

**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:**

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

**AGENDA FOR TOWN BOARD MEETING DATED NOVEMBER 6, 2014**

**COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING**

Opened: 2:28 P.M. Closed: 2:29 P.M.

**2:00 P.M. – TOWN HALL**

Opened: 2:06 P.M. Recessed: 2:28 P.M. Resumed: 2:29 P.M. Closed: 3:45 P.M.

(Resolutions #2014-521 to 2014-565)

**HEARINGS:**

**ACTION**

1. Consider adopting Local Law Introductory No. 44-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Denise Court, Oak Crest Drive, Huntington Station – Parking Restrictions.

(Local Law Introductory No. 44-2014)

*Scheduled as per Resolution 2014-514 at 10-21-2014 Town Board Meeting*

**DECISION RESERVED**

2. Consider issuing a Certificate of Approval in an Historic District  
Re: 7 Goose Hill Road, Cold Spring Harbor – Cold Spring Historic District.

(Applicant: Joseph M. Gulitti, Jr./Michele A. Gulitti;

SCTM #0400-016.00-06.00-008.003)

(2014-ZC-7-Ch. 198)

*Scheduled as per Resolution 2014-515 at 10-21-2014 Town Board Meeting*

**DECISION RESERVED**

**HEARINGS (Continued):**

**ACTION**

3. Consider issuing a Certificate of Approval in an Historic District  
Re: 144 Old Country Road, Melville – Sweet Hollow Historic District.

**(Applicant: Terri Haas/George Gelish;  
SCTM #0400-256.00-02.00-022.000)**

(2014-ZC-8-Ch. 198)

*Scheduled as per Resolution 2014-516 at 10-21-2014 Town Board Meeting*

**DECISION RESERVED**

4. Consider acquiring Centerport property (Shorewood Community  
Association). **(SCTM #0400-040-06-012.000; south side of Mill Dam Road)**  
(2014-M-52)

*Scheduled as per Resolution 2014-517 at 10-21-2014 Town Board Meeting*

**DECISION RESERVED**

5. Consider various actions be taken upon certain properties designated as  
blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted  
Property). **(SCTM #'S 0400-206.00-01.00-055.000;**

**0400-098.00-02.00-035.000; 0400-098.00-02.00-049.000;**

**0400-262.00-02.00-145.000; 0400-077.00-02.00-012.000)**

(2014-M-53)

*Scheduled as per Resolution 2014-518 at 10-21-2014 Town Board Meeting*

**ACTIONS TAKEN AS PER  
RESOLUTION 2014-549**

6. Consider an agreement to lease, operate and manage golf course and food  
and beverage operations at the Crab Meadow Golf Course and operate and  
manage golf course operations at the Dix Hills Golf Course in the Town of  
Huntington, New York. **(Re: Integrity Golf Company, LLC for a term of  
5 years commencing not prior to January 1, 2015).**

(2014-M-54)

*Scheduled as per Resolution 2014-519 at 10-21-2014 Town Board Meeting*

**ENACTMENT  
RESOLUTION 2014-551**

**COMMUNITY DEVELOPMENT AGENCY HEARING:**

1. Obtain comments on the Huntington Community Development Agency's  
Proposed Consolidated Plan for fiscal year 2015.

**HEARING CONCLUDED**

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

**RESOLUTIONS:**

**OFF. SEC. VOTE**

**ABBREVIATIONS FOR PURPOSE OF AGENDA:**

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

- |                  |   |                  |                                      |                  |                 |
|------------------|---|------------------|--------------------------------------|------------------|-----------------|
| <b>2014-521.</b> | <b>AUTHORIZE</b> the Supervisor to execute a contract for the provision of professional ice skating instruction at the Dix Hills Park Ice Rink Facility.<br>(Re: Daniel Bivona, Montana Browne, Charlotte Caruso, Tony Columbo, Craig Cassano, Rosemarie Coyle, Andy Cozzi, Barbara Deluca, Lou Deluca, Peter Dykeman, Jack Greig, Ken Hoey Coaching, Inc., Benoit Hogue, Adam Leib, Inc., Melissa Levine, Ashley Lombardi, Kristie Lynch, Stars and Skates, Inc., Tara Maceiko, Melinda Maidel, Nicole Maltese, Kathy Martinelli, Lee Meadows, Alicia Narby, Corinne Raile Heilbrun, Amy Rivers, Adam Ross, Rachel Roye, Renee Siano, Dawn Sikorski, Arleen Saxon, Kenny Uher, Andrew Veglucci, Marissa Wedlock, Jaime Wendt, Barbara Williams, and Ron Winicki) | <b><u>SB</u></b> | <b><u>EC</u></b>                     | <b><u>5</u></b>  |                 |
| <b>2014-522.</b> | <b>AUTHORIZE</b> the Supervisor to execute an agreement with Hill's Pet Nutrition, Inc., for the provision of Science Diet Pet Food to the Huntington Animal Shelter. (Term: Two years after effective date)  | <b><u>SB</u></b> | <b><u>EC</u></b>                     | <b><u>5</u></b>  |                 |
| <b>2014-523.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the requirements contract for the Town wide alarm system repair, installation, service and central station monitoring with General Security, Inc. (Extension effective for one year commencing 2/16/2015)  | <b><u>MC</u></b> | <b><u>FP</u></b>                     | <b><u>5</u></b>  |                 |
| <b>2014-524.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to a franchise agreement with Maxim Healthcare Services, Inc. D/B/A Maxim Staffing Solutions to provide a Licensed Practical Nurse for Camp Bright Star. (Period: 1/1/2015 – 12/31/2015)  | <b><u>SB</u></b> | <b><u>FP</u></b>                     | <b><u>5</u></b>  |                 |
| <b>2014-525.</b> | <b>AUTHORIZE</b> the Supervisor to execute an extension to the franchise agreement with Sweet Hills Equestrian Stables D/B/A Sweet Hills Equestrian Center to provide a horseback riding facility and lessons at West Hills Park. (Period: 1/1/2015 – 12/31/2015)   | <b><u>MC</u></b> | <b><u>SB</u></b>                     | <b><u>EC</u></b> | <b><u>5</u></b> |
| <b>2014-526.</b> | <b>REMOVED FROM THE AGENDA AT THE WORKSHOP.</b>   |                  |                                      |                  |                 |
| <b>2014-527.</b> | <b>AUTHORIZE</b> the Supervisor to complete an application for the Huntington Sewer District to participate in the NY Alert Public Notification System for sewage releases.   | <b><u>FP</u></b> | <b><u>EC</u></b>                     | <b><u>5</u></b>  |                 |
| <b>2014-528.</b> | <b>AUTHORIZE</b> attendance at The Huntington Township Chamber Foundation Leadership Huntington Program.<br>(Re: Keith M. Barrett, Deputy Director of General Services)   | <b><u>FP</u></b> | <b><u>TE</u></b><br><b><u>MC</u></b> | <b><u>5</u></b>  |                 |

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-529.</b> AUTHORIZE settlement of a Claim (State Farm No. Fault P.I.P. Transfer v. Town of Huntington Re: Frazzitta).	<u>MC</u>	<u>TE</u>	<u>5</u>
<b>2014-530.</b> AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its special districts- various departments.	<u>SB</u>	<u>MC</u>	<u>5</u>
<b>2014-531.</b> AUTHORIZE the Comptroller to amend the 2014 Operating and Capital Budget for the Town of Huntington and its special districts – Highway Department.	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2014-532.</b> AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund and Neighborhood Parks Fund for recommended improvements (Heckscher and Veterans Parks). (Re: Accessible swing seats)	<u>MC</u>	<u>SB</u>	<u>5</u>
<b>2014-533.</b> AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancements (Larkfield Road Crosswalk and Greenlawn Broadway Streetscaping). (Re: Flashing beacons, new conduit, electric cable, decorative street lights, concrete sidewalk, concrete driveway aprons and brick pavers)	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2014-534.</b> REMOVED FROM THE AGENDA AT THE WORKSHOP.			
<b>2014-535.</b> ALLOW Town employees to donate accrued sick, vacation or personal time from their accounts to the account of Debra Cotugno.	<u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-536.</b> APPOINT Volunteer Park Stewards. (Re: Rich Berube-Meadowlark Park; Susan Guralnick-Carpenter Farm Park; Judith Lom-Carpenter Farm Park; Joan Mulligan-McGrath-Carpenter Farm Park)	<u>SB</u>	<u>EC</u>	<u>5</u>
<b>2014-537.</b> GRANT permission for the Huntington Township Chamber of Commerce to hold a sidewalk sale in conjunction with the Holiday Parade, Tree Lighting and Street Festival. (Re: Sidewalk Sale- 11/29/2014 from 9:00 AM – 5:00 PM)	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2014-538.</b> SCHEDULE regular meetings of the Town Board of the Town of Huntington for the year 2015.	<u>FP</u>	<u>SB</u>	<u>5</u>
<b>2014-539.</b> WAIVE Parking meter fees in the downtown shopping area known as Huntington Village and authorizing the installation of holiday type lights and decorations during the holiday season in various areas. (Period: Waive parking meter fees in Huntington Village for the period 11/28/2014 – 12/31/2014; Authorize the Huntington Chamber of Commerce, Huntington Village Business Improvement District, Huntington Station Business Improvement District and the East Northport Chamber of Commerce to install and maintain holiday lights from 11/25/2014 – 1/15/2015; authorize the East Northport Chamber of Commerce to place a Menorah and Nativity Scene at the Northport Railroad Station from 11/28/2014 – 12/31/2014 )	<u>FP</u>	<u>MC</u> <u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-540.</b> ADOPT the 2015 Preliminary Annual Operating Budget, as the Annual Operating Budget for fiscal year commencing January 1, 2015.	<u>MC</u>	<u>FP</u>	MC-AYE FP-AYE SB-AYE TE-AYE <u>EC-NO</u>
<b>2014-541.</b> ADOPT the Capital Budget for fiscal year commencing January 1, 2015.	<u>SB</u>	<u>TE</u>	SB-AYE TE-AYE FP-AYE MC-AYE <u>EC-NO</u>
<b>2014-542.</b> ENACTMENT: ADOPT the Assessment Roll for the Huntington Sewer District.	<u>MC</u>	<u>SB</u>	MC-AYE SB-AYE FP-AYE TE-AYE <u>EC-NO</u>
<b>2014-543.</b> ENACTMENT: ADOPT the Assessment Roll for the Centerport Sewer District.	<u>SB</u>	<u>MC</u>	SB-AYE MC-AYE FP-AYE TE-AYE <u>EC-NO</u>
<b>2014-544.</b> ENACTMENT: ADOPT Local Law Introductory No. 38-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter I (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields).	<u>TE</u>	<u>EC</u>	<u>5</u>
<b>2014-545.</b> ENACTMENT: ADOPT Local Law Introductory No. 39-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities); Article I (Definitions), Article II (Use Regulations and Restrictions) and Article III (Permit for use of Park Facilities).	<u>MC</u>	<u>FP</u>	<u>5</u>
<b>2014-546.</b> ENACTMENT: ADOPT Local Law Introductory Number 40-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Anchorage Lane, Halesite – Parking Restrictions.	<u>FP</u>	<u>MC</u>	<u>5</u>
<b>2014-547.</b> ENACTMENT: ADOPT Local Law Introductory Number 41-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Bagatelle Road, Dix Hills- Parking Restrictions.	<u>SB</u>	<u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<p><b>2014-548. ENACTMENT: ADOPT</b> Local Law Introductory Number 43-2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an Historic Landmark the building and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington, part of SCTM#0400-026-02-041.</p>	<b><u>SB</u></b> <b><u>MC</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<p><b>2014-549. 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. (Re: Schedule A &amp; B: Philip/Deborah McLaughlin, 1 Denton Court, Huntington, SCTM# 0400-206.00-01.00-055.000; Matthew McKay, 7 Sunset Drive, Huntington, SCTM# 0400-098.00-02.00-035.000; Meir Dombey/Chaya Burstein, 16 Hilltop Avenue, SCTM# 0400-098.00-02.00-049.000; Barry/Colette Blake, 43 Talisman Drive, Huntington, SCTM# 0400-262.00-02.00-145.000; Angelo Karastamatis, 74 Old Northport Road, Huntington, SCTM# 0400-077.00-02.00-012.000)</p>	<b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<p><b>2014-550. ENACTMENT: APPROVE</b> the issuance of a Certificate of Approval in a Historic District Re: Margaret Lane and East Main Street, Huntington – Old Huntington Green Historic District. (Applicant: Margaret Lane; SCTM# 0400-74-03-34.4 &amp; 34.5)</p>	<b><u>SB</u></b> <b><u>MC</u></b>	<b><u>FP</u></b>	<b><u>5</u></b>
<p><b>2014-551. ENACTMENT: GRANT</b> a lease agreement to lease, operate and manage golf course and food and beverage operations at the Crab Meadow Golf Course and operate and manage golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York with Integrity Golf Company, LLC. (Period: Five years; not prior to 1/1/2015 – 12/31/2019)</p>	<b><u>FP</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<p><b>2014-552. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory Number 45-2014, considering Zone Change application #2013-ZM-396, Matrix Investment Group, LLC, to change the zoning from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District, and to revoke the Covenants and Restrictions previously recorded as part of the Hagstrom Buick Zone Change, #95, for property located on the northwest corner of Jericho Turnpike and West Hills Road, Huntington Station, SCTM# 0400-192-01-042 &amp; 043.</p>	<b><u>SB</u></b>	<b><u>FP</u></b>	<b><u>SB-AYE</u></b> <b><u>FP-AYE</u></b> <b><u>EC-AYE</u></b> <b><u>TE-ABST</u></b> <b><u>MC-ABST</u></b>
<p><b>2014-553. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory No. 46-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, Article I, §4-3, Schedule L. Re: Gerard Street; North of Main Street, Huntington – Town Parking Fields.</p>	<b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-554. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Introductory No. 47-2014 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention).	<b><u>MC</u></b> <b><u>TE</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2014-555. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory No. 48-2014 amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling, and Disposal).	<b><u>FP</u></b> <b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2014-556. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory No. 49-2014 amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance), Article I (General Provisions) and Article III (Buildings and Structures).	<b><u>TE</u></b>	<b><u>SB</u></b>	<b><u>5</u></b>
<b>2014-557. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider adopting Local Law Introductory No. 50-2014 amending the Code of the Town of Huntington, Chapter 160 (Registration of Property).	<b><u>TE</u></b>	<b><u>SB</u></b> <b><u>FP</u></b>	<b><u>5</u></b>
<b>2014-558. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 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). (Re: Schedule A: Michael Griemsman, 2 Larch Place, Huntington Station, SCTM# 0400-240.00-01.00-137.000; Richard/Joanne Tworowski, 11 Ketcham Court, Northport, SCTM# 0400-127.00-01.00-064.013; Gina Insigne, 11 Woodland Lane, Huntington, SCTM# 0400-037.00-02.00-075.003; James Gergel, 16 Lawrence Street, Greenlawn, SCTM# 0400-110.00-02.00-034.000; Lilliana Nedic, 18 Carlisle Drive, Northport, SCTM# 0400-002.00-01.00-114.000; Robert Grein, As Trustee of the Qualified Personal Residence Trust of Robert Grein, 19 Eugene Street, Melville, SCTM# 0400-259.00-02.00-056.001; Charles Haley, Jr., 39 Smith Street, Greenlawn, SCTM# 0400-107.00-05.00-008.000; Alfred Valma, 50 Lefferts Avenue, Northport, SCTM# 0400-217.00-01.00-039.000; Robert Bennett, 170 Jackson Crescent, Centerport, SCTM# 0400-038.00-02.00-017.000, Hanover Community Bank, 336 Larkfield Road, East Northport, SCTM# 0400-118.00-01.00-006.000)	<b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2014-559. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider acquiring Fort Salonga property (Tannenbaum). (SCTM#'s - 0400-061.00-01.00-002.000, 0400-061.00-01.00-0003.000 and 0400-061.00-01.00-004.001)	<b><u>FP</u></b>	<b><u>SB</u></b>	<b><u>5</u></b>
<b>2014-560. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless PCS, LLC for the continued operation of a communications facility at the Dix Hills Water District Facility on Colby Drive.	<b><u>MC</u></b>	<b><u>FP</u></b>	<b>MC-AYE FP-AYE EC-AYE SB-NO <u>TE-ABST</u></b>

**AGENDA FOR TOWN BOARD  
MEETING DATED: NOVEMBER 6, 2014**

<b>RESOLUTIONS:</b>	<b>OFF.</b>	<b>SEC.</b>	<b>VOTE</b>
<b>2014-561. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM</b> To consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless PCS, LLC for the continued operation of a communications facility at the Dix Hills Water District Facility on Wolf Hill Road.	<b><u>MC</u></b>	<b><u>FP</u></b>	<b>MC-AYE FP-AYE EC-AYE SB-NO <u>TE-ABST</u></b>
<b>2014-562. AUTHORIZE</b> the Supervisor to execute a contract with Varron Solutions LLC for matters related to Huntington Station and the Town of Huntington Department of Public Safety.	<b><u>FP</u></b> <b><u>TE</u></b> <b><u>SB</u></b>	<b><u>EC</u></b>	<b><u>5</u></b>
<b>2014-563. AMEND</b> Town Board Resolution 2014-486, to confirm that Highland Green Residence, LLC, instead of Ruland Tax Credit Limited Partnership, is to be a party to the authorized agreement.	<b><u>FP</u></b>	<b><u>MC</u></b>	<b><u>5</u></b>
<b>MOTION TO ADD RESOLUTION #2014-564 TO THE AGENDA.</b>	<b><u>EC</u></b>	<b><u>TE</u></b>	<b><u>5</u></b>
<b>2014-564. MEMORIALIZE</b> a request to the United States Attorney for the Eastern District of New York to investigate allegations of unethical practices in the Town of Huntington.	<b><u>EC</u></b>	<b><u>TE</u></b>	<b><u>5</u></b>
<b>MOTION TO ADD RESOLUTION #2014-565 TO THE AGENDA.</b>	<b><u>SB</u></b>	<b>EC <u>TE</u></b>	<b><u>5</u></b>
<b>2014-565. MEMORIALIZE</b> direction to Town Attorney or her designee to confer with outside authorities and experts and to make any recommendations she deems necessary or desirable for strengthening the Town of Huntington Code of Ethics.	<b><u>SB</u></b>	<b>EC <u>TE</u></b>	<b><u>5</u></b>

