

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 RAI A.

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

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson –Absent until 6:09 P.M.
Councilwoman	Tracey A. Edwards
Town Clerk	Jo-Ann Raia
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED OCTOBER 6, 2015

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 7:11 P.M. Recessed: 7:13 P.M. Resumed: 8:04 P.M. Closed: 8:04 P.M.

LOCAL DEVELOPMENT CORPORATION BOARD MEETING

Opened: 8:04 P.M. Closed: 8:06 P.M.

6:00 P.M. – TOWN HALL

Opened: 6:02 P.M. Recessed: 7:10 P.M. Resumed: 7:13 P.M. Closed: 8:03 P.M.

(Resolutions #2015-450 to 2015-491)

HEARINGS:

ACTION

1. Discussion re: Preliminary Annual Operating Budget.

(Re: Fiscal Year beginning 1/1/2016).

(2015-M-43)

Scheduled as per Resolution 2015-439 at 9-16-2015 Town Board Meeting

HEARING CONCLUDED

2. Discussion re: Preliminary Capital Budget.

(Re: Fiscal Year beginning 1/1/2016).

(2015-M-44)

Scheduled as per Resolution 2015-440 at 9-16-2015 Town Board Meeting

HEARING CONCLUDED

3. Consider adopting Assessment Roll for the Huntington Sewer District.

(2015-M-45)

Scheduled as per Resolution 2015-441 at 9-16-2015 Town Board Meeting

HEARING CONCLUDED

HEARINGS (Continued):

4. Consider adopting Assessment Roll for the Centerport Sewer District.
(2015-M-46)

Scheduled as per Resolution 2015-442 at 9-16-2015 Town Board Meeting

5. Consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (SCTM #'S: 0400-184.00-01.00-024.000;

0400-201.00-03.00-044.000; 0400-195.00-01.00-023.000)

(2015-M-42)

Scheduled as per Resolution 2015-438 at 9-16-2015 Town Board Meeting

6. Consider an amendment to the license agreement made with Huntington Hospital Association to utilize a portion of the Town of Huntington parking facility located adjacent to Mill Dam Park, nunc pro tunc.

(2015-M-47)

Scheduled as per Resolution 2015-443 at 9-16-2015 Town Board Meeting

7. Consider an amendment to the Land and Tower License Agreement made by and between the Dix Hills Water District and New York SMSA Limited Partnership, D/B/A Verizon Wireless to permit the relocation and reinstallation by Verizon Wireless of its communication facility to another location at the Dix Hills Water District Facility on Colby Drive.

(2015-M-48)

Scheduled as per Resolution 2015-444 at 9-16-2015 Town Board Meeting

8. Consider an amendment to the license agreement made with Integrity Golf Company, LLC for the operation and management of the golf course and food and beverage operations at the Crab Meadow Golf Course and the golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York, nunc pro tunc.

(2015-M-49)

Scheduled as per Resolution 2015-445 at 9-16-2015 Town Board Meeting

9. Consider adopting Local Law Introductory No. 37-2015, amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms).

(Local Law Introductory No. 37-2015)

Scheduled as per Resolution 2015-448 at 9-16-2015 Town Board Meeting

ACTION

HEARING CONCLUDED

**ACTIONS TAKEN
AS PER
RESOLUTION 2015-485**

DECISION RESERVED

**Councilwoman Edwards
recused herself and removed
herself from the Town Board
Room during the testimony
presented at this hearing.**

DECISION RESERVED

DECISION RESERVED

**ENACTMENT
RESOLUTION 2015-484**

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. To obtain views and comments for inclusion in the Huntington Community Development Agency's Second Year Annual Action Plan.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

ABBREVIATIONS FOR PURPOSE OF AGENDA:

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

- | | | | |
|---|-----------|------------------------|--|
| <p>2015-450. AUTHORIZE the Supervisor to execute a requirements contract for communication equipment repair with Telecom Communications, Inc.
(Term: One year but not commencing prior to January 1, 2016)</p> | <u>EC</u> | <u>FP</u> | <p>EC-AYE
FP-AYE
MC-AYE
SB-AYE
TE-Recusal</p> |
| <p>2015-451. AUTHORIZE the Supervisor to execute an extension to the contract for the operation and maintenance service contract including emergency service for mechanical equipment at Huntington Town Hall, The John J. Flanagan Center and the Dix Hills Ice Rink with Michael James Industries, Inc. (Extension for 3 years commencing on 12/31/2015)</p> | <u>SB</u> | <u>EC</u> | <u>5</u> |
| <p>2015-452. AUTHORIZE the Supervisor to execute a change to the existing contract with H2M architects + engineers (Formerly Holzmacher, McLendon & Murrell, PC) for professional engineering services for the Colby Drive Water Storage Tank, for the Dix Hills Water District. (Re: Town Board Resolution #2013-474)</p> | <u>SB</u> | <u>EC</u>
<u>MC</u> | <u>5</u> |
| <p>2015-453. AUTHORIZE the Supervisor to execute a requirements contract for refuse and recycling removal service two cubic yard, four cubic yard, six cubic yard and eight cubic yard containers with Jamaica Ash and Rubbish Removal, Co, Inc. and Winters Bros. Hauling of LI, LLC.
(Term: One year but not commencing prior to January 1, 2016)</p> | <u>TE</u> | <u>EC</u> | <p>TE-AYE
EC-AYE
FP-AYE
TE-AYE
MC-Recusal</p> |
| <p>2015-454. AUTHORIZE the Supervisor to execute an agreement with each of the qualified proposers to conduct debt collection services for the Town of Huntington. (Re: Silverman Acampora LLP and Smith Carroad Levy & Wan PC; Term: 3 years)</p> | <u>FP</u> | <u>EC</u> | <u>5</u> |
| <p>2015-455. AUTHORIZE the Supervisor to execute a first amendment to the management and administrative services agreement made with the Town of Huntington Local Development Corporation and directing the release of funds related thereto.</p> | <u>FP</u> | <u>SB</u> | <u>5</u> |
| <p>2015-456. AUTHORIZE the Supervisor to execute all necessary documents to transfer surplus Hart Transit Buses to Broome County Transit.</p> | <u>SB</u> | <u>MC</u> | <u>5</u> |

