

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

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

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

PRESENT:

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

AGENDA FOR TOWN BOARD MEETING DATED SEPTEMBER 21, 2010

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 10:12P.M. Closed: 10:13P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 10:13P.M. Closed: 10:15P.M.

7:00P.M. – TOWN HALL

Opened: 6:15P.M. Recessed: 7:37P.M. Resumed: 7:53P.M. Closed: 10:12P.M.

(Resolutions #2010-447 to 2010-481)

6:00 HEARINGS:

1. Consider adopting Local Law Introductory No. 20-2010 amending Local Law No. 3-2000, Restrictive Covenants applicable to property located on the northeast corner of Broadhollow Road (Route 110) and Pinelawn Road (CR3).
(Local Law Intro No. 20-2010)
2. Consider issuing a Certificate of Approval for an historic building, site or landmark re: 135 West Gate Drive, Huntington - Otto H. Kahn Estate (Oheka), Town designated. (Applicant: Gary Melius, Kahn property owner) (SCTM #0400-188.00-01.00-025.001)
(2010-ZC-15-Ch.198)

ACTION

**HEARING TO BE
RESCHEDULED PER
RESOLUTION #2010-481
FOR 12/14/2010 @ 7:00P.M.**

DECISION RESERVED

HEARINGS (Continued):

ACTION

3. Consider adopting Local Law Intro No. 21-2010 establishing term limits for the Huntington Town Supervisor, Huntington Town Council, Huntington Receiver of Taxes, Huntington Town Clerk and Huntington Highway Superintendent, as amended.

(Local Law Intro No. 21-2010)

DECISION RESERVED

4. Consider adopting Local Law Introductory No. 22-2010 amending the Code of the Town of Huntington, Chapter 120 (Harbors and Waterways).

(Local Law Intro No. 22-2010)

DECISION RESERVED

5. Consider acquiring Fort Salonga property (Roberg). **(SCTM #0400-015-01-002.000)**

(2010-M-27)

HEARING CONCLUDED

6. Consider a license agreement between MetroPCS New York, LLC and the Dix Hills Water District for the installation of cellular antennas and equipment at the Dix Hills Water District facility on Colby Drive.

(2010-M-28)

**TO BE RESCHEDULED
AT A LATER DATE**

7. Consider issuing a Certificate of Approval in an historic District re: 6 Portland Place - Cold Spring Harbor Historic District. **(Applicant: Donna Cammarota) (SCTM #0400-63.00-03.00-008.000)**

(2010-ZC-16-Ch.198)

DECISION RESERVED

8. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J re: Snyder Street, Melville - Delete Bus Stop.

(2010-TC-16-Ch.3)

DECISION RESERVED

9. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G re: Snyder Street, Melville - Stop Signs.

(2010-TC-17-Ch.2)

DECISION RESERVED

10. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G re: Arlington Street, Melville - Stop Signs.

(2010-TC-18-Ch.2)

DECISION RESERVED

11. Consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J re: Jackson Avenue, Huntington - No Parking Restriction.

(2010-TC-19-Ch.3)