AGENDA FOR BOARD OF TRUSTEES'  
MEETING DATED: NOVEMBER 6, 2014

RESOLUTIONS:

OFF. SEC. VOTE

2014-BT

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AGENDA FOR COMMUNITY DEVELOPMENT AGENCY  
MEETING DATED: NOVEMBER 6, 2014

RESOLUTIONS:

OFF. SEC. VOTE

2014-CD

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**INFORMATIONAL SHEET FOR:  
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT  
MEETING DATED: NOVEMBER 6, 2014**

**COMMUNICATION**

**DISTRIBUTION**

- |   |  |
|---|--|
| 1. Letters received Certified Mail – Applying for Liquor Licenses:<br>From: Brett Hughes for Riley’s East Northport (200 Larkfield Road, East Npt);   | Supervisor<br>Town Board<br>Town Attorney<br>Public Safety<br>Fire Inspector<br>Engineering Services<br>Planning & Environment<br><u>cc: Sewage Treatment Facility</u> |
| 2. Letters received Certified Mail – Renewal for Liquor Licenses:   | <b><u>NONE</u></b>   |
| 3. Letter hand delivered from Leigh Ann Varese, District Secretary/Treasurer for the Centerport Fire District, advising the proposed 2015 budget was passed. A copy of the budget was attached.                           | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 4. Letter hand delivered from Karla Wright, District Secretary for the Huntington Fire District, attached was a budget certification and a copy of the final budget for 2015.   | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 5. Letter hand delivered from Candice Thomson, Treasurer for the Huntington Manor Fire District, attached was a copy of the approved 2015 budget.   | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 6. Letter hand delivered from Nancy McFadzen, Secretary for the Commack Fire District, attached was a Certification of the Budget, a copy of the resolution approving the budget and a copy of the final budget for 2015. | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 7. The following was hand delivered from Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District, Certification of the Budget, a copy of the 2015 approved budget and a budget summary.                        | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 8. Letter hand delivered from Liz Beach, Secretary/Treasurer for the Cold Spring Harbor Fire District, attached was a copy of the approved 2015 budget and a budget certification.  | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 9. Letter hand delivered from Edward Flynn, Treasurer for the Melville Fire District, attached was a copy of the approved budget for 2015.  | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |
| 10. Letter hand delivered from Todd Cohen, Secretary for the Dix Hills Fire District, a copy of the approved budget for 2015 and a certification of the budget was attached.  | Supervisor<br>Town Board<br>Town Attorney<br><u>cc: Comptroller</u>  |

11. Letters received in support of Pickle Park from: Carol Albano, Judy Kantianis, Robert Ames, Jean Palmer, Cecelia/George McGann, Jennifer Ingber and President of Greenlawn Lion's Club (signature illegible).
 

Supervisor  
Town Board  
Town Attorney  
cc: Parks & Recreation
12. Letter received from Susan Mullen, Clerk to the Zoning Board of Appeals for Smithtown, regarding a hearing to be held on November 12, 2014 for property located on the southwest corner of Retta Lane and Laurinda Drive in Commack. The property is located within 500 feet of the Town of Huntington property line. Attached was a copy of the application, short environmental assessment form, a map and a copy of a memorandum from the Smithtown Building Director to the Board of Zoning Appeals for Smithtown.
 

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
13. Email received from Marilyn McDermott, thanking Mr. McGloin for his response on the Woodbury Road Traffic Study.
 

cc: Town Attorney
14. Email received from Jerry Matejka regarding the proposed one family rental registration. The writer feels the current legislation is ill timed, will do more harm than good and is inequitable.
 

Town Attorney  
cc: Public Safety
15. Copy of a Public Notice received from Gail Devol, Village Administrator for Huntington Bay, regarding a Board of Trustee meeting to be held on 10/27/2014 at the Huntington Yacht Club. The board will hold public hearings on a proposed local law and also regarding property located at 200 East Shore Road, to legalize a brick patio and obtain an approval for Vision Clearance and Site Plan Review.
 

Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment
16. Letter received from Richard Koubek, President of Huntington Township Housing Coalition, addressed to Joan Cergol, the Director of the Community Development Agency, urging the creation of affordable housing, in particular family and rental housing. Attached was a report by the Housing Coalition.
 

cc: Town Attorney
17. Email received from Sally Spanburgh, Chairperson for the Town of Southampton, Landmarks and Historic Districts, regarding the Hammon House on 73 West Shore Road in Huntington. The writer has attached a letter encouraging the Town Board to approve the landmark designation of the Jupiter Hammon House. Attached was an article about the Pyrrhus Concer House in Southampton.
 

Supervisor  
Town Board  
Town Attorney  
Historian  
cc: Planning & Environment
18. Email received from Scott Yanuck in support of the continuation and expansion of the "Green" initiative within the Town of Huntington.
 

Town Attorney  
cc: Planning & Environment
19. Email received from Cheryl Grossman in support of the Local Law Introductory Number 42-2014.
 

Supervisor  
Town Board  
cc: Town Attorney
20. Letter received from Anne Marie Marrone Caliendo, Assistant Superintendent for Finance and Facilities for the Half Hollow Hills Central School District, attached was a copy of the 2014/2015 budget.
 

Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
21. Emails received requesting a full investigation of Mark Cuthbertson, the Board of Ethics and Financial Disclosure by: Maryann Johnson Tabibzada, Lauren Meagher, Steven Spucces, Ramon Ruiz, Sharon Collins, Alanna Shalinski, Husband and Wife Huntington Town Resident and Homeowner, Kathleen Kufs, Gerard Fenter and Doreen Marino.
 

Supervisor  
Town Board  
cc: Town Attorney
22. Letter received from Jackie Martin, Commodore for the Greater Huntington Council of Yacht & Boating Clubs, thanking the Supervisor and Town Board for the extension of marine patrols and the sanitation boat through the month of September and up to Columbus Day.
 

cc: Town Attorney

23. Letter received (writers name illegible) requesting 30 minute parking spaces in back of the Carillon Dry Cleaners and also more parking spaces in general in the village. Supervisor  
Town Board  
Town Attorney  
cc: Traffic & Transportation
24. Email received from Andy Persich from the Greenlawn Water District, attached was a copy of the 2015 Budget Worksheets. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
25. Letter received from Douglas Hill requesting that memorials no longer be placed in Heckscher Park. Town Board  
Town Attorney  
cc: General Services
26. 2015 Budget Summary received from Bonnie Sammis, District Secretary, for the Halesite Fire District. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
27. Letter received from Susan Racine, Secretary/Treasurer for the East Northport Fire District, attached was a copy of the adopted 2015 budget. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
28. Letter received from Robert W. Ralph, President of the Fair Housing in Huntington Committee Inc. addressed to Joan Cergol, Executive Director of the Community Development Agency, advising that the organization was concerned when they opened the Draft 2015-2019 Consolidated Plan and found that their comments submitted at the October 21, 2014 meeting were withheld. cc: Town Attorney
29. Two emails received from Gerard Seitz, one was requesting all entities to investigate Town of Huntington's Board Member Mark Cuthbertson's improper court receiverships and another regarding suspicious invoices submitted by HUD Director, Robert Fonti to the Town of Huntington. cc: Town Attorney
30. Letter received from Kristi Cartolano, District Secretary for the Eaton's Neck Fire District, attached was a copy of the 2015 Budget. Supervisor  
Town Board  
Town Attorney  
cc: Comptroller
31. Legal Notice for the annual election for the Dix Hills Fire Department hand delivered by Todd Cohen, Secretary. The election will be held on December 9, 2014, between 4:00 PM – 9:00 PM. The election is to elect one Commissioner for a five year term. Supervisor  
Town Board  
cc: Town Attorney
32. Email received from Gerard Fenter requesting the Town Board to approve the administration of an oath to Mr. Cuthbertson regarding agenda items. Supervisor  
Town Board  
cc: Town Attorney
33. Legal Notice for the annual election for the Huntington Fire District was emailed by Karla Wright, Secretary. The election will be held on December 9, 2014, between 3:00 PM – 9:00 PM. The election is to elect one Commissioner for a five year term. Supervisor  
Town Board  
cc: Town Attorney
34. Email received from Susan Seibel, "regarding the laundry mat being built on the corner of Depot Road and West Park Drive in Huntington Station". Supervisor  
Town Board  
Town Attorney  
Engineering Services  
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE PROVISION OF PROFESSIONAL ICE SKATING INSTRUCTION AT THE DIX HILLS PARK ICE RINK FACILITY

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington Department of Parks & Recreation offers professional ice skating lessons and instructional programs at the Dix Hills Ice Rink facility; and

WHEREAS, services by professional ice skating instructors are utilized to provide such lessons and programs; and

WHEREAS, contracts with the skating professionals will expire on December 31, 2014; and

WHEREAS, the execution of contracts with Ice Skating Professionals is not an action pursuant to 6 N.Y.C.R.R. §617.2(b) and therefore, no SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with the following Ice Skating Professional for the provision of ice skating lessons and instructional programs at the Dix Hills Park Ice Rink for the period January 1, 2015 through December 31, 2015:

Daniel Bivona - 88 Parkdale Drive, North Babylon, NY 11703

Montana Browne - 55 Clover Ave, Farmingville, NY 11738

Charlotte Caruso - 1046 Baldwin Road, Dix Hills, NY 11746

Tony Columbo - 108 Boxwood Drive, Kings Park, NY 11754

Craig Cassano - 50-15 217<sup>th</sup> Street, Bayside Hills, NY 11364

Rosemarie Coyle - P.O. Box 256 Greenlawn, NY 11740

Andy Cozzi - 24 Burns Court, Greenlawn, NY 11740

Barbara Deluca - 6 Perri Place, Dix Hills, NY 11746

Lou Deluca - 6 Perri Place, Dix Hills, NY 11746

Peter Dykeman - 62 Osborne Avenue, Mt. Sinai, NY 11766

Jack Greig - 77 Madison Circle, Middle Island, NY 11953

Ken Hoey Coaching, Inc. - 326 Oakwood Road, Huntington Station, NY 11746

Benoit Hogue - 488 Village Oaks Lane, Babylon, NY 11702

Adam Leib, Inc. - 10 St. John Place, Port Washington, NY 11050

Melissa Levine - 31 Kinsella Street, Dix Hills, NY 11746

- Ashley Lombardi – 24 Yellow Top Lane, Smithtown, NY 11787
- Kristie Lynch - 102-20 67th Drive #306, Forest Hills, NY 11375
- Stars and Skates, Inc., Tara Maceiko - 49 Kendrick Lane, Dix Hills, NY 11746
- Melinda Maidel - 37 Spinner Lane, Commack, NY 11725
- Nicole Maltese - 363 Twilight Lane, Smithtown, NY 11787
- Kathy Martinelli - 124 Lone Oak Drive, Smithtown, NY 11787
- Lee Meadows – 2303 Wave Avenue, Medford, NY 11763
- Alicia Narby - 4 Knollwood Road, Huntington, NY 11743
- Corinne Raile Heilbrun - 52 Ridge Drive, Plainview, NY 11803
- Amy Rivers - 9 Leonard Street, Nesconset, NY 11767
- Adam Ross – 210 Ocean Avenue, Massapequa, NY 11758
- Rachel Roye - 203 Oakwood Road, Huntington NY 11743
- Renee Siano, 7 Scott Drive, Smithtown, NY 11787
- Dawn Sikorski - 22 Sugarwood Lane, NY 11725
- Arleen Saxon - 10 Seward Drive, Woodbury, NY 11797
- Kenny Uher – 62 40<sup>th</sup> Street, Islip, NY 11751
- Andrew Veglucci – 1 Himmel Court, Coram, NY 11727
- Marissa Wedlock – 859 Pine Avenue, West Islip, NY 11795
- Jaime Wendt - 189 Burlington Ave, Deer Park, NY 11729
- Barbara Williams - 26 Primrose Lane, Kings Park, NY 11754
- Ron Winicki – 5 Buccaneer Lane, Setauket, NY 11733

FURTHER AUTHORIZES the Supervisor to execute all necessary documents in connection therewith 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.

2014-522

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH HILL'S PET NUTRITION, INC., FOR THE PROVISION OF SCIENCE DIET PET FOOD TO THE HUNTINGTON ANIMAL SHELTER.

Resolution for Town Board Meeting dated: November 6, 2014

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

And seconded by: **COUNCILMAN COOK**

WHEREAS, Hill's Pet Nutrition, Inc., and the Huntington Animal Shelter desire to enter into an arrangement whereby Hill's Pet Nutrition Inc., 400 SW 8<sup>th</sup> Street, Topeka, Kansas 66603 provides its "Science Diet" foods exclusively to the dogs being cared for by the Shelter, and also provides small bags of "Science Diet" for distribution free of charge to each adopted dog; and

WHEREAS, Hill's Pet Nutrition, Inc. has agreed to provide all pet food at a discount rate with shipping costs included; and

WHEREAS, the Huntington Animal Shelter has agreed to pay \$13.73 per forty (40) pound bag of Science Diet Canine Adult Advanced Fitness Professional Pack food; and

WHEREAS, 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 Hill's Pet Nutrition, Inc., for the provision of pet food to the Huntington Animal Shelter, for a term of two years from the effective date of the agreement and renewable for an additional year, unless otherwise terminated, in accordance with such terms and conditions as may be acceptable to the Town Attorney with the cost of the dog food and shipping costs to be charged to Operating Budget Item A3510-4760.

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 EXTENSION TO THE REQUIREMENTS CONTRACT FOR THE TOWN WIDE ALARM SYSTEM REPAIR, INSTALLATION, SERVICE AND CENTRAL STATION MONITORING WITH GENERAL SECURITY, INC.

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: COUNCILMAN CUTHBERTSON

and seconded by: SUPERVISOR PETRONE

WHEREAS, the Town requires a trained, certified alarm service company to provide 24 hour monitoring services, on an as needed basis, for fire, burglary, water monitoring and panic alarm systems at designated Town of Huntington facilities. The Town of Huntington owns and operates facilities where existing fire or burglary/intrusion alarm systems, or both, may be required to be repaired or upgraded; and

WHEREAS, Town Board Resolution 2013-8 authorized the execution of a contract with General Security, Inc. for the town wide alarm system repair, installation, service and central station monitoring, Bid No. TOH 12-12R-079; and

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

WHEREAS, General Security, Inc., 100 Fairchild Avenue, Plainview, New York 11803 has requested the one (1) year extension; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the requirements contract, and any documents in connection and related therewith, with General Security, Inc. for the town wide alarm system repair, installation, service and central station monitoring. The extension period shall be effective for one (1) year commencing on February 16, 2015 to be charged to the various operating budgets in object code 4280, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **SUPERVISOR PETRONE**

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

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

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

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

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

WHEREAS, the execution of an agreement is not an action as defined by 6 N.Y.C.R.R. 671.5 (c) (20), and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension agreement, and any documents in connection and related therewith, with Maxim Healthcare Services D/B/A Maxim Staffing Solutions, 700 Veterans Memorial Highway, Suite 212, Hauppauge, NY 11788 to provide Licensed Practical Nurse for Camp Bright Star. The contract period shall commence January 1, 2015 and terminate December 31, 2015.

2014 - 524

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.

2014-525

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE FRANCHISE AGREEMENT WITH SWEET HILLS EQUESTRIAN STABLES D/B/A SWEET HILLS EQUESTRIAN CENTER TO PROVIDE A HORSEBACK RIDING FACILITY AND LESSONS AT WEST HILLS PARK

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

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

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

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

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

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

WHEREAS, the execution of an agreement is not an action as defined by 6 NYCRR section 671.5 (c) (20), and therefore, no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the franchise agreement, and any documents in connection and related therewith, with Sweet Hills Equestrian Stables, D/B/A Sweet Hills Equestrian Center, 129 Palermo Street, Central Islip NY 11722 to provide a horseback riding facility and lessons at West Hills Park in Huntington. The contract period shall commence January 1, 2015 and terminate December 31, 2015, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014-525

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.