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-457. AUTHORIZE the Supervisor to apply for and receive funding from the New York State Environmental Facilities Corporation pursuant to the Clean Vessel Assistance Program Operation and Maintenance Grant Program for 2015, nunc pro tunc.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-458. AUTHORIZE the Comptroller to appropriate monies from the Environmental Open Space and Park Improvement Fund for recommended neighborhood enhancement (Greenlawn Railroad Station Parking Area Landscaping).	<u>FP</u> <u>MC</u> <u>EC</u>	<u>SB</u>	<u>5</u>
2015-459. AUTHORIZE the Comptroller to distribute interest earned on tax revenue to the various taxing districts within the Town of Huntington.	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-460. AUTHORIZE the Comptroller to amend the 2015 operating budget for the Town of Huntington and its special districts – various departments.	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-461. AUTHORIZE the Comptroller to amend the 2015 operating budget for the Town of Huntington and its special districts – Town Attorney.	<u>SB</u>	<u>MC</u>	<u>5</u>
2015-462. AUTHORIZE the execution of a license termination agreement with MetroPCS New York, LLC, terminating a certain communications site license agreement dated May 22, 2009, nunc pro tunc. (Re: T-Mobile USA, Inc.)	<u>FP</u>	<u>EC</u>	<u>FP-AYE</u> <u>EC-AYE</u> <u>MC-AYE</u> <u>SB-AYE</u> <u>TE-Recusal</u>
2015-463. AUTHORIZE the execution of a license termination agreement with MetroPCS New York, LLC, terminating a certain communications site license agreement dated October 1, 2010, nunc pro tunc. (Re: T-Mobile USA, Inc.)	<u>FP</u>	<u>EC</u>	<u>FP-AYE</u> <u>EC-AYE</u> <u>MC-AYE</u> <u>SB-AYE</u> <u>TE-Recusal</u>
2015-464. AUTHORIZE the execution of an agreement with the Commack Volunteer Ambulance Corporation for emergency medical and ambulance services to the Commack Ambulance District and adopting a schedule of user fees as of July 1, 2015, nunc pro tunc.	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-465. AUTHORIZE the execution of a contract for laboratory analysis for the Huntington Sewer District Sewage Treatment Plant with Long Island Analytical Laboratories, Inc. (Term: One year but not commencing prior to January 1, 2016)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-466. AUTHORIZE an extension of time to pay taxes for those persons granted a Senior Citizen Tax Exemption and Enhanced Star Exemption pursuant to Chapter 178 of the Code of the Town of Huntington. (Time extended to 6/6/2016)	<u>EC</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-467. AUTHORIZE named financial institutions as depositories for tax receipts and authorizing the Receiver of Taxes to execute collateral agreements for tax receipt accounts on behalf of the Town of Huntington. (Re: JP Morgan Chase Bank, Valley National Bank, HSBC Bank USA, Wells Fargo Bank and TD Bank)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-468. AUTHORIZE the Department of Planning and Environment to request extension for Round 11 Urban and Community Forestry Grant Program.	<u>FP</u>	<u>EC</u> <u>TE</u>	<u>5</u>
2015-469. AUTHORIZE the correction of code violations at various locations pursuant to the code of the Town of Huntington. (Re: Helen White, 21 Lee Street, Huntington, SCTM# 0400-190.00-01.00-078.000, Chapter 133; Martin Slavin, 27 Durham Drive, Dix Hills, SCTM# 0400-262.00-02.00-020.000, Chapters 156, 191; Marie M. Saint – Hilaire, 50 East 5 th Street, Huntington Station, SCTM# 0400-148.00-02.00-015.000, Chapters 133, 156)	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-470. ABANDON a portion of Queens Street between Vale Drive and Hilltop Avenue pursuant to Highway Law §205. (Re: Paper Street)	<u>EC</u>	<u>FP</u>	<u>5</u>
2015-471. ACCEPT a donation of construction repairs to the municipal parking lot at Halesite Town Dock by the Bohlsen Restaurant Group.	<u>FP</u>	<u>EC</u>	<u>5</u>
2015-472. ACCEPT a donation of a bench with plaque in memory of Debra Cotugno.	<u>SB</u>	<u>TE</u>	<u>5</u>
2015-473. APPOINT members to the Town of Huntington Veterans Advisory Board. (Re: Bill Amadio [Northport American Legion #694], Walter Scally [Huntington American Legion #360] and Richard Serynek [Disabled American Veterans]).	<u>FP</u> <u>SB</u>	<u>TE</u>	<u>5</u>
2015-474. GRANT the New York State Department of Transportation authority concerning the Dix Hills Water District Re: Contract Pin No. 0809.56. (Re: Priority Resurfacing Projects Various Locations Nassau and Suffolk Counties; adjustment of water valve boxes at DHWD)	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-475. EXTEND the time to make a determination regarding the adoption of Local Law Introductory Number 6-2015, considering Zone Change Application #2014-ZM-405, Melville Hotel, LLC, to change the Zoning from I-1 Light Industry District to C-10 Planned Motel District for property located on the west side of Broadhollow Road, south of the south service road, Melville, SCTM #0400-255-01-035.001. (Time extended to 1/16/2016)	<u>SB</u>	<u>FP</u>	<u>5</u>
