

**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  
Councilwoman  
Councilman  
Councilman  
Councilwoman  
Town Clerk  
Town Attorney**

**Frank P. Petrone  
Susan A. Berland  
Eugene Cook  
Mark A. Cuthbertson  
Tracey A. Edwards  
Jo-Ann Raia  
Cindy Elan-Mangano**

**AGENDA FOR TOWN BOARD MEETING DATED MAY 10, 2016**

**BOARD OF TRUSTEES' MEETING FOLLOWING**

Opened: 9:29 P.M. Closed: 9:32 P.M.

**7:00 P.M. – TOWN HALL**

Opened: 7:08 P.M. Closed: 9:29 P.M.

(Resolutions #2016-215 to 2016-275)

**HEARINGS:**

**ACTION**

1. Consider exempting the Commack Library District from site plan review and the Town of Huntington Zoning Code as is necessary to expand the existing library building and alter the parking lot on the northwest corner of Commack Road and Hauppauge Road, Commack, SCTM #: 0400-251-01-(013.004 & 014.001).

(2016-M-31)

*Scheduled as per Resolution 2016-205 at 4-5-2016 Town Board Meeting*

**ENACTMENT  
RESOLUTION 2016-262**

2. Consider executing a license agreement with Long Island Rowing Club, Inc., for the use of a portion of a Town beach facility.

**(Re: Fleet's Cove Beach; Term: 2 years)**

(2016-M-32)

*Scheduled as per Resolution 2016-212 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

**HEARINGS (Continued):**

**ACTION**

3. Consider issuing a Certificate of Approval in an Historic District Re: 420 Park Avenue, Huntington – Old Huntington Green Historic District.

**Applicant: Marc Iervolino**

**SCTM #: 0400-073.00-02.00-037.000**

(2016-ZC-1-Ch. 198)

*Scheduled as per Resolution 2016-211 at 4-5-2016 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2016-263**

4. Consider adopting Local Law Introductory No. 15-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: Deforest Road – Dix Hills – School Speed Limits. (Local Law Introductory No. 15-2016)

*Scheduled as per Resolution 2016-206 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

5. Consider adopting Local Law Introductory No. 16-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: East Fifth Street – Huntington Station – Stop Signs. (Local Law Introductory No. 16-2016)

*Scheduled as per Resolution 2016-207 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

6. Consider adopting Local Law Introductory No. 17-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, §2-10, Schedule I. Re: West Hills Road – Huntington Station – School Speed Limits.

(Local Law Introductory No. 17-2016)

*Scheduled as per Resolution 2016-208 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

7. Consider adopting Local Law Introductory No. 18-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Blanchard Drive – Northport – Parking Restrictions. (Local Law Introductory No. 18-2016)

*Scheduled as per Resolution 2016-209 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

8. Consider adopting Local Law Introductory No. 19-2016, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. and Chapter 3, Article III, §3-4, Schedule P. Re: Clinton Avenue – Huntington – Parking Restrictions and Metered Parking.

(Local Law Introductory No. 19-2016)

*Scheduled as per Resolution 2016-210 at 4-5-2016 Town Board Meeting*

**DECISION RESERVED**

9. Consider adopting Local Law Introductory No. 20-2016, amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article I (General Provisions), Article IV (Permit Application Process), Article V (Fees), and Article VII (Operational Permits).

(Local Law Introductory No. 20-2016)

*Scheduled as per Resolution 2016-213 at 4-5-2016 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2016-266**

10. Consider adopting Local Law Introductory No. 21-2016, amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits), and Article V (Administrative Remedies and Penalties).

(Local Law Introductory No. 21-2016)

*Scheduled as per Resolution 2016-214 at 4-5-2016 Town Board Meeting*

**ENACTMENT**  
**RESOLUTION 2016-265**



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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2016-224.</b> <b>AUTHORIZE</b> the execution of an extension to the requirements contract for the maintenance of diesel generator equipment for the Town of Huntington Wastewater Treatment Facility with North Shore Generator Systems, Inc. (Extension one year commencing 8/1/2016)	<u><b>MC</b></u>	<u><b>TE</b></u> <u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-225.</b> <b>AUTHORIZE</b> the execution of a utility work agreement between the Huntington Sewer District and the New York State Department of Transportation regarding sanitary sewer manhole adjustments via a NYSDOT Roadway Resurfacing State-Let contract. (Re: PIN 0809.63)	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2016-226.</b> <b>AUTHORIZE</b> the use of Dix Hills Park Ice Rink by the children of Tri Community and Youth Agency, Incorporated in partnership with the Suffolk County Police Department for the Summer of 2016.	<u><b>TE</b></u> <u><b>MC</b></u> <u><b>EC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2016-227.</b> <b>AUTHORIZE</b> the Department of Public Safety-Animal Control to conduct a free rabies clinic sponsored by the Suffolk County Society for the Prevention of Cruelty to Animals, Inc. (“SPCA”). (Re: May 15, 2016 between 11:00 AM and 3:00 PM at Huntington Town Hall)	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-228.</b> <b>AUTHORIZE</b> the Town Attorney to execute a retainer agreement for professional legal services with Beveridge & Diamond, P.C. (Re: TOH application for the Huntington Community Micro-Grid to the NYS Energy Research and Development Authority)	<u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-229.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2016 Operating Budget for the Town of Huntington and its special districts – various departments.	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<b>2016-230.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2015 Operating Budget for year end adjustments for the Town of Huntington and its special districts – various departments.	<u><b>FP</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-231.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2016 Operating and Capital Budget for the Town of Huntington and its special districts – Dix Hills Water District. (Re: Water mains and fire hydrants)	<u><b>SB</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-232.</b> <b>AUTHORIZE</b> the Comptroller to amend the 2016 Operating & Capital Budget for the Town of Huntington and its special districts – Department of Environmental Waste Management. (Re: Floor jacks, roll off container and equipment & machinery)	<u><b>MC</b></u>	<u><b>FP</b></u> <u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-233.</b> <b>AUTHORIZE</b> the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Depot Road Corridor). (Re: Addition of new concrete sidewalks, curbs, ADA-compliant ramps and street trees along the	<u><b>FP</b></u>		

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2016-234.</b> east side Of Depot Road from East 10<sup>th</sup> Street to Vondran Street) <b>AUTHORIZE</b> the Comptroller to pay Laser Industries, Inc. for additional remedial work performed pursuant to court-ordered remedial work at 44 Bennett Avenue, Huntington Station, New York 11746 (SCTM #0400-153.00-02.00-099.002).</p>	<u><b>EC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<p><b>2016-235.</b> <b>AUTHORIZE</b> the correction of code violations at various locations pursuant to the code of the Town of Huntington. (Re: Joanne Sasaki, 9 Beltane Drive, Dix Hills, SCTM# 0400-203.00-02.00-114.000, Chapter 133; Mangotree Real Estate Holdings LP, 19 Depew Street, Huntington, SCTM#0400-161.00-03.00-130.000, Chapters 133, 156, 191)</p>	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-236.</b> <b>ACCEPT</b> a donation of garbage receptacles from the Huntington Station Business Improvement District for placement in the downtown business district.</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2016-237.</b> <b>ACCEPT</b> a donation of a Krakauer Spinet Piano for the Department of Human Services, the senior division, nunc pro tunc. (Re: Jon Rubin)</p>	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-238.</b> <b>ADOPT</b> a Home Rule Message urging the New York State Legislature and the Governor to enact legislation (A.2519) allowing the adoption of an administrative hearing and code violation enforcement procedure for the Town of Huntington.</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2016-239.</b> <b>APPOINT</b> Volunteer Park Stewards. (Re: Charles Bravo-Meadowlark Park, Steven Elish-Half Hollow Park and Timothy Flythe-Coral Park)</p>	<u><b>FP</b></u>	<u><b>MC</b></u>	<u><b>5</b></u>
<p><b>2016-240.</b> <b>APPOINT</b> a Chairman and a Vice Chairman of the Board of Assessment Review. (Re: Jeffrey J. Stark-Chairman and Randolph W. Spelman-Vice-Chairman until 12/31/16)</p>	<u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-241.</b> <b>ESTABLISH</b> an imprest petty cash fund for the Town of Huntington's Department of Public Safety.</p>	<u><b>FP</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<p><b>2016-242.</b> <b>ESTABLISH</b> the standard work days for elected officials and appointed personnel for New York State and Local Retirement System reporting purposes.</p>	<u><b>MC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2016-243.</b> <b>GRANT</b> permission for the Huntington YMCA to utilize the Town Hall parking lot for the purpose of parking for its annual Memorial Day Carnival. (Re: 5/26/2016 – 5/30/2016)</p>	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-244.</b> <b>RENAME</b> Verleye Park the Charles A. Oddo Verleye Park.</p>	<u><b>EC</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2016-245.</b> <b>SUPPORT and CLASSIFYING</b> under New York State Environmental Quality Review Act Round 14 Suffolk County Downtown Revitalization Grant Applications. (Re: Greenlawn Civic Assoc-decorative streetlights-Broadway; landscape beautification-corner of Broadway/Cuba Hill Rd; Huntington Station Business Improvement District-add curbs/sidewalks west side Depot Rd [E. 17 <sup>th</sup> St – E. 19 <sup>th</sup> St] and north side of E. 19 <sup>th</sup> [Depot Rd-Depot Rd Park]; Cold Spring Harbor Main St. Assoc-Decorative Streetlights-Cold Spring Harbor Park)	<u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-246.</b> <b>AUTHORIZE</b> the waiving of greens fees for a fundraiser at the Crab Meadow Golf Course on July 27, 2016 to assist in the purchase of a paramobile to benefit persons with disabilities.	<u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-247.</b> <b>ENACTMENT: APPROVE</b> the increase and improvement of facilities of the Consolidated Refuse District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	<u><b>MC</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>MC-AYE</b> <b>FP-AYE</b> <b>SB-AYE</b> <b>TE-AYE</b> <u><b>EC-NO</b></u>
<b>2016-248.</b> <b>APPROPRIATE</b> \$190,000 for the increase and improvement of facilities of the Consolidated Refuse District, consisting of the acquisition of garbage trucks, authorizing the issuance of bonds of said town in the principal amount of not to exceed \$190,000 to finance said appropriation.	<u><b>MC</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>MC-AYE</b> <b>FP-AYE</b> <b>SB-AYE</b> <b>TE-AYE</b> <u><b>EC-NO</b></u>
<b>2016-249.</b> <b>ENACTMENT: APPROVE</b> the increase and improvement of facilities of the Huntington Sewer District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	<u><b>MC</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>MC-AYE</b> <b>FP-AYE</b> <b>SB-AYE</b> <b>EC-AYE</b> <u><b>TE-AYE</b></u>
<b>2016-250.</b> <b>APPROPRIATE</b> \$1,200,000 for the increase and improvement of facilities of the Huntington Sewer District, consisting of headworks improvements to the Huntington Sewage Treatment Plant, and authorizing the issuance of bonds of said town in the principal amount of not to exceed \$1,200,000 to finance said appropriation.	<u><b>FP</b></u>	<u><b>TE</b></u>	<b>RC</b> <b>FP-AYE</b> <b>TE-AYE</b> <b>SB-AYE</b> <b>MC-AYE</b> <u><b>EC-AYE</b></u>
<b>2016-251.</b> <b>ENACTMENT: APPROVE</b> the increase and improvement of facilities of the Huntington Wastewater Disposal District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	<u><b>SB</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>SB-AYE</b> <b>FP-AYE</b> <b>MC-AYE</b> <b>EC-AYE</b> <u><b>TE-AYE</b></u>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2016-252.</b> <b>APPROPRIATE</b> \$285,000 for the increase and improvement of facilities of the Huntington Wastewater Disposal District, consisting of improvements to the scavenger waste pretreatment facility, and authorizing the issuance of bonds in the principal amount of not to exceed \$285,000 to finance said appropriation.	<u><b>SB</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>SB-AYE</b> <b>FP-AYE</b> <b>MC-AYE</b> <b>EC-AYE</b> <b>TE-AYE</b>
<b>2016-253.</b> <b>ENACTMENT: APPROVE</b> the increase and improvement of facilities of the Greenlawn Water District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	<u><b>FP</b></u>	<u><b>TE</b></u>	<b>RC</b> <b>FP-AYE</b> <b>TE-AYE</b> <b>SB-AYE</b> <b>MC-AYE</b> <b>EC-AYE</b>
<b>2016-254.</b> <b>APPROPRIATE</b> \$1,500,000 for the increase and improvement of facilities of the Greenlawn Water District, consisting of the construction of a wellhead treatment system at Well No. 3R, and authorizing the issuance of bonds in the principal amount of not to exceed \$1,500,000 to finance said appropriation.	<u><b>FP</b></u>	<u><b>EC</b></u>	<b>RC</b> <b>FP-AYE</b> <b>EC-AYE</b> <b>SB-AYE</b> <b>MC-AYE</b> <b>TE-AYE</b>
<b>2016-255.</b> <b>ENACTMENT: APPROVE</b> the increase and improvement of facilities of the Dix Hills Water District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law.	<u><b>SB</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>SB-AYE</b> <b>FP-AYE</b> <b>MC-AYE</b> <b>EC-AYE</b> <b>TE-AYE</b>
<b>2016-256.</b> <b>APPROPRIATE</b> \$525,000 for the increase and improvement of facilities of the Dix Hills Water District, consisting of the replacement of underground fuel tanks at Plant #1 and improvements to the SCADA System at Plant #6, and authorizing the issuance of bonds of said town in the principal amount of not to exceed \$525,000 to finance said appropriation.	<u><b>SB</b></u>	<u><b>FP</b></u>	<b>RC</b> <b>SB-AYE</b> <b>FP-AYE</b> <b>MC-AYE</b> <b>EC-AYE</b> <b>TE-AYE</b>
<b>2016-257.</b> <b>EXTEND</b> 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 9/3/2016)	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-258.</b> <b>ENACTMENT: ADOPT</b> Local Law Introductory No. 11-2016 amending the Code of the Town of Huntington, Chapter 194 (Child Protection Act).	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2016-259. ENACTMENT: ADOPT</b> Local Law Introductory No. 12-2016 amending the code of the Town of Huntington, Chapter 198 (Zoning), Article XVIII (Administration and Enforcement), Article XIX (Zoning Map Amendments), and Article XX (Accessory Apartments).	<u><b>MC</b></u>	<u><b>TE</b></u>	<b>MC-AYE TE-AYE FP-AYE SB-AYE <u>EC-RECUSAL</u></b>
<b>2016-260. ENACTMENT: ADOPT</b> Local Law Introductory Number 13-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Sanford Street –Huntington Station – Stop Signs.	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-261. ENACTMENT: ADOPT</b> Local Law Introductory Number 14-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Printer Court, Bolan Drive – Huntington Station – Parking Restrictions.	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-262. ENACTMENT: APPROVE</b> the exemption of Commack Library District from site plan review and the Town of Huntington Zoning Code as is necessary to expand the existing library building and alter the parking lot on the northwest corner of Commack Road and Hauppauge Road, Commack, SCTM #0400-251-01-(013.004 & 014.001).	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<b>2016-263. ENACTMENT: APPROVE</b> the issuance of a Certificate of Approval in a Historic District Re: 420 Park Avenue, Huntington – Old Huntington Green Historic District. (Applicant: Marc Iervolino; SCTM# 0400-073.00-02.00-037.000)	<u><b>EC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<b>2016-264. ENACTMENT: ADOPT</b> Local 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><b>TE</b></u> <u><b>FP</b></u>	<u><b>MC</b></u>	<b>TE-AYE FP-AYE MC-AYE SB-AYE <u>EC-RECUSAL</u></b>
<b>2016-265. ENACTMENT: ADOPT</b> Local Law Introductory No. 21-2016 amending the code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article V (Administrative Remedies and Penalties).	<u><b>TE</b></u> <u><b>FP</b></u>	<u><b>MC</b></u>	<b>TE-AYE FP-AYE MC-AYE SB-ABST <u>EC-RECUSAL</u></b>
<b>2016-266. ENACTMENT: ADOPT</b> Local Law Introductory No. 20-2016 amending the code of the Town of Huntington, Chapter 111 (Fire Prevention), Article I (General Provisions), Article IV (Permit Application Process), Article V (Fees), and Article VII, (Operational Permits).	<u><b>TE</b></u> <u><b>FP</b></u>	<u><b>MC</b></u>	<b>TE-AYE FP-AYE MC-AYE SB-ABST <u>EC-RECUSAL</u></b>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2016-267. AUTHORIZE</b> 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. (Schedule D: John Gerardi, 2C West 11<sup>th</sup> Street, Huntington Station, SCTM#0400-142.00-03.00-032.000; Mohammed Sabur, 24 Lorraine Court, Northport, SCTM#0400-055.00-01.00-048.003; Ronald/Sandra Rakin, 30 Meadowlark Dr, E. Npt, SCTM#0400-176.00-02.00-069.000; Elias Moragiemos, 43 W. 22<sup>nd</sup> St, Huntington Station, SCTM#0400-194.00-03.00-052.000; Alan Johnston, 85 Railroad Ave, Huntington Station, SCTM#0400-141.00-01.00-081.000; Michael Findel, 101 Cuba Hill Rd, Greenlawn, SCTM#0400-165.00-01.00-061.000; Mohammed/Zohre Alagheban, 684 Old Country Road, Dix Hills, SCTM#0400-209.00-02.00-012.000)</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2016-268. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Schedule A: Claudia Brown, 23 9<sup>th</sup> Avenue, Huntington Station, SCTM#0400-137.00-03.00-019.000; Althea McDermott, 33 Stuyvesant St, Huntington, SCM#0400-161.00-03.00-071.001; Patricia Cespedes, 55 Stony Hollow Rd, Centerport, SCTM#0400-080.00-07.00-024.000)</p>	<u><b>SB</b></u>	<u><b>FP</b></u>	<u><b>5</b></u>
<p><b>2016-269. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider acquiring Huntington property (Mill Dam Park addition). (Re: 1 Hill Place, Huntington; SCTM#0400-027.00-01.00-007.000)</p>	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-270. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider exempting the Dix Hills Fire Department from site plan review and the Town of Huntington Zoning Code as is necessary to renovate the existing headquarters building and construction of a new building for firefighting as well as alter the parking lot on the southeasterly corner of Deer Park Avenue and Deforest Road North, Dix Hills, SCTM #0400-248-01-(011.000,016.000, &amp; 017.000).</p>	<u><b>FP</b></u> <u><b>SB</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-271. SCHEDULE A PUBLIC HEARING: JULY 12, 2016 at 2:00 PM</b> To consider adopting Local Law Introductory Number 22-2016, considering zone change application #2015-ZM-411, Seamus Coyle – 114 Prime Ave, to change the zoning from I-4 Light Industry District to R-5 Residence District for property located on the east side of Prime Avenue, north of New York Avenue, Huntington, SCTM #0400-071-02-083.</p>	<u><b>MC</b></u>	<u><b>TE</b></u>	<u><b>5</b></u>
<p><b>2016-272. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider adopting Local Law Introductory No. 23-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Leland Street – East Northport –Stop Signs.</p>	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-273. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider adopting Local Law Introductory No. 24-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Depot Road – Huntington Station – Parking Restrictions.</p>	<u><b>MC</b></u>	<u><b>TE</b></u> <u><b>EC</b></u>	<u><b>5</b></u>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2016-274. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider adopting Local Law Introductory No. 25-2016 amending the code of the Town of Huntington, Chapter 78 (Animals), Article II (Dogs and other Animals), Section 78-7 (Commission of Nuisances and Other Offenses) Re: Safe Disposal of Pet Waste.	<b><u>FP</u></b>	<b><u>TE</u></b>	<b><u>5</u></b>
<b>2016-275. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider adopting Local Law Introductory No. 26-2016 amending the code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article V(Administrative Remedies and Penalties).	<b><u>TE</u></b> <b><u>FP</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>

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

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2016-BT-12. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly Applicant: Shore Solutions Inc., on behalf of Owner: Randall &amp; Antoinette Lico Location: 32 Hawkins Dr., Northport S.C.T.M. #0404-001.00-01.00-012.000.</p>	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-BT-13. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider the execution of a license agreement pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the construction of a residential fixed pier and floating dock assembly Applicant: Shore Solutions Inc., on behalf of Owner: Randall &amp; Antoinette Lico Location: 32 Hawkins Dr., Northport S.C.T.M. #0404-001.00-01.00-012.000.</p>	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-BT-14. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the construction of a vinyl interlocking Navy style bulkhead Applicant: Shore Solutions Inc., on behalf of Owner: Tarja Koskela Location: 67 East Shore Rd., Huntington S.C.T.M. #0400-032.00-01.00-005.000.</p>	<u><b>MC</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-BT-15. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the extension of a residential fixed pier and floating dock assembly Owner: Joseph &amp; Melody Sciacca Location: 36 Sea Spray Dr., Centerport S.C.T.M. #0400-045.00-03.00-042.002 &amp; 052.000.</p>	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>
<p><b>2016-BT-16. SCHEDULE A PUBLIC HEARING: JUNE 7, 2016 at 2:00 PM</b> To consider the execution of a license agreement pursuant to the Marine Conservation and Regulation of Marine Structures, Town Code Chapter 137 for the extension of a residential fixed pier and floating dock assembly Owner: Joseph &amp; Melody Sciacca Location: 36 Sea Spray Dr., Centerport S.C.T.M. #0400-045.00-03.00-042.002 &amp; 052.000.</p>	<u><b>FP</b></u>	<u><b>EC</b></u>	<u><b>5</b></u>