2014-527

RESOLUTION AUTHORIZING THE SUPERVISOR TO COMPLETE AN APPLICATION FOR THE HUNTINGTON SEWER DISTRICT TO PARTICIPATE IN THE NY ALERT PUBLIC NOTIFICATION SYSTEM FOR SEWAGE RELEASES

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Sewage Pollution Right to Know Act (ECL § 17-0826-a) requires publicly owned sewage treatment plants to report any releases of untreated or partially treated sewage since May 1, 2013; and

WHEREAS, Huntington Sewer District, a publicly owned treatment plant, has participated since the law's inception by having an on-line account with the Suffolk County Department of Health Services (SCDHS) for reporting any releases; and

WHEREAS, the New York State Department of Environmental Conservation has created a new on-line system, NY Alert, for the reporting of sewage releases that will replace the existing SCDHS reporting system on January 15, 2015 and has mandated that the chief executive officer of a publicly owned sewage treatment plant complete an application to participate in the NY Alert system on or before December 1, 2014; and

WHEREAS, participating in on-line public notification system for the reporting of any releases of untreated or partially treated sewage is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(20) and (c)(27) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to complete an application to participate in the NY Alert public notification system to report any releases of untreated or partially treated sewage and upon such terms and conditions as approved by 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 ATTENDANCE AT THE HUNTINGTON TOWNSHIP CHAMBER FOUNDATION LEADERSHIP HUNTINGTON PROGRAM

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN EDWARDS, COUNCILMAN CUTHBERTSON

WHEREAS, Leadership Huntington is an educational program for community excellence administered by the Huntington Township Chamber Foundation; and

WHEREAS, tailored specifically to meet the needs of our community, this issue-oriented leadership program is designed to empower a diverse group of existing and emerging leaders with the knowledge and skills necessary to help transform the community; and

WHEREAS, as in the past, the Town Board is desirous of sponsoring one Town employee to attend this worthwhile program; and

WHEREAS, authorizing attendance at the program is a Type II action pursuant to 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the attendance at the Leadership Huntington Program by one Town employee, as follows:

Keith M. Barrett, Deputy Director General Services

HEREBY AUTHORIZES payment of tuition in the amount of TWO THOUSAND FOUR HUNDRED AND NO/100 (\$2,400.00) DOLLARS per participant to be charged to Operating Budget Item A1989-4180.

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.

2014-529

RESOLUTION AUTHORIZING SETTLEMENT OF A CLAIM  
(State Farm No. Fault P.I.P. Transfer v Town of Huntington. Re: Frazzitta)

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, a claim was filed against the Town of Huntington by State Farm Insurance Company on behalf of Anthony Fazzitta seeking to recover for No Fault P.I.P. transfer for medical expenses incurred for personal injury sustained by Anthony Fazzitta in an accident; and

WHEREAS, the Town Attorney has determined it to be in the Town's best interest to settle this matter for a total of twenty-two thousand seven hundred dollars and no cents for strategic purposes with no admission of liability on the part of the Town; and

WHEREAS, the claimant has agreed to accept twenty-two thousand seven hundred dollars and no cents in full settlement of its No Fault P.I.P. claim; and

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

WHEREAS, the settlement of this No Fault P.I.P. claim is not an "action" as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Comptroller is hereby authorized to issue checks in settlement of this matter, not to exceed a total of twenty-two thousand seven hundred dollars and no cents (\$22,700.00) pending receipt of closing papers therein, applied against Operating Budget Item No. A1930.4160 and authorizes the Town Attorney to execute all documents required to effectuate this settlement

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 COMPTROLLER TO AMEND THE 2014 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2014 Operating Budget as follows:

Create the following position:

A-1430-1100 Sr. Clerk Typist \$6,165

Reinstate the following position:

DB-5110-1100 Automotive Equipment Operator \$5,326

DB-5110-1100 Heavy Equipment Operator I 10,246

Abolish the following position:

A-1430-1100 Clerk Typist (\$5,639)

Adjust the following Appropriations:

A-1990-1100 Contingency (\$526)

DB-1990-1100 Contingency (\$15,572)

2014-530

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 COMPTROLLER TO AMEND THE 2014 OPERATING AND CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Highway Department has received additional funding from the State of New York Department of Transportation for the Consolidated Local Street and Highway Improvement Program; 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, this is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. 617.2(b) and therefore no further SEQRA review is required; and

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2014 Operating and Capital Budget as follows:

**Fund Balance to be appropriated:**

DB0599-0599R	Appropriated Fund Balance	\$	250,000
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**Decrease the following appropriations:**

DB5110-4270	Motor Vehicle Rentals	\$	17,000
DB5110-4670	Signs, Road Painting & Markings		15,000

**Increase the following appropriations:**

DB5110-4352	Leaf Bags	\$	32,000
HW5197-2776	Roadway Rehabilitation		150,000
HW8597-2781	Drainage		100,000

2014-531

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.

2014-532

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND AND NEIGHBORHOOD PARKS FUND FOR RECOMMENDED IMPROVEMENTS (HECKSCHER AND VETERANS PARKS)

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Councilman Cuthbertson

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Environmental Open Space and Park Fund Advisory (EOSPA) Committee reviewed and voted to support a nomination from the Director of Engineering Services at its meeting of October 14, 2014 for funding from the EOSPA Park Improvements Fund to install new accessible swings at Heckscher and Veterans Parks to provide greater recreational opportunities for children of all abilities, and

WHEREAS, new molded plastic accessible swings known as "Adaptive Swing Seats" will be installed on existing swing sets replacing two existing swings at each park, and

WHEREAS, the accessible swings involve replacement in-kind and equipment purchase, which may be classified Type II pursuant to SEQRA 6 NYCRR 617.5(c)(2 and 25),

NOW THEREFORE, BE IT

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

**DEPARTMENT OF ENGINEERING SERVICES**

*Accessible swing seats, Heckscher Park, Huntington and Veterans Park, East Northport, not to exceed \$3,000*

Purchase and install accessible swing seats in sets of two, matching existing equipment vendors, with cost to be split between EOSPA Park Improvement and Neighborhood Parks Funds.

AND BE IT FURTHER

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

2014-532

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 ENHANCEMENTS (LARKFIELD ROAD CROSSWALK AND GREENLAWN BROADWAY STREETSCAPING)

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by : **COUNCILWOMAN BERLAND**

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

WHEREAS, the EOSPA Committee reviewed and voted to support a neighborhood enhancement nomination from the Director of Transportation and Traffic Safety, supported by the East Northport Chamber of Commerce, to provide partial funding to match requested Suffolk County Downtown Revitalization Program (SCDRP) grant funding for pedestrian safety improvements to include installation of two pedestrian activated rectangular rapid flashing beacons (RRFBs) to alert motorists that pedestrians are attempting to cross Larkfield Road at the East Northport Library/John J. Walsh Park, in an amount not to exceed \$25,000, and

WHEREAS, RRFBs have produced very high driver compliance in yielding to pedestrians at high-risk uncontrolled crossings and the Transportation and Traffic Safety Department has installed this treatment on Wolf Hill Road at the Birchwood Middle School with great success; and

WHEREAS, the EOSPA Committee reviewed and voted to support a request from the Greenlawn Civic Association for streetscaping support for improvements, such as pavers, sidewalk concrete, and decorative streetlights between Lawrence and Wyckoff Streets as a match toward a SCDRP Round 8 grant, which is being coordinated through and supported by the Department of Engineering Services, in an amount not to exceed \$5,000, and

WHEREAS, the Town Board authorized the Supervisor to receive grant funding in connection with the Round 8 Suffolk County approved the design, and

WHEREAS, the proposed Larkfield Road crosswalk is classified Type II pursuant to 6 NYCRR 617.5(c)(16) as it involves installation of a traffic control device on an existing street and the Broadway streetscape enhancements are classified Type II pursuant to 6 NYCRR 617.5(c)(1, 2 and 20) as they involve repair and rehabilitation as a component of an ongoing program;

NOW THEREFORE, BE IT

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

**DEPARTMENT OF TRANSPORTATION AND TRAFFIC SAFETY**

*Larkfield Road Crosswalk Project, not to exceed \$25,000*

Install two pedestrian activated rectangular rapid flashing beacons and associated improvements

**DEPARTMENT OF ENGINEERING SERVICES**

*Broadway, Greenlawn Streetscaping Project, not to exceed \$5,000*

Install streetscaping enhancements on Broadway-Greenlawn Road (Between Lawrence Street and Wyckoff Street), including, but not limited to new conduit, electric cable, decorative street lights, concrete sidewalk, concrete driveway aprons, and brick pavers, as a partial match to a Suffolk County Downtown Revitalization Program grant

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.

RESOLUTION ALLOWING TOWN EMPLOYEES TO DONATE ACCRUED SICK, VACATION OR PERSONAL TIME FROM THEIR ACCOUNTS TO THE ACCOUNT OF DEBRA COTUGNO

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, any employee may at his or her sole discretion, elect to donate one or more of his/her then accumulated sick, vacation or personal days of his/her Bank to be made available to Debra Cotugno, an employee of the Town, who has exhausted her accumulated sick leave due to a bona fide medical reason; and

WHEREAS, such day or days shall be deducted from the donor's accumulated sick, vacation or personal leave and shall reduce the Town's obligation to pay for or give credit for that day or days to the donor employee at any time during or after the donor's employment with the Town; and

WHEREAS, the administration of the Bank can in no way expand the Town's current maximum level of obligation to pay for or to provide sick, vacation or personal time to any employee; and

WHEREAS, any donated time shall only be used during the time Debra Cotugno remains as an employee and shall not inure to her benefit after her employment has ceased, nor to the benefit of her heirs.

WHEREAS, authorizing the donation by Town employees of sick, vacation or personal time is not an action as defined by §617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY ALLOWS the donation of previously accrued sick, vacation or personal time by Town employees to fellow employee Debra Cotugno and directs the Comptroller to transfer funds as necessary.

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.

2014-536

RESOLUTION APPOINTING VOLUNTEER PARK STEWARDS

Resolution for Town Board Meeting Dated: November 6, 2014

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:

Rich Berube	33 Gull Hill Drive, Northport, NY 11768	Meadowlark Park
Susan Guralnick	6 Renwick Avenue, Huntington, NY 11743	Carpenter Farm Park
Judith Lom	44 Tilden Lane, Greenlawn, NY 11740	Carpenter Farm Park
Joan Mulligan-McGrath	22 Burr Avenue, Northport, NY 11768	Carpenter Farm 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.

RESOLUTION GRANTING PERMISSION FOR THE HUNTINGTON TOWNSHIP CHAMBER OF COMMERCE TO HOLD A SIDEWALK SALE IN CONJUNCTION WITH THE HOLIDAY PARADE, TREE LIGHTING AND STREET FESTIVAL

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Huntington Chamber of Commerce is organizing a sidewalk sale event in Huntington's downtown "shopping village" on Small Business Saturday; and

WHEREAS, the date of the sidewalk sale is Saturday, November 29, 2014 from 9 a.m. until 5:00 p.m.; and

WHEREAS, the sidewalk sale is part of the Town's Holiday Parade, Tree Lighting and Street Festival; and

WHEREAS, the sidewalk sale is exclusive to downtown Huntington merchants for the purpose of encouraging patronage of the areas retail and restaurant establishments and to encourage participation in the Town's Holiday events; and

WHEREAS, granting permission for a sidewalk sale event is not an action as defined by NYCRR §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY GRANTS permission to the Huntington Township Chamber of Commerce to hold a sidewalk sale on Saturday, November 29, 2014 from 9:00 a.m. until 5:p.m., in conjunction with the Holiday Parade, Tree Lighting and Street Festival, with such permission being subject to the following: 1) the execution of a Hold Harmless and Indemnification Agreement, by an authorized representative of the Huntington Town ship Chamber of Commerce; 2) the submission of insurance documents in a form acceptable to the Town Attorney; and 3) 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 Edwards	<b>AYE</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

# 2014-538

## RESOLUTION SCHEDULING REGULAR MEETINGS OF THE TOWN BOARD OF THE TOWN OF HUNTINGTON FOR THE YEAR 2015

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, scheduling regular meetings of the Town Board 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 schedules regular meetings of the Town Board of the Town of Huntington, at Town Hall, 100 Main Street, Huntington, New York, for the year 2015, as follows:

	<u>2:00 PM</u>	<u>6:00 PM</u>	<u>7:00 PM</u>
JANUARY	13 <sup>th</sup>		
FEBRUARY			10 <sup>th</sup>
MARCH	10 <sup>th</sup>		
APRIL			14 <sup>th</sup>
MAY	12 <sup>th</sup>		
JUNE			9 <sup>th</sup>
JULY	14 <sup>th</sup>		
AUGUST	11 <sup>th</sup>		
SEPTEMBER	16 <sup>th</sup> (Wednesday)		
OCTOBER		6 <sup>th</sup>	
NOVEMBER	5 <sup>th</sup> (Thursday)		
DECEMBER			8 <sup>th</sup>

All meetings will be held on Tuesday unless otherwise indicated above.

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.

2014-539

RESOLUTION WAIVING PARKING METER FEES IN THE DOWNTOWN SHOPPING AREA KNOWN AS HUNTINGTON VILLAGE AND AUTHORIZING THE INSTALLATION OF HOLIDAY TYPE LIGHTS AND DECORATIONS DURING THE HOLIDAY SEASON IN VARIOUS AREAS

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, in an effort to stimulate business and encourage residents to shop locally during the holiday season, the Town Board is desirous of waiving parking meter fees in the downtown shopping area known as Huntington Village for the period beginning November 28, 2014 and ending December 31, 2014; and

WHEREAS, the Huntington Township Chamber of Commerce and Huntington Business Improvement District Association, the Huntington Station Business Improvement District Association, and the East Northport Chamber of Commerce have requested permission to install lights and other decorations in keeping with the holiday spirit within their business areas during the holiday season; and

WHEREAS, the following are the areas defined by each organization:

Huntington Township Chamber of Commerce/Huntington Business Improvement District Association – the business area known as Huntington Village;

Huntington Station Business Improvement District Association – the Huntington Station business area along New York Avenue

East Northport Chamber of Commerce – the business area along Larkfield Road; and

WHEREAS, the East Northport Chamber of Commerce has also requested permission to display a Menorah and Nativity Scene at the Northport Railroad Station; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY WAIVES parking meter fees in the downtown shopping area known as Huntington Village (as defined in the Business Improvement District) for the period beginning November 28, 2014 and ending December 31, 2014; and

2014-539

HEREBY AUTHORIZES the Huntington Township Chamber of Commerce and Huntington Village Business Improvement District Association, the Huntington Station Business Improvement District Association and the East Northport Chamber of Commerce to install and maintain holiday type lights in their business areas during the holiday season for the period beginning November 25, 2014 and ending January 15, 2015; subject to any rules, regulations, charges and/or permits required by the Long Island Power Authority (LIPA); and

HEREBY AUTHORIZES the East Northport Chamber of Commerce to place a Menorah and Nativity Scene on Town Property located at the Northport Railroad Station for the period beginning November 28, 2014 and ending December 31, 2014.

VOTE:                    AYES:    5            NOES:    0    ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ADOPTING THE 2015 PRELIMINARY ANNUAL OPERATING BUDGET, AS THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2015

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD, having conducted a public hearing on the 21<sup>st</sup> day of October, 2014, for the purpose of considering the Preliminary Annual Operating Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2015, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Annual Operating Budget should be amended and adopted, as amended;

HEREBY ESTABLISHES AND ADOPTS the 2015 Preliminary Annual Operating Budget, as the Annual Operating Budget for the Town of Huntington for the fiscal year commencing January 1, 2015; and

HEREBY DIRECTS that said Annual Operating Budget be entered in detail in the minutes of the proceedings of the Town Board; and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Annual Operating Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE:                      AYES:    4                      NOES:    1                      ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-541

RESOLUTION ADOPTING THE CAPITAL BUDGET FOR FISCAL YEAR COMMENCING JANUARY 1, 2015

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD, having conducted a public hearing on the 21st day of October, 2014, for the purpose of considering the Preliminary Capital Budget heretofore completed and filed with the Town Clerk for the fiscal year commencing January 1, 2015, and having heard all persons desiring to be heard with reference to this matter, and having determined that the Preliminary Capital Budget should be adopted,

HEREBY ESTABLISHES AND ADOPTS the Capital Budget for the Town of Huntington for the fiscal year commencing January 1, 2015; and

HEREBY DIRECTS that said Capital Budget be entered in detail in the minutes of the proceedings of the Town Board, and

FURTHER DIRECTS that the Town Clerk prepare and certify, as provided by law, duplicate copies of the said Capital Budget adopted, and deliver two copies of said budget to the Supervisor of the Town of Huntington who shall submit said copies to the Clerk of the Suffolk County Legislature at County Center, Riverhead, New York, as required by law.

VOTE:                      AYES: 4                      NOES: 1                      ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-542

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE HUNTINGTON  
SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 6, 2014

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

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2014-471 scheduled a public hearing on the assessment roll for the Huntington Sewer District for the 21<sup>st</sup> day of October, 2014; and

WHEREAS, the assessment roll and proposed budget for the Huntington Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Huntington Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 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, having held a public hearing on the 21<sup>st</sup> day of October, 2014, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Huntington Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2014-542

VOTE: AYES: 4 NOES: 1 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-543

ENACTMENT: ADOPT THE ASSESSMENT ROLL FOR THE CENTERPORT SEWER DISTRICT

Resolution For Town Board Meeting Dated: November 6, 2014

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

And seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Town Board Resolution 2014-472 scheduled a public hearing on the assessment roll for the Centerport Sewer District for the 21<sup>st</sup> day of October, 2014; and

WHEREAS, the assessment roll and proposed budget for the Centerport Sewer District has been on file in the Office of the Huntington Town Clerk for public inspection; and

WHEREAS, in compliance with Town law §239 and applicable law, no less than ten (10) and no more than twenty (20) days before the public hearing on the assessment roll, a notice of completed assessment roll and public hearing on such roll was published at least once in a newspaper published within the Town; and

WHEREAS, in compliance with Town law §239 and applicable law, the notice of completed assessment roll and public hearing was mailed to each owner of taxable property in the Centerport Sewer District; and

WHEREAS, notarized affidavits of service of mailing and the names and address to whom the notice was mailed are on file in the Office of the Town Clerk; and

WHEREAS, a determination on the assessment roll pursuant to Town Law §202-a and Town law §239 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, having held a public hearing on the 21<sup>st</sup> day of October, 2014, and due deliberation having been had,

HEREBY ADOPTS the assessment roll for the Centerport Sewer District, and directs that a copy of this resolution and the adopted assessment roll be filed with the Huntington Town Clerk forthwith.