2015-476. ENACTMENT: ADOPT Local Law Introductory No.18-2015, amending the Code of the Town of Huntington so as to create Chapter 189 (Unmanned Aircraft Systems).	<u>MC</u> <u>TE</u>	<u>FP</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-477. ENACTMENT: ADOPT Local Law Introductory Number 22-2015, considering zone change application #2014-ZM-402, Power Land Corp, to change the zoning from C-6 General Business District to C-11 Automotive Service Station District for property located on the northwest corner of Jericho Turnpike and Elwood Road, Elwood, SCTM #0400-214-01-056.	<u>TE</u>	<u>FP</u>	<u>5</u>
2015-478. ENACTMENT: ADOPT Local Law Introductory Number 23-2015, considering zone change application #2015-ZM-409, Apple Farm Realty, LLC, to change the zoning from I-5 General Industry District to C-11 Automotive Service Station District for property located on the southeast corner of Oakwood Road and West 11 th Street, Huntington Station, SCTM # 0400-137-01-061.001.	<u>SB</u>	<u>EC</u>	<u>5</u>
2015-479. ENACTMENT: ADOPT Local Law Introductory No. 29-2015 amending the Code of the Town of Huntington, Chapter 55 (Public Safety, Department of).	<u>FP</u>	<u>MC</u>	<u>5</u>
2015-480. ENACTMENT: ADOPT Local Law Introductory No. 30-2015 amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits).	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-481. ENACTMENT: ADOPT Local Law Introductory No. 31-2015 amending the code of the Town of Huntington, Chapter 198, (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations).	<u>TE</u>	<u>MC</u>	<u>TE-AYE</u> <u>MC-AYE</u> <u>FP-AYE</u> <u>SB-AYE</u> <u>EC-NO</u>
2015-482. ENACTMENT: ADOPT Local Law Introductory Number 33-2015, considering zone change application #2015-ZM-408, Stone Ridge III, to change the zoning from R-40 Residence District to R-3M Garden Apartment Special District for property located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills, SCTM #0400-278-02-170 & 171.	<u>FP</u> <u>SB</u>	<u>EC</u>	<u>FP-AYE</u> <u>SB-AYE</u> <u>EC-AYE</u> <u>TE-AYE</u> <u>MC-Recusal</u>
2015-483. ENACTMENT: ADOPT Local Law Introductory Number 34-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development).	<u>FP</u> <u>SB</u>	<u>TE</u>	<u>5</u>
2015-484. ENACTMENT: ADOPT Local Law Introductory No. 37-2015 amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms).	<u>TE</u>	<u>FP</u> <u>MC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2015-485. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Schedule A & B: Gloria/Jeffrey Gelmin, Jr., 3 Olmstead Lane, E. Northport, SCTM# 0400-184.00-01.00-024.000; Wayne/Teresa Hughes, 19 Oakcrest Drive, Huntington Station, SCTM# 0400-201.00-03.00-044.000; Tom/Benia Keogh, 19 Oakley Drive, Huntington Station, SCTM# 0400-195.00-01.002-023.000; Schedule D: Michael Griemsman, 2 Larch Place, Huntington Station, SCTM# 0400-240.00-01.00-1378.000; Nicholas/Linda D'Onofrio, 4 Carriage Court, Dix Hills, SCTM# 0400-262.00-01.00-145.000; Walter/ Jo Ann Hergenhan, 9 Maryanne Court, Huntington, SCTM# 0400-077.00-02.00-036.007; James Gergel, 16 Lawrence Street, Greenlawn, SCTM# 0400-110.00-02.00-034.000)</p>	<u>SB</u>	<u>FP</u>	<u>5</u>
<p>2015-486. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A: LI Assets Acquisitions, 5 Brown Meadows Court, Huntington, SCTM# 0400-206.00-02.00-144.002; Beatrix Berry-Frech, 47 St. Andrews Drive, Huntington, SCTM# 0400-018.00-02.00-015.000)</p>	<u>SB</u>	<u>TE</u>	<u>5</u>
<p>2015-487. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 38-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Minetta Court, Huntington – Stop Signs</p>	<u>TE</u>	<u>EC</u>	<u>5</u>
<p>2015-488. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 39-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Laurel Road, East Northport – Parking Restrictions.</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2015-489. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory Number 40-2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), Article I (Use Regulations) and Schedule L (Town Parking Fields).</p>	<u>MC</u> <u>TE</u>	<u>SB</u>	<u>5</u>
<p>2015-490. SCHEDULE A PUBLIC HEARING: November 5, 2015 at 2:00 PM To consider adopting Local Law Introductory No. 41-2015 amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal).</p>	<u>FP</u>	<u>SB</u>	<u>5</u>
<p>2015-491. AUTHORIZE the Supervisor to execute a contract with Lisa McQuilkin Land Surveying for professional surveying services for two (2) Town of Huntington parking lots. (Re: New Street Parking Lot and Elm Street Parking Lot)</p>	<u>SB</u> <u>EC</u>	<u>TE</u>	<u>5</u>