DECISION RESERVED

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 21, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-455. AUTHORIZE the correction of Code Violations at various locations pursuant to the Code of the Town of Huntington and/or the Uniform codes of the State of New York. (Re: Theodore/Nayris Nehls, 520 Third Street, East Northport, SCTM# 0400-119.00-01.00-067.000, Chapter 87 (sections 36 and 133) and 156)	<u>SB</u> <u>GJ</u>	<u>FP</u> <u>MC</u>	<u>5</u>
2010-456. ACCEPT donations and AUTHORIZE the display of the Dignity Memorial Wall Replica at Peter Nelson Park with overflow parking at Stimson Middle School. (Re: Vietnam Veterans; Display open to the public on October 1, 2 and 3, 2010)	<u>MC</u> <u>FP</u>	<u>MM</u> <u>SB</u> <u>GJ</u>	<u>5</u>
2010-457. AUTHORIZE the Huntington Township Chamber of Commerce to hold the Long Island Fall Festival at Huntington events and authorizing the Supervisor to execute a license agreement in conjunction with same. (Dates/Times: October 8, 2010 – 6:00 PM to 11:00 PM, October 9, 2010 – 11:00 AM to 11:00 PM, October 10, 2010 – 11:00 AM to 11:00 PM, October 11, 2010 – 11:00 AM to 5:00 PM)	<u>FP</u> <u>GJ</u>	<u>SB</u> <u>MM</u>	<u>5</u>
2010-458. AUTHORIZE the Comptroller to distribute interest earned on Tax Revenue to the various taxing districts within the Town of Huntington.	<u>FP</u>	<u>GJ</u>	<u>5</u>
2010-459. AUTHORIZE the Comptroller to amend the 2010 Operating Budget for the Town of Huntington and its special districts – various departments.	<u>FP</u>	<u>MC</u>	<u>5</u>
2010-460. AUTHORIZE the settlement of a claim (Balboa Insurance Company as/s/o John Macleod v Town of Huntington).	<u>SB</u>	<u>FP</u>	<u>5</u>
2010-461. APPOINT a Director of Information Technology for the Town of Huntington. (Re: William Crowley)	<u>FP</u>	<u>MC</u> <u>SB</u>	<u>5</u>
2010-462. RENAME Sherman Street, Huntington, to be known as Michael Taddonio Way/Sherman Street.	<u>FP</u>	<u>MC</u> <u>SB</u>	<u>5</u>
2010-463. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Oakledge Drive – Stop Sign Removal.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2010-464. ENACTMENT: AMEND the Uniform Traffic Code of the Town of Huntington, Chapter 4, §4-1, Schedule K. Re: Parking at Private Fields.	<u>SB</u>	<u>FP</u>	<u>5</u>
2010-465. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 143 Old Country Road, Melville – Sweet Hollow Historic District. (Applicant: Sean Cody, Architect for Nazmul Haque, Owner for Everett House; SCTM# 0400-256.00-01.00-010.001)	<u>GJ</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 21, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
2010-466. SCHEDULE A PUBLIC HEARING : October 5, 2010 at 6:00 PM Re: Preliminary Annual Operating Budget. (Re: Fiscal year beginning January 1, 2011)	<u>MC</u>	<u>SB</u>	<u>5</u>
2010-467. SCHEDULE A PUBLIC HEARING : October 5, 2010 at 6:00 PM Re: Preliminary Capital Budget. (Re: Fiscal year beginning January 1, 2011)	<u>MC</u>	<u>SB</u>	<u>5</u>
2010-468. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider adopting Local Law Introductory No. 23 – 2010 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), §4-3 (Town Parking Fields). (Re: Resident Commuter Parking Permits)	<u>MC</u>	<u>FP</u>	<u>5</u>
2010-469. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider adopting Local Law Introductory No. 24 – 2010, amending the Code of the Town of Huntington, so as to add Chapter 108 (Film Permits).	<u>GJ</u> <u>SB</u>	<u>FP</u>	<u>5</u>
2010-470. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider adopting Local Law Introductory No. 25 – 2010 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention). (Re: Display Fireworks)	<u>MC</u>	<u>GJ</u>	<u>5</u>
2010-471. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider adopting Local Law Introductory No. 26 – 2010 amending the Code of the Town of Huntington Chapter A202 (Subdivision Regulations and Site Improvement Specifications), A202 Attachment 3, Schedule C (Miscellaneous Fees and Charges) Section B (Miscellaneous Services) so as to add GIS User Fees.	<u>GJ</u>	<u>FP</u>	<u>5</u>
2010-472. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM Concerning the adoption of the Assessment Roll for the Huntington Sewer District.	<u>GJ</u>	<u>FP</u>	<u>5</u>
2010-473. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM Concerning the adoption of the Assessment Roll for the Centerport Sewer District.	<u>SB</u>	<u>FP</u>	<u>5</u>
2010-474. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, § 3-3, Schedule J. Re: Sprucetree Lane, No parking restriction	<u>GJ</u>	<u>MC</u>	<u>5</u>
2010-475. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM			