2014-543

VOTE:            AYES:    4        NOES:    1        ABSTENTIONS:    0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 - 544

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 38 - 2014, AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER I (GENERAL PROVISIONS), CHAPTER 3 (PARKING REGULATIONS) AND CHAPTER 4 (PARKING FIELDS)

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 21st day of October, 2014 at 6:00 p.m. to consider adopting Local Law Introductory No. 38-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields), and due deliberation having been had,

HEREBY AMENDS Resolution No.: 2014-126 adopted on March 4, 2014 to the extent it provides for free twelve-hour LIRR parking in off-street metered zones (Schedule "L") to persons with disabilities only when they are parked in designated parking stalls, and same is hereby stricken on the basis that it conflicts with the Uniform Traffic Code providing free metered parking to all persons with disabilities regardless of whether parking stalls are marked for their use, and leaves the balance of Resolution No.: 2014-126 in full force and effect; and

HEREBY ADOPTS

Local Law Introductory No. 38-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields), as follows:

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

LOCAL LAW NO. 38 - 2014

AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER I (GENERAL PROVISIONS), CHAPTER 3 (PARKING REGULATIONS) AND CHAPTER 4 (PARKING FIELDS)

Section 1. Amendment to Chapter 1 (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields) of the Uniform Traffic Code of the Town of Huntington; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

CHAPTER 1

(GENERAL PROVISIONS)

ARTICLE I  
(DEFINITIONS; WORD USAGE)

§1-1. Definitions of words and phrases.

\* \* \*

(B) The following words and phrases, which are not defined by Article I of the Vehicle and Traffic Law of the State of New York, shall have the following meanings:

\* \* \*

[VEHICLE, ALTERNATIVE FUEL - Any motor vehicle which is powered by clean-burning fuels such as compressed natural gas (CNG); liquefied natural gas (LNG); liquefied petroleum gas (LPG); (propane); hydrogen; electricity (including electricity from solar energy); coal derived liquid fuels; 100% bio-diesel, and any other fuel which is at least 85% alcohol (any kind) including methanol (M85) and denatured ethanol. Alternative fuel vehicles shall include dedicated natural gas vehicles (NGV's) which are designed to run only on natural gas, bi-fuel NGVs which have two separate fueling system enabling these vehicles to use either natural gas or conventional fuel such as gasoline or diesel, and those vehicles which have been retrofitted or converted into an alternative fuel vehicle.]

VEHICLE, PLUG-IN ELECTRIC [OR HYBRID] - A plug-in electric vehicle (PEV) is any motor vehicle that can be recharged from any external source of electricity, such as wall sockets, and the electricity stored in the rechargeable battery packs drives or contributes to drive the wheels, including all-electric or battery electric vehicles (BEVs), plug-in hybrid vehicles (PHEVs), [and electric vehicle conversions of hybrid electric vehicles and conventional internal combustion engine vehicles.]

\* \* \*

ARTICLE III  
(ENFORCEMENT; PENALTIES)

\* \* \*

§1-7. Penalties.

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

\* \* \*

(B) Fifty dollars (\$50): §TC3-3(F), §TC3-6(C), §TC3-7, and §TC4-3(F)(2) [and §TC4-23].

- (C) One hundred dollars (\$100) for the first offense; One Hundred fifty dollars (\$150) for the second offense; One hundred seventy-five dollars (\$175) for each and every offense thereafter: §3-2; §3-3(A), (D) and (E); §4-1(A)(1) and (C); §4-3(B), (C), (E), (F)(1), (F)(7) and (F)(8); §4-12; §4-13; §4-14; and §4-15. [, §4-24, §4-25 and § 4-26].
- (D) Two hundred dollars (\$200): §2-2; §2-3; §3-3(C); [§4-1(A)(5);] [§4-2(C);] and §4-3(F)(6).

\* \* \*  
 CHAPTER 3  
 (PARKING REGULATIONS)

\* \* \*  
 [ARTICLE V]  
 [(PARKING FOR HYBRID AND ALTERNATIVE FUEL VEHICLES)]

[§3-19.] [Application of provisions. The provisions of this article shall apply to all nonresidential private parking fields and parking garages open or available for use by the general public.]

[§3-20.] [Reserved.]

[§3-21.] [Required number of spaces. Parking spaces for hybrid and alternative fuel vehicles shall be provided pursuant to the following table:]

[Total Number of Parking Spaces In Field or Garage]	[Number of Parking Spaces for Hybrid/Alternative Fuel Vehicle]
[1 to 25]	[0]
[26 to 50]	[0]
[51 to 75]	[1]
[76 to 100]	[1]
[101 to 150]	[2]
[151 to 200]	[2]
[201 to 300]	[2]
[301 to 400]	[3]
[401 to 500]	[4]
[501 to 1,000]	[1% of total]
[Over 1,000]	[1% of total]

[§3-22.] [Designation of spaces.]

[Parking spaces for hybrid and alternative fuel vehicles shall be clearly identified by above-grade signs. Such signs shall be installed and maintained so that the bottom of the signs are at a height not less than five (5) feet nor more than (7) feet from the parking surface. There shall be a minimum of one (1) such sign for each two (2) spaces.]

CHAPTER 4  
(PARKING FIELDS)

ARTICLE I  
(USE REGULATIONS)

§4-1 Private parking fields listed in Schedule K.

In accordance with §1660-a of the Vehicle and Traffic Law, traffic and parking regulations are hereby established as follows for the private parking fields listed in Schedule K, pursuant to the written request of either the owner or the person in general charge of the operation and control of such parking fields:

(A) No vehicle shall be stopped, left standing or parked:

\* \* \*

[(5)] [In parking spaces designated as reserved for hybrid or alternative fuel vehicle parking, whether or not the vehicle is occupied, unless a valid permit has been issued by the Huntington Town Clerk and is conspicuously displayed on the vehicle.]

\* \* \*

§4-2. Parking fields in shopping centers or facilities comprising of five or more retail stores and having 20 or more off-street parking spaces.

\* \* \*

[(C)] [No person shall park, leave standing or stop a motor vehicle, whether or not the vehicle is occupied, in a parking space designated for hybrid or alternative fuel vehicles unless a valid permit has been issued by the Huntington Town Clerk and is conspicuously displayed on the vehicle.]

§4-3. Town parking fields.

\* \* \*

(F) In any Town parking field, it shall be unlawful to stop, leave standing or park a vehicle as follows:

\* \* \*

(6) [Hybrid and alternative fuel vehicles.] Plug-in Electric Vehicles.

[(a)] [In parking spaces designated as reserved for hybrid or alternative fuel vehicles, whether or not the vehicle is occupied, unless a valid permit has been issued by the Huntington Town Clerk.]

[(b)] In parking spaces designated as reserved for plug-in electric vehicles, [, whether or not the vehicle is occupied, unless the vehicle is wholly or partly powered by electricity and a valid permit has been issued by the Huntington Town Clerk.]

\* \* \*  
ARTICLE II  
(COMMUTER PARKING)

\* \* \*  
§4-13. Non-transferability of permit. No person shall permit or allow a permit to be posted on a vehicle other than the vehicle for which the permit was issued without the consent of the Huntington Town Clerk. Such permit shall be null and void without such consent. The person or entity to whom the permit was originally issued and the owner of the vehicle where the permit has been unlawfully posted shall be strictly liable for a violation of this chapter.

\* \* \*  
[ARTICLE III]  
[(HYBRID AND ALTERNATIVE FUEL VEHICLES)]

[§4-20.] [Permit requirements. Hybrid and alternative fuel permits shall be issued by the Huntington Town Clerk only for vehicles which are registered or leased to a resident of the Town of Huntington, upon such conditions and restrictions as deemed advisable by the Huntington Town Clerk.]

[§4-21.] [Permit application.]

[(A)] [No application fee shall be required for the issuance of a permit; and]

[(B)] [All applicants shall present a copy of the vehicle registration card, proper proof of residency and proof to the satisfaction of the Town that the vehicle is a hybrid or alternative fuel vehicle. Motorists who lease a hybrid or alternative fuel vehicle shall present a true copy of the lease and any other proof required by the Town before a permit will be issued; and]

[(C)] [The Director of Public Safety shall provide the Huntington Town Clerk with an updated list of hybrid and alternative fuel vehicles once every three (3) months or sooner if requested by the Town Clerk. In the event a question arises as to whether a vehicle qualifies as a hybrid or alternative fuel vehicle, the decision of the Director of Public Safety shall control and be final.]

[§4-22.] [Term of permit. Such permits shall be valid from the date of issuance to 12:00 midnight on December 31st of the year next following the date of issue.]

[§4-23.] [Placement and removal of permit. All permits shall be properly and securely affixed to the inside of the upper left corner of the rear window of the vehicle for which it was issued, and shall be unobstructed at all times so as to be clearly visible. All expired parking permits shall be removed from the vehicle upon expiration. A permit holder who fails to post or remove a permit in compliance with this section shall be in violation of this chapter.]

[§4-24.] [Non-transferability of permit. No person shall permit or allow a permit to be posted on a vehicle other than the vehicle for which the permit was issued. Such permit shall be null and void. The person or entity to whom the permit was originally issued and the owner of the vehicle where the permit has been unlawfully posted shall be strictly liable for a violation of this chapter.]

[§4-25.] [Alteration of permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a parking permit issued pursuant to this chapter. The owner of the vehicle and/or permit holder shall be strictly liable for a violation of this section.]

[§4-26.] [Assignment of permit. Assignment of a permit is prohibited. It shall be unlawful to assign a permit to the new owner of a vehicle for which a permit has been issued. Such assignment shall be null and void. Failure to comply with this section shall be deemed a violation of this chapter.]

[§4-27. through §4-30. (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: 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.

2014-545

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 39 - 2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 159 (RECREATIONAL FACILITIES); ARTICLE I (DEFINITIONS), ARTICLE II (USE REGULATIONS AND RESTRICTIONS) AND ARTICLE III (PERMIT FOR USE OF PARK FACILITIES)

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **SUPERVISOR PETRONE**

THE TOWN BOARD having held a public hearing on the 21st day of October, 2014 at 6:00 p.m. to consider adopting Local Law Introductory No. 39-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions), Article II (Use Regulations and Restrictions), and Article III (Permit for Use of Park Facilities) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 39-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities), Article I (Definitions), Article II (Use Regulations and Restrictions), and Article III (Permit for Use of Park Facilities; as follows:

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

LOCAL LAW NO. 39 - 2014

AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 159 (RECREATIONAL FACILITIES)  
ARTICLE I (DEFINITIONS), ARTICLE II (USE REGULATIONS AND  
RESTRICTIONS) AND ARTICLE III (PERMIT FOR USE OF PARK FACILITIES)

Section 1. Chapter 159 (Recreational Facilities), Article I (Definitions), Article II (Use Regulations and Restrictions), and Article III (Permit for Use of Park Facilities) of the Huntington Town Code is hereby amended, as follows:

CHAPTER 159  
(RECREATIONAL FACILITIES)

ARTICLE I  
(DEFINITIONS)

§159-1. Definitions.

As used in this chapter the following words shall have the meanings indicated:

\* \* \*

[VEHICLE, ALTERNATIVE FUEL - Any motor vehicle which is powered by clean-burning fuels such as compressed natural gas (CNG); liquefied natural gas (LNG); liquefied petroleum gas (LPG) (propane); hydrogen; electricity (including electricity from solar energy); coal-derived liquid fuels; one hundred (100%) percent bio-diesel, and any other fuel which is at least eighty-five (85%) percent alcohol (any kind) including methanol (M85) and denatured ethanol. Alternative fuel vehicles shall include dedicated natural gas vehicles (NGVs) which are designed to run only on natural gas, bi-fuel NGVs which have two separate fueling systems enabling these vehicles to use either natural gas or conventional fuel such as gasoline or diesel, and those vehicles which have been retrofitted or converted into an alternative fuel vehicle.]

[VEHICLE, HYBRID - Any gas-electric powered motor vehicle.]

\* \* \*

ARTICLE II  
(USE REGULATIONS AND RESTRICTIONS)

\* \* \*

§159-12. Beach use and parking.

\* \* \*

[C.] [Hybrid or alternative fuel vehicles.]

[(1)] [No fee shall be required for the parking of any hybrid or alternative fuel vehicle which is registered or leased to a resident of the Town of Huntington, and for which a valid permit has been issued by the Huntington Town Clerk. All applicants shall present a copy of the vehicle registration card, proper proof of residency and proof to the satisfaction of the Town that the vehicle is a hybrid or alternative fuel vehicle. Motorists who lease a hybrid or alternative fuel vehicle shall present a copy of the lease and any other proof required by the Town before a permit will be issued. Such permits are not transferable to another vehicle and shall be valid from the date of issuance to 12:00 midnight on December 31st of the year next following the date of issue.]

[(2)] [The Director of Public Safety shall provide the Huntington Town Clerk with an updated list of hybrid and alternative fuel vehicles once every three (3) months or sooner if requested by the Town Clerk. In the event a question arises as to whether a vehicle qualifies as a hybrid or alternative fuel vehicle, the decision of the Director of Public Safety shall control and be final.]

[(3)] [All such permits shall be securely affixed to the right, rear passenger-side window of the vehicle and shall be unobstructed at all times so as to be clearly visible.]

\* \* \*

§ 159-17. Use of designated picnic areas.

A. Reservation of picnic areas.

(2) Applications to reserve designated picnic areas shall be filed with the Department of Parks and Recreation no later than [two (2) weeks] fifteen (15) business days before the scheduled event. No application shall be complete and no permit will be issued unless accompanied by the requisite application fee and [any other document deemed necessary] all documents required by the Director.

ARTICLE III  
PERMIT FOR USE OF PARK FACILITIES

§ 159-31. Permit; application and issuance.

(B) Application. Applications with all required documents shall be filed no later than [two (2) weeks] fifteen (15) business days before [the] an event as specified on forms provided by the Department of Parks and Recreation. A permit may be denied if all required documents are not submitted within the specified time period. All applications shall be filed with the following:

(2) In the case of special events, a [cash] deposit in an amount fixed by the Director to protect against damage to public property; to insure the area is left in a clean and usable condition; and to reimburse the Town for the direct and incidental costs incurred as a result of the function including the costs of added security. The deposit may be made by credit card, check or money order payable to the Town of Huntington. Any deposit posted shall be refunded if no damage has occurred, all trash has been properly disposed of, and after all costs incurred by the Town have been reimbursed. The permit holder shall be liable for all costs or damages which exceed the amount deposited.

Section 2. Severability.

If any clause, 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 effect, 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 part therein.

2014-545

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.

\*\*\* INDICATES NO CHANGE IN PRESENT TEXT.  
ADDITIONS ARE INDICATED BY UNDERLINE.  
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.

2014 - 546

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 40-2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.  
RE: ANCHORAGE LANE, HALESITE - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 21<sup>st</sup> day of October, 2014 at 6:00 p.m. to consider adopting Local Law Introductory No. 40-2014 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. 40-2014 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. 40-2014  
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:

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

2014-546

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD: Anchorage Lane/North From New York Ave. (Rt. 110) west for 190 ft. (HLS)	No Standing	-----
Anchorage Lane /South From New York Ave. (Rt. 110) west for 175 ft. (HLS)	No Standing	-----
Anchorage Lane/West From 375 ft. north of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HLS)	No Standing	-----
Anchorage Lane/East From 270 ft. north of New York Ave. (Rt. 110) to New York Ave. (Rt. 110) (HLS)	No Standing	-----

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.

2014-546

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.

2014 - 547

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 41-2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,  
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.  
RE: BAGATELLE ROAD, DIX HILLS - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: November 6, 2014

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

and seconded by: **COUNCILMAN CUTHBERTSON**

THE TOWN BOARD having held a public hearing on the 21<sup>st</sup> day of October, 2014 at 6:00 p.m. to consider adopting Local Law Introductory No. 41-2014 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. 41-2014 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. 41 - 2014  
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:

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

2014-547

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD: Bagatelle Road/West From Half Hollow Rd south for 115 feet (DXL)	No Parking	-----

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE:            AYES: 5            NOES: 0            ABSTENTIONS: 0

Supervisor Frank P. Petrone	<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.

2014-548

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 43 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS), §198-42 (DESIGNATION OF SITES AND BUILDINGS), TO DESIGNATE AS AN HISTORIC LANDMARK THE BUILDING AND PROPERTY KNOWN AS THE JUPITER HAMMON HOUSE, 73 WEST SHORE ROAD, HUNTINGTON, PART OF SCTM# 0400-026-02-041.