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

RESOLUTIONS:

OFF. SEC. VOTE

2016-CD

\_\_\_\_\_

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

**COMMUNICATION**

**DISTRIBUTION**

1. Letters received Certified Mail – Initial Application for Liquor Licenses:  
A) From: Patrick DeLuca for TBD (332 East Jericho Tpke, Huntington Station);  
B) From: Marios Patatinis for Sweet Mamas ( 9 Alsace Place, NPT);  
C) From: Philip Cataldo for Viajos Pizza & Pasta (1277 E Jericho Tpke, Huntington);  
D) From: Josif Kiperwasser for Olio Ristorante Pizzeria (5990 Jericho Tpke, Commack);  
Supervisor  
Town Board  
Town Attorney  
Public Safety  
Fire Inspector  
Engineering Services  
Planning & Environment  
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:  
**NONE**
3. Letter received from Ann Marie Jones, Commissioner of Planning & Development for the Town of Babylon regarding Stellae International Inc. This property is located s/s/o Marcus Drive, 524.03' e/o New Highway/Farmingdale. The Town of Babylon received an application for a Site Plan Review. The property is also located in the Town of Babylon. Multiple maps were submitted.  
Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Development
4. Letters received in response to the Public Hearing Notice regarding the proposed increase and improvement of the Greenlawn Water District facilities. A) Supported by Vincent Forgone B) No name given but in support, multiple articles attached.  
Supervisor  
Town Board  
cc: Town Attorney
5. Letter received from Ralph Pugliese, Chairman of the Long Island Water Conference, extending an invitation to the Legislative Breakfast, sponsored by them, to be held on May 13, 2016 at 8:00 am at Carlyle on the Green at Bethpage State Park.  
cc: File
6. Notice Pursuant to Town Law § 268 was hand delivered on April 6, 2016 by Andrew Levitt, Esq. The document pertains to 55 Main Street in Cold Spring Harbor. The SCTM# is 0400-063.00-02.00-003.00. The letter is regarding alleged violations at this premise. The letter is signed by Jennifer Coden, Lili/Tom Cavallo and Lindsay/Jeffrey Renert; all residents of Spring Street in Cold Spring Harbor. (cc'd Supervisor, Town Board/Town Attorney/Planning Board/Zoning Board/ Planning&Environment/Public Safety)  
cc: File
7. Email received from James McGoldrick advising of dangerous traffic conditions on Oakwood Road in Huntington. Attached was a copy of a page from Facebook regarding this matter. (ccd Supervisor/Councilpersons)  
Town Attorney  
Public Safety  
cc: Traffic & Transportation
8. Email received from Lili Hughes regarding Sandbar & Iserman alleged violations on Spring Street. Attached was a letter from M/M Cavallo, M/M Pecora, M/M Renert, M/M Kurtz, M/M LaCapra, all residents of Spring Street, regarding the Sandbar and Edith Iserman, and alleged violations on Spring Street.  
(ccd Supervisor/Councilpersons, Public Safety, Town Attorney)  
cc: Planning & Environment
9. Letter received from Sophie/Randy Tasman regarding the project Gateway to Revitalization from the Renaissance Downtown. The writer indicates there are too many units, too little parking, a safety issue and an overload for the current sewer system. The writer would like this project thought out further.  
Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment
10. Email received from Vincent/Michele Tuminelli regarding their opposition to a variance request - ZBA# 21391.  
Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment

11. Emails received regarding the need for sidewalks to be installed in Huntington Station, on Depot Road by June Margolin, Coordinator of Huntington Matters Neighborhood Watch (2 emails received) and Sharon Collins. (ccd Supervisor/Councilpersons)
- Town Attorney  
Highway  
cc: Planning & Environment
12. Public Notice received from Sarah Lansdale, Director of Suffolk County Department of Economic Development and Planning, regarding a request for written comments on proposed shellfish aquaculture lease sites. Various attachments were included.
- Supervisor  
Town Board  
Town Attorney  
cc: Maritime Services
13. Email received from Tom D'Ambrosio regarding the Gateway Plaza Development hearing # 21436. The writer is requesting that all variances be granted.
- Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment
14. Email received from Brian Hackett regarding the Valley Grove Sand Replenishment. He is requesting that the Town help get the Coast Guard to replenish the sand on Eatons Neck's Valley Grove Beach.
- Town Board  
Town Attorney  
cc: Maritime Services
15. Email received from James McGoldrick advising that he is not affiliated with any Huntington Civic Groups.
- T. Edwards  
cc: Town Attorney
16. Email received from Jennifer Coden, Esq, regarding Sandbar & Iserman alleged violations on Spring Street in Cold Spring Harbor. Attached was a letter from Robert Cook, a resident of Spring Street, advising of various issues with deliveries to the Sandbar restaurant. (ccd Supervisor/Councilpersons/Town Attorney/ Public Safety)
- cc: Planning & Environment
17. Eleven letters signed by Taxi Drivers, were hand delivered by Francisco Molina, the owner of Taxi El Universal. The letters indicate that they are licensed in the Town of Huntington and required to pay for this license; however, recently there have been a lot of unlicensed drivers in the Town. These unlicensed drivers are infringing on the licensed drivers ability to make a living.
- Supervisor  
Town Board  
Town Attorney  
cc: Public Safety
18. Emails received regarding the installation of sidewalks on Depot Road. Both emails indicate that they would like the installation to proceed and not be held up for the installation of lighting poles. The emails were received from A) James McGoldrick (ccd Supervisor/Councilpersons Cook+Edwards/P. Gunther/J. Cergol) B) June Margolin (ccd Supervisor/ Councilpersons/ P. Gunther/J. Cergol)
- S. Berland (A)  
M.Cuthbertson (A)  
Town Attorney (A+B)  
cc: Planning & Environment (A+B)
19. Email received from David Stein, a resident of Northport, regarding the Lewis & Oliver Dairy Farm. The writer indicates that recently there have been protests at the Benner's Farm in Setauket by animal rights activists. He was advised that the woman who is the barn manager at Lewis & Oliver was involved in these protests. He further alleges that volunteers have been, quote - "fired" "as volunteers, many for not being committed enough to volunteering and to not eating meat."  
(ccd Supervisor/Don McKay)
- Town Board  
Town Attorney  
cc: Joy Squires
20. Three letters received from Andrew Freleng, Chief Planner of the Suffolk County Department of Economic Development and Planning, regarding the Town of Huntington Resolutions: A) 2016-214, B) 2016-211 and C) 2016-205. The Commission has decided that the aforementioned resolutions are matters for local determination. This should not be construed as an approval or disapproval.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
21. Memorandum received from David Flynn, Planning Director for the Town of Smithtown, regarding a site plan for the southeast corner of Pulaski Road and Townline Road in Kings Park. Attached were multiple maps.
- Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment

22. Email received from Jennifer Coden, Esq. Ms. Coden forwarded a letter to the Town, from Joseph Percopo, Esq of Mateer Harbert, Attorneys at Law. Mr. Percopo is representing John Thrush who resides on Spring Street in Cold Spring Harbor. Mr. Thrush's property is directly behind the Sandbar Restaurant. The letter indicates alleged various violations existing in an around the restaurant property. Mr. Percopo indicates that the Town should reopen the variance that was granted and not allow the restaurant to take over the adjoining lot.  
(ccd Supervisor/Councilpersons/Town Attorney/Public Safety/Planning) cc: File
23. Email received by James McGoldrick regarding various situations in Huntington Station. The writer also indicated a listing of crimes committed within the Huntington Station area for the month of March. (ccd Supervisor/Councilpersons/Public Safety/ Community Development) cc: Town Attorney
24. Email received from Scott Huang thanking the Town Board for hiring new coaches for the Dix Hills Ice Skating Rink. The writer indicates various reasons why this produces a positive impact. (ccd: Supervisor/Councilpersons) Town Attorney  
cc: Parks & Recreation
25. Email received from James McGoldrick advising that people were drinking on 9<sup>th</sup> Street in Huntington Station across from St. Hugh RC Church. Attached was a photo. (ccd: Supervisor/Councilpersons: Berland, Cook, Cuthbertson, Public Safety, Community Development) T. Edwards  
cc: Town Attorney
26. Letter hand delivered by and from Andrew Levitt, Esq., addressed to the Town Attorney Cindy Elan Mangano in response to her letter of April 14, 2016. Mr. Levitt represents William and Jennifer Coden. The letter indicates he is amending his letter of April 5, 2016 from 55 Main Street to 37 Main Street in Cold Spring Harbor. The letter addresses a variety of alleged violations that are occurring at 37 and 55 Main Street. (ccd: Supervisor, Councilpersons, Town Attorney, Planning Dept/ Public Safety/Zoning Board/Planning Board) cc: File
27. Email received from James McGoldrick regarding the two shootings in Huntington Station on the weekend of 4/22/2016 and the need for additional police in the area. (ccd: Supervisor/Councilpersons/Community Development) Town Attorney  
cc: Public Safety
28. Email received from Lou Caruso regarding an alleged blighted property at 26 Ambrose Lane in Northport. The email indicates various neighbors are complaining about this property and would like it cleaned up. (ccd Supervisor/Berland/Cook/Cuthbertson) T. Edwards  
Town Attorney  
cc: Public Safety
29. Letter received from Michael Corso, Consumer Advocate and Director at the Office of Consumer Services, regarding a series of informational sessions on the Clean Energy Standard program. Supervisor  
Town Board  
cc: Town Attorney
30. Letter received from Susan Muller, Clerk to the Smithtown Board of Zoning Appeals, regarding property located at the east side of Commack Road, 40 feet south of Henry Street in Commack. The applicant is Café Corners/PJ Venture. Attached was the application, a short Environmental Assessment Form, a Memo from the Smithtown Building Director and large maps. Supervisor  
Town Board  
Town Attorney  
cc: Planning & Environment
31. Letter received from David J. Willis of Willis Marine Center; the letter was addressed to Ms. Eileen Jaranowski and Mr. Lawrence Alfano regarding the company crane. Attached were copies of emails and facebook postings. Supervisor  
Town Board  
Town Attorney  
cc: Maritime Services

32. Emails received regarding the development of the Indian Hills Golf Club. The email indicates that the proposed development will have a significant adverse environmental impact and urges the Town to make a positive declaration for a SEQR assessment. The emails received from A) Diane Salacain and B) Martin Poryles C) Rosemary Dillon D) John Dandola  
 Supervisor (A,D)  
 Town Board (A, C,D)  
 Town Attorney (A,B,C,D)  
 Engineering Services (A,B,C,D)  
cc: Planning & Environment (A,B,C,D)
33. Letter received from Matthew Driscoll, Commissioner of Transportation for New York State, signed by Craig Ruyle, P.E., advising of a designation of restricted Highway. The area involved is NY 25AA from the Nassau/Suffolk County Line to Bread and Cheese Hollow Road in the Town of Huntington. The restriction expires on 12/31/2016.  
 Supervisor  
 Town Board  
 Town Attorney  
 Highway  
 Public Safety  
 Traffic & Transportation  
cc: Planning & Environment
34. Letter received from Sarah Lansdale, Director of Suffolk County Economic Development and Planning, regarding a Public Notice – Request for Written Comments on Proposed Shellfish Aquaculture Lease Site Relocation. Cycle 1 Leaseholder is requesting a relocation from their current lease location to a new lease site.  
 Supervisor  
 Town Board  
 Town Attorney  
cc: Maritime Services
35. Letter received from Michael Kane, Chairman of the Town of Babylon Zoning Board of Appeals, regarding a hearing to be held on May 5, 2016 at 6:00 pm at Babylon Town Hall. The property involved is 7 Waterford Drive in Wheatley Heights which is within 500 feet of the Town of Huntington property line. Attached was a copy of the application, full disclosure affidavit, property owners endorsement, short environmental assessment form, radius report, Notice of Public Hearing and maps.  
 Supervisor  
 Town Board  
 Town Attorney  
 Engineering Services  
cc: Planning & Environment
36. Email received from Huntington Calm, advising that the 2016 Medical Society of the State NY meeting, the House of Delegates for Public Health and Education passed Resolution 152. The adopted resolution calls upon the NYS Dept of Environmental Conservation and the manufacturers of the gas leaf blowers to develop guidelines that would dramatically reduce the toxic emissions and noise level of gas leaf blowers and encourage NYS and other governmental entities to promote the use of non-polluting alternatives to gas leaf blowers. (cc: Supervisor /Councilpersons)  
 Town Attorney  
cc: Planning & Environment
37. Letter received from Vincent Puleo, Town Clerk of Smithtown, attached was a copy of a Public Notice. A hearing will be held on May 19, 2016 at 7:00 PM regarding a proposed amendment to Chapter 322 of the Code of the Town of Smithtown.  
 Supervisor  
 Town Board  
 Town Attorney  
 Engineering Services  
cc: Planning & Environment
38. Letter received from Michael Corso, Consumer Advocate & Director, NYS Department of Public Service, Office of Consumer Affairs, regarding a series of regional information sessions regarding a proceeding currently before the commission. A joint petition was filed by Altice N.V. and Cablevision to transfer certain telephone/cable systems to Altice. A fact sheet and hearing announcement was attached.  
 Supervisor  
 Town Board  
 Town Attorney  
 Engineering Services  
cc: Planning & Environment
39. Email received from June Margolin, President of Huntington Matters, thanking various people for their collaboration with the community addressing the issues facing Huntington Station. Projects and initiatives planned by the Town of Huntington, such as hiring armed rangers to patrol local parks, were outlined in Newsday. Attached was a copy of a facebook post. (ccd Supervisor/Councilpersons/Public Safety/Highway)  
cc: Town Attorney
40. Email received from Stephen Shea with questions regarding the amendments to Chapter 160. (ccd Supervisor/Councilpersons)  
 Town Attorney  
cc: Planning & Environment

2016-215

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

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

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

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

WHEREAS, the 2016 Adopted Suffolk County Operating Budget includes TWENTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 (\$25,500.00) DOLLARS for funding of the Town of Huntington Caregiver Program and a fee of SIXTEEN and FIFTY-SEVEN/100 (\$16.57) DOLLARS per unit of service for the EISEP Housekeeper/Chore Program for the period of April 1, 2016 through March 31, 2017.

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for and receive funds from the County of Suffolk for the provision of the Caregiver Program in the amount of TWENTY-FIVE THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$25,500.00) and a fee of SIXTEEN AND FIFTY-SEVEN/100 (\$16.57) DOLLARS per unit of service for the EISEP Housekeeper/Chore Program for the period of April 1, 2016 through March 31, 2017, to be recorded in Operating Budget Item A3778 and to execute any documents in connection therewith and upon such other terms and conditions as are acceptable to the Town Attorney, 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

2016- 216

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR FINANCIAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR THE PURCHASE OF A NEW MARINE PATROL VESSEL NUNC PRO TUNC

Resolution for Town Board Meeting Dated: May 10, 2016

The following Resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN COOK**

WHEREAS, FEMA is currently accepting Port Security grant applications from municipalities for financial assistance pursuant to a U.S. Department of Homeland Security Program to enhance the protection of waterfront infrastructure; and

WHEREAS, the Town has identified the Northport Power Station and Iroquois Gas Transmission Lines as being important assets in the Town's jurisdiction; and

WHEREAS, the Town is well positioned to apply for this grant that will fund 75% of the cost of a new all-weather marine patrol vessel with enhanced capabilities for fire-fighting, diving, search & rescue, communications, and oil spill response estimated to cost \$310,000 with a Town 25% cost share match estimated at \$77,500; and

WHEREAS, applying for a grant to fund the purchase of a new marine vessel is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT RESOLVED,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to apply for financial assistance from the Federal Emergency Management Agency for the purchase of a new patrol vessel to enhance port security and to execute any documents in connection therewith upon such terms and conditions as may be acceptable to the Town Attorney, nunc pro tunc.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-217

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE CRAB MEADOW BEACH PAVILION FLAT ROOF WATERPROOFING WITH OUTER-COUNTY CONSTRUCTION CORP.

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS; the project at the Crab Meadow Beach Pavilion includes removal of the existing concrete waterproofing material from the concrete sundeck and adjoining concrete flat roofs (2). The concrete deck must be prepared and pitched correctly towards the scupper drains. A new concrete waterproofing system shall be installed over the concrete flat roofs; and

WHEREAS, sealed bids were received on March 24, 2016, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the Crab Meadow Beach Pavilion Flat Roof Waterproofing, Contract No. GS 2016-01/ES and the same were opened publicly and read aloud; and

WHEREAS, Outer-County Construction Corp., 2229 Pine Ave., Ronkonkoma, New York 11779 is the lowest responsive, responsible bidder; and

WHEREAS, Crab Meadow Beach Pavilion Flat Roof Waterproofing is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(2), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Outer-County Construction Corp. for the Crab Meadow Beach Pavilion Flat Roof Waterproofing. The contract period shall be effective upon the execution of the contract for a one (1) year period, for an amount not to exceed the sum of ONE HUNDRED EIGHTY-SEVEN THOUSAND EIGHT HUNDRED FIFTEEN AND NO/100 (\$187,815.00) DOLLARS, to be charged to EG7197-2102-2015F, and authorizes the Director of Engineering to execute contract changes with an aggregate value up to 5% of the contract amount, 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilwoman Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH GEI CONSULTING, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Brownfield Opportunity Area (BOA) program, under which the Town of Huntington is participating, was established to provide assistance to municipalities to revitalize neighborhoods affected by the presence of abandoned, vacant and blighted properties; and

WHEREAS, the planning and implementation strategies developed by communities participating in the BOA program lay the framework to spur revitalization by establishing priorities for redevelopment and other actions for community renewal and improved quality of life; and

WHEREAS, formal designation of a BOA by the Secretary of State will provide the Town and any private development companies seeking to revitalize properties in Huntington Station with revitalization tools, technical guidance and priority status with respect to grant applications under review by New York State agencies; and

WHEREAS, the Town is desirous of earning formal designation to further advance the redevelopment of Huntington Station and requires assistance with the preparation of a Brownfields Opportunity Area formal designation application; and

WHEREAS, GEI Consultants, 110 Walt Whitman Road, Suite 204, Huntington Station, NY 11746 is qualified to prepare the Town's formal BOA designation package; and

WHEREAS, the preparation of the BOA application is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(21) and, therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with GEI Consultants, 110 Walt Whitman Road, Suite 204, Huntington Station, NY 11746 for an amount not to exceed the sum of FIVE THOUSAND AND NO/100 (\$5,000.00) DOLLARS and upon any such terms as may be imposed by the Town Attorney, nunc pro tunc.

2016- 2/8

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-219

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ANDREW R GRAY, LLC FOR OFFICIATING SOCCER AND ICE HOCKEY GAMES FOR THE TOWN OF HUNTINGTON PARKS AND RECREATION DEPARTMENT, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: May 10, 2016

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

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

WHEREAS, the Town of Huntington Department of Parks and Recreation offers soccer and ice hockey leagues; and

WHEREAS, the professional services of Andrew R Gray, LLC, with offices located at 20 Lyda Drive, Nesconset, NY 11767, is needed to provide certified referees for soccer and ice hockey; and

WHEREAS, the participating teams pay for the referee fees as part of their registration fee; and

WHEREAS, the execution of this contract is not an action as defined by 6 N.Y.C.R.R. 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a professional services contract with Andrew R Gray, LLC for professional services for the period April 1, 2016 to March 31, 2018 for officiating soccer and ice hockey games to be paid from Department of Parks and Recreation operating budget for ice hockey referees from A7115.4555 and soccer referees from A7140.4550 Professional Services, and to execute all necessary documents in connection therewith and upon such other terms and conditions as may be acceptable to the Town Attorney, nunc pro tunc.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-220

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

Resolution for Town Board Meeting dated: May 10, 2016

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

And seconded by: **COUNCILMAN COOK**

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

WHEREAS, the Suffolk County Youth Bureau wishes to provide funding in the amount of FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS for the period January 1, 2016 through December 31, 2016; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Suffolk County Youth Bureau for funding in the amount FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS to be recorded in Operating Budget Item A3831 for the C.A.S.T. Program for the period January 1, 2016 through December 31, 2016, nunc pro tunc, and upon such other terms and conditions as may be acceptable to the Town Attorney; and

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH TRI-COMMUNITY AND YOUTH AGENCY, INC FOR IMPLEMENTATION OF THE C.A.S.T. PROGRAM (COMMUNITIES AND SCHOOL TOGETHER) IN THE HUNTINGTON AND SOUTH HUNTINGTON SCHOOL DISTRICTS FOR THE YEAR 2016 NUNC PRO TUNC

Resolution for Town Board Meeting Dated: May 10, 2016

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

WHEREAS, the Town of Huntington enters into contractual relationship with essential not-for-profit service providers in the Town of Huntington that offer assistance to all youth and families on such issues as gang prevention; and

WHEREAS, the Town has received funding in the amount of FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS from the Suffolk County Youth Bureau to implement the C.A.S.T. Program (Communities and School Together) for the period January 1, 2016 through December 31, 2016; and

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

WHEREAS, the Town Board wishes to enter into a contract with Tri-Community and Youth Agency, Inc. in the amount of FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS to implement the C.A.S.T. Program (Communities and Schools Together) in the Huntington and South Huntington School Districts; and

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor, on behalf of the Town of Huntington Youth Bureau, to execute an agreement on such terms and conditions as may be acceptable to the Town Attorney with Tri-Community and Youth Agency, Inc. for the implementation

2016-221

of the C.A.S.T. Program (Communities and Schools Together) for the year 2016 in the amount of FORTY-FIVE THOUSAND AND NO/100 (\$45,000.00) DOLLARS.