**AGENDA FOR TOWN BOARD
MEETING DATED: SEPTEMBER 21, 2010**

RESOLUTIONS:	OFF.	SEC.	VOTE
To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article II, Section 2-3, Schedule C. Re: Vanderbilt Parkway, Prohibited Turns.	<u>GJ</u>	<u>SB</u>	<u>5</u>
2010-476. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article V, § 2-10, Schedule I. Re: Woodhull Road, School Speed Limits.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2010-477. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, § 3-3, Schedule J. Re: Broadway – Greenlawn Road, No Parking Restriction.	<u>GJ</u>	<u>MC</u>	<u>5</u>
2010-478. ENACTMENT: ADOPT Local Law Introductory No. 4-2010 amending the Code of the Town of Huntington, Chapter 198 (Zoning) and Chapter A202 (Subdivision Regulations and Site Improvement Specifications), to create the Huntington Station Transit Oriented District (HSTOD) Zoning Classification, and considering Zone Change Application No. 2008-ZM-378 of AvalonBay Communities, Inc. to change the Zone from R-7 Residence District to the Huntington Station Transit Oriented District (HSTOD) for property located on the North Side of East Fifth Street, 1,130.97 Feet West of Park Avenue, Huntington Station, SCTM #0400-104.04-01-(001-109, 112-114 and 116-118).	<u>FP</u>	<u>GJ</u>	<u>(MM)</u> RESOLUTION DEFEATED 2-AYES (FP) (GJ) 3-NOES (MC) (SB)
2010-479. CREATE a Citizens Advisory Committee to evaluate Transit Oriented Districts in conjunction with the Town’s Master Plan.	<u>MM</u>	WITHDRAWN BY COUNCILMAN <u>MAYOKA</u>	
2010-480. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM To consider adopting Local Law Introductory No. 27 – 2010 amending the Code of the Town of Huntington, declaring a One (1) Year Moratorium on the creation of Transit Oriented Districts within the Town of Huntington.	<u>MM</u>	WITHDRAWN BY COUNCILMAN <u>MAYOKA</u>	
2010-481. RESCHEDULE A PUBLIC HEARING: December 14, 2010 at 7:00 PM To consider adopting Local Law Introductory No. 20-2010 amending Local Law No. 3-2000, Restrictive Covenants applicable to property located on the Northeast corner of Broadhollow Road (Route 110) and Pinelawn Road (CR3).	<u>SB</u>	<u>GJ</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: SEPTEMBER 21, 2010**

RESOLUTIONS:

OFF. SEC. VOTE

2010-BT15. SCHEDULE A PUBLIC HEARING: October 5, 2010 at 6:00 PM

To consider a variance of the Marine Conservation Law – Chapter 137.

Applicant: John Palmieri, NSEW Consultants Location: 265 Little Neck Rd., Centerport, New York, S.C.T.M. #0400-049.00-01.00-013.000.

(Re: Carillo)

SB FP 5

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: SEPTEMBER 21, 2010**

RESOLUTIONS:

OFF. SEC. VOTE

2010-CD11. AUTHORIZE the use of Huntington Station Revitalization Funds for the Acquisition of 1000 New York Avenue, Huntington Station, New York for public purposes pursuant to Town Board Resolution 2010-409. (SCTM# 400-99-4-26)

FP		4-AYES
GJ		1- NO
<u>SB</u>	<u>MC</u>	<u>(MM)</u>

INFORMATIONAL SHEET FOR TOWN BOARD MEETING

DATED: SEPTEMBER 21, 2010

COMMUNICATION

ACTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Alan Gardner for Melville Hotel Owner 2010 LLC dba
Huntington Hilton; From: Ingrid Keiser fro ClubCorp. Hamlet, LLC;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: Vincent LoManto for Pizzeria LLC d/b/a Filetto; From: Lorelei
Platt for The Laurel; From: Dhanit Choladda for Thai USA; From: Gina
Fogarty for JGB Restaurant d/b/a Rosewood Inn; From: Irving Brower
for Nocello Ristorante;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Email received from Alicia Brown, Legislative Aide for Suffolk County
regarding resolutions adopted on August 17, 2010. Resolution # 820-2010
authorizing the issuance of \$1,700,000 bonds to finance the cost of construction
of sidewalks on CR 35, 76, 79, 85 and 92. Resolution #822-2010 authorizing
the issuance of \$5,316,250 bonds to finance the cost of the acquisition of
properties for the reconstruction of CR 3, Pinelawn Road, Towns of Huntington
and Babylon.

Supervisor
Town Board
Town Attorney
Highway
Engineering Services
cc: Planning & Environment
4. Notice from Todd Cohen, Fire District Secretary for Dix Hills Fire Department
advising of a special election to be held on September 28, 2010 regarding the
sale of a fire truck.