Resolution for Town Board Meeting dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 21st day of October, 2014 to consider adopting Local Law Introductory No. 43 - 2014 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an historic landmark the building and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington, proposed Lot 1 of Fuschetto Plat, part of SCTM# 0400-026-02-041, and due deliberation having been had;

HEREBY ADOPTS the report of the Huntington Historic Preservation Commission submitted to the Town Board pursuant to the Code of the Town of Huntington §198-40.3, attached hereto as Exhibit A and made a part of this resolution, setting forth the findings and recommendations of the Commission in support of the historic landmark designation of the buildings and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington; and

HEREBY ADOPTS Local Law Introductory No. 43 – 2014 as follows:

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

LOCAL LAW NO. 42 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON CHAPTER 198  
(ZONING) ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)  
§198-42 (DESIGNATION OF SITES AND BUILDINGS)

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

CHAPTER 198 (ZONING)  
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)

§198-42 (DESIGNATION OF SITES AND BUILDINGS)

§198-42. Designation of Sites and Buildings

\* \* \*

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

\* \* \*

( 114 ) Jupiter Hammon House, 73 West Shore Road, Huntington, proposed Lot 1 of Fuschetto Plat, p/o SCTM# 0400-026-02-041.

\* \* \*

Section 2. Severability

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

Section 3. Effective Date

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-548

Exhibit A



# TOWN OF HUNTINGTON

FRANK P. PETRONE, Supervisor

RECEIVED  
JUL 30 2014

TOWN OF HUNTINGTON  
DEPARTMENT OF PLANNING  
& ENVIRONMENT

## MEMORANDUM

To: Supervisor Petrone and Members of the Town Board

cc: Cindy Mangano-Elan, Town Attorney  
 Pat DeCol, Deputy Supervisor  
 Anthony Aloisio, Planning Department  
 Stacy Basso, Building Department  
 Irene Moore, African American Historic Designation Council

Jo-Ann Raia, Town Clerk  
 Paul Mandelik, Planning Board  
 Joseph Cline, Engineering Department  
 Craig Turner, Planning Department

From: The Historic Preservation Commission *RCH*

Date: July 29, 2014

Re: 73 West Shore Road Historic Designation Report  
SCTM # 400-26-02-41

Director	
Deputy Director	
Agenda	
File	

Pursuant to a motion made by Mr. Leek, seconded by Mr. Walker, at its July 28, 2014 meeting, the Historic Preservation Commission recommends that the Town Board designate as a Huntington historic landmark the Jupiter Hammon House at 73 West Shore Road.

### Report of the Preservation Commission Under Town Code § 198-40.3

This report is submitted pursuant to Town Code § 198-40.3 in support of the Commission's recommendation that the above-referenced property be designated a Huntington historic landmark.

With 15 days prior written notification, the owner of the property, as identified on the current tax rolls in the Tax Assessor's Office, was invited to attend the Commission meeting on November 25, 2013. At the meeting, the owner expressed his support for landmark designation. The owner was also invited to the Commission's July 28, 2014 meeting at which time he repeated his support for landmark designation.

According to the owner, he paid \$535,000 for the property even though comparable houses in the neighborhood would sell for more than \$100,000 less. The price anticipated a successful two-lot subdivision. The owner has recently secured Zoning Board approval for a two lot subdivision. The proposed subdivision sets the Jupiter Hammon House on its own lot with the specific intention of preserving the house. Therefore, no hardship will be created by landmark designation.

### **Conclusion**

For the reasons set forth herein, the Commission respectfully recommends that the Jupiter Hammon House at 73 West Shore Road, be designated a Huntington historic landmark.

### **Attachments**

- Tax map with the subject property outlined
- Photographs of the house
- Copy of the 1821 Statement of Benjamin Hammon
- Affidavit of Service

- Is identified with historic personages or is the site of a historic event in the Town, region, state or nation.
- Because of its unique location or singular physical characteristic, or landscape, topographical features, earthworks or streetscape represents an established and familiar visual or aesthetic feature of the neighborhood.

The house is important because of its association with Jupiter Hammon and; moreover current research indicates that it was the first house in Huntington purchased by an African American. In fact, it was the first such purchase in an area that would become an early African American enclave in the Town of Huntington.

The house is representative of the area's working class origins and is an important contributing element of the streetscape in this area that has changed little in over 100 years. The context of the street would be irretrievably altered if the house were allowed to be demolished. In 2005, several neighboring residents expressed support for landmark designation and also said they would support formation of a historic district in this area.

#### **General Condition**

The house, which is listed on the Town's 1979 Inventory of Historic Structures, was recently renovated and is currently occupied. The Commission's inspection of the building on March 11, 2005—before it was renovated—indicated that very little work was needed at that time.

A small, detached garage was a later addition and has been demolished.

#### **Relationship to the Immediate Surrounding Area**

The house sits on a hilly 1½-acre lot that lies partly in the R-10 zone and partly in the R-7 zone. Across the street to the east are the Mill Dam Park ball fields. To the north and south are mid-nineteenth century to pre-World War I residences on small lots. To the west are mid-twentieth century residences on one-acre lots.

In September 2013, the owners received variances from the Zoning Board of Appeals to allow a two lot subdivision of the property. The historic house would sit on its own 8900 square foot lot. The second lot would be a 1.1 acre flag lot. The two properties would share a common driveway. The subdivision was drawn with the intention of preserving the historic house. This recommendation is for the soon to be created lot with the historic house. The Commission does not recommend inclusion of the new vacant lot.

#### **Extent of Hardship**

Under the principles of historic preservation law, a property owner has not suffered economic hardship if he is able to realize a reasonable return on his investment. Penn Central v. New York City, 438 U.S. 104 (1978).

## Historical Background

The Jupiter Hammon House sits along what was once the Huntington Harbor waterfront on land that had been divided and settled as early as the seventeenth century. Based on the framing and fabric, the existing house appears to have been built between 1790 and 1800. The visible floor framing indicates that the house may be framed in the Dutch manner, which would make it a rare example of the close interaction of English and Dutch settlers in the central section of Long Island.

The house was originally a story and a half structure with a saltbox profile and a chimney on the southwest gable end. A later addition resulted in a central chimney configuration.

Extensive research of census records, land deeds and other materials reveals the following history. The house was built after the 1790 census, perhaps about 1795, for Stephen Brown. According to a statement made under oath by Benjamin Hammon on January 25, 1821 (a copy of a transcription of which is attached), Brown sold the house and lot to Benjamin and Phoebe Hammon in 1799 for \$125 paid in cash. This is the earliest known record of land in Huntington purchased by an African American. The 1800 census named as head of household for the family residing in this house none other than Jupiter Hammon, America's first published African American poet and pioneer abolitionist, whose observations influenced the drafting of New York's Manumission Act of 1799. Jupiter Hammon, a former slave of the Lloyd family and the great uncle of Benjamin, lived here in the care of Benjamin and Phoebe Hammon until his death in 1805 at the age of 94. After the loss of Jupiter's steady income from an orchard on Lloyd Neck, the Hammon family sold the homestead to William Place. It was inherited in 1835 by John Place, who sold it to William Tillot before 1858. The 1873 atlas shows W.W. Brown as the owner of the property.

The house is the earliest along this section of West Shore Road, which prior to the filling of the millpond in the 1950s, was waterfront property. In the 1920s, a large dormer and front porch were added and the chimney was removed. However, significant original fabric remains. The chestnut framing and flooring on the first floor are almost completely intact and perhaps 60% intact on the second floor. The front entrance woodwork is original and several of the windows date to the 1840s.

The house, along with its neighbors, is a survivor of the area's working class origins. Early residents of this area were employed as artisans in various waterfront industries in the nineteenth century.

## Town Code Criteria

Under the Town Code, a property is eligible for landmark designation if it meets one or more factors set forth in § 198-40.1. The Jupiter Hammon House qualifies because it

- Possesses special character, or historic or aesthetic interest, or value as part of the broad cultural, political, economic or social history of the Town, region, state or nation.

2014-549

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: November 6, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, on September 16, 2014 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 have been evaluated and considered for further action(s) to be taken at a public hearing held on October 21, 2014; and

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

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

NOW THEREFORE,

THE TOWN BOARD

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

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" to this Resolution; and

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

2014-549

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

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

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**

2014-549

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
137	1 Denton Court Huntington	0400-206.00-01.00-055.000	Philip McLaughlin Deborah McLaughlin 1 Denton Court Huntington, NY 11743-5307	9/10/2014	10/21/2014
138	7 Sunset Drive Huntington	0400-098.00-02.00-035.000	Matthew McKay 69 W. 11th Street Huntington Sta., NY 11746	9/10/2014	10/21/2014
140	16 Hilltop Avenue Huntington	0400-098.00-02.00-049.000	Meir Dombey Chaya Burstein 16 Hilltop Avenue Huntington, NY 11743-3719	9/17/2014	10/21/2014
141	43 Talisman Drive Huntington	0400-262.00-02.00-145.000	Barry Blake Colette Blake 43 Talisman Drive Huntington, NY 11743-5326	9/22/2014	10/21/2014
139	74 Old Northport Road Huntington	0400-077.00-02.00-012.000	Angelo Karastamatis 74 Old Northport Road Huntington, NY 11743-2995	9/15/2014	10/21/2014

**-SCHEDULE B-**

2014-549

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
137	1 Denton Court Huntington	0400-206.00-01.00-055.000	Philip McLaughlin Deborah McLaughlin 1 Denton Court Huntington, NY 11743-5307	9/10/2014	\$ 2,500.00
138	7 Sunset Drive Huntington	0400-098.00-02.00-035.000	Matthew McKay 69 W. 11th Street Huntington Sta., NY 11746	9/10/2014	\$ 2,500.00
140	16 Hilltop Avenue Huntington	0400-098.00-02.00-049.000	Meir Dombey Chaya Burstein 16 Hilltop Avenue Huntington, NY 11743-3719	9/17/2014	\$ 2,500.00
141	43 Talisman Drive Huntington	0400-262.00-02.00-145.000	Barry Blake Colette Blake 43 Talisman Drive Huntington, NY 11743-5326	9/22/2014	\$ 2,500.00
139	74 Old Northport Road Huntington	0400-077.00-02.00-012.000	Angelo Karastamatis 74 Old Northport Road Huntington, NY 11743-2995	9/15/2014	\$ 2,500.00

2014-550

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL  
IN A HISTORIC DISTRICT  
RE: MARGARET LANE & EAST MAIN STREET, HUNTINGTON—OLD  
HUNTINGTON GREEN HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: November 6, 2014

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

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 21st day of October, 2014, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Margaret Lane LLC, 5 Wendover Drive, Huntington, NY 11743, for a Certificate of Approval to erect a new two story single family home with unfinished basement, attached garage, and one story porch at the property located at Margaret Lane and East Main Street, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-74-03-34.4 & 34.5, 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 Margaret Lane LLC 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.

2014-551

ENACTMENT: GRANTING A LEASE AGREEMENT TO LEASE, OPERATE AND MANAGE GOLF COURSE AND FOOD AND BEVERAGE OPERATIONS AT THE CRAB MEADOW GOLF COURSE AND OPERATE AND MANAGE GOLF COURSE OPERATIONS AT THE DIX HILLS GOLF COURSE IN THE TOWN OF HUNTINGTON, NEW YORK WITH INTEGRITY GOLF COMPANY, LLC.

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

The Town is seeking an operator(s) with extensive experience and knowledge operating golf facilities, offering financial stability and a strong commitment to customer service and employee performance; and

WHEREAS, requests for proposals were received on August 8, 2014, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York to Lease, Operate and Manage Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course and operate and manage operations at the Dix Hills Golf Course in the Town of Huntington, New York, RFP No. 2014-08-012 and the same were opened and read aloud; and

WHEREAS, Integrity Golf Company, LLC, 16301 Phil Ritson Way, Winter Garden, FL 34787 is the successful responsive and responsible proposer; and

WHEREAS, the execution of a lease agreement is a Type II action under SEQRA, 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**

THE TOWN BOARD, having held a public hearing on the 6th day of November 2014, to consider granting a lease agreement to Integrity Golf Company, LLC and due deliberation having been made,

HEREBY GRANTS a lease agreement to Integrity Golf Company, LLC, 16301 Phil Ritson Way, Winter Garden, FL 34787 to Lease, Operate and Manage Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course and operate and manage operations at the Dix Hills Golf Course in the Town of Huntington, New York. The Town will receive revenue pursuant to Schedule A, which will be deposited into fund A2410-2410. The contract period shall be effective for a five (5) year period commencing upon the execution of the contract but not prior to January 1, 2015 and ending December 31, 2019, and will have the potential to renew the agreement for three (3) additional and successive five (5) year terms at the town's discretion under the negotiated prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2014-551

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**  
**Integrity Golf Company LLC**

11/6/2014

**Town of Huntington**  
**Request for Proposal To Lease, Operate and Manage**  
**Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course**  
**and Dix Hills Golf Course in the Town of Huntington, New York**  
**RFP No. 2014-08-012 and**  
**RFP No. 2014-08-012R**

<b>Year</b>	<b>Golf Courses Proposed Annual Revenue Payment</b>	<b>Restaurant and Snack Bar Proposed Annual Revenue Payment</b>	<b>Total Combined Revenue Payment</b>	<b>Annual Capital Improvement Investment</b>
<b>2015</b>	\$62,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$107,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
<b>2016</b>	\$64,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$109,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
<b>2017</b>	\$66,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$111,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
<b>2018</b>	\$68,000 or 10% of operator's gross annual revenue, whichever is greater	\$47,250 or 10% of operator's gross annual revenue, whichever is greater	\$115,250 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
<b>2019</b>	\$70,000 or 10% of operator's gross annual revenue, whichever is greater	\$47,250 or 10% of operator's gross annual revenue, whichever is greater	\$117,250 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
<b>Total 2015-2019</b>	<b>\$330,000 or 10% of operator's gross annual revenue, whichever is greater</b>	<b>\$229,500 or 10% of operator's gross annual revenue, whichever is greater</b>	<b>\$559,500 or 10% of operator's gross annual revenue, whichever is greater</b>	<b>\$125,000 or 1.5% of collected revenue whichever is greater</b>

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 45-2014, CONSIDERING ZONE CHANGE APPLICATION #2013-ZM-396, MATRIX INVESTMENT GROUP, LLC, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT AND C-7 MINOR COMMERCIAL CORRIDOR DISTRICT, AND TO REVOKE THE COVENANTS AND RESTRICTIONS PREVIOUSLY RECORDED AS PART OF THE HAGSTROM BUICK ZONE CHANGE, #95, FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF JERICO TURNPIKE AND WEST HILLS ROAD, HUNTINGTON STATION, SCTM# 0400-192-01-042 & 043.

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, MATRIX INVESTMENT GROUP, LLC, 1201 Route 112, Port Jefferson Station, New York 11776, contract vendee, submitted application #2013-ZM-396 for a change of zone from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District for property located on the northwest corner of Jericho Turnpike (NYS 25) and West Hills Road, Huntington Station, designated as 0400-192-01-042 & 043 on the Suffolk County Tax Map; and

WHEREAS, the applicant is also requesting to revise or eliminate portions of the Declaration of Covenants and Restrictions filed as a condition of approval of the Hagstrom Buick zone change, zone change #95, which had established C-6 zoning over the entire property, since several of those covenants are specific to the automotive sales use that was proposed at that time; and

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

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

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

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

NOW THEREFORE BE IT

RESOLVED, the Town Board hereby schedules a public hearing for the 9th day of DECEMBER, 2014, at 7 PM to consider adopting Local Law Introductory No. 45-2014 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District, and revoking the Covenants and Restrictions from the zone change application of Hagstrom Buick, #95, for the property designated on the Suffolk County Tax Map as 0400-192-01-042 & 043, as follows:

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

LOCAL LAW INTRODUCTORY NO. 45 - 2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 198 (ZONING)  
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)  
SECTION 7 (ZONING MAP)  
AND REVOKING ALL OF THE COVENANTS AND RESTRICTIONS  
PREVIOUSLY RECORDED AS PART OF THE ZONE CHANGE APPLICATION #95  
OF HAGSTROM BUICK

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 northwest corner of Jericho Tpke. and West Hills Rd., Huntington Station, designated on the Suffolk County Tax Map as 0400-192-01-042 & 043, to be rezoned from:

1. C-6 General Business District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT at the intersection of the northerly side of Jericho Turnpike with the easterly side of Jones Lane,

THENCE from said POINT OF BEGINNING North 34 degrees 08 minutes 30 seconds West, 97.95 feet,

THENCE North 04 degrees 33 minutes 52 seconds East, 206.71 feet,

THENCE North 88 degrees 16 minutes 24 seconds East, 209.37 feet,

THENCE South 82 degrees 08 minutes 35 seconds East, 66.81 feet, to the westerly side of West Hills Road,

THENCE South 13 degrees 39 minutes 10 seconds West, 23.15 feet,

THENCE South 06 degrees 40 minutes 00 seconds West, 200.66 feet,

THENCE South 06 degrees 40 minutes 50 seconds West, 67.00 feet, to the northeasterly end of a line connecting the west side of West Hills Road to the northerly side of Jericho Turnpike,

THENCE South 52 degrees 42 minutes 02 seconds West, 44.37 feet, to the northerly side of Jericho Turnpike,

THENCE North 79 degrees 23 minutes 30 seconds West, 75.00 feet,

THENCE North 79 degrees 24 minutes 20 seconds West, 93.20 feet to the POINT OF BEGINNING, AND

2. C-6 General Business District to C-7 Minor Commercial Corridor District, more particularly described as:

BEGINNING at a POINT on the east side of Jones Lane, North 34 degrees 08 minutes 30 seconds West 97.95 feet of the intersection of the northerly side of Jericho Turnpike with the easterly side of Jones Lane,

THENCE from said POINT OF BEGINNING North 34 degrees 08 minutes 30 seconds West, 94.47 feet,

THENCE North 37 degrees 01 minute 40 seconds West, 195.49 feet,

THENCE North 19 degrees 36 minutes 30 seconds West, 178.75 feet,

THENCE North 13 degrees 53 minutes 40 seconds West, 112.91 feet,

THENCE North 87 degrees 46 minutes 40 seconds East, 431.47 feet,

THENCE South 13 degrees 40 minutes 00 seconds West, 50.00 feet,

THENCE North 87 degrees 46 minutes 40 seconds East, 200.00 feet, to the westerly side of West Hills Road,

THENCE South 13 degrees 39 minutes 10 seconds West, 293.21 feet,

THENCE North 82 degrees 8 minutes 35 seconds West, 66.81 feet,

THENCE South 88 degrees 16 minutes 24 seconds West, 209.37 feet,

THENCE South 04 degrees 33 minutes 52 seconds West, 206.71 feet to the POINT OF BEGINNING.