BE IT FURTHER RESOLVED that the Supervisor is authorized to execute amendments to this agreement in order to adjust the amounts approved in this resolution, based on changes in funding provided by County and subject to such terms and conditions as may be acceptable to the Town Attorney nunc pro tunc; and

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

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016- 222

**RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE INCORPORATED VILLAGE OF NORTHPORT FOR THE PURPOSE OF RECEIVING FUNDS TO PROVIDE YOUTH SERVICES**

Resolution for Town Board Meeting Dated: May 10, 2016

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington Youth Bureau provides services to at-risk youth in the Incorporated Village of Northport through the Town's Youth Directions and Alternatives Youth Agency; and

WHEREAS, these services promote positive youth, family and community development with an emphasis on hard to reach youth through hands-on outreach methods; and

WHEREAS, the Incorporated Village of Northport has expressed its desire for the Huntington Youth Bureau through Youth Directions and Alternatives Youth Agency, to continue to provide these important and beneficial services to youth and families of the Village; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with the Incorporated Village of Northport, 224 Main Street, Northport, NY, for the provision of youth services for an amount not to exceed the sum of SEVEN HUNDRED FIFTY AND NO/100 (\$750.00) DOLLARS to be recorded in Operating Budget Item A3833 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilwoman Tracey Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION AUTHORIZING BRIDGEHAMPTON NATIONAL BANK AS DEPOSITORY FOR TAX RECEIPTS AND AUTHORIZING THE RECEIVER OF TAXES TO EXECUTE A COLLATERAL AGREEMENT FOR A TAX RECEIPT ACCOUNT ON BEHALF OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, in accordance with Town Law §64(1), the Town Board must designate by resolution, the financial institutions in which Town funds are on deposit; and

WHEREAS, the Receiver of Taxes deposits tax revenue received in the normal course of business with various financial institutions designated by the Town Board; and

WHEREAS, banks doing business with the Town must collateralize all held amounts above the federal depository insured balances with acceptable instruments as defined in General Municipal Law §10 as outlined in the Town's Investment Policy; and

WHEREAS, authorizing financial institutions as depositories and authorizing the execution of collateral agreements 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 Bridgehampton National Bank, 2200 Montauk Highway/PO Box 3005, Bridgehampton, New York as depository for tax receipts, pursuant to Town Law 64 (1); and

HEREBY AUTHORIZES the Receiver of Taxes to execute a collateral agreement for a tax receipt account with Bridgehampton National Bank on behalf of the Town of Huntington.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-224

RESOLUTION AUTHORIZING THE EXECUTION OF AN EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE MAINTENANCE OF DIESEL GENERATOR EQUIPMENT FOR THE TOWN OF HUNTINGTON WASTEWATER TREATMENT FACILITY WITH NORTH SHORE GENERATOR SYSTEMS, INC.

Resolution for Town Board Meeting Dated: May 10, 2016

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

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

WHEREAS, the intent of this requirements contract is to provide preventive maintenance services and emergency services to the diesel generator equipment located at the Town of Huntington sewage treatment facilities; and

WHEREAS, the work to be performed under the specifications of the contract shall consist of furnishing all material, labor, supervision, tools, supplies and other related expenses necessary to provide full maintenance services, including but not limited to inspections, adjustments, tests and replacement of parts for all equipment covered under the contract; and

WHEREAS, Town Board Resolution 2014-279 authorized the execution of a contract and with North Shore Generator Systems, Inc. for the maintenance of diesel generator equipment for the Town of Huntington wastewater treatment facility, Bid No. TOH 14-06R-038 and Town Board Resolution 2015-244 authorized the first one (1) year extension; and

WHEREAS, said requirements contract provides for two (2) additional one (1) year extensions with no increase in the bid price or change in the terms and conditions; and

WHEREAS, North Shore Generator Systems, Inc., 22 Industrial Blvd., Suite 12A, Medford, New York 11763 has requested the final one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of an extension to the requirements contract, and any documents in connection and related therewith, with North Shore Generator Systems, Inc., for the maintenance of diesel generator equipment for the Town of Huntington wastewater treatment facility. The extension period shall be effective for one (1) year commencing on August 1, 2016 to be charged to the various operating budgets item SS1 8131, SS2 8132 and SS3 8133 in object code .4650, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2016-224

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016- 225

RESOLUTION AUTHORIZING THE EXECUTION OF A UTILITY WORK AGREEMENT BETWEEN THE HUNTINGTON SEWER DISTRICT AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REGARDING SANITARY SEWER MANHOLE ADJUSTMENTS VIA A NYSDOT ROADWAY RESURFACING STATE-LET CONTRACT

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes the construction, reconstruction, or improvement including Priority Resurfacing at Various Locations in the towns of Huntington, North Hempstead, Oyster Bay, Smithtown and Riverhead, located in Nassau and Suffolk counties, PIN 0809.63; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of sewer manholes to final grade, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the Huntington Sewer District; and

WHEREAS, in the Town of Huntington the Huntington Sewer District has four (4) sanitary sewer manholes that meet the proposed scope of work of PIN 0809.63; and

WHEREAS, the service life of the manholes to be adjusted in the Huntington Sewer District will not be extended; and

WHEREAS, the NYSDOT Contractor will be required to notify the Huntington Sewer District in writing one (1) week prior to: (i) the beginning of sanitary sewer manhole operations; and (ii) any excavation in the vicinity of existing sewer mains and laterals so that a Huntington Sewer District representative may be present during the relevant work; and

WHEREAS, NYSDOT requires that its contractors maintain insurance coverage and indemnify municipalities as provided in Sections 107-06 and 107-09 of the NYSDOT Standard Specifications; and

WHEREAS, the performance of sanitary sewer adjustments and related work by the NYSDOT Contractor requires the Huntington Sewer District to execute an utility work agreement with NYSDOT; and

WHEREAS, The Huntington Town Board is the lawful body responsible for authorizing and executing an agreement and all related documentation that may become necessary as a result of this NYSDOT project as it relates to the Huntington Sewer District; and

WHEREAS, the execution of such an agreement is Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27), and therefore no further SEQRA review is required;

NOW, THEREFORE, BE IT

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a utility work agreement by the Huntington Sewer District with the New York State Department of Transportation (NYSDOT), on such terms and conditions as may be acceptable to the Town Attorney, regarding sanitary sewer manhole adjustments/NYSDOT roadway resurfacing project as shown on the contract plans for PIN 0809.63 and that the Huntington Sewer District will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans for PIN 0809.63; and

BE IT FURTHER RESOLVED: That the Town Clerk of the Town of Huntington is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-226

RESOLUTION AUTHORIZING THE USE OF DIX HILLS PARK ICE RINK BY THE CHILDREN OF TRI COMMUNITY AND YOUTH AGENCY, INCORPORATED IN PARTNERSHIP WITH THE SUFFOLK COUNTY POLICE DEPARTMENT FOR THE SUMMER OF 2016

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Councilwoman Edwards,  
**COUNCILMAN CUTHBERTSON, COUNCILMAN COOK**  
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Tri Community and Youth Agency, Incorporated (Tri CYA), located at 809 New York Ave, Huntington Station, New York 11746 is a not-for-profit community-based agency dedicated to supporting the growth and development of youth and their families in the communities of Huntington, South Huntington and Cold Spring Harbor; and

WHEREAS, Tri-CYA has expressed a desire to provide an additional recreational outlet for the children in its summer program during the Summer of 2016; and

WHEREAS, Tri-CYA has requested that the children in its summer program be permitted to use the Dix Hills Park Ice Rink during the public skate session from 1:30 p.m. until 3:30 p.m., one (1) day per week during the period of July 5, 2016 through August 26, 2016 , and that all fees, including skate rental fees, be waived.

WHEREAS, Suffolk County Police Department COPE Officers will be hosting and participating in these weekly skating sessions; and

WHEREAS, the use of the Dix Hills Park Ice Rink for this purpose 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 use of Dix Hills Park Ice Rink by the children of the Tri CYA for the Summer of 2016, with such permission being contingent upon the execution of a Hold Harmless and Indemnification Agreement by Tri-CYA and the submission of an insurance certificate in a form acceptable to the Town Attorney, and on such other terms and conditions as may be acceptable to the Town Attorney, and further acknowledges the Suffolk County Police Department COPE Officers for their commitment to host and participate in such skating sessions.

2016-226

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE DEPARTMENT OF PUBLIC SAFETY-ANIMAL CONTROL TO CONDUCT A FREE RABIES CLINIC SPONSORED BY THE SUFFOLK COUNTY SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC. ("SPCA")

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington Department of Public Safety- Animal Control is responsible for the enforcement of the Huntington Town Code pertaining to animals;

WHEREAS, the Huntington Town Code requires any person owning, possessing or harboring a dog or cat in the Town of Huntington to have said dog or cat vaccinated in order to prevent the spread of rabies;

WHEREAS, the Town Board seeks to allow a free rabies clinic to be held on May 15, 2016 at the Huntington Town parking lot, 100 Main Street, Huntington, New York, to vaccinate dogs, cats and ferrets older than four (4) months; and

WHEREAS, conducting a rabies clinic 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 Suffolk County Society for the Prevention of Cruelty to Animals, Inc. 725 Veterans Memorial Highway, Building #16, Hauppauge, New York, to conduct a free rabies clinic, in conjunction with the Town of Huntington and the Suffolk County Department of Health Services, on May 15, 2016 between 11:00 a.m. and 3:00 p.m. at the Huntington Town Hall parking lot, 100 Main Street, Huntington subject to the execution of a hold harmless and indemnification agreement and the submission of the requisite insurance, by the Suffolk County Society for the Prevention of Cruelty to Animals, Inc., and on such terms and conditions as are acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO EXECUTE A RETAINER AGREEMENT FOR PROFESSIONAL LEGAL SERVICES WITH BEVERIDGE & DIAMOND, P.C.

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Michael G. Murphy of Beveridge & Diamond, P.C. was previously retained by the Town in a Covanta matter and is known to the Town to be an environmental attorney with the skill set necessary for a matter that currently requires the assistance of outside counsel and it is recommended that he be retained in connection therewith; and

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

NOW THEREFORE, THE TOWN BOARD,

HEREBY authorizes the Town Attorney to execute a retainer agreement with the firm of Beveridge & Diamond, P.C., 477 Madison Avenue, 15<sup>th</sup> Floor, New York, NY, 10022-5802, as the Town's outside counsel to handle matters related to and associated with the Town's application for the Huntington Community Micro-Grid to the New York State Energy Research and Development Authority (NYSERDA) filed in response to the NYS Request for Proposals (RFP 3044) for the NY Prize Community Grid Competition (NY Prize Stage 1 Feasibility Assessment Support Proposal) and any other matters as determined by the Town Attorney to be charged to Operating Budget A-1420-4551 (Outside Legal Counsel), at the following negotiated fees: Michael G. Murphy \$405 per hour and associates \$320 per hour, and on such terms and conditions as may be acceptable to the Town Attorney.

VOTE:           AYES: 5   NOES: 0   ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**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: May 10, 2016

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

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, amendments to the budget are necessary for the acceptance of grant funds to be utilized by the Town; 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 budgetary amendments to the 2016 Operating Budget 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-1621-1100	Heavy Equipment Operator II	\$46,173
A-1621-1100	Labor Crew Leader I	50,249
B-8020-1100	GIS Manager	67,782
DB-5110-1100	Heavy Equipment Operator I	46,635
DB-5110-1100	Laborer	21,294
SR-8158-1100	Laborer (Refuse)	25,580

Create the following positions:

A-1621-1100	Grounds Keeper II	\$53,245
A-3010-1100	Neighborhood Aide II	34,271
A-8170-1100	Deputy Director of Transportation	72,496
DB-5130-1100	Automotive Mechanic III	41,597

Abolish the following positions:

A-1621-1100	Labor Crew Leader I	(\$51,819)
-------------	---------------------	------------

# 2016-229

A-3010-1100	Neighborhood Aide I	(24,617)
A-5630-1100	Deputy Director of Transportation	(72,496)
DB-5130-1100	Highway Construction Coordinator	(54,213)

Increase the following revenues:

A-3989-3989	State Aid, Other Home & Community	\$11,939
SM1-0599-5999R	Appropriated Fund Balance	2,500
SM2-0599-5999R	Appropriated Fund Balance	2,500

Increase the following appropriations:

A-3010-4550	Outside Professional	\$30,000
SM1-4541-4550	Outside Professional	2,500
SM2-4541-4550	Outside Professional	2,500

Adjust the following appropriations:

A-1990-1100	Contingency	(\$137,502)
A-5630-8020	Social Security	(5,546)
A-5630-8021	MTA Tax	(247)
A-8710-1175	Part Time Salaries	5,500
A-8710-8020	Social Security	5,967
A-8710-8021	MTA Tax	265
A-8710-4700	Advertising	6,000
B-1990-1100	Contingency	(67,782)
DB-1990-1100	Contingency	(55,313)
SR-1990-1100	Contingency	(25,580)

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.



**Schedule A****Increase the following revenues:**

DB0599	0599R	Appropriated Fund Balance	1,912,916.00
SS20599	0599R	Appropriated Fund Balance	49,917.00
			<u>1,962,833.00</u>

**Increase the following appropriations:**

A1410	1100	Regular Salaries	34,769.94
A1420	1150	Permanent Part Time Salaries	37,815.30
A1621	1300	Overtime Salaries	321,245.37
A1625	1300	Overtime Salaries	35,258.09
A1680	1100	Regular Salaries	35,846.39
A3010	1150	Permanent Part Time Salaries	231,297.68
A3010	1300	Overtime Salaries	73,370.40
A3120	1300	Overtime Salaries	44,652.04
A3510	1300	Overtime Salaries	31,722.16
A5630	1100	Regular Salaries	27,144.99
A5630	1150	Permanent Part Time Salaries	359,863.44
A5630	1300	Overtime Salaries	57,569.69
A5630	4150	Insurance	37,440.41
A5630	8020	Social Security	22,263.79
A7020	1100	Regular Salaries	32,460.31
A7115	1400	Summer Casual Salaries	24,008.79
A7116	1100	Regular Salaries	15,234.16
A7116	1300	Overtime Salaries	12,319.27
A7140	1400	Summer Casual Salaries	84,167.90
A7182	1300	Overtime Salaries	18,175.10
A7620	1100	Regular Salaries	34,492.62
A8164	4990	Refuse Disposal Charges	37,462.88
A9040	8030	Worker's Compensation	715,373.45
A9070	8100	Retirement Accrual Payout	102,301.70
A9730	6000	Principal on Indebtedness	285,000.00
B1620	1300	Overtime Salaries	68,305.31
B3620	1100	Regular Salaries	43,786.06
B3620	1150	Permanent Part Time Salaries	84,635.17
B3622	1100	Regular Salaries	17,237.82
B3622	1300	Overtime Salaries	13,018.79
B8020	1100	Regular Salaries	25,576.87
B8036	1100	Regular Salaries	37,690.98

B8036	1150	Permanent Part Time Salaries	13,820.84
DB5110	1300	Overtime Salaries	154,431.59
DB5142	1100	Regular Salaries	467,517.89
DB5142	1300	Overtime Salaries	1,079,521.34
DB5142	4270	Motor Vehicle Rentals	1,017,993.92
DB5142	8020	Social Security	99,513.08
DB9010	8010	State Retirement	290,893.00
DB9070	8100	Retirement Accrual Payout	227,628.01
DB9070	8101	Accrual Payout	124,557.43
SL5182	1300	Overtime Salaries	16,958.05
SL9010	8010	State Retirement	26,336.00
SL9040	8030	Worker's Compensation	37,960.99
SL9070	8100	Retirement Accrual Payout	14,854.67
SL9070	8101	Accrual Payout	21,250.85
SR8158	1300	Overtime Salaries	43,273.66
SR9040	8030	Worker's Compensation	155,588.70
SS18131	1300	Overtime Salaries	17,542.91
SS19060	8071	Retiree Health Insurance	22,592.87
SS19070	8100	Retirement Accrual Payout	77,637.62
SS28132	4420	Subcontract Cost	55,709.01
SW18321	1300	Overtime Salaries	50,382.23
SW19010	8010	State Retirement	28,325.00
SW19070	8101	Accrual Payout	73,893.82
			<u>7,119,690.35</u>

**Decrease the following appropriations:**

A8170	4001	Contractual Expense	1,211,153.00
A1990	1100	Contingency Salaries	679,180.00
A5630	4120	Fuel	171,450.00
A4220	4001	Contractual Expense	141,795.00
A1621	4120	Fuel	137,490.00
A9060	8070	Health Insurance	136,227.00
A1680	4550	Outside Professional	113,672.00
A9060	8071	Retiree Health Insurance	113,497.00
A1930	4160	Judgments & Claims	6,791.87
B1990	1100	Contingency Salaries	258,254.00
B3310	4560	Maintenance of Traffic Equipment	45,817.84
DB5110	1100	Regular Salaries	330,688.00
DB5130	1100	Regular Salaries	201,519.00
DB5110	4120	Fuel	193,453.00

## Schedule A

2016- 230

DB9040	8030	Workers Compensation	167,371.00
DB1990	1100	Contingency Salaries	151,004.00
DB5140	4420	Subcontract Cost	83,007.00
DB5110	8020	Social Security	76,120.00
DB9050	8050	Unemployment Insurance	74,164.00
DB9060	8071	Retiree Health Insurance	67,069.00
DB5130	4520	Vehicle Repairs & Supplies	44,055.00
DB5130	4510	Equipment, Supplies, & Repairs	35,262.00
DB9060	8070	Health Insurance	26,978.00
DB5130	8020	Social Security	18,929.00
DB9070	8102	Personal Days Expense	17,736.26
DB5140	4990	Refuse Disposal Charges	15,000.00
DB5110	4775	Drainage Maintenance	12,770.00
DB1910	4150	Insurance	12,529.00
DB1680	4570	Service Contracts	11,418.00
DB5110	4680	Surfacing Materials	10,068.00
SL5182	4220	Electric	117,360.56
SR8158	4990	Refuse Disposal Charges	198,862.36
SS18131	1100	Regular Salaries	77,062.40
SS18131	4220	Electric	32,490.00
SS18131	4990	Refuse Disposal Charges	8,221.00
SS28132	1300	Overtime Salaries	3,525.01
SS21990	4010	Contingency	2,267.00
SW18321	4691	Chemical Supplies	94,478.00
SW18321	4510	Equipment, Supplies, & Repairs	49,817.00
SW18321	4130	Postage	8,306.05
			<u>5,156,857.35</u>

2016-231

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2016 OPERATING AND CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **COUNCILWOMAN EDWARDS**

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 expenditures for emergency water main leak repairs exceeded the yearly estimate and additional funding is required for an emergency repairs on Pine Hill Lane, Wildwood Drive, Richbourne Lane, Chatham Place and Sevenoake Road; and

WHEREAS, the expenditures for emergency fire hydrant repair on Waydale Drive and hydrant maintenance to nine fire hydrants on the South Service Road between Sleepy Lane and Bagatelle Road; and

WHEREAS, the funding of repairs and amending the operating budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(1), (c)(2) and (c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2016 Operating and Capital Budget as follows:

Increase the following revenue:

SW10599-5999R	Appropriated Fund Balance	\$ 24,600
---------------	---------------------------	-----------

Increase the following appropriations:

SW18231-2778	Water Mains	\$ 9,490
SW18321-2779	Fire Hydrants	15,110

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.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2016 OPERATING & CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS - DEPARTMENT OF ENVIRONMENTAL WASTE MANAGEMENT