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:

OFF. SEC. VOTE

2015-CD11. AUTHORIZE the Chair to execute a Memorandum of Understanding to be made with the Town of Huntington Economic Development Corporation. (Re: Huntington Opportunities Resource Center)

FP SB 5

2015-CD12. AUTHORIZE the Chair to execute a Memorandum of Understanding to be made with the Town of Huntington Local Development Corporation. (Re: Huntington Opportunities Resource Center)

FP SB 5

**LOCAL DEVELOPMENT CORPORATION BOARD MEETING
MEETING DATED: OCTOBER 6, 2015**

RESOLUTIONS:	OFF.	SEC.	VOTE
2015-LDC6.RESTATE resolution 2015-LDC4 directing the release of funds to support the Huntington Opportunity Resource Center pursuant to the management and administrative services agreement made by and between the Town of Huntington Local Development Corporation and the Town of Huntington.	<u>TE</u>	<u>SB EC</u>	<u>5</u>
2015-LDC7.AUTHORIZE the Chair to execute a Memorandum of Understanding to be made with the Huntington Community Development Agency.	<u>FP</u>	<u>SB</u>	<u>5</u>
2015-LDC8.AUTHORIZE the Chair to execute a first amendment to the management and administrative services agreement made with the Town of Huntington.	<u>FP</u>	<u>TE</u>	<u>5</u>
2015-LDC9.AUTHORIZE the issuance, execution, sale, and delivery of the Town of Huntington Local Development Corporation's (I) tax-exempt revenue bonds (St. Anthony's High School Project), and (II) taxable revenue bonds (St. Anthony's High School Project), in an aggregate principal amount not to exceed \$38,000,000 and (III) the execution and delivery of related documents.	<u>MC SB</u>	<u>FP</u>	<u>5</u>

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: OCTOBER 6, 2015**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Patrick DeLuca for Fabio Machado or Corp to be formed (46 G Gerard Street, Huntington); From: Theresa Russo (Wilson Elser Moskowitz Edelman & Dicker LLP); From: Andrew Crabtree for A J Crabtree's (330 New York Ave, Huntington); From: Patrick DeLuca for The Whales Tale (81A For Salonga Rd, Npt) {attached was a letter advising that the NYSLA requested the application be resubmitted to the Town}

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
NONE RECEIVED
3. Emails received from Virginia Mallon-Ackermann regarding a bamboo patch located at 9 Hewett Drive in Northport. The writer indicates that there is invasive bamboo at this location, the neighbors want the issue addressed and handled by the TOWN. (cc'd Supervisor/Councilpersons)

Town Attorney
cc: Public Safety
4. Email received from Wendi Stranieri regarding convenience stores and curb cuts. The writer is questioning why the issue of curb cuts was not raised relevant to the application of the gas station at Elwood Road and Jericho but was in the Oakwood Road and 11th Street application. The email also indicates that the Elwood Road area has a higher volume of traffic and is accident prone.