\* \* \*

Section 2. Deleting all existing Covenants and Restrictions for zone change application #95 on SCTM# 0400-192-01-042 & 043, as follows:

(1) All prior Covenants and Restrictions are hereby revoked.

\* \* \*

Section 3. 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 4. Effective Date

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

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

2014-552

VOTE:                      AYES:    3              NOES:    0              ABSTENTIONS:    2

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>ABSTAIN</b>
Councilwoman Tracey A. Edwards	<b>ABSTAIN</b>

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-553

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 46 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4, ARTICLE I, §4-3, SCHEDULE L.

RE: GERARD STREET; NORTH OF MAIN STREET, HUNTINGTON – TOWN PARKING FIELDS

Resolution for Town Board Meeting dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to assign and regulate an existing municipal parking lot within the Town of Huntington; 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 9th day of December, 2014 at 7:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 46 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4, ARTICLE I, §4-3, SCHEDULE L.; as follows:

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

2014-553

LOCAL LAW INTRODUCTORY NO. 46 -2014  
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 4, ARTICLE I, §4-3, SCHEDULE L.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 4, ARTICLE I, §4-3, SCHEDULE L.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 4, ARTICLE I, §4-3, SCHEDULE L.

	<u>LOT NO.</u>	<u>LOCATION</u>	<u>REGULATION/TIME LIMITS</u>
ADD:	50	Eastern terminus of Gerard Street, north side of Main Street (HUN)	As posted

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.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 47 - 2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 111 (FIRE PREVENTION)

Resolution for Town Board Meeting dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board intends to bring the Town Code into compliance with the Fire Code of New York State containing the mandatory minimum standards to safeguard life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the use and occupancy of buildings and structures; and

WHEREAS, pursuant to §617.5 (c)(20) and (7) of the SEQRA regulations amending the Code of the Town of Huntington to comply with state mandates is a "routine or continuing agency administration and management, not including new programs of 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 SCHEUDLES a public hearing to be held on the **9th** day of December, 2014 at **7:00 PM** at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **47** - 2014 amending the Code of the Town of Huntington, Chapter 111 (Fire Prevention); as follows:

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

LOCAL LAW INTRODUCTORY NO. 47 -2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 111 (FIRE PREVENTION)

Section 1. Amendment to Chapter 111 (Fire Prevention) of the Code of the Town of Huntington; as follows:

CHAPTER 111  
FIRE PREVENTION

ARTICLE I  
GENERAL PROVISIONS

§111-1. Title.

This chapter shall be known and may be cited as the "Fire Prevention Code.

§111-2. Legislative Intent.

- A. It is the intention of the Town Board to establish regulations to safeguard life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of land or buildings [and structures] , whether or not the land is improved or the building is occupied.
- B. The Town Board hereby adopts the provisions of the Fire code of New York State and successor law for application within its jurisdictional borders, which shall be enforced in accordance with the enforcement provisions of this chapter to the fullest [extend] extent permitted by law.

\* \* \*

§111-5. Definitions. For the purpose of this Chapter the following terms shall have the meanings indicated. Where terms are not defined in this chapter and are defined in the Fire Code of New York State, Building Code of New York State, Mechanical Code of New York State, Fuel Gas Code of New York State, Residential Code of New York State, Property Maintenance Code of New York State or the Plumbing Code of New York State, such terms shall have the meanings ascribed therein. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinary accepted meaning.

\* \* \*

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

LIMITED LICENSE -- A limited license is issued to an individual to proceed with a specific activity concerning the installation, repair, or modification of fire protection equipment. Limited licenses are issued for Fire Suppression Clean Agent systems, Fire Suppression Industrial Systems, Fire Suppression Kitchen Systems, and Fire Sprinkler systems.

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.

MULTIPLE RESIDENCE -- A building or portion thereof designed for or occupied by three or more family units living independently of each other and are classified as Group R-2 under the Fire Code of New York State.

OCCUPANCY -- The purpose for which a building or portion thereof is utilized or occupied.

\* \* \*

§ 111-9. Duties of the Chief Fire Marshal.

A. The Chief Fire Marshal shall administer and enforce the Fire Prevention Code of the Town of Huntington, the Fire Code of the State of New York, and the provisions of all other applicable laws and rules, and shall perform the following duties:

\* \* \*

(4) Enforcement: issuance of notices of violation and summonses and provide assistance to the Town Attorney and other town departments in the prosecution of violations in the Town of Huntington, including but not limited to §87-25 of the town code.

\* \* \*

§111-11. Notification of fire or explosion. The chief of any fire department providing [fire fighting] firefighting services within the Town of Huntington shall promptly notify the Chief Fire Marshal of any fire or explosion involving any structural damage to a building, fuel burning appliance, chimney or gas vent on property within his jurisdiction.

\* \* \*

ARTICLE II  
FIRE PREVENTION ADVISORY BOARD

\* \* \*

[§111-22. through §111-25] [(Reserved)]

ARTICLE III  
LIMITED LICENSES

§111-22. License Required.

A. It shall be unlawful for any person, to install, repair, or modify automatic fire extinguishing systems, automatic fire sprinkler systems, or clean agent

extinguishing systems, without benefit of a valid license issued by the Director of Engineering Services.

- B. It shall be unlawful to directly or indirectly allow a license to be used in connection with work not actually conducted or completed by the licensee or under the supervision of said individual. The person using the license and the license holder shall be deemed in violation of this chapter.

§111-23. Qualifications of applicants. The Huntington Plumbing Licensing Board shall determine whether an applicant for a limited license qualifies to take the written examination for a license based on the following criteria:

- A. Applicants shall be a minimum of 21 years of age and shall apply in writing to the Huntington Plumbing Licensing Board on application forms supplied by the Bureau of Fire Prevention together with payment of the requisite fees.
- B. Every applicant shall have at least five (5) years of continuous work experience in the installation, repair and/or maintenance of fire protection equipment; or have completed a plumbing union apprenticeship program, or an approved course of study at a certified technical school, or any combination thereof.
- C. Examination. Upon successful demonstration of competency, applicants shall take and pass a written examination with a minimum score of 70%. Applicants that fail the written exam may schedule a second exam without penalty. Failure to obtain a passing grade on the second exam shall require an applicant to submit an additional exam fee before the exam may be retaken. Failure to obtain a passing grade on the third exam shall void the application.
- D. Failure to receive a license shall not prevent the applicant from filing a new application at any time.

§111-24. Term of limited license; Application Fees.

- A. Term. Initial and renewal licenses are valid for a period of three (3) years from the date of issuance. Applications for initial and renewal license shall be made in person and shall include the following:
- (1) A completed and signed application accompanied by two passport style ID photographs; and
  - (2) Insurance certificates identifying general liability coverage in the minimum amount of \$500,000 for any one accident and \$250,000 for any one person, and for damage to property a minimum coverage of \$100,000; and

(3) Such other and further documentation as deemed necessary by the Licensing Board.

B. Fees. The following fees are established for the application and issuance of a limited license to install, repair, or modify automatic fire extinguishing systems, automatic fire sprinkler systems, and clean agent extinguishing systems.

(1) Initial application fee. A non-refundable processing fee of \$95.00 shall be remitted for each license type applied for prior to an applicant taking the respective examinations.

(2) Re-examination fee. If an applicant fails the written examination twice a non-refundable \$50.00 re-examination fee shall be payable before the test may be taken for a third time.

(3) Renewals. An individual who possesses a single or multiple limited licenses may renew the license(s) upon timely application for same and payment of a non-refundable renewal fee of \$150.00 prior to the expiration of the license sought to be renewed. Within 90 days of the expiration of the current license renewals may be permitted upon the payment of a penalty of \$75.00 without written reexamination. Applicants who fail to renew their licenses within such 90 day period shall be required to apply for a new license with the Plumbing Licensing Board. Such applicants are required to pay all requisite fees and pass a written examination.

§111-25. Liability of Town. The provisions of this article shall not relieve any person owning, operating maintaining or installing any fire protection equipment from liability for loss of life or damages to persons or property caused by any defect or hazardous condition therein; nor shall the Town be deemed to have assumed such liability by reason of any license issued pursuant to this article.

§111-25.1. Suspension or revocation of license. A license may be suspended or revoked by the Director of Engineering Services when it is found by inspection or otherwise that there has been an unlawful act in connection with the license, including but not limited to any of the following:

A. A condition or restriction set forth in the license has been violated, neglected or ignored; or

B. There has been a false statement, an error, mistake or misrepresentation as to a material fact in the application or documents submitted for a license; or

C. The license is used by a person other than the person to which the license was issued; or

- D. The applicant failed, refused or neglected to comply with orders or notices duly issued by the Licensing Board or Bureau of Fire Prevention pertaining to the license within the time provided therein; or
- E. The license was issued in error or in violation of state, county, or local law, rule or regulation; or
- F. Such other basis as deemed proper or necessary by the Board or Chief Fire Marshal.

§111-25.2. Notice of Suspension or Revocation of License.

(A) Prior to the revocation of a licence, the Chief Fire Marshal shall prepare a report outlining the reason(s) for the proposed suspension or revocation of a license. A copy of the report shall be mailed to the licensee together with a Notice of Hearing which shall contain the date, time and place of an administrative hearing before an Administrative Hearing Officer to determine whether the license should be suspended or revoked.

(B) Amendment, modification or withdrawal. The Chief Fire Marshal may amend, modify or withdraw any Notice issued if, in his judgment, the circumstances warrant such action provided the amended or modified Notice is served as provided in (C) herein within five (5) business days of service of the original Notice, and a hearing has not occurred.

(C) Service of Notice. The Notice of Hearing and Report shall be served either personally in accordance with the CPLR, or by registered or certified mail, return receipt requested and by regular mail, addressed to the licensee at the address shown on the application.

§111-25.3. Administrative hearing. An administrative hearing may be held before a duly appointed Administrative Hearing Officer. Hearings may be adjourned only upon good cause shown.

(A) Administrative Hearing Officer. The Hearing Officer may consider the evidence and shall submit his or her findings and recommendations to the Director of Engineering Services for ultimate determination. A copy of the Hearing Officer's report shall be filed with the Town Clerk and served in the same manner as the Notice of Hearing. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the Hearing Officer's findings and recommendations. The Director shall consider the written objections and the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as he or she deems advisable or necessary under the circumstances. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the licensee by regular mail and by registered or certified mail, return receipt requested.

(B) Conduct of hearings. At the administrative hearing the licensee 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 to the subject matter of the hearing. All hearings shall be recorded.

(C) Action upon non-appearance. Upon the failure, neglect or refusal of the licensee to appear at the administrative hearing or submit objections thereto; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the Notice was properly addressed, at the election of the Director the permit may be suspended for a period of time or revoked for the reasons set forth in the Chief Fire Marshal's original report. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the licensee by regular mail and by registered or certified mail, return receipt requested.

(D) Error or mistake. If the basis for the suspension or revocation is §111-25.1(E) such suspension or revocation shall be effective upon a mailing advising the licensee that the license is suspended or revoked and the reason(s) thereof. Such mailing shall be accomplished by regular and certified mail, return receipt requested, and addressed to the licensee at the address shown on the application.

(E) Remedies. Nothing contained herein is intended to limit or restrict the Town's use of other remedies without limitation, at law or in equity, or impede the ability of town officials to enforce the code through stop work orders, notices of violation and summonses.

ARTICLE [III] 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 [multiple dwellings and] 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) 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.

- B. Before [an] a new operational permit is approved or an existing permit is renewed, an inspection of the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used shall be conducted to determine compliance with the provisions of this chapter or of any other applicable state or local law, regulation or rule.

\* \* \*

§111-32. Acceptance of permit.

- A. The acceptance of a permit shall constitute an agreement by the property owner and/or permit holder that the work to be performed, or activity or operation, will comply in all respects with the plans and specifications approved by the bureau, and that no modification, alteration or deviation from the approved plans and specifications, or the permit, will occur without the prior approval of the Chief Fire Marshal. A property owner and/or permit holder who performs work, or causes work to be performed, or conducts an operation or activity which modifies, alters or deviates from the approved plans, specifications or permit in any way shall be in violation of this Chapter. In addition to any other penalty provided for herein, the Town may issue a stop-work order and [the Chief Fire Marshal] may revoke the permit.
- B. Non-transferability of permit to other property. It shall be unlawful to cause or permit a permit to be posted at a premise other than the premises for which the permit was issued. The permit holder, property owner to whom the permit was originally issued and the owner of the property on whose property the permit is unlawfully posted shall be strictly liable for a violation of this Chapter. In addition to any other penalty provided for herein, the Town may issue a stop-work order and [the Chief Fire Marshal] may revoke the permit.
- C. Alteration of permit. It shall be unlawful to alter, obscure, deface, change or otherwise tamper with any portion of a permit issued pursuant to this Chapter. The property owner and/or permit holder shall be strictly liable for a violation of this section. In addition to any other penalty provided for herein, the Town may issue a stop-work order[,] and [the Director may] revoke the permit.

§111-33. Revocation of permits.

A permit may be revoked by the [Chief Fire Marshal] Director of Engineering Services when it is found by inspection or otherwise that there has been [a false statement or misrepresentation or incomplete information as to a material fact in the application or construction documents on which the permit or approval was based, or there has been] an unlawful act in connection with the permit, including but not limited to any of the following:

\* \* \*

- C. There has been a false statement, an error, mistake or misrepresentation as to a material fact in the application for a permit, the construction documents or the plans submitted for a permit [approval]; or

\* \* \*

§111-34. Notice of Revocation of Permit.

(A) Prior to the revocation of a permit, the Chief Fire Marshal shall prepare a report outlining the reason(s) for the proposed revocation of a permit. A copy of the report shall be mailed to the property owner at the address shown on the most current assessment roll maintained by the Town Assessor, or to his agent, or person-in-charge of the property, and to the applicant together with a Notice of Hearing which shall contain the following:

(1) A description of the property; and

(2) The date, time and place of the scheduled administrative hearing before an Administrative Hearing Officer to determine whether the permit should be revoked; and

(B) Amendment, modification or withdrawal. The Chief Fire Marshal may amend, modify or withdraw any Notice issued if, in his judgment, the circumstances warrant such action provided the amended or modified Notice is served as provided in (C) herein within five (5) business days of service of the original Notice, and a hearing has not occurred.

(C) Service of Notice. The Notice of Hearing and Report shall be served either personally in accordance with the CPLR, or by registered or certified mail, return receipt requested and by regular mail, addressed to the property owner at the last address shown on the most current assessment roll of the Town Assessor, or to the owner's agent at the last known address, or person-in-charge of the property and to the applicant.

§111-35. Administrative hearing. An administrative hearing may be held before a duly appointed Administrative Hearing Officer. Hearings may be adjourned only upon good cause shown.

(A) Administrative Hearing Officer. The Hearing Officer may consider the evidence and shall submit his or her findings and recommendations to the Director of Engineering Services for ultimate determination. A copy of the Hearing Officer's report shall be filed with the Town Clerk and served in the same manner as the Notice of Hearing. Such mailing shall include a statement that the recipient has five (5) days from receipt of the report to submit to the Director his written objections to the Hearing Officer's findings and recommendations. The Director shall consider the written objections and the Hearing Officer's report, and may adopt or reject, in whole or in part any portion thereof as he or she deems advisable or necessary under the circumstances. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to

the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

(B) Conduct of hearings. At the administrative hearing the person to whom a Notice has been issued 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 to the subject matter of the hearing. All hearings shall be recorded.

(C) Action upon non-appearance. Upon the failure, neglect or refusal of the owner, his agent, person-in-charge of the property or applicant to appear at the administrative hearing; or if the mailing is returned by the Post Office because of the inability to make delivery for any reason, as long as the Notice was properly addressed, at the election of the Director the permit may be revoked for the reasons set forth in the Chief Fire Marshal's original report. The Director's determination shall be final, and shall be filed in the Office of the Huntington Town Clerk and mailed to the person(s) to whom the original Notice was served by regular mail and by registered or certified mail, return receipt requested.

(D) Error or mistake. If the basis for the revocation is §111-33(F) such revocation shall be effective upon a mailing advising the property owner, his agent, or person in charge of the property and the applicant that the permit is revoked and the reason(s) thereof. Such mailing shall be accomplished by regular and certified mail, return receipt requested, and addressed to the last known address of the proposed recipient.

(E) Remedies. Nothing contained herein is intended to limit or restrict the Town's use of other remedies without limitation, at law or in equity, or impede the ability of town officials to enforce the code through stop work orders, notices of violation and summonses.