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **SUPERVISOR PETRONE, COUNCILWOMAN EDWARDS**

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 Town Board wishes to amend the 2016 Capital Budget for the Huntington Sewer District and the Refuse District; and

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

WHEREAS, the Huntington Sewer District requires funding to replace a pay loader and skid steer equipment, which has been deemed unsafe to operate; and

WHEREAS, the Refuse District maintains a fleet of twenty-six garbage trucks; and

WHEREAS, the floor jacks currently in use are nearing the end of their useful life and replacement parts are out of production and/or out of stock; and

WHEREAS, the Refuse District utilizes roll-off containers for a variety of reasons including: collection of discrete recyclables as part of the resident drop off program; collection and transport of snow during snow storms; clean-up of storm debris in conjunction with the Highway Department after major storm events; and

WHEREAS, some of the existing stock of containers are beyond repair and have exceeded their useful life; and

WHEREAS, the proposed action has been classified as a Type II action pursuant to 6NYCRR §617.5(c) (20) and therefore, no further SEQRA review is required; and

NOW, THEREFORE

2016-232

THE TOWN BOARD HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2016 Operating & Capital Budgets as follows:

Increase the following revenue:

SR0599-0599R	Appropriated Fund Balance	\$ 65,000
SS10599-0599R	Appropriated Fund Balance	175,000

Increase the following appropriations:

WM8268-2102	Floor Jacks	45,000
WM8268-2600	Roll off Containers	25,000
WM8197-2600	Equipment & Machinery	175,000

VOTE:                    AYES:    5                    NOES:    0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (DEPOT ROAD CORRIDOR)

Resolution for Town Board Meeting Dated: May 10, 2016

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

WHEREAS, Resolution No. 2003-569 was adopted at a meeting of the Town Board on August 27, 2003 and said resolution authorized the issuance of \$30,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$3 million was to be used for neighborhood enhancement projects, and

WHEREAS, Resolution No. 2008-481 was adopted at a meeting of the Town Board on August 26, 2008 and said resolution authorized the issuance of \$15,000,000 serial bonds of the Town of Huntington for the Environmental Open Space and Park Improvement Fund, subject to mandatory referendum that was supported by Huntington voters, for which \$4 million was to be used for neighborhood enhancement projects, and

WHEREAS, the EOSPA Committee reviewed a neighborhood enhancement nomination from the Town Highway Superintendent to provide funding to add new concrete sidewalks, curbs, Americans with Disabilities Act (ADA)-compliant ramps, and street trees along the east side of Depot Road from East 10<sup>th</sup> Street to Vondran Street in Huntington Station, and voted at its meeting on April 12, 2016 to recommend an amount not to exceed \$200,000 with funding from the EOSPA Program, and

WHEREAS, it is understood that appropriation of the EOSPA funding may be an opportunity for the Town to seek additional matching funding to continue the streetscaping south toward Jericho Turnpike, and

WHEREAS, the Horizons 2020 Comprehensive Plan supports the provision of coordinated streetscape improvements, and

WHEREAS, the proposed improvement program is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2) and (20) as it involves rehabilitation of an existing facility (Depot Road right-of-way) and routine agency management; thus, no further review is required pursuant to SEQRA;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park

Improvements Reserve Fund, in addition to funding that may have already been authorized for these projects, and charged to the appropriate capital budget account for the neighborhood enhancement recommended by the EOSPA Committee as listed below for implementation by the identified department/entity:

**HIGHWAY DEPARTMENT**

*Depot Road, Huntington Station, not to exceed \$200,000*

Addition of new concrete sidewalks, curbs, ADA-compliant ramps, and street trees along east side of Depot Road from East 10<sup>th</sup> Street to Vondran Street

AND BE IT FURTHER

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

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-234

RESOLUTION AUTHORIZING THE COMPTROLLER TO PAY LASER INDUSTRIES, INC. FOR ADDITIONAL REMEDIAL WORK PERFORMED PURSUANT TO 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: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, Town Board Resolution 2016-74 authorized 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); and

WHEREAS, during the performance of the court-ordered remedial work, mold was discovered that required removal and remediation for an additional cost of FOUR THOUSAND NINE HUNDRED AND NINETY FIVE DOLLARS (\$4,995.00); and

WHEREAS, Laser Industries, Inc. located at 1775 Route 25, Ridge, New York 11961, has done the additional remedial work at 44 Bennett Avenue, Huntington Station, New York for the sum of FOUR THOUSAND NINE HUNDRED AND NINETY FIVE DOLLARS (\$4,995.00) 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 the Comptroller to pay Laser Industries, Inc., located at 1775 Route 25, Ridge, New York 11961, pursuant to Contract No. ES 2015-02 O/E, the sum of FOUR THOUSAND NINE HUNDRED AND NINETY FIVE DOLLARS (\$4,995.00) for the mold removal and remediation performed 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 (attached to Resolution 2016-74 as Schedule B), and the court-appointed Receiver has agreed to allow Laser Industries Inc., to be paid for the additional work, at a cost not to exceed FOUR THOUSAND NINE HUNDRED AND NINETY FIVE DOLLARS (\$4,995.00) 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

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

2016-234

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

2016-235

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: May 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		<b>AYE</b>	
Councilwoman Susan A. Berland		<b>AYE</b>	
Councilman Eugene Cook		<b>AYE</b>	
Councilman Mark A. Cuthbertson		<b>AYE</b>	
Councilwoman Tracey A. Edwards		<b>AYE</b>	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

**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>
9 Beltane Drive Dix Hills, NY 11746	0400-203.00-02.00-114.000	Joanne Sasaki	04/21/2016	N/A
19 Depew Street Huntington, NY 11743	0400-161.00-03.00-130.000	Mangotree Real Estate Holdings LP GMR Real Estate Holdings & Directional Lending LLC	05/02/2016	45 Sarah Drive Farmingdale, NY 11735

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>
19 Depew Street Huntington, NY 11743	0400-161.00-03.00-130.000	Mangotree Real Estate Holdings LP GMR Real Estate Holdings & Directional Lending LLC	05/02/2016	45 Sarah Drive Farmingdale, NY 11735

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>
19 Depew Street Huntington, NY 11743	0400-161.00-03.00-130.000	Mangotree Real Estate Holdings LP GMR Real Estate Holdings & Directional Lending LLC	05/02/2016	45 Sarah Drive Farmingdale, NY 11735

2016-235

RESOLUTION ACCEPTING A DONATION OF GARBAGE RECEPTACLES FROM THE HUNTINGTON STATION BUSINESS IMPROVEMENT DISTRICT FOR PLACEMENT IN THE DOWNTOWN BUSINESS DISTRICT

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, in seeking to improve the cleanliness of its downtown shopping district, the Board of Directors of the Huntington Station Business Improvement District has purchased six (6) new garbage receptacles for placement therein; and

WHEREAS, the value of the above receptacles is THREE THOUSAND SIX HUNDRED SEVENTY FIVE DOLLARS (\$3,675); and

WHEREAS, the Board of Directors of the Huntington Station BID would like to donate the six garbage receptacles to the Town of Huntington; and

WHEREAS, the acceptance of this donation is not an action under SEQRA defined by 6 NYCRR 617.2(b), and therefore, no SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY ACCEPTS, the donation of six (6) garbage receptacles for placement in the Huntington Station Business Improvement District; and

HEREBY THANKS the Board of Directors of the Huntington Station Business Improvement District.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016-237

RESOLUTION ACCEPTING A DONATION OF A KRAKAUER SPINET PIANO FOR THE DEPARTMENT OF HUMAN SERVICES, THE SENIOR DIVISION, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: May 10, 2016

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

WHEREAS, music adds to the pleasure in one's life; and

WHEREAS, Jon Rubin of 217 Medea Way, Central Islip desires to give a used Krakauer Spinet Piano, model number 77418 value at ONE THOUSAND NINE HUNDRED FIFTY AND NO/100 (\$1,950.00) DOLLARS to the Town of Huntington, Senior Center; and

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

NOW, THEREFORE

THE TOWN BOARD, upon recommendation of the Department of Human Services HEREBY ACCEPTS a donation of a Spinet Piano manufactured by Krakauer from Jon Rubin, and thanks him for his generosity, NUNC PRO TUNC.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING A HOME RULE MESSAGE URGING THE NEW YORK STATE LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION (A.2519) ALLOWING THE ADOPTION OF AN ADMINISTRATIVE HEARING AND CODE VIOLATION ENFORCEMENT PROCEDURE FOR THE TOWN OF HUNTINGTON.

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board is committed to enforcing the local building and zoning codes to the maximum extent possible in order to ensure that the health, safety and quality of life of the residents of the Town of Huntington is maintained; and

WHEREAS, infractions with respect to town codes often involve routine civil violations that could be expeditiously resolved administratively as is currently permitted for traffic violations rather than burdening the district court; and

WHEREAS, the Town Board wishes to commend, support and endorse the efforts of the sponsor of the bill, Assemblyman Chad Lupinacci, to extend to the Town of Huntington the civil code enforcement authority which it has long sought; and

WHEREAS, urging the State Legislature to draft, sponsor and introduce the proposed legislation 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 ADOPTS a Home Rule message urging the New York State Legislature and the Governor to enact legislation (A.2519) allowing the adoption of an administrative hearing and code violation enforcement procedure for the Town of Huntington; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to Governor Andrew Cuomo; Senator John J. Flanagan, Majority Leader; Assemblyman Carl E. Heastie, Speaker; bill sponsor Assemblyman Chad Lupinacci; Home Rule Counsels to the Senate and Assembly and to the remaining members of Huntington's State Legislative delegation, Senator Carl Marcellino and Assemblyman Andrew Raia.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING VOLUNTEER PARK STEWARDS

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **COUNCILMAN COOK**

WHEREAS, the Park Stewardship Program, initiated in 1990 and coordinated through the Huntington Conservation Board and the Departments of Parks and Recreation and Planning and Environment, serves a vital purpose of providing surveillance and maintenance support on Town-owned park properties, and

WHEREAS, Town Board-appointed Volunteer Park Stewards file periodic monitoring reports, notify the Town of actual or potential hazards or abuse to the ecological integrity of the park(s), and serve for four years pursuant to Town Code §159-66, and

WHEREAS, the appointment of park stewards is not an action as defined by SEQRA in 6 NYCRR 617.2(b); therefore, no SEQRA review is required;

NOW, THEREFORE, THE TOWN BOARD

HEREBY APPOINTS Volunteer Park Stewards for specific parks as follows:

Charles J. Bravo	12 Sycamore Pl, East Northport NY 11731	Meadowlark Park
Steven Elish	452 Bardini Drive, Melville, NY 11747	Half Hollow Park
Timothy Flythe	1030 Park Avenue, Huntington, NY 11743	Coral Park

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-240

RESOLUTION APPOINTING CHAIRMAN AND VICE CHAIRMAN OF THE  
BOARD OF ASSESSMENT REVIEW

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the appointment of individuals to the Town of Huntington boards is not an action as defined by N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required;

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY APPOINTS Jeffrey J. Stark, as Chairman and Randolph W. Spelman, as Vice-Chairman, of the Town of Huntington Board of Assessment Review through December 31, 2016.

VOTE:            AYES: 5        NOES: 0        ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION TO ESTABLISH AN IMPREST PETTY CASH FUND FOR THE TOWN OF HUNTINGTON'S DEPARTMENT OF PUBLIC SAFETY

Resolution for Town Board Meeting Dated: May 10, 2016

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

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Law section 64(1)(a), the Department of Public Safety has requested the establishment of a imprest petty cash fund in the amount of ONE HUNDRED and NO/100 DOLLARS (\$100.00) to serve as a petty cash fund; and

WHEREAS, the imprest petty cash fund is needed for minor expenses of the department; and

WHEREAS, the issuance of imprest petty cash fund is not an action pursuant to 6 NYCRR §617.2 (b) and therefore no further SEQRA review is required; and

NOW THEREFORE

THE TOWN BOARD

HEREBY ESTABLISHES the imprest petty cash fund for the Department of Public Safety in the Town of Huntington.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2016-242

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS FOR ELECTED OFFICIALS AND APPOINTED PERSONNEL FOR NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REPORTING PURPOSES

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **COUNCILMAN COOK**

WHEREAS, the New York State & Local Retirement System requires that the Town of Huntington establish by resolution the number of hours in a standard work day and the reportable number of days worked in a month for all elected and appointed positions; and

WHEREAS, the establishment of a standard work day and reportable number of days worked for New York State Local Retirement Services reporting purposes is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY ESTABLISHES that the standard workweek for all full-time appointed employees at the Town of Huntington is seven hours per day, five days a week and such employees participate in the Town's employee time keeping system; and

FURTHER ESTABLISHES standard work days for Town of Huntington elected officials and for part-time appointed officials based on the record of activities maintained and submitted by these officials to the Town Clerk per Schedule A, which is attached hereto and made a part of this resolution; and

FURTHER RESOLVES that the Town of Huntington shall report the information contained on Schedule A to the New York State and Local Employees Retirement System and will cause such information to be posted on the Town of Huntington website as per 2 NYCRR §315.4.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-242

Town of Huntington  
 Appointed and Elected  
 Schedule A  
 2016

<u>Title</u>	<u>Standard Work Day</u>	<u>Last Name</u>	<u>First Name</u>	<u>Registration Number</u>	<u>Term Begins/Ends</u>	<u>Participates in Employee Time Keeping System</u>	<u>Days/Month (Based on record of activities)</u>
DEPUTY DIRECTOR GENERAL SERVICES	7	BARRETT	KEITH	60597564	09/16/14 - 12/31/17	Y	N/A
COUNCIL MEMBER	6	BERLAND	SUSAN	36064095	01/01/16 - 12/31/19	N	24.67
RECEIVER OF TAXES	7	BIVONA	ESTER	20251849	01/01/16 - 12/31/19	Y	N/A
TOWN DIRECTOR MARITIME SERVICES	7	CARR	EDWARD	60034287	01/01/14 - 12/31/17	Y	N/A
DEPUTY SUPERINTENDANT HIGHWAY	7	CLARK	JOHN	61199966	08/24/15 - 12/31/17	Y	N/A
DEPUTY TOWN CLERK	7	COLAMUSSI	STACY	34370445	01/01/16 - 12/31/19	Y	N/A
COUNCIL MEMBER	6	COOK	EUGENE	50585223	01/01/16 - 12/31/19	N	14.62
ASST TOWN ATTORNEY P/T	7	DE CARLO	LUCIANA	61165809	08/31/15 - 01/03/16	Y	N/A
ASSISTANT TOWN ATTORNEY	7	DE CARLO	LUCIANA	61165809	01/04/16 - 12/31/17	Y	N/A
SECRETARY TO TOWN CLERK	7	DONAGHY	CAROLE	37171584	01/01/16 - 12/31/19	Y	N/A
DEPUTY TOWN CLERK	7	ELDRIDGE	LUANN	41519174	01/01/16 - 12/31/19	Y	N/A
SEC TO TAX RECEIVER	7	FALKOWSKI	MARION	43434265	01/01/16 - 04/05/16	Y	N/A
DEPUTY RECEIVER OF TAXES	7	FARABAUGH	MARY	36791309	01/01/16 - 12/31/19	Y	N/A
SPEC ASSISTANT TOWN ATTORNEY P/T	7	GATHMAN	JAMES	39492830	01/01/14 - 12/31/17	N	15.38
LEGISLATIVE SECRETARY	7	LAVERY	MEGAN	61290730	11/16/15 - 12/31/19	Y	N/A
LEGISLATIVE SECRETARY	7	LEVINE	LINDA	38305892	01/01/16 - 12/31/19	Y	N/A
LEGISLATIVE AIDE	7	MENDES	JO-ANNE	50583442	01/01/16 - 12/31/19	Y	N/A
ZBA CHAIR	6	MODELEWSKI	CHRIS	36015972	01/01/15 - 12/31/21	N	8.18
ASSESS RWV BD MEMBER	6	SANIN	JAIRO	50105121	09/31/15 - 09/30/19	Y	N/A
LEGISLATIVE SECRETARY	7	SATCHELL	JENNIFER	50592781	01/01/16 - 12/31/19	Y	N/A
ASSISTANT TOWN ATTORNEY	7	SHEPARDSON	RHONDA	39867064	10/03/15 - 12/31/17	Y	N/A
DEPUTY DIRECTOR ENGINEERING SERVICES	7	TURNER	JACOB	41607474	08/17/15 - 12/31/17	Y	N/A
PLANNING BOARD MEMBER	6	WALSDORF	DAVID	50398908	01/01/15 - 12/31/21	N	2.17

2016-243

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

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN COOK**

WHEREAS, the Huntington YMCA will be sponsoring its annual Memorial Day Carnival, as a fund-raiser for the YMCA Scholarship Fund, from May 26, 2016 through May 30, 2016, and

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

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

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

NOW, THEREFORE BE IT RESOLVED

THE TOWN BOARD, hereby grants permission to the Huntington YMCA for the use of the Town Hall parking lot for the purpose of parking during its annual Memorial Day Carnival from May 26, 2016 through May 30, 2016, subject to the submission of a Hold Harmless Agreement and appropriate insurance documents in a form satisfactory to the Town Attorney, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION RENAMING VERLEYE PARK THE CHARLES A.ODDO VERLEYE PARK.

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Councilman Cook

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the membership of the Commack Fire Department has requested that Verleye Park, be renamed to honor the memory of Fallen Police Officer Charles A. Oddo and Commack Fire Department Volunteer and Fire Department Mechanic; located near where Police Officer Charles grew up and the family still resides; and

WHEREAS, Police Officer Charles A. Oddo, of the New York City Police Department Highway Unit #2 fallen in the line of duty on February 17, 1996; and

WHEREAS, Police Officer Charles A. Oddo, was born in Huntington and resided in East Northport; and

WHEREAS, he was a 1981 graduate of John H Glenn High School, Charles A. Oddo, joined the New York City Police Department October 15, 1990 and was a Commack Fire Department Volunteer and Mechanic from September 7, 1982 to his passing; and

WHEREAS, with the permission of his family, it is a fitting tribute to rename Verleye Park located where the family resides in his honor as a reminder of his undying dedication to his community; and

WHEREAS, said designation is not an action pursuant to 6NYCRR 617.2(b) and therefore no SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY RENAMES Verleye Park to be known as Charles A. Oddo Verleye Park as lasting tribute to his memory, effective immediately.

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-245

RESOLUTION SUPPORTING AND CLASSIFYING UNDER NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT ROUND 14 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT APPLICATIONS

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, the Town Board is desirous of supporting the economic vibrancy of its downtown hamlets throughout the Town of Huntington; and

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County participates in the development, support and funding of capital improvement projects on publicly-owned lands located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, as part of the application process and in conformity with Suffolk County Resolution 808-1998, the County of Suffolk requires a resolution of the Town Board showing support for the proposed project/s by eligible business or civic organizations; and

WHEREAS, the County of Suffolk further requires a SEQRA analysis from the sponsoring municipality for all projects proposed for grant funding; and

WHEREAS, all business or civic organizations making application under this grant program are responsible for securing the required non-County matching funds for their proposed capital improvement projects with Town Board support of said projects in no way to be construed as a commitment to provide matching funds; and

WHEREAS, upon the County's approval of a project, the Town would be required to enter into an intermunicipal agreement with the County pursuant to which the Town of Huntington would be required to procure and oversee the project to completion and the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, in order to access County financing for all or part of funded projects, the County of Suffolk must obtain from the Town a leasehold, easement or other real property interest in the site of funded improvements on Town property; and

WHEREAS, the Greenlawn Civic Association is seeking to add decorative streetlights on Broadway and undertake a landscape beautification project at the corner of Broadway and Cuba Hill Road; and

WHEREAS, the Huntington Station Business Improvement District is seeking to add curbs and sidewalks on the west side of Depot Road from E. 17<sup>th</sup> Street to E. 19<sup>th</sup> Street and on the north side of E. 19<sup>th</sup> from Depot Road to Depot Road Park; and

WHEREAS, the Cold Spring Harbor Main Street Association is seeking to install decorative streetlights in Cold Spring Harbor Park immediately adjacent of the New York State Right of Way; and

WHEREAS, the three proposed grant projects are classified Type II pursuant to SEQRA 6 NYCRR 617.5(c) (1), (c) (2) and (c) (11), and the Town Board's support of Suffolk County Downtown Revitalization Grant Applications and execution of required grant documents in connection therewith is not an action as defined by 6 NYCRR §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED, that the Town Board

HEREBY SUPPORTS the following organizations whose projects will be presented for funding under Round 14 of the Suffolk County Downtown Revitalization Program: Greenlawn Civic Association, Huntington Station Business Improvement District and Cold Spring Harbor Main Street Association; and be it further

RESOLVED, that the Town Board

HEREBY CLASSIFIES the proposed Round 14 capital improvement projects as Type II actions pursuant to the State Environmental Quality Review Act, and further

HEREBY AUTHORIZES the Supervisor to accept grant funding if awarded, and sign any and all necessary documents in connection with approved projects under the Suffolk County Round 14 Grant, including but not limited to the required lease easement/lease documents and an inter-municipal agreement, upon such terms and conditions as may be acceptable to the Town Attorney; and, if funded project is on state property, the Town shall obtain a permit to improve or occupy the site, as well as follow proper procedure to obtain the required easement, lease, permit or other real property interest in the site of the project from the State of New York.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE WAIVING OF GREENS FEES FOR A FUNDRAISER AT THE CRAB MEADOW GOLF COURSE ON JULY 27, 2016 TO ASSIST IN THE PURCHASE OF A PARAMOBILE TO BENEFIT PERSONS WITH DISABILITIES.