Mark Cuthbertson
Town Attorney
Engineering Services
Planning & Environment
cc: Traffic & Transportation
5. Email received from Bob Abbatecola regarding deer hunting in Asharoken and Eatons Neck. The writer indicates he does not want bow hunters in his town or near his home.

Supervisor
Town Board
cc: Town Attorney
6. Email received from Robert Schmiedecke regarding deer in Eatons Neck. The writer submitted an eight year chart regarding the increase of deer and the amount of food they will consume. He is a bow hunter and would like to see things worked out with the DEC to make the hunting situation a safe one.

Supervisor
Town Board
cc: Town Attorney
7. Opposition forms received regarding the Hess Corporation change of zone application for property located at 412 Fort Salonga Road in Northport from: Robert C. Smith, Mae Smith, Jerilyn Fortsch,

Supervisor
Town Board
Town Attorney
cc: Planning & Environment
8. Two letters received from Andrew Freleng, Chief Planner for Suffolk County, regarding Town of Huntington Resolutions #'s 2015-337, 2015-338, 2015-339, 2015-342, 2015-343, 2015-344, 2015-345, 2015-392, 2015-393, 2015-394, 2015-395, 2015-BT3 and 2015-BT4. The Commission indicates that these are all matters for local determination.

Supervisor
Town Board
Town Attorney
cc: Planning & Environment
9. Notification received from C.J. Bisignano, Supervisory Bridge Management Specialist for the U.S. Coast Guard, regarding notice of proposed rulemaking governing Walk Railroad Bridge across the Norwalk River at Norwalk Connecticut.

Supervisor
Town Board
Town Attorney
cc: Maritime Services
10. Email received from Lori Morra thanking the Town Board for "doing the right thing" regarding the proposed project on Old Northport Road. (cc'd Supervisor/Councilpersons)

cc: Town Attorney

11. Email received from Robert Holmes regarding the Rittenhouse Pier Request adjournment. The writer thanks the Town Board for allowing him to speak in opposition of this project and he also attached copy of his statements for the file. An email was also received from Anna Pollaci thanking the Town Board for allowing her to speak in opposition of the Rittenhouse dock. She has invited the board to visit her home to see the situation first hand. (cc'd Supervisor/Town Board)

Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment
12. Copy of the proposed Melville Fire District Budget for 2016 received. Copy of the Legal Notice for the Public Hearing for the proposed 2016 budget received. The hearing will be held on October 20, 2015 at 7:00 PM at the main firehouse.

Supervisor
Town Board
Town Attorney
cc: Comptroller
13. Email received from Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District, attached was a copy of the Notice of Public Hearing for the Proposed 2016 Budget. The hearing will be held on October 20, 2015 at 7:00 PM at the main firehouse located at 23 Boulevard Avenue Greenlawn.

Supervisor
Town Board
Town Attorney
cc: Comptroller
14. Letters received from Todd Cohen, Secretary for the Dix Hills Fire District, attached was a copy of the 2016 Proposed Budget and a copy of the Notice of Public Hearing regarding the proposed budget. The hearing will be held on October 20, 2015 at 7:00 PM at headquarters located at 115 East Deer Park Road, Dix Hills.

Supervisor
Town Board
Town Attorney
cc: Comptroller
15. Letter received from Karla Wright, Secretary for the Huntington Fire District, attached was a copy of the 2016 proposed budget and a copy of the Notice of Public Hearing for the proposed budget to be held on October 20, 2015 at 7:00 PM at 1 Leverich Place in Huntington.

Supervisor
Town Board
Town Attorney
cc: Comptroller
16. Email received regarding objections to the cutbacks to funding for the Huntington First Aid Squad from James McGoldrick, Mary McGoldrick, George Raab, Robert Rockelein, Kathleen McQuade (cc'd Supervisor/Councilpersons) and Margaret Rubino.