[§111- 34.] §111-36 through §111-38. (Reserved).

ARTICLE [IV] 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	<u>Multiple Residences;</u> <u>Dormitories; Mixed-use</u> <u>Occupancy Buildings with</u> <u>Dwelling Units</u>		\$475.00

\* \* \*

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

\* \* \*

B. Certificates of inspection issued to reflect the completion of these inspections shall be valid for a period not in excess of three (3) years.

- (1) Inspection Fee. The fee to conduct Fire Safety and Property Maintenance Inspections shall be equivalent to one percent (1%) of the assessed value of the property inspected as reflected in the latest assessment rolls of the Town[.] except that the minimum fee shall be \$100.00 and the maximum fee shall be \$750.00 respectively. Property classified as regional shopping centers shall be exempt from the maximum fee value. All inspection fees shall be assessed on a yearly basis, and no annual fee shall be prorated or rebated.

\* \* \*

ARTICLE [V] VI  
CONSTRUCTION PERMITS

\* \* \*

ARTICLE [VI] VII  
OPERATIONAL PERMITS

§111-56. Required operating permits.

\* \* \*

B. Occupancy or Use Prohibited. It shall be unlawful for an owner, managing agent, or person in charge of the property to operate a business, use, or occupy a building or a portion of a building without benefit of a required operational

permit. Any person who fails, neglects or refuses to obtain an operational permit shall be in violation of this chapter.

\* \* \*

§111-73. Places of assembly.

- A. Permit required. It shall be unlawful for any person to operate or maintain a place of assembly or a place of public assembly without benefit of an operational permit, except that a permit shall not be required for any [place of] assembly occupancy used solely as a place of religious worship. Any person who fails, neglects or refuses to obtain an operational permit shall be in violation of this chapter.
- B. Posting of placard. It shall be unlawful for the owner, operator or person-in-charge of a place of assembly or a place of public assembly to fail, refuse or neglect to post the occupant placard in a conspicuous place at or near the entrance to each place of assembly including those spaces used solely as a place of religious worship. Any person who fails, refuses or neglects to post the placard in a conspicuous location shall be in violation of this chapter.
- C. Exceeding occupant limit. It shall be unlawful for an owner, manager or person-in-charge of a place of assembly or a place of public assembly to allow the premise to exceed the posted occupant load identified on the occupancy placard. Any person who fails, refuses or neglects to maintain the posted occupancy limit shall be in violation of this chapter.
- D. All owners, managers, or persons-in-charge of places of assembly or a place of public assembly shall have a system or method in place by which the level of occupancy is monitored at all times during business hours in order to maintain safety and protect against exceeding the occupancy load. Such persons must disclose with specificity the method utilized and provide the number of existing occupants at the establishment upon request of a fire code official or other officer having jurisdiction. It shall be unlawful and a violation of this chapter to fail, refuse or neglect to maintain a system by which the occupancy load is monitored, or to fail to provide the number of occupants at an establishment upon request.

\* \* \*

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

ARTICLE [VII] VIII  
[FIRE FIGHTING] FIREFIGHTING OPERATIONS AND RESTRICTIONS

§111-91. Interference with Fire Departments and Bureau of Fire Prevention.

It shall be unlawful for any person to obstruct or interfere with the Bureau of Fire Prevention or any fire department in the performance of their duties, or to enter or remain within established fire lines without authorization during a fire, or any investigation or act being [preformed] performed in conjunction therein.

§111-92. Fire hydrants and parking restrictions.

- A. It shall be unlawful for any person to damage, alter, tamper with, cause to be obstructed or utilized for any reason other than [fire fighting] firefighting purposes any fire hydrant within the Town of Huntington without permission of the agency having jurisdiction.

\* \* \*

ARTICLE [VIII] IX  
MISCELLANEOUS PROHIBITIONS

\* \* \*

ARTICLE [IX] X  
ADMINISTRATIVE REMEDIES

\* \* \*

§111-111. Emergencies.

- A. If, in the judgment of the fire code official, an emergency exists as when there is imminent danger of failure or collapse of a structure, building, installation, system or equipment which endangers life; or where there is potential for imminent danger to the occupants of or to those in the proximity of any structure, building, installation, system or equipment because of the existence of explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or due to the operation of defective or dangerous equipment; or other imminent danger, condition or peril which is or may become imminently dangerous or unsafe for human habitation or occupancy, he may issue a verbal or written notice (order) to the owner, his agent, occupant, or person-in-charge of the property to remedy or abate the dangerous, unsafe or hazardous condition to the satisfaction of the fire code official within the period specified by the official; placard the structure, building, system, installation or equipment; and order the occupants off the property, if necessary. If the notice is in writing, service of the written notice may be accomplished in any manner set forth in this chapter; or [y] by posting the notice in a conspicuous portion of the property so as to be visible from the street; or by overnight express

mail; and if the defect or danger arises from equipment by posting same on the equipment.

\* \* \*

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 DULY ADOPTED.

2014 - 555

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 48 -2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 117 (SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING AND DISPOSAL)

Resolution for Town Board Meeting Dated: November 6, 2014

The following Resolution offered by: Supervisor Petrone, **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington seeks to update the Code of the Town of Huntington to incorporate new mandates by the New York State Department of Environmental Conservation involving the disposal and collection of electronic waste which will be effective beginning on January 1, 2015; and

WHEREAS, the Town of Huntington is expected to begin single stream recycling of residential recyclables beginning January 1, 2015 and certain amendments to the Huntington Town Code are required in order to successfully administer the new program; and

WHEREAS, amending the Code to incorporate state legislative mandates and to amend the method of collection for recycling is a Type II Action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(18, 19, 20, & 27), requiring no further environmental review,

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 9th day of December, 2014 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 48 -2014, amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal); as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 48 -2014

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

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

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

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

\* \* \*

ELECTRONIC WASTE (E-WASTE) – means “covered electronic equipment” as defined in Article 27 Title 26 of the Environmental Conservation Law, and as may be amended, including but not limited to a computer, computer peripheral, small electronic equipment, small-scale server, cathode ray tube and televisions. The term “covered equipment” shall not include any part of a motor vehicle, household appliances, telephones of any type, cameras or video equipment, thermostats, hand-held receivers, portable or stationary radios, security or anti-terrorism equipment, or the shell, casing or other enclosure of a covered electronic equipment where its wiring, materials, assemblies, or components have been removed.

\* \* \*

PLASTIC - All household containers [composed of high-density polyethylene (HDPE) or polyterephthalate (PET)] imprinted with resin code 1 through 7 (excluding styrofoam) used to contain such liquids as milk, juice, bleach, detergents, cleaners and automobile fluids.

\* \* \*

§117-21 Standards for storage of waste.

\* \* \*

(B) Storage of residential recyclable items prior to collection.

\* \* \*

(2) Newspapers and mixed paper, and glass, [Glass] metal cans and plastic, after being emptied and cleaned, shall be commingled and placed in [shall be placed in a container provided by the Town or] any rigid container with handles adequate for lifting that has two (2) recycling decals provided by the Town permanently affixed on opposite sides. Such containers shall not exceed fifty (50) pounds when full and shall be used exclusively for recyclable items.

[(3)] [Newspaper and mixed paper may be commingled and shall be placed in paper supermarket bags or tied into bundles not weighing more than fifty (50) pounds or exceeding twelve (12) inches in height.]

(3) [(4)] Cardboard shall be flattened and tied into bundles not exceeding four (4) feet in length or more than fifty (50) pounds in weight, and placed at the curb alongside the container of newspapers, [and] mixed paper, glass and metal cans when placed for collection.

(4) [(5)] \* \* \*

(5) [(6)] \* \* \*  
\* \* \*

§117-23. Residential source separation.

(A) [Upon the effective date of this chapter, there is established within the] A Town [a] curbside recycling program is hereby established for separate collection of recyclable items from all residences receiving residential curbside collection service.

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

[(C)] [Expansion of program.]

[(1)] [The Town Board, by resolution, may expand the curbside recycling program to include other recyclable items for which the Director has determined economic markets exist pursuant to § 117-24B.]

[(2)] [The expanded curbside recycling program shall be established sixty (60) days after publication of notice in the official newspaper of the town.]

[(3)] [Collection of additional recyclable items shall occur in accordance with a schedule advertised by the town.]

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

\* \* \*

§117-25. Unacceptable waste.

It shall be unlawful for any licensee to collect and any person to place for collection, [No licensee shall collect and no person shall place for collection,] for delivery to a Town facility any hazardous waste, medical waste, mixed loads of construction and demolition material, [or] cow or horse manure, or electronic waste pursuant to §27-2611 of the Environmental Conservation Law, except that household hazardous waste and electronic waste may be deposited for collection and recycling where designated at the Town's Recycling Center.

\* \* \*

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

E. Prohibited materials. It shall be unlawful to deliver or to cause the delivery of the [The] following materials [shall not be delivered] to a Town facility under any circumstance:

(5) Electronic waste except that electronic waste may be deposited for collection and recycling where designated at the Town's Recycling Center.

§ 117-34. Penalties for offenses.

(C) Any person or business entity who collects electronic waste or places electronic waste for collection in violation of §27-2611 of the Environmental Conservation Law is subject to New York State enforcement and shall be liable for civil penalties as set forth in §71-2729 of the Environmental Conservation Law and any amendment thereto.

(D) [(C)] \* \* \*

(E) [(D)] \* \* \*

(F) [(E)] \* \* \*

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014 - 556

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 49 -2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE III (BUILDINGS AND STRUCTURES)

Resolution for Town Board Meeting dated: November 6, 2014

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

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board wishes to consolidate provisions of the Code pertaining to housing standards and update the Code in order to comply with statutory and decisional law; and

WHEREAS, pursuant to §617.5(c)(20) and (7) 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 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 **9th** day of December, 2014 at **7:00** at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. **49** -2014 amending the Code of the Town of Huntington, Chapter 124 (Housing Standards and Property Maintenance), Article I (General Provisions) and Article III (Buildings and Structures); as follows:

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

LOCAL LAW INTRODUCTORY NO. 49 -2014  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 124 (HOUSING STANDARDS AND PROPERTY MAINTENANCE)  
ARTICLE I (GENERAL PROVISIONS) AND ARTICLE III  
(BUILDINGS AND STRUCTURES)

Section 1. Amendment to Chapter 124 (Housing Standards and Property Maintenance) of the Code of the Town of Huntington, Article I (General Provisions) and Article III (Buildings and Structures); as follows:

property owner, his agent or person-in-charge of the property shall notify the Code Officer as vacancies arise to schedule an inspection.]

[(B)] [Inspection fees. The inspection fee shall be paid in advance of an inspection and is due and payable within thirty (30) days of the date on the invoice generated by the Code Officer. The following fees shall be applicable:]

- [(1)] [All interior common areas of the building: five hundred (\$500) dollars per inspection or part thereof.]
- [(2)] [Vacant dwelling units: One room studio -two hundred (\$200) dollars; one bedroom dwelling -two hundred and fifty (\$250) dollars and fifty (\$50) dollars for each additional bedroom.]

[(C)] [Occupancy permit. Upon the successful completion of an inspection and a finding by the Code Officer that the common areas or dwelling unit inspected complies with all applicable standards and regulations, an Occupancy Permit shall be issued to the owner of record. Each Occupancy Permit shall specify if the permit applies to the common area or a dwelling unit, and if it applies to a unit, it shall state with specificity the unit number or other detail sufficient to identify the unit.]

[(D)] [Prohibitions.]

- [(1)] [It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to remit payment of the inspection fee within the period provided in this chapter; or]
- [(2)] [It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to schedule, or permit, or otherwise interfere with an inspection; or]
- [(3)] [It shall be unlawful for the property owner, his agent or person-in-charge of the property to fail, neglect or refuse to notify the Code Officer of a vacancy as one arises; or]
- [(4)] [It shall be unlawful for the property owner, his agent, or person-in-charge of the property to rent, lease or otherwise allow the occupancy of dwelling units within a multiple residence without an inspection or issuance of an occupancy permit.]

\* \* \*

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

CHAPTER 124  
HOUSING STANDARDS AND PROPERTY MAINTENANCE

ARTICLE I  
GENERAL PROVISIONS

\* \* \*

§124-03. Definitions.

\* \* \*

[MULTIPLE RESIDENCE – A one (1) or two (2) story building or structure containing three (3) or more dwelling units let for occupancy (with or without consideration) to a person(s) who is not the owner of record, pursuant to a written or verbal lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land, or otherwise. Structures listed on the Multiple Residence Registry are presumed to be established as Multiple Residences for compliance with this Chapter and the applicable provisions of the New York State Property Maintenance Code, but are not presumed to be legally established or in conformance with the zoning regulations.]

[MULTIPLE RESIDENCE REGISTRY- A registry of structures maintained by the Town of Huntington containing Multiple Residences subjected to prior inspection pursuant to the New York State Multiple Residence Law §§ 301 and 302.]

\* \* \*

ARTICLE III  
BUILDINGS AND STRUCTURES

\* \* \*

§ 124-16. [Multiple residences.] (Reserved)

[(A)] [Inspection required. Inspections of the following areas within multiple residences on the Multiple Residence Registry for compliance with the provisions of this chapter and the New York State Property Maintenance Code shall be conducted by the Code Officer at least once every thirty-six (36) months, except as otherwise provided. At the request of the property owner, his agent or person-in-charge of the property an inspection may be conducted at shorter intervals upon payment of the requisite fee payable in advance of the inspection.]

[(1)] [Interior common areas of the building; and]

[(2)] [Vacant dwelling units. Notwithstanding any other provision of this section to the contrary, inspections shall be conducted when the unit becomes vacant and prior to re-letting or permitting the re-occupancy of the unit. The



RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 50 -2014 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 160 (REGISTRATION OF PROPERTY)

Resolution for Town Board Meeting Dated: November 6, 2014

The following Resolution offered by: Councilwoman Edwards

And seconded by: **COUNCILWOMAN BERLAND, SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington currently requires the registration of residential rental properties, whether or not occupied, within the Town of Huntington; and

WHEREAS, in 2002 the Town Board enacted a rental registration law to preserve the health, safety and welfare of the residents and maintain the quality of life in non-owner occupied residential rental properties within the Town by maintaining a registration accountability system; and

WHEREAS, the Board wishes to further advance and protect the health, safety and welfare of the community at large and neighborhoods negatively impacted by non-owner occupied rental properties by extending the accountability system so as to enhance the ability of municipal officers and emergency personnel to deliver services in an informed, consistent, and orderly fashion; to maintain the aesthetic and environmental quality of life; enhance planned development of the Town; and meet the needs of property owners throughout the Town; and

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

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

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 9th day of December, 2014 at 7:00 p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 50 -2014, amending the Code of the Town of Huntington, Chapter 160 (Registration of Property); as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 50 -2014  
AMENDING THE CODE OF THE TOWN OF  
HUNTINGTON, CHAPTER 160 (REGISTRATION OF PROPERTY)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 160 (Registration of Property), as follows:

CHAPTER 160  
REGISTRATION AND PERMITTING OF PROPERTY

ARTICLE I  
[RENTAL REGISTRATION]

**THE TEXT OF THIS ARTICLE IS DELETED IN ITS ENTIRETY**

GENERAL PROVISIONS

§160-1. Legislative intent.

(A) The Town Board intends to preserve the health, safety and welfare of residents within the jurisdictional limits of the Town of Huntington exclusive of its Incorporated Villages by establishing a permitting system which will enhance the delivery of municipal services, such as sanitation and code enforcement services, and emergency services such as fire, water and police services when such services are needed, and effectively aid in the maintenance of the peace and good order and a tool for the establishment of efficient planning.

(B) In addition, the welfare and safety of our residents is threatened by rental properties that are occupied while infested with rodents and other creatures, lack sufficient heat, ventilation, light or other necessities, and are otherwise uninhabitable or blighted or threaten the quality of life in the community by creating nuisances or disrupting the peace and good order.

(C) The intent of this legislation is not to legalize the occupancy of any structure that predates the year 1934 or possesses a letter-in-lieu, nor is it an admission by the Town of Huntington that said structures are legally occupied or habitable.

(D) Nothing in this Chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state, or extinguish the requirements of any local law, rule or statute of any agency having jurisdiction. In the case of a conflict between this Chapter and other regulations, the more stringent requirement shall prevail.

§160-2. through §160-10. (Reserved).

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 renewal permit fee of four hundred and seventy-five (\$475) dollars shall be payable before a renewal is issued.

§160- 28. through §160-35. (Reserved).

ARTICLE IV  
ADMINISTRATIVE REMEDIES AND PENALTIES

§160-36. Authority of the Town.

(A) Application for a search warrant. See, Chapter 71 of the Huntington Town Code.

(B) 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.

§160-37. Penalties for offenses.

(A) A violation of Article IV of this Chapter shall be punishable by a fine or penalty of not less than one hundred and fifty (\$150) dollars nor greater than one thousand (\$1,000) 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.

(B) 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 any part thereof; an action to compel compliance with or to restrain by injunction the violation of this chapter; and other remedies which in the opinion of the Town Attorney may seem necessary and proper.

(C) No oversight or dereliction of duty on the part of the Town shall serve to legalize the use and/or occupancy of any property, building or structure which does not conform to the provisions of this chapter or other applicable local, state and/or federal law, rule, ordinance or regulation.