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Councilman Cuthbertson

and seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, the Paramobile is a patented device that is changing the lives of wheelchair users and other individuals with disabilities by allowing them to stand up and play sports and engage in everyday activities; and

WHEREAS, in an effort to assist the Town with the purchase of a Paramobile, a group of residents have requested permission to waive the greens fees for a golf outing at the Crab Meadow Golf Course; and

WHEREAS, all funds raised from the golf outing will be used towards the purchase of a Paramobile that will be kept at the Crab Meadow Golf Course for daily use; and

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

NOW, THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the waiving of greens fees for a golf outing July 27, 2016 to assist the Town of Huntington in the purchase of a Paramobile.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 10th day of May, 2016.

PRESENT:

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

---

In the Matter

of the

Increase and Improvement of Facilities of the Consolidated Refuse District, in the Town of Huntington, in the County of Suffolk, New York, pursuant to Section 202-b of the Town Law

---

Offered by: COUNCILMAN CUTHBERTSON

Seconded by: SUPERVISOR PETRONE

RESOLUTION AND  
ORDER AFTER PUBLIC  
HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Consolidated Refuse District (herein called the "District"), in the Town, has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and

improvement of facilities to consist of the acquisition of garbage trucks, at the estimated maximum cost of \$190,000; and

WHEREAS, the Town Board adopted an Order describing such proposed increase and improvement of facilities of the District, specifying the estimated maximum cost thereof, and stating that the Town Board would hold a public hearing to hear all persons interested in said increase and improvement of facilities on April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 5th day of April, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(25), and no further environmental review is required;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$190,000; and it is hereby

2016-247

ORDERED, that the facilities of the District shall be so increased and improved by the acquisition of garbage trucks, at the aggregate estimated maximum cost of \$190,000; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of bonds in the principal amount of \$190,000, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 10, 2016

TOWN BOARD OF THE TOWN OF HUNTINGTON

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting <u>AYE</u>
Councilwoman Susan A. Berland	voting <u>AYE</u>
Councilman Eugene Cook	voting <u>NO</u>
Councilman Mark A. Cuthbertson	voting <u>AYE</u>
Councilwoman Tracey Edwards	voting <u>AYE</u>

The Resolution and Order were declared adopted.

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
NEW YORK, ADOPTED MAY 10, 2016, APPROPRIATING  
\$190,000 FOR THE INCREASE AND IMPROVEMENT OF  
FACILITIES OF THE CONSOLIDATED REFUSE DISTRICT,  
CONSISTING OF THE ACQUISITION OF GARBAGE  
TRUCKS, AUTHORIZING THE ISSUANCE OF BONDS OF  
SAID TOWN IN THE PRINCIPAL AMOUNT OF NOT TO  
EXCEED \$190,000 TO FINANCE SAID APPROPRIATION

Offered by: COUNCILMAN CUTHBERTSON

Seconded By: SUPERVISOR PETRONE

Recital

WHEREAS, after a public hearing duly called and held, for the increase and improvement of facilities of the Consolidated Refuse District (herein called the "District"), in the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of \$190,000 for the increase and improvement of facilities of the District, such increase and improvement of

facilities to consist of the acquisition of garbage trucks. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$190,000. The plan of financing includes the issuance of bonds in the principal amount of \$190,000 to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$190,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(25), and no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing contracts for

credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish this bond resolution, in summary, in "*The Observer*," and "*The Long Islander*," two newspapers having general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call,  
which resulted as follows:

Supervisor Frank P. Petrone	voting <u>    <b>AYE</b>    </u>
Councilperson Susan A. Berland	voting <u>    <b>AYE</b>    </u>
Councilperson Eugene Cook	voting <u>    <b>NO</b>    </u>
Councilperson Mark A. Cuthbertson	voting <u>    <b>AYE</b>    </u>
Councilperson Tracey Edwards	voting <u>    <b>AYE</b>    </u>

The Resolution was declared adopted.

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 10th day of May, 2016.

PRESENT:

Hon. Frank P. Petrone, Supervisor  
Susan A. Berland, Councilperson  
Eugene Cook, Councilperson  
Mark A. Cuthbertson, Councilperson  
Tracey Edwards, Councilperson

---

In the Matter

of the

Increase and Improvement of Facilities of the  
Huntington Sewer District, in the Town of  
Huntington, in the County of Suffolk, New York,  
Pursuant to Section 202-b of the Town Law

---

Offered by: COUNCILMAN CUTHBERTSON

Seconded by: SUPERVISOR PETRONE

RESOLUTION AND  
ORDER AFTER PUBLIC  
HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Huntington Sewer District, in the Town (herein called the "District"), has reviewed plans and an estimate of cost and has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and improvement of facilities to consist of headworks

improvements to the Huntington Sewage Treatment Plant including any ancillary or related work required in connection therewith, at the maximum cost of \$1,200,000;; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 5th day of April, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1), (2) and (7), and therefore no further environmental review is required;

Now, therefore, on the basis of the information given at such hearing, it is hereby

2016-249

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$1,200,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Town shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney or the attorney for the District, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$1,200,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 10, 2016

(SEAL)

TOWN BOARD OF THE TOWN OF HUNTINGTON

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting <u>    <b>AYE</b>    </u>
Councilperson Susan A. Berland	voting <u>    <b>AYE</b>    </u>
Councilperson Eugene Cook	voting <u>    <b>AYE</b>    </u>
Councilperson Mark A. Cuthbertson	voting <u>    <b>AYE</b>    </u>
Councilperson Tracey Edwards	voting <u>    <b>AYE</b>    </u>

The Resolution and Order was declared adopted.

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
NEW YORK, ADOPTED MAY 10, 2016, APPROPRIATING  
\$1,200,000 FOR THE INCREASE AND IMPROVEMENT OF  
FACILITIES OF THE HUNTINGTON SEWER DISTRICT,  
CONSISTING OF HEADWORKS IMPROVEMENTS TO THE  
HUNTINGTON SEWAGE TREATMENT PLANT, AND  
AUTHORIZING THE ISSUANCE OF BONDS OF SAID TOWN  
IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED  
\$1,200,000 TO FINANCE SAID APPROPRIATION

Offered by: SUPERVISOR PETRONE

Seconded By: COUNCILWOMAN EDWARDS

Recital

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Huntington Sewer District, in the Town (herein called the "District"), has reviewed plans and an estimate of cost and has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and improvement of facilities to consist of headworks improvements to the Huntington Sewage Treatment Plant including any ancillary or related work required in connection therewith, at the maximum cost of \$1,200,000;

WHEREAS, following a public hearing duly called and held pursuant to Section 202-b of the Town Law, the Town Board adopted a Resolution and Order authorizing such increase and improvement of facilities;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of \$1,200,000 for the increase and improvement of facilities of the District, such increase and improvement of facilities to consist of headworks improvements to the Huntington Sewer Treatment Plant, including any ancillary or related work required in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,200,000. The plan of financing includes the issuance of \$1,200,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of not to exceed \$1,200,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made

after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of \$1,200,000 of the bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1), (2) and (7), and therefore no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds

with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Observer*," and "*The Long Islander*," two newspapers having general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

2016-250

The adoption of the foregoing Resolution was duly put to a vote on roll call,  
which resulted as follows:

Supervisor Frank P. Petrone	voting <u>AYE</u>
Councilperson Susan A. Berland	voting <u>AYE</u>
Councilperson Eugene Cook	voting <u>AYE</u>
Councilperson Mark A. Cuthbertson	voting <u>AYE</u>
Councilperson Tracey Edwards	voting <u>AYE</u>

The Resolution was declared adopted.

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on May 10, 2016.

PRESENT:

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

---

In the Matter

of the

Increase and Improvement of Facilities of the  
Huntington Wastewater Disposal District, in the  
Town of Huntington, in the County of Suffolk,  
New York, pursuant to Section 202-b of the Town Law

---

Offered by: COUNCILWOMAN BERLAND

Seconded by: SUPERVISOR PETRONE

RESOLUTION AND  
ORDER AFTER PUBLIC  
HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, has reviewed plans and an estimate of cost for the increase and improvement of facilities of the Huntington Wastewater Disposal District (herein called the "District"), in the Town, consisting of improvements to the scavenger waste pretreatment facility, including replacement of rotating biological contactor #2 at the estimated maximum cost of \$225,000 and replacement of the scavenger grit screw at the estimated

maximum cost of \$60,000, including any ancillary or related work required in connection therewith, at the aggregate estimated maximum cost of \$285,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1) and (2), and therefore no further environmental review is required;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$285,000; and it is hereby

2016-251

ORDERED, that the facilities of the District shall be so increased and improved and that the Town shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney or the attorney for the District, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$285,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid from an annual apportionment and assessment upon the several lots and parcels of land within said District which the Town Board shall determine and specify to be especially benefited by the improvement in an amount sufficient to pay the principal and interest on said bond as the same become due; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 10, 2016

(SEAL)

TOWN BOARD OF THE TOWN OF HUNTINGTON

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting <u>AYE</u>
Councilwoman Susan A. Berland	voting <u>AYE</u>
Councilman Eugene Cook	voting <u>AYE</u>
Councilman Mark A. Cuthbertson	voting <u>AYE</u>
Councilwoman Tracey Edwards	voting <u>AYE</u>

The Resolution and Order was declared adopted.

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
NEW YORK, ADOPTED MAY 10, 2016, APPROPRIATING  
\$285,000 FOR THE INCREASE AND IMPROVEMENT OF  
FACILITIES OF THE HUNTINGTON WASTEWATER  
DISPOSAL DISTRICT, CONSISTING OF IMPROVEMENTS  
TO THE SCAVENGER WASTE PRETREATMENT FACILITY,  
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$285,000 TO  
FINANCE SAID APPROPRIATION

Offered by: COUNCILWOMAN BERLAND

Seconded By: SUPERVISOR PETRONE

Recital

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, has reviewed plans and an estimate of cost for the increase and improvement of facilities of the Huntington Wastewater Disposal District (herein called the "District"), in the Town, consisting of improvements to the scavenger waste pretreatment facility, including replacement of rotating biological contactor #2 at the estimated maximum cost of \$225,000 and replacement of the scavenger grit screw at the estimated maximum cost of \$60,000, including any ancillary or related work required in connection therewith, at the aggregate estimated maximum cost of \$285,000; and

WHEREAS, following a public hearing duly called and held pursuant to Section 202-b of the Town Law, the Town Board adopted a Resolution and Order authorizing such increase and improvement of facilities;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of \$285,000 for the increase and improvement of facilities of the District, including replacement of rotating biological contactor #2 at the estimated maximum cost of \$225,000 and replacement of the scavenger grit screw at the estimated maximum cost of \$60,000. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$285,000. The plan of financing includes the issuance of bonds in the principal amount of \$285,000 to finance said appropriation and an annual apportionment and assessment upon the several lots and parcels of land within said District which the Town Board shall determine and specify to be especially benefited by the improvement in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of not to exceed \$285,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of \$285,000 of the bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1) and (2), and therefore no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of

the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The*

2016-252

*Observer,*” and “*The Long Islander,*” two newspapers having general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk’s statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

2016-252

The adoption of the foregoing Resolution was duly put to a vote on roll call,  
which resulted as follows:

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilwoman Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilman Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilwoman Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilman Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The Resolution was declared adopted.

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 10th day of May, 2016.

PRESENT:

Hon. Frank P. Petrone, Supervisor  
 Susan A. Berland, Councilperson  
 Eugene Cook, Councilperson  
 Mark A. Cuthbertson, Councilperson  
 Tracey Edwards, Councilperson

---

In the Matter

of the

Increase and Improvement of Facilities of the  
 Greenlawn Water District, in the Town of  
 Huntington, in the County of Suffolk, New York,  
 Pursuant to Section 202-b of the Town Law

---

Offered by: SUPERVISOR PETRONE

Seconded by: COUNCILWOMAN EDWARDS

RESOLUTION AND  
 ORDER AFTER PUBLIC  
 HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Greenlawn Water District, in the Town (herein called the "District"), has reviewed plans and an estimate of cost and has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and improvement of facilities to consist of the construction of a wellhead treatment system at Well No. 3R, including any ancillary or related work required

in connection therewith at the estimated maximum cost of \$1,500,000, pursuant to Section 202-b of the Town Law; and

WHEREAS, the Order Calling for a Public Hearing dated March 8, 2016 stated that the estimated maximum cost of the project was \$1,600,000, but it has now been determined that the estimated maximum cost is \$1,500,000 , as reflected in the current engineer's report; and

WHEREAS, the District has filed with the Town Board such preliminary map, plan and report for said increase and improvement of facilities of the District; and

WHEREAS, the Town Board adopted an order describing in general terms the proposed increase and improvement of facilities, specifying the estimated cost thereof, and stating the Town Board shall meet to hear all persons interested in said increase and improvement of facilities on April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law and was mailed by first class mail to each owner of taxable real property in the District; and

WHEREAS, such public hearing was duly held by the Town Board on the 5th day of April, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS; the Town Board, as lead agency, has given due consideration to the impact such project may have on the environment and has determined that such project constitutes an Unlisted action pursuant to the State Environmental Quality Review Act

(SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617; and that a Full Environmental Assessment Form has been prepared and reviewed and a Negative Declaration has been adopted;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$1,500,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of such facilities and, with the assistance of the Town Attorney or the attorney for the District, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of the increase and improvement of facilities shall be financed by the issuance of not to exceed \$1,500,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; provided, however, that no monies shall be expended for the project described herein unless the District continues with its compliance with the provisions of the District Board's September 9, 2002 Resolution governing the requirement of contractors and subcontractors on construction contracts to have approved apprenticeship agreements; and it is hereby

2016-253

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 10, 2016

(SEAL)

TOWN BOARD OF THE TOWN OF HUNTINGTON

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilwoman Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilman Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilman Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilwoman Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The Resolution and Order were declared adopted.

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
 NEW YORK, ADOPTED MAY 10, 2016, APPROPRIATING  
 \$1,500,000 FOR THE INCREASE AND IMPROVEMENT OF  
 FACILITIES OF THE GREENLAWN WATER DISTRICT,  
 CONSISTING OF THE CONSTRUCTION OF A WELLHEAD  
 TREATMENT SYSTEM AT WELL NO. 3R, AND  
 AUTHORIZING THE ISSUANCE OF BONDS IN THE  
 PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,500,000 TO  
 FINANCE SAID APPROPRIATION

Offered By: SUPERVISOR PETRONE

Seconded By: COUNCILMAN COOK

Recital

WHEREAS, following preparation of a plans and estimate of cost for the increase and improvement of facilities of the Greenlawn Water District (herein called the "District"), in the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$1,500,000 for the increase and improvement of facilities of the District, such increase and improvement of facilities to consist of the construction of a wellhead treatment system at Well No. 3R, including any ancillary or related work required in connection therewith. The estimated maximum cost of the project, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,500,000. The plan of financing includes the issuance of not to exceed \$1,500,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of not to exceed \$1,500,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, as lead agency, has given due consideration to the impact such project may have on the environment and has determined that such project constitutes an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617; and that a Full Environmental Assessment Form has been prepared and reviewed and a Negative Declaration has been adopted

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing

bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Observer*," and "*The Long Islander*," two newspapers each having a general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call,  
which resulted as follows:

Supervisor Frank P. Petrone	voting <u>AYE</u>
Councilwoman Susan A. Berland	voting <u>AYE</u>
Councilman Eugene Cook	voting <u>AYE</u>
Councilman Mark A. Cuthbertson	voting <u>AYE</u>
Councilwoman Tracey Edwards	voting <u>AYE</u>

The Resolution was declared adopted.

At a regular meeting of the Town Board of the Town of Huntington, in the County of Suffolk, New York, held at the Town Hall, 100 Main Street, Huntington, New York, on the 10th day of May, 2016.

PRESENT:

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

---

In the Matter

of the

Increase and Improvement of Facilities of the  
Dix Hills Water District, in the Town of  
Huntington, in the County of Suffolk, New York,  
pursuant to Section 202-b of the Town Law

---

Offered by: COUNCILWOMAN BERLAND

Seconded by: SUPERVISOR PETRONE

RESOLUTION AND  
ORDER AFTER PUBLIC  
HEARING

WHEREAS, the Town Board of the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, on behalf of the Dix Hills Water District (herein called the "District"), in the Town, has determined that it is in the best interests of the Town and the District to increase and improve the facilities of the District, such increase and improvement of facilities to consist of the replacement of underground fuel tanks and related work at Plant #1

at the estimated maximum cost of \$325,000 and improvements to the SCADA system at Plant #6 at the estimated maximum cost of \$200,000, at the estimated maximum cost of \$525,000; and

WHEREAS, the Town Board adopted an Order describing such proposed increase and improvement of facilities of the District, specifying the estimated maximum cost thereof, and stating that the Town Board would hold a public hearing to hear all persons interested in said increase and improvement of facilities on April 5, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, in the Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 5th day of April, 2016 at 2:00 o'clock P.M. (Prevailing Time) at the Town Hall, 100 Main Street, Huntington, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1) and (2), and therefore no further environmental review is required;

Now, therefore, on the basis of the information given at such hearing, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$525,000; and it is hereby

2016-255

ORDERED, that the facilities of the District shall be so increased and improved by improvements to Plant #1 and Plant #6, at the aggregate estimated maximum cost of \$525,000; and it is hereby

FURTHER ORDERED, that the expense of the increase and improvement of facilities shall be financed by the issuance of not to exceed \$525,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges; provided, however, that no monies shall be expended for the project described herein unless the Town continues with its compliance with the provisions of the Town Board's February 11, 2002 Resolution governing the requirement of contractors and subcontractors on construction contracts to have approved apprenticeship agreements; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Suffolk County within ten (10) days after adoption thereof.

DATED: May 10, 2016

TOWN BOARD OF THE TOWN OF HUNTINGTON

The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilwoman Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilman Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilman Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilwoman Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The Resolution and Order were declared adopted.

BOND RESOLUTION OF THE TOWN OF HUNTINGTON,  
NEW YORK, ADOPTED MAY 10, 2016, APPROPRIATING  
\$525,000 FOR THE INCREASE AND IMPROVEMENT OF  
FACILITIES OF THE DIX HILLS WATER DISTRICT,  
CONSISTING OF THE REPLACEMENT OF UNDERGROUND  
FUEL TANKS AT PLANT #1 AND IMPROVEMENTS TO THE  
SCADA SYSTEM AT PLANT #6, AND AUTHORIZING THE  
ISSUANCE OF BONDS OF SAID TOWN IN THE PRINCIPAL  
AMOUNT OF NOT TO EXCEED \$525,000 TO FINANCE SAID  
APPROPRIATION

Offered by: COUNCILWOMAN BERLAND

Seconded By: SUPERVISOR PETRONE

Recital

WHEREAS, after a public hearing duly called and held, for the increase and improvement of facilities of the Dix Hills Water District (herein called the "District"), in the Town of Huntington (herein called the "Town"), in the County of Suffolk, New York, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town Board hereby appropriates the amount of \$525,000 for the increase and improvement of facilities of the District, such increase and improvement of facilities to consist of the replacement of underground fuel tanks and related work at Plant #1 at the estimated maximum cost of \$325,000 and improvements to the SCADA system at Plant #6 at the estimated maximum cost of \$200,000. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$525,000. The plan of financing includes the issuance of not to exceed \$525,000 bonds to finance the cost of said appropriation, and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District in the same manner and at the same time as other Town charges.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$525,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made

after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(d) The Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes a Type II action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5(c)(1) and (2), and therefore no further environmental review is required.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative

to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board as to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish this bond resolution, in summary, in "*The Observer*," and "*The Long Islander*," two newspapers having general circulation in said Town, which newspapers are hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing Resolution was duly put to a vote on roll call,  
which resulted as follows:

Supervisor Frank P. Petrone	voting <u>  <b>AYE</b>  </u>
Councilperson Susan A. Berland	voting <u>  <b>AYE</b>  </u>
Councilperson Eugene Cook	voting <u>  <b>AYE</b>  </u>
Councilperson Mark A. Cuthbertson	voting <u>  <b>AYE</b>  </u>
Councilperson Tracey Edwards	voting <u>  <b>AYE</b>  </u>

The Resolution was declared 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: May 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 was extended to June 5, 2016 by resolution number 2016-83, and the time period is set to expire; 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 September 3, 2016.