Supervisor
Town Board
Town Attorney
cc: Fire Prevention
5. Email received from Tom DiGiacomo requesting the town board vote no on
the Avalon Bay proposal and requests a response from all members.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
6. Email received from Maria Zimmerman indicating that she is against the proposed
zone change and high density housing at Avalon Bay. She is requesting that
the council vote no on this proposition.

Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
7. Email received from James Oszlak urging the board to support the
Avalon Bay Project.

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

8. Letter received from Ciro DePalo, Treasurer for the South Huntington Water District with a copy of the 2011 Budget.
Supervisor
Town Board
Town Attorney
cc: Comptroller
9. Letter from Kerry Reinhardt, District Treasurer/Accountant, for the Commack Union Free School District, with a copy of the proposed 2011 Budget.
Supervisor
Town Board
Town Attorney
cc: Comptroller
10. Letter received from Dennis Pape regarding Avalon Bay. Letter requests that the members of the council vote NO to the down zoning and Avalon Bay project.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
11. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Town of Huntington resolution # 2010-391. The Commission has decided that this is a matter of local determination. This is not to be construed as an approval or disapproval.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
12. Letter received from Andrew Freleng, Chief Planner for Suffolk County, regarding Town of Smithtown amendment to Section 322-3 regarding Commercial Vehicles. If there are any objections to this amendment, they must be sent to Suffolk County Planning by September 29, 2010.
Supervisor
Town Board
Town Attorney
Public Safety
Engineering Services
cc: Planning & Environment
13. Email received from Meghan Knieriem regarding Avalon Bay. The writer is requesting that the Council vote NO for the down zoning and the Avalon Bay project.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
14. Letter received from Annette Messano advising that they are opposed to the Avalon Bay Project and the proposed Transit Oriented District.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
15. Letter received from Carolyn Hannan advising that her and her family are opposed to the Avalon Bay Project and the proposed Transit Oriented District.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
16. Letter hand delivered from Nicholas Wieland, Watch Commander for the Community Watch in Huntington, addressed to Steve Israel regarding the violence in Huntington. The writer is extending an invitation for the congressman to attend the quarterly meeting of this group on October 13th. Also attached was an email from Matt Harris to County Executive Levy requesting the police annex to be placed back in Huntington.
Supervisor
Town Board
Town Attorney
cc: Public Safety

17. Email received from Jeff Moss regarding Huntington Station Transit Oriented District and Avalon Bay. The writer is opposed to the project.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
18. Letter received from Michelle Schimel, member of the New York State Assembly, regarding her opposition to term limits for the Town Clerk. Assemblywoman Schimel was previously the Town Clerk of North Hempstead. Her letter indicates that there is many years of training and courses involved to be a competent Town Clerk. Ms. Schimmel indicates that elections every four years, does impose term limits.
- Supervisor
Town Board
cc: Town Attorney
19. Letter received from Frederick Yardley, former: East Hampton Town Clerk, President of Nassau and Suffolk County Town Clerks, and Executive Director of N.Y.S. Town Clerks Association, regarding his opposition to term limits for Town Clerk, Receiver of Taxes and Superintendent of Highways. Writer feels that officials will not reach there full potential if limits are imposed.
- Supervisor
Town Board
cc: Town Attorney
20. Petition received from the Spak family regarding their opposition to the creation of a Huntington Station Transit Overlay District.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
21. Letter from Elizabeth Neville, Southold Town Clerk expressing her displeasure of learning of the scheduled public hearing on September 21, 2010 to consider adopting term limits for the administrative positions of Town Clerk, Superintendent of Highways and Receiver of Taxes. Ms. Neville indicates that this position is a pivotal point in town government and the duties are varied in complex. Ms. Neville is against this proposal.
- Supervisor
Town Board
cc: Town Attorney
22. Letter from Louise Caputo, Secretary/Treasurer of the Greenlawn Fire District was hand delivered, with a copy of the proposed 2011 Budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
23. Letter from Joseph Santomero, Nutrition Site Council Chairman, Senior Citizen Division, with a petition attached to ban senior member, Jean Crowe from attending the center. Petition lists 100 names and an attachment of actions that they allege have been done by Jean Crowe as the reasons they want her banned from the Senior Center.
- Supervisor
Town Board
Town Attorney
cc: Human Services