- (5) The name, address and contact number of the managing agent, if applicable; and
- (6) A signed and notarized certification in a form acceptable to the Director of Public Safety by each property owner or managing agent attesting to the total number of persons occupying each rental property or rental unit owned or managed by the registrant as of the date of registration; and
- (7) Location of the premises, the number of dwellings units located therein, and number of persons to be accommodated; and
- (8) A floor plan of each dwelling unit and the accommodations; and
- (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) Such other information and/or documentation deemed necessary by the Director of Public Safety.

(D) Duty to amend. If the status of the information changes during the course of any calendar year, it is the responsibility of the owner or managing agent to submit such changes to the Department of Public Safety in writing within thirty (30) days of the occurrence of such change.

(E) Non-compliance. Failure of an owner or managing agent to secure a rental permit or to amend the information, or to do so within the period provided shall constitute a violation of this article.

§160-26. Issuance of permit; fees.

(A) Permit fee. A 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.

(B) Late charges. A late charge equal to two times the amount of the permit fee, prorated for the period of delay, shall be charged to owners and/or managing agents who fail to apply for a rental permit or renew their permits on a timely basis.

(C) Compliance required. 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.

§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

- (11) There exists an inability of any occupant or person in possession thereof to have unimpeded and/or lawful access to all parts of the rental property or rental unit.
- (12) Two or more kitchens each containing one or more of the following: a range, oven, hotplate, microwave or other similar device customarily used for cooking or preparation of food and/or a refrigerator.

§160-24. Term of permit. A rental permit and renewal thereof shall be valid for a period of one (1) year from the date of issuance unless sooner terminated.

§160-25. Application for rental permits.

(A) The owner or managing agent of rental property or a dwelling unit shall apply for a rental permit before the property or dwelling unit is advertised for rent or if the vacancy is not advertised then such permit shall be obtained before the premises are leased or occupied by one other than a member of the owner's immediate family. The rental permit number shall be noted on the advertisement. Failure to file an application or to apply within the specified period shall be deemed a violation of this article.

(B) Transfer of property. In the event ownership of rental property is transferred to a new owner, the new owner or managing agent shall apply for a rental permit within thirty (30) days of the closing of title if any portion of the property is rented or leased at the time of closing. If an application is not filed as required by this article there shall be a presumption that the property is being utilized as rental property by the new owner(s) in violation of law. Failure to file an application or to apply within the specified period shall be deemed a violation of this article.

(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:

- (1) The information set forth in §160-13(A) as is applicable in the discretion of the Director of Public Safety, and §160-13(B); and
- (2) A copy of the latest deed to the property; and
- (3) Latest survey of the property, if available or a plot or schematic showing the size and location of the lot and all buildings and structures thereon; and
- (4) Government issued proof of residency of each owner with picture ID (driver's license, passport, etc.), and the address and contact number thereof; and

Housing Authority, the Huntington Housing Authority Mortgage Banking Corporation, and the Huntington Community Development Agency.

§160-22. Rental permit required.

(A) Owner or managing agent. It shall be unlawful for the owner or managing agent 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.

(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.

§160-23. Violation of article; presumptive evidence. The presence or existence of any of the following shall create a rebuttable presumption that rental property or a dwelling unit is rented. Nothing herein shall be construed so as to prevent persons from living together as a family unit with the owner.

- (1) The property is occupied by someone other than the owner, and the owner or managing agent of the property represents in writing or otherwise, to any person or establishment, business, institution or government agency, that he resides at an address other than the rental property.
- (2) Persons living in the rental property or dwelling unit represent that they pay rent to the owner of the premises.
- (3) Utilities, cable, phone or other services are in place or requested to be installed or used at the premises in the name of someone other than the record owner.
- (4) Testimony by a witness with personal knowledge of the facts that a person other than the record owner resides at the premises.
- (5) There is more than one mailbox at the premises.
- (6) There is more than one gas meter at the premises.
- (7) There is more than one electric meter at the premises.
- (8) There are separate entrances for segregated parts of the building.
- (9) There are partitions or internal doors which may serve to bar access between segregated portions of the building including but not limited to bedrooms.
- (10) There exists a separate written or oral lease, or rental or occupancy agreement, or payment arrangement for portions of the rental property between the owner or managing agent and the different occupants and/or tenants of the property.

ARTICLE II  
VACANT BUILDING REGISTRATION

\* \* \*

§160-17. through §160-20. (Reserved).

ARTICLE III  
RESIDENTIAL RENTAL PERMITS

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

DWELLING UNIT – Any residential area, space, or housing unit in any zoning district which is occupied for habitation as a residence by persons other than the owner or the owner’s immediate family.

IMMEDIATE FAMILY – For the purpose of this article immediate family shall mean as set forth in §198-2 (Family).

MANAGING AGENT - Any individual, business entity, enterprise, trust, association, public utility or other legal entity responsible for the maintenance or operation of any residential rental property.

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.

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 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.

RENTAL PROPERTY – Dwelling unit(s) in one and two family homes 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 non-residential 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) month or less in any calendar year; 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

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014-558

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: November 6, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

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 **9th day of December, 2014** at **7:00 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.

2014-558

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.

2014-558

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

143	50 Lefferts Avenue Northport	E.	0400-217.00-01.00-039.000	Alfred Valma 50 Lefferts Avenue E. Northport, NY 11731-5816	9/24/2014	\$	2,500.00
145	170 Jackson Crescent Centerport		0400-038.00-02.00-017.000	Robert Bennett 170 Jackson Crescent Centerport, NY 11721-1027	9/25/2014	\$	2,500.00
86	336 Larkfield Road E. Northport		0400-118.00-01.00-006.000	Hanover Community Bank 2131 Jericho Turnpike Garden City, NY 11040-4703	9/30/2014	\$	5,000.00

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

2014-558

EXHIBIT NO.	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
144	2 Larch Place Huntington Station	0400-240.00-01.00-137.000	Michael Griemsmann 2 Larch Place Huntington Station, NY 11746-4416	9/18/2014	\$ 2,500.00
147	11 Ketcham Court Northport	0400-127.00-01.00-064.013	Richard & Joanne Tworkowski 11 Ketchum Court E. Northport, NY 11731-2037	9/29/2014	\$ 2,500.00
149	11 Woodland Lane Huntington	0400-037.00-02.00-075.003	Gina Insigne 11 Woodland Lane Huntington, NY 11743-1539	10/9/2014	\$ 2,500.00
142	16 Lawrence Street Greenlawn	0400-110.00-02.00-034.000	James Gergel 12 Elsmere Place E. Northport, NY 11731-5810	9/25/2014	\$ 2,500.00
148	18 Carlisle Drive Northport	0400-002.00-01.00-114.000	Liliana Nedic 2520 23rd Avenue Long Island City, NY 11105-3115	9/29/2014	\$ 2,500.00
146	19 Eugene Street Melville	0400-259.00-02.00-056.001	Robert Grein, As Trustee of the Qualified Personal Residence Trust of Robert Grein 19 Eugene Street Melville, NY 11747-2903	9/24/2014	\$ 2,500.00
150	39 Smith Street Greenlawn	0400-107.00-05.00-008.000	Charles Haley, Jr. 39 Smith Street Greenlawn, NY 11740-1219	10/17/2014	\$ 2,500.00

**SCHEDULE A  
 Schedule Public Hearing**

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

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

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

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

- received a willing seller letter from Evan Tannenbaum, owner of 3.75 acres identified as SCTMs 0400-061.00-01.00-002.000, 0400-061.00-01.00-003.000 and 0400-061.00-01.00-004.001, located at 1064 Fort Salonga Road in Fort Salonga;
- conducted a field investigation; and
- recommended that the Town Board pursue acquisition of all or a portion of the property, as may be determined by the Committee, for passive park use to protect woodland within the Crab Meadow Watershed and to enable public access and enjoyment of trails already in community use, and

WHEREAS, the Town Board wishes to proceed with acquisition of this specific real property or a portion thereof 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, prior to completing the acquisition of the subject property, the Town Board has determined that its action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing expenditures against the EOSPA Program funds, and therefore has been established as lead agency, and

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

NOW THEREFORE, BE IT

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

2014-559

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 9<sup>th</sup> day of DECEMBER, 2014 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Tannenbaum Property for passive parkland and community trails use; and

BE IT FURTHER

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

BE IT FURTHER

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

VOTE:            AYES:    5    NOES:    0    ABSTENTIONS:    0

Supervisor Frank P. Petrone	<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.

2014-560

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A LAND AND TOWER LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC FOR THE CONTINUED OPERATION OF A COMMUNICATIONS FACILITY AT THE DIX HILLS WATER DISTRICT FACILITY ON COLBY DRIVE

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, New Cingular Wireless, successor in interest to Cellular Telephone Company, currently has cellular antennas and equipment installed at the Dix Hills Water District facility on Colby Drive (the "Colby Drive Facility") pursuant to a license agreement dated April 1, 1991; and

WHEREAS, the aforementioned license agreement expired on or about March 31, 2014; and

WHEREAS, New Cingular Wireless is desirous of continuing its use of the Colby Drive Facility by licensing a portion thereof for the continued operation of a communications facility thereat and for uses incidental thereto, by entering into a new land and tower license agreement with the Dix Hills Water District; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 9<sup>th</sup> day of December, 2014 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless, 575 Morosgo Drive NE, Suite 13-F, West Tower, Atlanta, Georgia, for the use of a portion of the Dix Hills Water District facility on Colby Drive for the continued operation of a communications facility and for uses incidental thereto, with an initial term of five (5) years beginning upon execution of the agreement and for an initial license fee due in the amount of THREE THOUSAND SIX HUNDRED ONE and 08/100 Dollars (\$3,601.08) per month, with an option to renew upon agreement of the parties for additional five (5) year terms at an increased monthly license fee of 115% of the amount due during the prior five (5) year term, and upon such other terms and conditions as may be acceptable to the Town Attorney's Office.

VOTE:            AYES:        3            NOES:        1            ABSTENTIONS: 1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-561

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER A LAND AND TOWER LICENSE AGREEMENT BETWEEN THE DIX HILLS WATER DISTRICT AND NEW CINGULAR WIRELESS PCS, LLC FOR THE CONTINUED OPERATION OF A COMMUNICATIONS FACILITY AT THE DIX HILLS WATER DISTRICT FACILITY ON WOLF HILL ROAD

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by : **SUPERVISOR PETRONE**

WHEREAS, New Cingular Wireless, successor in interest to Cellular Telephone Company, currently has cellular antennas and equipment installed at the Dix Hills Water District facility on Wolf Hill Road (the "Wolf Hill Road Facility") pursuant to a license agreement dated February 8, 1991; and

WHEREAS, the aforementioned license agreement expired on or about January 31, 2011; and

WHEREAS, New Cingular Wireless is desirous of continuing its use of the Wolf Hill Road Facility by licensing a portion thereof for the continued operation of a communications facility thereat and for uses incidental thereto, by entering into a new land and tower license agreement with the Dix Hills Water District; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 9<sup>th</sup> day of December, 2014 at 7:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider a land and tower license agreement between the Dix Hills Water District and New Cingular Wireless, 575 Morosgo Drive NE, Suite 13-F, West Tower, Atlanta, Georgia, for the use of a portion of the Dix Hills Water District facility on Wolf Hill Road for the continued operation of a communications facility and for uses incidental thereto, with an initial term of five (5) years beginning upon execution of the agreement and for an initial license fee due in the amount of FOUR THOUSAND FIVE HUNDRED SIXTY-SIX and 92/100 Dollars (\$4,566.92) per month, with an option to renew upon agreement of the parties for additional five (5) year terms at an increased monthly license fee of 115% of the amount due during the prior five (5) year term, and upon such other terms and conditions as may be acceptable to the Town Attorney's Office.

VOTE:            AYES:    3    NOES:    1    ABSTENTIONS:    1

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014- 562

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

Resolution for Town Board Meeting Dated: November 6, 2014

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, a recent murder called attention to ongoing issues involving crime in Huntington Station; and

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

WHEREAS, the Town has reopened its Public Safety Annex on Depot Road to increase Town Department of Public Safety visibility in Huntington Station and to provide a location where community residents can seek information and pass on to the Town information about situations that might warrant investigation and action; and

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

WHEREAS, said Town liaison will join forces with the Suffolk County Police, with community leaders and social service agencies and will work with the Town to restructure the Department of Public Safety to better fulfill its mandate within this community; and

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related thereto with Varron Solutions LLC, 1515 A Street, West Babylon, New York, 11704 to provide consulting services and act as the Town's liaison with Suffolk County Police Department, community and social service agencies, and to provide assistance with a restructuring of the Town Department of Public Safety for a fee

2014-562

not to exceed FIFTY THOUSAND DOLLARS (\$50,000) and upon such terms and conditions as approved by the Town Attorney.

FURTHER BE IT RESOLVED the Town Board authorizes the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts as follows:

Increase the following appropriation:

A3010-4550	Outside Professional	\$50,000
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Decrease the following appropriation:

A1990-1100	Contingency	\$50,000
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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.

2014-563

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2014-486, TO CONFIRM THAT HIGHLAND GREEN RESIDENCE, LLC, INSTEAD OF RULAND TAX CREDIT LIMITED PARTNERSHIP, IS TO BE A PARTY TO THE AUTHORIZED AGREEMENT

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, Resolution 2014-486 named Ruland Tax Credit Limited Partnership and HG Housing Development Fund Company, Inc. as the parties to an agreement to be made with the Town of Huntington; and

WHEREAS, Highland Green Residence, LLC, instead of Ruland Tax Credit Limited Partnership, is to be a party to the agreement; and

WHEREAS, this amendment to Town Board Resolution 2014-486 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 amends Town Board Resolution 2014-486 and confirms that Highland Green Residence, LLC, c/o The D & F Development Group, LLC, 100 Schoolhouse Road, Levittown, New York 11756, and HG Housing Development Fund Company, Inc., c/o Long Island Housing Partnership, 180 Oser Avenue, Suite 800, Hauppauge, New York 11788, are the parties to the agreement to be made with the Town of Huntington, and in all other respects the provisions of Town Board Resolution 2014-486 shall remain in full force and effect.

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.

2014-564

RESOLUTION MEMORIALIZING REQUEST TO THE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK TO INVESTIGATE ALLEGATIONS OF UNETHICAL PRACTICES IN THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Councilman Cook

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, Newsday, a newspaper of general circulation within the Town of Huntington, has published news articles raising questions concerning alleged ethical violations of the Town of Huntington Code of Ethics; and

WHEREAS, counsel to the Town of Huntington Board of Ethics was asked by Newsday about an informal opinion counsel gave to a member of the Town Board concerning an alleged violation of the Town Ethics Code, which was then reported in the newspaper article; and

WHEREAS, individual member(s) of the Ethics Board has/have allegedly made campaign contributions to Town Board Members and Town Board Member(s) has/have allegedly made campaign contributions to the Board of Ethics counsel; and

WHEREAS, it is imperative for the Town to maintain the highest possible level of ethical practice; and

WHEREAS, an impartial investigation would serve to allay the fears of Huntington residents regarding the existence of any official impropriety or unethical practices;

NOW, THEREFORE, BE IT

MEMORIALIZED, that the Town Board requests the United States Attorney for the Eastern District of New York to investigate allegations of unethical practices concerning the Town of Huntington Ethics Board, its counsel and members of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to the United States Attorney for the Eastern District of New York, to Congressman Steve Israel and Senators Charles Schumer and Kirsten Gillibrand, to New York State Governor Cuomo, to New York State Lt. Governor Robert J Duffy, to New York State Comptroller Thomas P DiNapoli and to New York State Senators Carl Marcellino and John Flanagan and New York State Assemblyman Andrew Raia and Chad Lupanacci.

2014-564

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

2014-565

RESOLUTION MEMORIALIZING DIRECTION TO TOWN ATTORNEY OR HER DESIGNEE TO CONFER WITH OUTSIDE AUTHORITIES AND EXPERTS AND TO MAKE ANY RECOMMENDATIONS SHE DEEMS NECESSARY OR DESIRABLE FOR STRENGTHENING THE TOWN OF HUNTINGTON CODE OF ETHICS

Resolution for Town Board Meeting Dated: November 6, 2014

The following resolution was offered by: Councilwoman Berland

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

WHEREAS, recently questions have been raised concerning the adequacy of and adherence to existing ethical standards under the Code of Ethics of the Town of Huntington; and

WHEREAS, the Board of Ethics and Financial Disclosure of the Town of Huntington in a recent Opinion in a particular matter observed that even in the absence, in that instance, of any "technical ethical violation" under the Town Code of Ethics, a "better course" would have been to follow a higher standard of disclosure; and

WHEREAS, the Office of State Comptroller, Division of Local Government and School Accountability has a mission of serving taxpayer's interests by examining the affairs of local governments, maintaining and improving accountability, and promoting reform and good government; and

WHEREAS, the Association of Towns of the State of New York has expertise in providing opinions on appropriate ethical standards of conduct and model codes for local governments and their officials; and

WHEREAS, it is the intention of the Town Board to assure residents that the Town of Huntington requires and maintains the highest level of ethical standards and practices; and

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

NOW, THEREFORE, BE IT

RESOLVED that the Town Board directs the Town Attorney or her designee to confer with all authorities and experts she deems to have relevant knowledge, experience and expertise in the field of governmental ethics, including, but not limited to, the Office of New York State Comptroller, Division of Local Government and School Accountability and the Association of Towns of the State of New York, and propose to the Town Board any and all recommendations she determines may be necessary or desirable for strengthening the Code of Ethics for the Town of Huntington to prohibit and deter any current or future departures from ethical practices.

2014-565

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