VOTE:                      AYES: 5                      NOES: 0                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-258

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 11-2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 194 (CHILD PROTECTION ACT)

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 5<sup>th</sup> day of April, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 11-2016, to consider amending the Code of the Town of Huntington, Chapter 194 (Child Protection Act); and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 11-2016, amending the Code of the Town of Huntington, Chapter 194 (Child Protection Act); as follows:

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

LOCAL LAW NO. 18 - 2016  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 194 (CHILD PROTECTION ACT)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 194 (Child Protection Act), as follows:

CHAPTER 194  
[CHILD PROTECTION ACT]  
RESERVED FOR FUTURE USE

[ARTICLE I]  
[SEX OFFENDER RESIDENCY RESTRICTION]

[\$194-1.] [Legislative intent.]

[A.] [The Town Board finds that sex offenders pose a significant threat to the health and safety of the community and especially to children, whose age and inexperience makes them particularly vulnerable to the heinous and reprehensible acts of these offenders; and]

[B.] [The Board finds that the rate of recidivism is high and programs designed to treat and rehabilitate these types of offenders have been largely ineffective. Limiting the frequency of contact between registered sex offenders and areas where children are likely

to congregate reduces the opportunity and temptation, and can minimize the risk of repeated acts against minors; and]

[C.] [It is the intention of the Town Board to exercise its authority pursuant to Article IX, § 2(c)(i) and (ii)(10) of the New York State Constitution, § 10(1)(ii)(a)(12)&(d)(3) of the Municipal Home Rule Law, § 64(22) and § 130(11) and (15) of the Town Law, and any other applicable or successor law, presently in existence or hereinafter enacted, to protect and safeguard the lives and well-being of the community, and especially children from registered sexual predators while children are in close proximity to schools, daycare centers, day camps, parks and playgrounds; and]

[D.] [After careful consideration, the Town Board finds that this legislation is the most narrowly tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children in places where children would naturally congregate, and that the protection of our residents is a compelling governmental interest.]

[E.] [By the enactment of this or any other legislation, the Town Board understands that it cannot remove the threat posed to or guarantee the safety of minors, or assure the public that registered sex offenders will comply with the mandates of this statute. This legislation is intended to create a civil, non-punitive regulatory scheme in order to protect minors to the extent possible under the circumstances and not as a punitive measure of any kind.]

[§194-2.] [Definitions.]

[As used in this Chapter, the following terms shall have the meanings indicated:]

[CHILD OR CHILDREN Persons under eighteen (18) years of age.]

[CHILD DAYCARE CENTERS Any licensed establishment where a child or children are cared for on a regular basis and such service is provided away from the child's residence for less than twenty-four hours per day by someone other than the parent, step-parent, guardian, or a relative of the child, whether public, private or parochial, and whether or not such service is provided for compensation of any kind. Daycare centers shall include licensed after-school programs and daycare programs. For the purpose of this Article, the term "child daycare center" shall not apply to services provided in a private dwelling, unless such dwelling is duly licensed by the appropriate agency to provide such service.]

[MINOR Persons under eighteen (18) years of age.]

[PARK Includes active and passive public land designated for recreational or athletic use by the Town of Huntington, County of Suffolk, State of New York, the United States of America or other governmental subdivision, and located within the Town of Huntington. For the purposes of this Chapter, the term "park" shall include beaches.]

[PLAYGROUND Public land designated for recreational or athletic purposes by any school district, library district, Town of Huntington, County of Suffolk, State of New York, the United States of America or other governmental subdivision, and located within the Town of Huntington.]

[SCHOOL Includes any portion of private or public land, buildings or structures utilized primarily for public or private education, as defined by the New York State Department of Education and/or the New York State Education Law, and includes but is not limited to, pre-schools, kindergartens and nursery schools, elementary, primary, intermediate, junior high, middle and secondary schools, high schools, vocational, and special education schools. For the purposes of this Chapter, the term "school" shall include "child daycare centers," and exclude vocational and special education schools that provide services to those over eighteen years of age.]

[SEX OFFENDER OR SEXUAL PREDATOR Any person who is a resident of the Town of Huntington and has been convicted of an offense provided in § 168-A(1), (2), (3), (7) and (8) of the New York State Correction Law or any successor or applicable law, where the victim was a minor, except Level One offenders as set forth in § 168-l(6)(a) of the Correction Law or successor law. The use of one term shall be deemed to include the other.]

[REGISTERED SEX OFFENDER A sex offender who is required to register with the New York State Division of Criminal Justice Services, or other agency having jurisdiction, pursuant to the provisions of Article 6-C of the Correction Law of the State of New York, or other applicable or successor law, whether or not the sex offender has actually registered in compliance with the law or order of the court of competent jurisdiction. For the purpose of this Chapter, a registered sex offender shall not include Level One offenders as set forth in § 168-l(6)(a) of the Correction Law or successor law.]

[RESIDENCE A place where a person sleeps, which may include more than one location, and may be mobile or transitory.]

[§194-3.] [Residency restrictions.]

[A.] [It shall be unlawful for a registered sex offender to establish a residence or domicile within the limits set forth below:]

[(1)] [One-quarter mile (1,320 feet) of the property line of any land utilized, in whole or in part, as a school, child daycare center or day camp; and]

[(2)] [One quarter mile (1,320 feet) of the property line of any land utilized, in whole or in part, as a park, beach or playground.]

[B.] [It shall be unlawful for a property owner or person in charge of property to knowingly or recklessly lease or sublease his property to a registered sex offender, or to

otherwise permit or allow such offender to establish a residence or be domiciled at his premises, if the property is located within an area prohibited by this Chapter.]

[§194-4. through § 194-5. (Reserved)]

[§194-6.] [Exemptions.]

[The provisions of this Article shall not apply to a registered sex offender or registered sexual predator under the following circumstances:]

[A.] [If the registered sex offender or registered sexual predator has established a residence or domicile before October 31, 2005; or]

[B.] [If the registered sex offender has established a residence or domicile before February 6, 2007 on property whose closest lot line is within one thousand one (1,001) feet and one-quarter mile (1,320 feet) of property used as a school, child daycare center or day camp.]

[C.] [If the registered sex offender has established a residence or domicile before February 6, 2007 on property whose closest lot line is within five hundred one (501) feet and one-quarter mile (1,320 feet) of property used as a park, beach or playground.]

[D.] [A school, child daycare center, day camp, park, playground or beach is newly located and the registered sex offender has already established a residence or domicile which would, by virtue of the location of the new facility, be prohibited by this legislation.]

[E.] [If the registered sex offender is required to reside or be domiciled at a location fixed by order of a Court of competent jurisdiction, or by any federal, state or county agency having jurisdiction thereof.]

[§194-7.] [Affirmative defense.]

[In any prosecution for a violation of the provisions of this Chapter, it is an affirmative defense that the sexual offender has established a residence or a domicile at a prohibited location prior to the applicable period set forth in this Chapter. A defendant who raises this affirmative defense has the burden of proof by clear and convincing evidence.]

[§194-8.] [Filing of a map.]

[The Director of Planning and Environment shall file a map showing the areas prohibited by this Article where sex offenders cannot establish a residence or be domiciled, and such map shall be updated and filed with the Huntington Town Clerk every thirty (30) days.]

[§194-9.] [ Enforcement and Penalties for Offenses.]

[A.] [A registered sex offender who resides or is domiciled within an area prohibited by this Article shall, upon written notice from the Director of Public Safety, permanently discontinue said residence or domicile within forty-five (45) days of receipt of such notice. The notice may be in the form acceptable to the Director of Public Safety, and shall be mailed by the Department of Public Safety by certified or registered mail, return receipt requested and by regular mail. Proof that the registered sex offender has permanently relocated shall be provided by the offender to the Director of Public Safety within thirty (30) days of such relocation.]

[B.] [In the event the registered sex offender fails, refuses and/or neglects to relocate or otherwise does not cease using the location as his/her place of residence or domicile, then he/she shall be deemed to have committed an offense against the provisions of this chapter, and shall be liable for such violation and the penalty therefor, and shall upon conviction thereof, be subject to a fine of Two Thousand Five Hundred (\$2,500) Dollars per offense. Each week, or part thereof, such violation continues following notification by the Town, or service of a notice of violation or summons shall constitute a separate offense, punishable in like manner.]

[C.] [A property owner or person in charge of property who violates the provisions of § 194-3(B) shall be deemed to have committed an offense against this Chapter, and shall upon conviction thereof be subject to a fine or penalty of Two Thousand Five Hundred (\$2,500) Dollars for a conviction of a first offense; upon the occurrence of a second or subsequent offense, the property owner or person in charge of property shall be deemed to have committed a misdemeanor and upon conviction thereof shall be subject to a fine or penalty of Two Thousand Five Hundred (\$2,500) Dollars or imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each week, or part thereof, such violation continues following notification by the Town, or service of a notice of violation or summons shall constitute a separate offense punishable in like manner.]

### 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]

2016 - 258

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.

2016-259

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 12-2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE XVIII (ADMINISTRATION AND ENFORCEMENT), ARTICLE XIX (ZONING MAP AMENDMENTS), AND ARTICLE XX (ACCESSORY APARTMENTS)

Resolution for Town Board Meeting Dated: May 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 5<sup>th</sup> day of April, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 12-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVIII (Administration and Enforcement), Article XIX (Zoning Map Amendments), and Article XX (Accessory Apartments), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 12-2016, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article XVIII (Administration and Enforcement), Article XIX (Zoning Map Amendments), and Article XX (Accessory Apartments); as follows:

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

LOCAL LAW NO. 19 - 2016

AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING), ARTICLE XVIII (ADMINISTRATION AND  
ENFORCEMENT), ARTICLE XIX (ZONING MAP AMENDMENTS), AND  
ARTICLE XX (ACCESSORY APARTMENTS)

Section 1. Chapter 198 (Zoning), Article XVIII (Administration and Enforcement), Article XIX (Zoning Map Amendments), and Article XX (Accessory Apartments), are hereby amended, as follows:

CHAPTER 198  
ZONING

\* \* \*

ARTICLE XVIII  
ADMINISTRATION AND ENFORCEMENT

\* \* \*

§198-125. Penalties for offenses.

The Town Board intends to exercise its authority under §10(1)(i) and (ii)(a)(6), (a)(11) and (a)(12); §10(1)(ii)(d)(3); and §10(4)(b) of the Municipal Home Rule Law, §268(1) of the Town Law and any other applicable provision of law now or hereinafter enacted, to supersede and/or expand upon the applicable provisions of § 268(1) of the Town Law, and any other applicable or successor law pertaining to the enforcement of local laws and ordinances in order to impose a penalty and fine structure that best reflects the needs of the community.

A. Except as set forth in Article XX (Accessory Apartments), for each violation of the provisions of this chapter, including but not limited to violations of conditions imposed by the Town Board, Planning Board and/or Zoning Board of Appeals, the owner, general agent, person in charge of the premises, architect, engineer and/or contractor of the building, structure or premises where such violation has been committed or exists shall be held liable, on conviction thereof, to a fine or penalty of not less than one thousand (\$1,000) dollars nor more than five thousand (\$5,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment for a conviction of a first offense; upon a conviction of a second violation where the offense is committed within a period of five (5) years of the first conviction, a fine of not less than two thousand (\$2,000) dollars nor more than ten thousand (\$10,000) dollars, or by imprisonment not exceeding fifteen (15) days, or by both such fine and imprisonment; and upon conviction of a third or subsequent violation where the offense is committed within a period of five (5) years of the first and second convictions shall constitute a misdemeanor punishable by a fine of not less than four thousand (\$4,000) dollars nor more than fifteen thousand (\$15,000) dollars or imprisonment not to exceed six (6) months, or both such fine and imprisonment. Each day, or part thereof, such violation continues following notification by the Town or service of a summons shall constitute a separate offense punishable in like manner.

\* \* \*

ARTICLE XIX  
ZONING MAP AMENDMENTS

\* \* \*

§198-131. Public hearing; notice requirements; decision of the Board.

A. Public Hearing. The Town Board shall fix the time and date of any public hearing for a change of zone or for a rescission or modification of the covenants and restrictions established by the Board. The Huntington Town Clerk shall publish notice of the public hearing in the official newspaper(s) of the Town and post such notice on the official signboard maintained by the Town Clerk at least 10 days prior to the scheduled hearing date. Notice of the public hearing shall state the location of the building or premises, the name of the property owner, and the general nature of the application.

\* \* \*

F. Conditional approvals. In the event the Town Board approves a change of zone, or other relief pursuant to this article, upon special conditions or upon the fulfillment of specified requirements, such conditions or requirements shall be fully complied with by the applicant. Failure to comply with the conditions or requirements established by the Board as a condition of approval shall be a violation of §198-122 of the Town Code. [Said covenants and restrictions shall be prepared by the applicant and submitted to the Town Attorney for approval as to form and content. Upon approval by the Town Attorney, the applicant shall record the covenants and restrictions in the Office of the Suffolk County Clerk, at his or her own expense and provide the Town Attorney and the Department of Planning and Environment with a copy of the recorded instrument before the proposed local law will be filed with the Secretary of State or other agency having jurisdiction. A copy of the recorded instrument shall be submitted to the Planning Board and/or Zoning Board of Appeals as part of any application before such Boards following the change of zone.]

G. Declaration of Covenants and Restrictions.

(1) If the Board approves an application for a change of zone subject to certain conditions or the fulfillment of certain requirements, or approves an application to rescind or modify existing covenants, a declaration of covenants and restrictions containing the newly established or modified covenants and restrictions shall be filed by the applicant at his or her own cost and expense in the Office of the Suffolk County Clerk within two (2) years of the adoption of the Town Board resolution. The Town Clerk shall not file the local law with the Secretary of State until such declaration of covenants and restrictions has been properly filed by the applicant. If the applicant wholly fails to file the declaration, or fails to file the declaration within the requisite period of time, then the resolution of the Board granting an approval shall have no force and effect and the property shall retain its original zoning classification; or, in the case of an application to rescind or modify existing covenants or restrictions, no rescission or modification will have taken place.

(2) Prior to filing, the proposed declaration shall be prepared by the applicant and submitted to the Town Attorney for approval as to form and content before the document is recorded with the Suffolk County Clerk. Once the document has been approved and filed, the applicant shall provide the Town Attorney and the Department of Planning with a copy of the recorded instrument before the local law changing the zone or rescinding or modifying covenants will be filed with the Secretary of State or other agency having jurisdiction. Thereafter, on all subsequent land use applications, the applicant shall provide a copy of the recorded instrument to the Board processing the application.

\* \* \*

ARTICLE XX  
ACCESSORY APARTMENTS

\* \* \*

§198-133. Permit required; prohibitions; presumptions.

\* \* \*

B. Prohibitions.

\* \* \*

[(2)] [It shall be unlawful for a property owner or person in charge of property to knowingly or recklessly lease or sublease an accessory apartment to a registered sex offender, or to otherwise permit or allow such offender to use or occupy said accessory apartment as his residence or domicile. For the purpose of this article the term "registered sex offender" shall be defined as in §194-2 of the Huntington Town Code.]

[(3)] [It shall be unlawful for a property owner or person in charge of property to establish or maintain an accessory apartment if a registered sex offender occupies, is domiciled or resides in the main dwelling of the single family home. For the purpose of this article the term "registered sex offender" shall be defined as in § 194-2 of the Huntington Town Code.]

[(4)] (2) The property owner and/or person in charge of property having an accessory apartment permit shall maintain all vehicles attributable to the accessory apartment parked in the off-street parking spaces provided for such purpose when the vehicles are not in use. It shall be unlawful to fail, neglect or refuse to comply with the provisions of this section.

[(5)] (3) It shall be unlawful for any property owner or person-in-charge to fail, neglect or refuse to fully comply with any condition, restriction or requirement of the accessory apartment permit.

\* \* \*

§198-134. Accessory apartment permit; conditions.

A. An accessory apartment permit shall be issued only after a public hearing held pursuant to § 198-137 and upon a finding by the Zoning Board of Appeals that the following conditions are satisfied.

\* \* \*

(6) All structures on the property, including the proposed accessory apartment, comply with the requirements of this Article, the Code of the Town of Huntington, the [Fire Code and Property Maintenance Code of the State of New York, the Residential Code of the State of New York,] New York State Uniform Fire Prevention and Building Code (Residential Code of New York State), and the rules and regulations of any other agency having jurisdiction. No portion of a single family dwelling or accessory apartment shall utilize a cellar or attic, or any portion thereof, as habitable space unless [a waiver is issued by the New York State Building Code Board of Review, its successor in interest, or other agency having jurisdiction.] it meets the

requirements of the New York State Uniform Fire Prevention and Building Code (Residential Code of New York State).

\* \* \*

D. The issuance of an accessory apartment permit shall be specifically conditioned upon the following:

[(5)] [The submission of a sworn and notarized affidavit signed by the applicant representing to the Town that a registered sex offender is not nor will be residing in the main dwelling of the property; that the accessory apartment is not nor will be leased or subleased to a registered sex offender; nor will a registered sex offender be permitted to reside in or be domiciled in such apartment. The affidavit shall also state that the applicant is making such representations with full knowledge that the Town of Huntington is relying on these statements as a basis to issue a permit.]

\* \* \*

§198-148. Penalties for offenses.

The Town Board intends to exercise its authority under § 10(1)(i) and (ii)(a)(6), (a)(11) and (a)(12); § 10(1)(ii)(d)(3); and § 10(4)(b) of the Municipal Home Rule Law, § 268(1) of the Town Law and any other applicable provision of law now or hereinafter enacted, to supersede and/or expand upon the applicable provisions of § 268(1) of the Town Law, and any other applicable or successor law pertaining to the enforcement of local laws and ordinances in order to impose a penalty and fine structure that best reflects the needs of the community.

\* \* \*

[B.] [For each violation of the provisions of § 198-133(B)(2) or (B)(3), the property owner or person in charge of property shall be issued a Notice of Violation and shall take all necessary actions within forty-five (45) days of the date of the notice to remove the sex offender from the premises, and if, at the end of such period the sex offender has not been removed and/or a summary proceeding in a court of competent jurisdiction to remove such offender has not been commenced by the property owner, then such owner shall be deemed to have committed an offense against this Chapter, and shall upon conviction thereof be subject to a fine or penalty of Two Thousand Five Hundred (\$2,500) Dollars for a conviction of a first offense; upon the occurrence of a second or subsequent offense, the property owner or person in charge of property shall be deemed to have committed a misdemeanor and upon conviction thereof shall be subject to a fine or penalty of Two Thousand Five Hundred (\$2,500) Dollars or imprisonment not exceeding six (6) months, or by both such fine and imprisonment. Each week, or part thereof, such violation continues following the expiration of such forty-five (45) days shall constitute a separate offense punishable in like manner.]

[C.] B. For each violation of the provisions of § 198-134(D)(1) of this Article, any person or business entity who is the owner or person in charge of the property where such violation has been committed or exists, or who commits such offense or permits the

offense to persist shall be held liable, on conviction thereof, to a fine or penalty not less than two hundred fifty (\$250) dollars and not more than five hundred (\$500) dollars for each week the inspection is not conducted or cannot be completed.

[D.] C. For each violation of the provisions of § 198-134(D)(3) of this Article, any person or business entity who is the owner or person in charge of the property where such violation has been committed or exists, or who commits such offense or permits the offense to persist shall be held liable, on conviction thereof, to a fine or penalty of one hundred and fifty (\$150) dollars.

[E.] D. In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation, the Town Attorney is authorized to pursue civil and equitable relief, including but not limited to compensatory actions; civil penalties in the amount of up to five hundred (\$500) dollars per day, or part thereof; an action to compel compliance with or to restrain by injunction the violation of this article; and other remedies which in the opinion of the Town Attorney may seem necessary and proper. Such civil and equitable relief may be sought in a court of competent jurisdiction. [Any civil monetary penalty awarded may be added to the tax bill of the property where the violation has occurred and shall be collected in the same manner.]

[F.] E. In addition to the criminal penalties set forth herein or in other applicable law, rule or regulation and without limitation, a violation of this article may subject the permit holder to the revocation, suspension, modification or amendment of an accessory apartment permit, as provided in this article.