Supervisor
Town Board
cc: Town Attorney
17. Public Notice received from Karen Navin, Clerk-Treasurer for the Incorporated Village of Laurel Hollow regarding a Board of Trustee meeting to be held on October 14, 2015 at 7:30 PM at Village Hall, regarding an application submitted by Land Use Ecological Services on behalf of Cold Spring Harbor Laboratory for a wetland permit.

Supervisor
Town Board
Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment
18. Letter received from Michael Kane, Chairman of the Babylon Zoning Board of Appeals regarding a Public Hearing to be held on October 15, 2015 at 6:15 PM at Town Hall for property located at 25 Cambridge Street in Deer Park which is within 500' of the Town of Huntington border.

Supervisor
Town Board
Town Attorney
cc: Planning & Environment
19. Letter received from Nancy McFadzen, Secretary for the Commack Fire District, attached was a copy of the proposed budget for 2016 and a copy of the Legal Notice regarding the Public Hearing, for the budget, to be held on October 20, 2015 at 7:00 PM at the main firehouse.

Supervisor
Town Board
Town Attorney
cc: Comptroller
20. Copy of the proposed 2016 Budget for the Cold Spring Harbor Fire District and a copy of the Legal Notice regarding the Public Hearing, for the budget, to be held on October 20, 2015 at 7:30 PM at the main firehouse received via email from the District Secretary/Treasurer, Liz Beach.

