at 57 Cherry Lawn Lane, Northport, N.Y. 11768, S.C.T.M. #: 0401-005.00-01.00-011.000 & 0401-005.00-02.00-010.100 & 029.000; and

WHEREAS, the proposed dock assembly is to be located beyond the deed line of the property known as 57 Cherry Lawn Lane, Northport, N.Y. 11768, S.C.T.M. #: 0401-005.00-01.00-012.000 & 0401-005.00-02.00-010.100 & 029.000 in which construction equipment/material is to access the project site via a construction barge; and

WHEREAS, a license agreement for the construction of a one hundred and sixty six foot (166') long residential fixed pier and floating dock assembly, with 166 ft. the overall length of the dock measuring from the MHWL, for use on underwater Board of Trustee land is necessary; and

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

2016-BT6

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

THE BOARD OF TRUSTEES, having held a public hearing on the 12th day of January, 2016, to consider the execution of a license agreement 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 watercraft. Such residential fixed pier and floating dock assembly to have a maximum length of one hundred sixty-six feet (166') from the mean high water line at 57 Cherry Lawn Lane, Northport, N.Y. 11768, S.C.T.M. #: 0401-005.00-01.00-011.000 & 0401-005.00-02.00-010.100 & 029.000; and due deliberation being had

NOW, THEREFORE THE BOARD OF TRUSTEES

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

HEREBY AUTHORIZES the President of the Board of Trustees to execute a license agreement with Kevin McArdle as is necessary 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 the mean high water line; said license agreement to be for a term fifteen (15) years from the date of execution, upon payment of \$250.00 as and for an administrative fee for each year of the license agreement, and upon 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.

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: LAND USE ECOLOGICAL SERVICES

ON BEHALF OF: RICHARD KREIDER

LOCATION: 1 WOODLAND DRIVE, HUNTINGTON BAY, NY 11743

S.C.T.M.: 0402-002.00-01.00-040.000 & 041.000

Resolution for Board of Trustees Meeting Dated: February 10, 2016

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

Land Use Ecological Services
On behalf of Richard Kreider
1 Woodland Drive
Huntington Bay, NY 11743

to remove 110 feet of existing concrete bulkhead, and replace it with a vinyl bulkhead of the same length. In addition, to construct two (2) additional sections of vinyl bulkhead as follows: (i) an eleven foot (11') section at the western end of the property to meet neighboring bulkhead; and (ii) a thirty-two and one half foot (32.5') section of return along the eastern end of the property. The elevation of the new vinyl bulkhead(s) will be less than two feet (2') higher than the existing bulkhead. S.C.T.M. #0402-002.00-01.00-040.000 & 041.000; and

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

NOW, THEREFORE,

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **8th** day of **MARCH**, 2016, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit to Richard Kreider to remove 110 feet of existing concrete bulkhead, and replace it with a vinyl bulkhead of the same length. In addition, to construct two (2) additional sections of vinyl bulkhead as follows: (i) an eleven foot (11') section at the western end of the property to meet neighboring bulkhead; and (ii) a thirty-two and one half foot (32.5') section of return along the eastern end of the property. The elevation of the new vinyl bulkhead(s) will be less than two feet (2') higher than the existing bulkhead. S.C.T.M. #0402-002.00-01.00-040.000 & 041.000

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.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT AS IS NECESSARY FOR THE RECONSTRUCTION, EXTENSION, MAINTENANCE AND USE OF AN EXISTING BULKHEAD AND FOR THE MAINTENANCE AND USE OF AN EXISTING DOCK ASSEMBLAGE AT 1 WOODLAND DRIVE, HUNTINGTON BAY, N.Y. 11743 (APPLICANT: LAND USE ECOLOGICAL SERVICES ON BEHALF OF RICHARD KREIDER)

Resolution for Board of Trustees Meeting Dated: February 10, 2016

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:

Land Use Ecological Services
On behalf of
Richard Kreider
1 Woodland Drive
Huntington Bay, NY 11743

to remove 110 feet of existing concrete bulkhead, and replace it with a vinyl bulkhead of the same length. In addition, to construct two (2) additional sections of vinyl bulkhead as follows: (i) an eleven foot (11') section at the western end of the property to meet the neighboring bulkhead; and (ii) a thirty-two and one half foot (32.5') section of return along the eastern end of the property. The elevation of the new vinyl bulkhead(s) will be less than two feet (2') higher than the existing bulkhead. S.C.T.M. #0402-002.00-01.00-040.000 & 041.000; and

WHEREAS, in addition, a previously constructed fixed and floating dock assemblage measuring approximately one hundred thirteen feet (113') from the bulkhead on the easterly side of the premises is located at 1 Woodland Drive, Huntington Bay, NY 11743 S.C.T.M. #0402-002.00-01.00-040.000 & 041.000 on underwater land owned by the Town of Huntington Board of Trustees; and

WHEREAS, a license agreement is necessary for the construction, maintenance and use of the following structures on Town of Huntington Board of Trustees underwater land at 1 Woodland Drive, Huntington Bay, New York 11743 (S.C.T.M.#0402-002.00-01.00-040.000 & 041.000): (i) the removal of one hundred ten feet (110') of existing concrete bulkhead, and the replacement of the concrete bulkhead with a vinyl bulkhead of the same length; (ii) an eleven foot (11') section of new vinyl bulkhead at the western end of the property to meet the neighboring bulkhead; (iii) a thirty-two and one half foot (32.5') section of new vinyl bulkhead as a return along the eastern end of the property; (iv) replacement of piles securing a fixed and floating dock assemblage measuring approximately one hundred thirteen foot (113') from the bulkhead on the easterly side of

the premises; and (v) a fixed and floating dock assemblage measuring approximately 113' from the bulkhead on the easterly side of the premises.

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

NOW, THEREFORE,

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the **8th** day of **MARCH**, 2016, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement, and on such terms and conditions as may be acceptable to the Town Attorney, as is necessary for the reconstruction, extension, maintenance and use of an existing bulkhead and for the maintenance and use of an existing dock assemblage at 1 Woodland drive, Huntington Bay, N.Y. 11743 (S.C.T.M. #0402-002.00-01.00-040.000 & 041.000)

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.