\* \* \*

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]

2016-259

AYES: 4                      NOES: 0                      ABSTENTIONS: 0                      RECUSALS: 1

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2016 - 260

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 13-2016  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.  
RE: SANFORD STREET – HUNTINGTON STATION – STOP SIGNS

Resolution for Town Board Meeting dated: May 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 5<sup>th</sup> day of April, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 13-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 13-2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW NO. **20** - 2016  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

2016 - 268

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u> <u>OF TRAVEL</u>	<u>AT</u> <u>INTERSECTION OF:</u>
ADD:	Sanford Street (HUS)	STOP	EAST/WEST	Cooper Avenue

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE:                    AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2016 - 261

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 14-2016  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.  
RE: PRINTER COURT, BOLAN DRIVE – HUNTINGTON STATION – PARKING  
RESTRICTIONS

Resolution for Town Board Meeting dated: May 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 5<sup>th</sup> day of April, 2016 at 2:00 p.m. to consider adopting Local Law Introductory No. 14-2016 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. 14-2016 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 NO. 21 - 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

2016-261

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:	Printer Court/West From northern terminus to 175 ft. north of Bolan Dr. (HUS)	No Stopping	7:00 a.m. to 4:00 p.m., school days
	Printer Court/East From 175 ft. north of Bolan Dr. to northern terminus (HUS)	No Stopping	7:00 a.m. to 4:00 p.m., school days
ADD:	Printer Court/West From its terminus to Bolan Dr. (HUS)	No Parking	7:00 a.m. to 4:00 p.m., school days
	Printer Court/East From Bolan Dr. to its terminus (HUS)	No Parking	7:00 a.m. to 4:00 p.m., school days
	Bolan Drive/North From Printer Ct. to 80 ft. west of Printer Ct. (HUS)	No Parking	7:00 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.

2016-261

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

ENACTMENT: APPROVE THE EXEMPTION OF COMMACK LIBRARY DISTRICT FROM SITE PLAN REVIEW AND THE TOWN OF HUNTINGTON ZONING CODE AS IS NECESSARY TO EXPAND THE EXISTING LIBRARY BUILDING AND ALTER THE PARKING LOT ON THE NORTHWEST CORNER OF COMMACK ROAD AND HAUPPAUGE ROAD, COMMACK, SCTM #0400-251-01-(013.004 & 014.001).

Resolution for Town Board Meeting dated: May 10, 2016

The following Resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Commack Library District has submitted a request to expand the existing library building and alter the layout of the parking lot at their property on the northwest corner of Commack Rd (CR 4) and Hauppauge Road, Commack, SCTM# 0400-251-01-(013.004 & 014.001); and

WHEREAS, the Department of Planning and Environment identified the fact that the proposed construction would require an application to the Zoning Board of Appeals for area variances for front yard and corner lot street side yard building setbacks under §198-15(C) & §198-55, and for parking in the street side yard under §198-48(F), and for site plan review by the Planning Board under §198-116(A)(1)(b); and

WHEREAS, the Town Board having considered the factors as set forth In the Matter of the County of Monroe and in Nanuet Fire Engine Co. No. 1 v. Amster; and

WHEREAS, the Department of Planning and Environment has prepared an Environmental Assessment Form (EAF) on behalf of the Town Board; and

WHEREAS, the Town Board, 100 Main Street, Huntington, NY 11743 is the Lead Agency as it is the only agency authorized to amend the Huntington Town Code; and

WHEREAS, the Town Board, as Lead Agency, has determined that the proposed construction, the exemption of site plan review by the Planning Board, and the issuance of a waiver from the aforesaid sections of the Huntington Town Code are Unlisted actions because they do not meet any of the Type I or Type II criteria pursuant to SEQRA §617.4 & §617.5;

NOW THEREFORE THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 10th day of May, 2016, to consider the request of the Commack Library District to obtain an exemption from site plan review by the Planning Board and further exempting the District from compliance with certain provisions of the Huntington Town Code pertaining to building and parking setbacks on

2016 - 262

property on the northwest corner of Commack Rd and Hauppauge Rd, Commack, bearing SCTM# 0400-251-01-(013.004 & 014.001);

HEREBY FINDS upon review of the Environmental Assessment Form that there will be no significant adverse impacts associated with the proposed project at the premises located on northwest corner of Commack Rd (CR 4) and Hauppauge Road, Commack, SCTM# 0400-251-01-(013.004 & 014.001), and issues a Negative Declaration pursuant to SEQRA; and

HEREBY APPROVES the exemption of the Commack Library District from site plan review by the Department of Planning and Environment as is required under §198-116(A)(1)(b) of the Town Code, and the Town of Huntington Zoning Code for area variances for front yard and corner lot street side yard building setbacks under §198-15(C) & §198-55, and for parking in the street side yard under §198-48(F) as is proposed above on SCTM# 0400-251-01-(013.004 & 014.001), upon the following terms and conditions:

1. The District shall submit a complete building permit application to the Department of Engineering Services (Division of Building and Housing) together with the payment of the applicable fee, schedule and attend a pre-construction conference and submit all documents and plans in the form required and approved by the Department; and
2. The project contemplated by the District shall be subject to site plan review and approval by the Department of Engineering Services (Division of Building and Housing) in all respects, and any exemption of site plan approval by the Planning Board for this project shall not be precedent-setting in any respect; and
3. The demolition, construction, and/or installation work required for the project shall not commence prior to the issuance of all permits required by the Town and all agencies having jurisdiction; and
4. The District shall comply with the provisions of all applicable local, state and federal rules, regulations, laws and statutes; and
5. The District shall obtain a Certificate of Occupancy upon the completion of construction; and
6. Any and all exemptions authorized by virtue of this resolution shall be null and void and of no force and effect in the event the subject property ceases to be used, maintained and/or operated solely for library purposes.

2016 - 262

VOTE:                      AYES: 5      NOES: 0      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-263

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL  
IN A HISTORIC DISTRICT  
RE: 420 PARK AVENUE, HUNTINGTON—OLD HUNTINGTON GREEN  
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILWOMAN EDWARDS**

**THE TOWN BOARD**

HAVING HELD A PUBLIC HEARING on the 10th day of May, 2016, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Marc Iervolino, 420 Park Avenue, Huntington, NY 11743, for a Certificate of Approval to construct a two story addition to a single family located at 420 Park Avenue, Huntington, NY 11743, in accordance with plans dated March 16, 2016, bearing Suffolk County Tax Map #0400-073.00-02.00-037.000, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Marc Iervolino for a Certificate of Approval.

VOTE:                    AYES: 5                    NOES: 0                    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT 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: May 10, 2016

The following resolution was offered by: Councilwoman Edwards ,  
**SUPERVISOR PETRONE**  
and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 8<sup>th</sup> day of March, 2016 at 2:00 p.m. 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), and due deliberation having been had,

HEREBY ADOPTS

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 NUMBER 22 -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.

\* \* \*

§160-26. 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: 4	NOES: 0	ABSTENTIONS: 0
			RECUSALS: 1
Supervisor Frank P. Petrone		<b>AYE</b>	
Councilwoman Susan A. Berland		<b>AYE</b>	
Councilman Eugene Cook		<b>RECUSED</b>	
Councilman Mark A. Cuthbertson		<b>AYE</b>	
Councilwoman Tracey A. Edwards		<b>AYE</b>	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-265

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 21-2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY), ARTICLE III (RESIDENTIAL RENTAL PERMITS) AND ARTICLE V (ADMINISTRATIVE REMEDIES AND PENALTIES)

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Councilwoman Edwards,  
**SUPERVISOR PETRONE**  
and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 10th day of May, 2016 at 7:00 p.m. to consider adopting Local Law Introductory No. 21-2016 amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article V (Administrative Remedies and Penalties), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 21-2016 amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article V (Administrative Remedies and Penalties); as follows:

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

LOCAL LAW NUMBER 23 -2016  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY),  
ARTICLE III (RESIDENTIAL RENTAL PERMITS), AND ARTICLE V  
(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 V (Administrative Remedies and Penalties); as follows:

CHAPTER 160  
REGISTRATION AND PERMITTING OF PROPERTY

\* \* \*

ARTICLE III  
RESIDENTIAL RENTAL PERMITS

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

DORMITORY - A building primarily providing sleeping and/or residential quarters for large numbers of people including but not limited to boarding schools, college or university students.

MIXED USE OCCUPANCY - A building or portion thereof that is utilized or occupied for more than one use or purpose. [Mixed use occupancies may include residential dwelling units.] This article shall apply only to the dwelling units contained within mixed-use occupancy buildings.

MULTIPLE RESIDENCE - A building or portion thereof designed for or occupied by three or more family units living independently of each other.

\* \* \*

RENTAL PROPERTY - Dwelling unit(s) in one and two family homes, multiple residences, dormitories, and mixed-use occupancy buildings in any zoning district which are occupied for habitation as a residence by persons other than the owner or the owner's immediate family, and for which a fee or other compensation is received by the owner or managing agent, directly or indirectly, in exchange for such residential occupation. The term "rental property" shall exclude properties used solely for nonresidential purposes; [buildings with mixed-use occupancy regardless of the number of dwelling units;] one family homes which continue to be the primary and permanent residence of the owner but are leased or occupied by one other than the owner or owner's immediate family for six (6) months or less in any calendar year; two-family homes where the owner or a member of the owner's immediate family resides in one of the two dwelling units; legal habitable dwellings detached from the main residence of the owner or owner's immediate family on the lot; multiple dwellings where the owner or owner's immediate family reside on site; those having valid accessory apartment permits; any property owned and/or operated by the United States, the State of New York, the County of Suffolk, Town of Huntington and their respective agencies and political subdivisions; any property owned or managed by the Huntington Housing Authority, the Huntington Housing Authority Mortgage Banking Corporation, and the Huntington Community Development Agency.

\* \* \*

INDEPENDENT STATE CERTIFIED CODE ENFORCEMENT OFFICIAL - an independent New York State trained and certified code enforcement inspector, who is not employed by the Town of Huntington or is an employee of the owner of the property being certified.

\* \* \*

§160-25 Application for rental permits.

\* \* \*

(C) Application. Applications for rental permits shall be on forms provided by the Department of Public Safety and signed by each owner or managing agent of the property. A non-refundable application fee of seventy-five (\$75.00) dollars per property shall be payable upon application. In no instance shall the filing of an application and payment of fees be construed as to exonerate the owner or managing agent of responsibility for compliance with the building, housing and maintenance requirements of any local, county, state or federal agency having jurisdiction. Each application shall include the following:

\* \* \*

[(9)] [A certification from a licensed professional engineer, licensed architect, or 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), 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.]

[(10)] (9) Such other information and/or documentation deemed necessary by the Director of Public Safety.

\* \* \*

§160-26. Issuance of permit; fees.

\* \* \*

(D) Compliance required.

(1) No permit or renewal thereof shall be issued unless the property is in compliance with all the provisions of the Code of the Town of Huntington, and meets the requirements of all applicable county, state and federal laws, codes, rules and regulations.

(2) No permit or renewal thereof shall be issued unless the property owner provides a certification from a professional engineer or registered architect licensed in the State of New York and containing their seal, or the certification of a Town ordinance/code enforcement officer, or of an independent state certified code enforcement official, attesting 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 §160-48(C), shall be deemed to authorize the Town to conduct an inspection of any property without the consent of the owner or managing agent, if the dwelling unit or units are unoccupied, [or] and if occupied, upon the consent of the

occupant, owner or managing agent of the property in the absence of a warrant duly issued by a court of law.

\* \* \*

ARTICLE V  
ADMINISTRATIVE REMEDIES AND PENALTIES

§160-48. Authority of the Town.

(A) Application for a search warrant. See Chapter 71 of the Huntington Town Code. The Town ordinance/code enforcement officer is authorized to make application to any court of competent jurisdiction for the issuance of a search warrant in order to conduct an inspection of any premises covered by this chapter where the owner or managing agent or occupant fails or refuses to allow an inspection of the rental property, and where there is reasonable cause to believe that a violation of this chapter has occurred. The application for a search warrant shall in all respects comply with the applicable laws of the State of New York.

(B) Search without warrant restricted. Nothing in this chapter, except for the provisions concerning emergency inspections, shall be deemed to authorize the Town ordinance/code enforcement officer to conduct an inspection of any premises subject to this chapter without the consent of the owner, managing agent, or occupant of the premises, or without a warrant duly issued by a court of competent jurisdiction.

[(B)] (C) Emergencies. If, in the judgment of the Director of Public Safety, an emergency exists as when a condition or hazard is an immediate peril to the public health and safety, or a serious and immediate danger to person or property, he or she may enter any building or structure to inspect and investigate.

\* \* \*

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.

2016-265

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

VOTE:	AYES: 3	NOES: 0	ABSTENTIONS: 1 RECUSALS: 1
Supervisor Frank P. Petrone			<b>AYE</b>
Councilwoman Susan A. Berland			<b>ABSTAIN</b>
Councilman Eugene Cook			<b>RECUSED</b>
Councilman Mark A. Cuthbertson			<b>AYE</b>
Councilwoman Tracey A. Edwards			<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-266

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 20- 2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 111 (FIRE PREVENTION), ARTICLE I (GENERAL PROVISIONS), ARTICLE IV (PERMIT APPLICATION PROCESS), ARTICLE V (FEES), AND ARTICLE VII (OPERATIONAL PERMITS)

Resolution for Town Board Meeting Dated: May 10, 2016

The following resolution was offered by: Councilwoman Edwards,  
**SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 10th day of May, 2016 at 7:00 p.m. to consider adopting Local Law Introductory No. 20-2016 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article I (General Provisions), Article IV (Permit Application Process), Article V (Fees), and Article VII (Operational Permits), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 20-2016 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article I (General Provisions), Article IV (Permit Application Process), Article V (Fees), and Article VII (Operational Permits); as follows:

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

LOCAL LAW NO. 24 - 2016

AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 111 (FIRE PREVENTION), ARTICLE I (GENERAL PROVISIONS),  
ARTICLE IV (PERMIT APPLICATION PROCESS), ARTICLE V (FEES), AND  
ARTICLE VII (OPERATIONAL PERMITS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 111 (Fire Prevention), Article I (General Provisions), Article IV (Permit Application Process), Article V (Fees), and Article VII (Operational Permits); as follows:

CHAPTER 111  
FIRE PREVENTION

ARTICLE I  
GENERAL PROVISIONS

\* \* \*

§111-10. Authority to enter premises.

A. The Fire Code Official is authorized to enter and inspect properties under his jurisdiction during reasonable hours to determine the condition of common areas, storage areas and other spaces within the building and exterior of the premises, pursuant to the New York State Fire Code and Property Maintenance Code, and other applicable laws, rules and regulations.

B. Search without warrant restricted. Nothing in this chapter, except for the provisions concerning emergency inspections, shall be deemed to authorize the Fire Code Official to conduct an inspection of any property subject to this chapter without the consent of the owner, managing agent, or occupant of the premises, or without a warrant duly issued by a court of competent jurisdiction.

C. Application for a search warrant. See Chapter 71 of the Huntington Town Code. The Town ordinance/code enforcement officer is authorized to make application to any court of competent jurisdiction for the issuance of a search warrant in order to conduct an inspection of any premises covered by this chapter where the owner or managing agent or occupant fails or refuses to allow an inspection. The application for a search warrant shall in all respects comply with the applicable laws of the State of New York.

D. Emergencies. If, in the judgment of the Fire Code Official, an emergency exists as when a condition or hazard is an immediate peril to the public health and safety, or a serious and immediate danger to property, he may enter any building or structure, during reasonable hours, to inspect and investigate.

\* \* \*

ARTICLE IV  
PERMIT APPLICATION PROCESS

\* \* \*

§ 111-29. Frequency of inspections.

A. The fire code official shall perform operational permit inspections and conduct fire safety property maintenance inspections of buildings and structures at the following intervals:

- (1) Areas of assembly, areas of public assembly, [dormitories, mixed-use occupancy buildings containing dwelling units, multiple residences,] and business operations that require operational permits shall be inspected at least once every twelve (12) months.
- (2) Inspection of all [non-residential buildings,] structures, uses and occupancies that do not require an operational permit shall be performed at least once every [thirty-six

(36) twelve (12) months. [Requests for an inspection to be conducted less than once every thirty-six (36) months shall be accommodated upon payment of the requisite fee in the amount of one hundred (\$100.00) that shall be payable in advance of the inspection.]

\* \* \*

ARTICLE V  
FEES

\* \* \*

§111-40. Operational permit fees.

A. The following fees are established for operational permit, for conducting an operation or a business for which a permit is required.

- (1) Fee exemption. The permit fee shall be waived if the owner of the property for which an operational permit is sought is a municipality, special improvement district or other entity for which real property taxes are not collected, and if the construction or use is for governmental, municipal or district purposes and is not proprietary in nature.

**FEE SCHEDULE FOR OPERATIONAL PERMITS**

Section	Permit for:	Fee
	* * *	
[§111-79]	[Multiple Residences; Dormitories, Mixed-Use Occupancy Buildings with Dwelling Units.]	[\$475.00]
	* * *	

§111-41. Fire safety and property maintenance inspection fees.

A. Fire Safety and property maintenance inspections for those properties not requiring an operational permit shall consist of inspections required pursuant to the minimum requirements of the Official Compilation of Codes Rules and Regulations of the State of New York, 19 NYCRR Part 1203 (Minimum Standards for Administration and Enforcement).

B. Certificates of inspection issued to reflect the completion of these inspections shall be valid for a period not in excess of [three (3)] one (1) year[s].

\* \* \*

ARTICLE VII  
OPERATIONAL PERMITS

\* \* \*

[§111-79.] [Multiple residences, dormitories, and mixed-use occupancy buildings.]

[It shall be unlawful for an owner, managing agent, or person in charge of the property to rent, lease, or otherwise allow the occupancy of dwelling units within a multiple residence, a dormitory, or a mixed-occupancy building without benefit of an operational permit. Any person who fails, neglects or refuses to obtain an operational permit shall be in violation of this chapter.]

[§111-80.] §111-79. through §111-90. (Reserved)

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: 3	NOES: 0	ABSTENTIONS: 1
			RECUSALS: 1
Supervisor Frank P. Petrone		AYE	
Councilwoman Susan A. Berland		ABSTAIN	
Councilman Eugene Cook		RECUSED	
Councilman Mark A. Cuthbertson		AYE	
Councilwoman Tracey A. Edwards		AYE	

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-267

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: May 10, 2016

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, 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 in 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 in Schedule "D" as persistent or ongoing blighted properties and shall be assessed the annual blighted property assessment fee, 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;

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

2016-267

amounts to be assessed against the persistent blighted properties listed in Schedule "D" to this Resolution, pursuant to § 156-67(C); and

HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedule "C" and 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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilwoman Tracey A. Edwards	<b>AYE</b>

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

2016-267

PREVIOUS EXHIBITS	PROPERTY ADDRESS	SCTM #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
204	3 Penn Court Dix Hills	0400-260.00-02.00-010.000	Rock Community Church PO Box 1186 Melville, NY 11747	12/8/2015
205	4 Lane E Huntington	0400-025.00-01.00-056.000	Patricia J. Young 4 Lane E Huntington, NY 11743-1915	12/8/2015
166	121 Columbia St. Huntington Station	0400-140.00-02.00-119.000	John R. Castro 121 Columbia Street Huntington Station, NY 11746-1219	5/5/2015
134	178 Beverly Road Huntington Station	0400-203.00-02.00-004.001	178 Beverly Road, LLC 3/o Amererevision 30 Broad Street, Suite 407 New York, NY 10004	9/16/2014
123	372 Old Bridge Road E. Northport	0400-126.00-02.00-005.000	Frederick Appawu Matilda Appawu 372 Old Bridge Road E. Northport, NY 11731	6/17/2014
118	600 Park Avenue Huntington	0400-102.00-01.00-005.002	David Alan Nothman 600 Park Avenue Huntington, New York 11743-3833	1/12/2016

- SCHEDULE C -  
 IN COMPLIANCE

2016-267

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	SCTM #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE	ANNUAL REGISTRATION FEE
35	2C W. 11th St. Huntington Station	0400-142.00-03.00-032.000	John M. Gerardi 74 1st Avenue Huntington Station, NY 11746-1730	5/8/2012	\$ 2,500.00
102	24 Lorraine Court Northport	0400-055.00-01.00-048.003	Mohammed Sabur 24 Lorraine Court Northport, NY 11768	10/15/2013	\$ 2,500.00
112	30 Meadowlark Dr. E. Northport	0400-176.00-02.00-069.000	Ronald Rakin Sandra J. Rakin 30 Meadowlark Drive E. Northport, NY 11731-4309	4/8/2014	\$ 2,500.00
79	43 W. 22nd St. Huntington Station	0400-194.00-03.00-052.000	Elias Moragiamos 43 W. 22nd Street Huntington Station, NY 11746-3101	9/17/2013	\$ 2,500.00
177	85 Railroad Ave. Huntington Station	0400-141.00-01.00-081.000	Alan Johnston 85 Railroad Avenue Huntington Station, NY 11746-1230	6/9/2015	\$ 5,000.00
176	101 Cuba Hill Rd. Greenlawn	0400-165.00-01.00-061.000	Michael Findel 101 Cuba Hill Road Greenlawn, NY 11740-2716	6/9/2015	\$ 2,500.00
160	684 Old Country Rd. Dix Hills	0400-209.00-02.00-012.000	Mohammed Alagheband Zohre Alagheband 24 Hilltop Drive E. Great Neck, NY 11021-1139	4/21/2015	\$ 2,500.00

-SCHEDULE D-  
 PERSISTENT BLIGHT

2016-268

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: May 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 **7<sup>th</sup>** day of **JUNE**, 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- 268

VOTE:            AYES: 5    NOES: 0    ABSTENTIONS: 0

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

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
219	23 9th Avenue Huntington Station	0400-137.00-03.00-019.000	Claudia Brown 23 9th Avenue Huntington Station, NY 11746- 2219	3/16/2016	\$ 2,500.00
29	33 Stuyvesant Street Huntington	0400-161.00-03.00-071.001	Althea McDermott 33 Stuyvesant Street Huntington, New York 11743- 4718	4/11/2016	\$ 2,500.00
215	55 Stony Hollow Road Centerport	0400-080.00-07.00-024.000	Patricia Cespedes 55 Stony Hollow Road Centerport, New York 11721- 1749	4/11/2016	\$ 2,500.00

2016-268

2016- 269

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING  
HUNTINGTON PROPERTY (MILL DAM PARK ADDITION)

Resolution for Town Board Meeting Dated: May 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 response to an inquiry from the representatives of the owners indicating there is a potentially willing seller for a 0.70 acre property identified as SCTM 0400-027.00-01.00-007.000 located at 1 Hill Place in Huntington;
- conducted a field investigation of the property that adjoins the Town's Mill Dam Park and land held by Creek Road Properties, Inc.; and
- recommended that the Town Board pursue acquisition of the property as an addition to Mill Dam Park, and

WHEREAS, the Town Board wishes to proceed with acquisition of this specific real property as recommended by the EOSPA Committee, 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 preliminary planning and budgetary processes necessary to the formulation of a proposal for action, does 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 7<sup>th</sup> day of JUNE, 2016 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified 1 Hill Place parcel for parkland; 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

2016-269

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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilwoman Tracey A. Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER EXEMPTING THE DIX HILLS FIRE DEPARTMENT FROM SITE PLAN REVIEW AND THE TOWN OF HUNTINGTON ZONING CODE AS IS NECESSARY TO RENOVATE THE EXISTING HEADQUARTERS BUILDING AND CONSTRUCTION OF A NEW BUILDING FOR FIREFIGHTING AS WELL AS ALTER THE PARKING LOT ON THE SOUTHEASTERLY CORNER OF DEER PARK AVENUE AND DEFOREST ROAD NORTH, DIX HILLS, SCTM #0400-248-01-(011.000, 016.000, & 017.000).

Resolution for Town Board Meeting dated: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Dix Hills Fire Department has submitted a request to renovate the existing headquarters, construct a new building for firefighting, as well as alter the parking lot to include additional paved areas for access and parking on the southeasterly corner of Deer Park Avenue and Deforest Road North, Dix Hills , SCTM# #0400-248-01-(011.000, 016.000, & 017.000); and

WHEREAS, the Department of Planning and Environment identified the fact that the proposed construction and existing building would require area variances for two-main buildings on a lot §198-10(G) & §198-70(A), and for parking in the street side yard under §198-48(F); and

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

NOW THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 7th day of JUNE, 2016 at 2:00 p.m. at Town Hall, 100 Main Street Huntington, New York, to consider exempting the Dix Hills Fire Department from site plan review by the Planning Board and further exempting the District from compliance with certain provisions of the Huntington Town Code pertaining to building and parking setbacks on property on the southeasterly corner of Deer Park Avenue and Deforest Road North, Dix hills, SCTM #0400-248-01-(011.000, 016.000, & 017.000), at which time all persons interested in the subject thereof may be heard.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-271

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 22 -2016, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-411, SEAMUS COYLE – 114 PRIME AVE, TO CHANGE THE ZONING FROM I-4 LIGHT INDUSTRY DISTRICT TO R-5 RESIDENCE DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF PRIME AVENUE, NORTH OF NEW YORK AVENUE, HUNTINGTON, SCTM# 0400-071-02-083.

Resolution for Town Board Meeting Dated: May 10, 2016

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, SEAMUS COYLE, 735 Old Bethpage Rd., Old Bethpage, NY 11804, property owner, submitted application #2015-ZM-411 for a change of zone from I-4 Light Industry District to R-5 Residence District for property located on the east side of Prime Avenue, north of New York Avenue (NYS 110), Huntington, designated as 0400-071-02-083 on the Suffolk County Tax Map; and

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

WHEREAS, this action is an Unlisted action in accordance with SEQRA, 6 NYCRR Part 617.4 & 617.5, as the project does not meet any criteria on the Type I or Type II lists; and

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

WHEREAS, the Planning Board recommended that the Town Board approve this zone change application and issue a Negative Declaration pursuant to SEQRA on April 20, 2016; and

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

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 12th day of JULY, 2016, at 2:00 PM to consider adopting Local Law

2016-271

Introductory No. 22 -2016 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from I-4 Light Industry District to R-5 Residence District the property designated on the Suffolk County Tax Map as 0400-071-02-083, as follows:

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

LOCAL LAW INTRODUCTORY NO. 22 - 2016  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)  
SECTION 7 (ZONING MAP)

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

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

\* \* \*

§ 198-7 Zoning Map

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

The premises located on the east side of Prime Avenue, north of New York Avenue (NYS 110), Huntington, designated on the Suffolk County Tax Map as 0400-071-02-083, to be rezoned from I-4 Light Industry District to R-5 Residence District, more particularly described as:

BEGINNING at a POINT on the easterly side of Prime Avenue, 123.29 feet north of the intersection with the northwesterly side of New York Avenue (NYS 110),

THENCE from said POINT OF BEGINNING North 15 degrees 24 minutes 00 seconds West, 90.48 feet,

THENCE North 39 degrees 22 minutes 33 seconds East, 43.26 feet,

THENCE North 82 degrees 47 minutes 39 seconds East, 99.48 feet,

THENCE South 31 degrees 58 minutes 00 seconds West, 60.90 feet,



2016-272

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 23 -2016 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: LELAND STREET – EAST NORTHPORT – STOP SIGNS

Resolution for Town Board Meeting dated: May 10, 2016

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to comply with the applicable traffic regulations published by the Federal Highway Administration in order to establish intersection control and right-of-way compliance;

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 7th day of June, 2016 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 23 -2016 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 23 -2016  
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

2016- 272

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

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION OF TRAVEL</u>	<u>AT INTERSECTION OF:</u>
ADD:	Leland Street (ENP)	STOP	EAST	Oakland Avenue

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2016-273

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 24 -2016 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: DEPOT ROAD – HUNTINGTON STATION - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: May 10, 2016

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

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

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to further avoid potential obstruction on a town 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 7<sup>th</sup> day of June, 2016 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 24 -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. 24 -2016  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

2016-273

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: Depot Road/West From New York Ave. (Rt. 110) to Pulaski Rd. (HUS)	No Stopping	-----
ADD: Depot Road/West From New York Ave. (Rt. 110) to 280 ft. south of Pulaski Rd. (HUS)	No Stopping	-----

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.

2016-273

VOTE:        AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2016-274

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 25 -2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 78 (ANIMALS), ARTICLE II (DOGS AND OTHER ANIMALS), SECTION 78-7 (COMMISSION OF NUISANCES AND OTHER OFFENSES) RE: SAFE DISPOSAL OF ANIMAL WASTE.

Resolution for Town Board Meeting dated: May 10, 2016

The following resolution was offered by: Supervisor Petrone  
and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the United States Environmental Protection Agency has identified pathogenic bacteria as a Pollutant of Concern in local harbors, bays and estuaries in the Town of Huntington and has generally identified animal and pet waste entering local waterbodies through municipal stormwater collection systems as an important source of pathogens; and

WHEREAS, the Town Board finds that it is in the best interest of the Town to ensure proper removal and disposal of dog feces from public and private streets and other places where it can contaminate stormwater runoff, posing a threat to water quality and the health, safety and general welfare of the Town's residents; and

WHEREAS, the Town of Huntington, the Village of Northport and Village of Asharoken, having formed the joint Water Quality Protection Inter-Municipal Council for the care and protection of the waters of the Northport Bay Complex, agree there is a need for uniformity in local codes that simplify, clarify and coordinate provisions regulating pet nuisances, so that, the general public will understand the importance of such regulations and their applicability to pets being walked on public and private property alike, and the positive impact on water quality that can result from cooperative code compliance; and

WHEREAS, pursuant to §617.5(c) 20 and 27 of SEQRA, regulations amending the 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 proposed action, a Type II action, requires no further action pursuant to SEQRA; and

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 7th day of JUNE, 2016, at 2:00  
P.M. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 25-2016 amending the Code of the Town of Huntington, Chapter 78

2016-274

(Animals) Article 11 (Dogs and Other Animals), Section 78-7 (Commission of Nuisances and Other Offenses):

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON as follows:

LOCAL LAW INTRODUCTORY NO. 25- 2016  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 78 (ANIMALS)  
ARTICLE II (DOGS AND OTHER ANIMALS)  
SECTION 78-7 (COMMISSION OF NUISANCES AND OTHER OFFENSES):

Section 1: Chapter 78 (Animals) of the Town of Huntington is hereby amended to read as follows:

78-7. Commission of nuisances and other offenses.

(A) [ No person owning, possessing or harboring a dog or having the right or ability to prevent it shall knowingly, carelessly or negligently permit such dog or other animal to commit any nuisance in or upon any public property, including but not limited to parks, roadways, highways, streets, walkways, pathways, sidewalks or off-leash areas; or upon the floor of any tenement house which is used in common by tenants thereof; or upon the fences of any premises or the walls or stairways of any building abutting on a public street, avenue, park, public square or place; or upon the floor of any theater, store, factory or any building which is used in common by the public, including all public rooms or places therewith connected; or upon the floor of any depot or station; or upon the station platform or stairs of any railroad or other common carrier; or upon the roof of any tenement house used in common by tenants thereof; or upon the floor of any hall, stairway or office of any hotel, motel or lodging house which is used in common by guests thereof; nor shall any person omit to do any reasonable and proper act or take any reasonable and proper precaution to prevent any such dog or other animal from committing such a nuisance in, on or upon any of the places or premises herein specified.] Any person owning, harboring, walking or in custody of a dog that defecates on a private road or street, a public road or street, public property or private property without the permission of the property owner, shall remove all feces immediately after it is deposited by the dog by placing such feces in a plastic bag which shall be sealed and deposited in a publicly owned covered receptacle for the disposal of refuse or a covered receptacle owned by the person owning, harboring, walking or in custody of the dog.

(B)[No person owning, harboring, keeping or in charge of any dog shall cause, suffer or allow such dog to soil, defile, urinate, defecate on or deface any public property, including but not limited to parks, roadways, highways, streets, walkways, pathways, sidewalks or off-leash areas, or any place where people congregate or walk or on any private property without the permission of the owner of said private property.]

[(C)] Exceptions. [Dogs may be curbed on that portion of a roadway or street lying between the curblines. A person who curbs a dog shall immediately remove, in a suitable container, all feces deposited by such dog. The feces removed from the designated area shall be disposed of in a sanitary manner by the person owning, harboring, keeping or in charge of any dog curbed, except that a person who is visually impaired and/or disabled and is accompanied by a guide or service dog shall be exempted. except that a] A person who is visually impaired and/or disabled and is accompanied by a guide or service dog shall be exempted.

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 shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3: Effective Date

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

\*\*\* INDICATES NO CHANGE

ADDITIONS ARE INDICATED BY UNDERLINED

DELETIONS ARE INDICATED BY [BRACKETS]

VOTE:                    AYES:    5                    NOES: 0                    ABSENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 26 -2016 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION AND PERMITTING OF PROPERTY), ARTICLE III (RESIDENTIAL RENTAL PERMITS) AND ARTICLE V (ADMINISTRATIVE REMEDIES AND PENALTIES)

Resolution for Town Board Meeting Dated: May 10, 2016

The following Resolution offered by: Councilwoman Edwards,  
**SUPERVISOR PETRONE**

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board is updating its code to hold property owners ultimately responsible for the administration and maintenance of their rental properties; 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, updating administrative procedures 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 7<sup>th</sup> day of **JUNE**, 2016 at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 26 -2016, amending the Code of the Town of Huntington, Chapter 160 (Registration and Permitting of Property), Article III (Residential Rental Permits) and Article V (Administrative Remedies and Penalties); as follows:

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

CHAPTER 160  
REGISTRATION AND PERMITTING OF PROPERTY

\* \* \*

ARTICLE III  
RESIDENTIAL RENTAL PERMITS

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

\* \* \*

RENTAL PROPERTY - Dwelling unit(s) in one and two family homes, multiple residences, dormitories, and mixed-use occupancy buildings in any zoning district which are occupied for habitation as a residence by persons other than the owner or the owner's immediate family, and for which a fee or other compensation is received by the owner or managing agent, directly or indirectly, in exchange for such residential occupation. The term "rental property" shall exclude properties used solely for nonresidential purposes; one family homes which continue to be the primary and permanent residence of the owner but are leased or occupied by one other than the owner or owner's immediate family for six (6) months or less in any calendar year; two-family homes where the owner or a member of the owner's immediate family resides in one of the two dwelling units; legal habitable dwellings detached from the main residence of the owner or owner's immediate family on the lot; multiple dwellings where the owner or owner's immediate family reside on site; large multiple residence developments or communities having approved bylaws and a homeowner's association, board or similar management organization on-site with jurisdiction over rental property; those having valid accessory apartment permits; any property owned and/or operated by the United States, the State of New York, the County of Suffolk, Town of Huntington and their respective agencies and political subdivisions; any property owned or managed by the Huntington Housing Authority, the Huntington Housing Authority Mortgage Banking Corporation, and the Huntington Community Development Agency.

\* \* \*

§160-22. Prohibited acts.

\* \* \*

[(B)] [Real estate agency, real estate broker or agent. It shall be unlawful for any person, real estate agency, broker or agent to list, show or otherwise offer for lease, rent or occupancy any rental property or dwelling unit for which a valid rental permit has not been issued pursuant to this article. It shall be the duty of such person, broker or agent to verify the existence of a valid permit before listing, showing or otherwise offering for lease, rent or occupancy any rental property or dwelling unit.]

(B) [(C)] Engineer, [and] Architect and other consultant. Any engineer, [or] architect or other consultant including an independent state certified code enforcement official 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.

\* \* \*

ARTICLE V  
ADMINISTRATIVE REMEDIES AND PENALTIES

\* \* \*

§160-37. Penalties for offenses.

(A) A violation of Article 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.

\* \* \*

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	<b>AYE</b>
Councilwoman Susan A. Berland	<b>AYE</b>
Councilman Eugene Cook	<b>AYE</b>
Councilman Mark A. Cuthbertson	<b>AYE</b>
Councilwoman Tracey A. Edwards	<b>AYE</b>

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 AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: SHORE SOLUTIONS INC., ON BEHALF OF  
OWNER: RANDALL & ANTOINETTE LICO  
LOCATION: 32 HAWKINS DR., NORTHPORT  
S.C.T.M. #: 0404-001.00-01.00-012.000

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

The following resolution was offered by: TRUSTEE CUTHBERTSON

and seconded by: TRUSTEE COOK

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

Shore Solutions Inc.  
On behalf of  
Randall & Antoinette Lico  
32 Hawkins Dr.  
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; 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 7<sup>th</sup> day of JUNE, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures Law, Town Code Chapter 137 to Randall & Antoinette Lico to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000

VOTE:            AYES: 5            NOES: 0    ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE CONSTRUCTION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

APPLICANT: SHORE SOLUTIONS INC., ON BEHALF OF

OWNER: RANDALL & ANTOINETTE LICO

LOCATION: 32 HAWKINS DR., NORTHPORT

S.C.T.M. #: 0404-001.00-01.00-012.000

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

The following resolution was offered by: TRUSTEE CUTHBERTSON

and seconded by: TRUSTEE COOK

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

Shore Solutions Inc.  
On behalf of  
Randall & Antoinette Lico  
32 Hawkins Dr.  
Northport, N.Y. 11768

to construct a residential fixed pier and floating dock assembly for the docking of recreational water-craft. The dock assembly will have an attached boat/jetski lift and is proposed to extend 100 ft. from the MHWL at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000; and

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

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 7<sup>th</sup> day of JUNE, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement pursuant to the Marine Conservation and Regulation of Marine Structures Law, Town Code Chapter 137 for the use of underwater

# 2016-BT 13

lands as is necessary for the construction of a residential fixed pier and floating dock assembly for the docking of recreational water-craft with a maximum length of one hundred ft. from the mean high water line at 32 Hawkins Dr., Northport, N.Y. 11768, S.C.T.M. # 0404-001.00-01.00-012.000, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2016-BT 14

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE CONSTRUCTION OF A VINYL INTERLOCKING NAVY STYLE BULKHEAD

APPLICANT: SHORE SOLUTIONS INC., ON BEHALF OF  
OWNER: TARJA KOSKELA  
LOCATION: 67 EAST SHORE RD., HUNTINGTON  
S.C.T.M. #: 0400-032.00-01.00-005.000

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

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

and seconded by: **TRUSTEE COOK**

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

Shore Solutions Inc.  
On behalf of  
Tarja Koskela  
67 East Shore Rd.  
Huntington, N.Y. 11743

To replace a deteriorating stone and concrete bulkhead with 136 linear ft. of timber & interlocking vinyl "Navy style" bulkhead. Elevation of bulkhead to be raised 18" and backfilled with clean fill at 67 East Shore Rd., Huntington, N.Y. 11743, S.C.T.M. # 0400-032.00-01.00-005.000; 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 7<sup>th</sup> day of **JUNE**, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures Law, Town Code Chapter 137 to Tarja Koskela to replace a deteriorating stone and concrete bulkhead with 136 linear ft. of timber & interlocking vinyl navy style bulkhead. Elevation of bulkhead to be raised 18" and backfilled with

clean fill at 67 East Shore Rd., Huntington, N.Y. 11743, S.C.T.M. # 0400-032.00-01.00-005.000

VOTE:            AYES:    5            NOES:    0            ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

# 2016-BT-15

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE EXTENSION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

OWNER: JOSEPH & MELODY SCIACCA  
LOCATION: 36 SEA SPRAY DR., CENTERPORT  
S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000

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

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

and seconded by: **TRUSTEE COOK**

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

Joseph & Melody Sciacca  
36 Sea Spray Dr.  
Centerport, N.Y. 11721

to install an additional 8' X 16' float to an existing residential fixed pier and floating dock assembly to accommodate a recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000; 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 7<sup>th</sup> day of **JUNE**, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the issuance of a special use permit pursuant to the Marine Conservation and Regulation of Marine Structures Law, Town Code Chapter 137 to Joseph & Melody Sciacca to install an additional 8' X 16' float to an existing residential fixed pier and floating dock assembly to accommodate a recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000

# 2016-BT-15

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-BT 16

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER THE EXECUTION OF A LICENSE AGREEMENT PURSUANT TO THE MARINE CONSERVATION AND REGULATION OF MARINE STRUCTURES, TOWN CODE CHAPTER 137 FOR THE EXTENSION OF A RESIDENTIAL FIXED PIER AND FLOATING DOCK ASSEMBLY

OWNER: JOSEPH & MELODY SCIACCA

LOCATION: 36 SEA SPRAY DR., CENTERPORT

S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000

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

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

and seconded by: **TRUSTEE COOK**

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

Joseph & Melody Sciacca  
36 Sea Spray Dr.  
Centerport, N.Y. 11721

to install an additional 8' X 16' float to an existing residential fixed pier and floating dock assembly to accommodate a recreational water-craft. The total dock assembly will extend a maximum 100 ft. from the MHWL at 36 Sea Spray Dr., Centerport, N.Y. 11721. S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000; and

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

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

NOW, THEREFORE

THE BOARD OF TRUSTEES

HEREBY SCHEDULES a public hearing for the 7th day of JUNE, 2016, at 2:00 pm at Town Hall, 100 Main Street, Huntington, New York 11743, to consider the execution of a license agreement pursuant to the Marine Conservation and Regulation of Marine Structures Law, Town Code Chapter 137 for the use of underwater lands as is necessary for the construction of a residential fixed pier and floating dock assembly for the docking of recreational water-craft with a maximum length of one hundred ft. from the mean high water line at 36 Sea Spray Dr., Centerport, N.Y. 11721.

2016-BT 16

S.C.T.M. #: 0400-045.00-03.00-042.002 & 052.000, on such terms and conditions as may be acceptable to the Town Attorney.

VOTE:            AYES: 5        NOES: 0        ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.