Supervisor
Town Board
Town Attorney
cc: Comptroller

21. Copy of the proposed 2016 Budget for the Eaton's Neck Fire District and a copy of the Legal Notice regarding the Public Hearing for the budget to be held on October 20, 2015 at 7:30 PM at the firehouse located at 55 Eaton's Neck Road was hand delivered by the District Secretary, Kristi Cartolano.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
22. Hand delivered copy of the proposed 2016 Budget for the Centerport Fire District was received. Copy of the Legal Notice regarding the Public Hearing for the budget to be held on October 20, 2015 at 7:00 PM at the main firehouse from the Leigh Ann Varese, District Secretary.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
23. Email received from Candice Thomson of the Huntington Manor Fire District. Attached was a copy of the 2016 proposed budget. Also included was a copy of the Legal Notice for the Public Hearing regarding the budget, to be held on October 20, 2015 at 7:00 PM at Fire Headquarters.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
24. Email received from Bonnie Sammis, District Secretary/Treasurer for the Halesite Fire Department. Attached was a copy of the Legal Notice for the Public Hearing, regarding the budget, to be held on October 20, 2015 at 7:00 PM at headquarters. Also received was a copy of the proposed budget.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
25. Letter received from Susan Mullen, Clerk to the Board of Zoning Appeals for Smithtown, regarding a Public Hearing on October 13, 2015 for property located at 47 Mall Drive in Commack. Attached was a copy of the application, a Memorandum from the Smithtown Building Director to the ZBA advising that the application was denied and a variance is required. Also attached was a Short Environmental Assessment Form and a map.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
26. Letter received from Sarah Lansdale, Director of Planning for Suffolk County, advising that two properties were included in the Agricultural District No. 3, effective 8/31/2015.
(cc'd Anthony Aloisio/Margo Myles)
- Supervisor
Town Board
cc: Town Attorney
27. Letters received in opposition of the proposed budget cut to the Huntington Community First Aid Squad from: Kaela Neufeld, Michael Iseha, Fiora Gorham, George Reeder, Bedel Saget, Linda Guadagnin, David Mohr, Elizabeth Wuestman, Jill Decker, Karni Bonessi, Ann Maloney, Sheryl Roach, Susan Otto, Carlos Suarez, David Ochanian, Miriam MacDonald, Cecilia Renderos, Lorrie Stone, Andrew Taylor, Philip Schmidt, Laura Treulich, Seth Fischer, Nereida Bonilla, Allison Aievoli, Gina Angevine, Robert Loysch, Keith Davis, Thomas O'Leary, Andrew Campagnola, Jerry Giacomini, Jody Kavanagh, James Barkocy, Fritz Barreau, Eileen Burns, Melissa Anastos, Jean Baptiste Bency, Jasmeet Talwar, Michael Campanelli, Mary Brenner, Gennardo Vasquez, Oscar Gomez, William Connolly, Jeffrey Daniels, Joseph Grant, Mark Cappola, Richard Gierbolini, Pamela Brenner, Frank Guariglia, Keith Tamayo, Kurt Vetter, Sheryl Burke, Casey Orr, Carmen Schlieben, Joseph Kaempf, Steeven Jean, Thomas Romero, Patrick Donegan, Martin LoCascio, Joan Florio, Elizabeth Monr, Robert Franz, Reina Gomez, Liz Beach, Karen Martin, Martha Brenner, James Mallilo, Manuel Aviles, Mary Dewan, Kathryn Donegan, Patricia Reciniello, Ahmad Khan, Carla Schwerin, Brian Lemp, Andrea Golinsky, Kathy Castillo, Louis Dell, Kazuo Ishiiawa, Tim Ebert, Bazeel Waiters, Curtis Gilbert, Fiona Witkowski, Justin Cook, Joanne Vogel, Paul Quinn Mori, Kelly Murphy, Susan Martin, Ann Schwartz, Joseph Gander, Jr., Mary Sisinni, Jeffrey Brennan, Mark Brenner, Karen Reim, Joel Paul, Loreley Villamide Herrera, Tom Lemp, Dale Bartolomeo, Alyssa Axelrod, Greg Orr, Richard Cortes, Thomas Curry, Joseph Nappi, Suzette Crespo, Audin Delva, Edward Franz, Mary Mallilo, Andrea Klein, Kathleen Leonard, Alison Russo, C. Gabriel, Susan Seibel, Eric Schmierer, Kevin McCann, Ann Donegan, Jonathan Stone, Daniel Mugavero, Mary Ann Schramm, Kathleen Hayes, Terrence Cheang, Stephanie Sawyer, Ferd Neumann, Jr., Dominic Heavey, Melissa Rubini, Elizabeth Steenson, Douglas Mayer, Christy Stiles, Casey Stone, Dr. Lehti Laas Ramos, MD, Paul Kelly, Sara Manning, Todd Atkin, Marisa Ramjdan-Bernal, Tiffany White, Maria Valentin, Lorraine Healy, Matthew Sisinni, Karen Wong, Gary Kaplan, Cynthia Cairl, Sandra Franco and Lauren Aviles.

Distributed above to: Supervisor, Town Board and Town Attorney

28. Copy of a letter that was sent by John Rittenhouse via fedex to Supervisor Petrone and Councilpersons: Berland, Cook, Cuthbertson and Edwards was emailed to Town Clerk Jo-Ann Raia. The letter is in regard to the Rittenhouse Dock Proposal. Mr. Rittenhouse in his letter, addresses the issues that were raised in opposition of his proposal. Included were photographs of the proposed dock area and other comparable docks located in the surrounding area. Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment
29. Email sent to the editor at Newsday and copied to Jo-Ann Raia, Town Clerk, regarding "Setting the Social Order". The email referenced the time limits on speaking at the Town Board meetings, the decorum of the Town Board members at the meetings and the revisions to the Code of Ethics. Supervisor
Town Board
cc: Town Attorney
30. Letter addressed to Supervisor Petrone from Sarah Lansdale, Director of the Department of Economic Development and Planning, regarding the Framework for the Future – Suffolk County Comprehensive Master Plan 2015. Ms. Lansdale requested that the letter be forwarded to Town Clerk Jo-Ann Raia. Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
31. Email received from Roger Weaving Jr. regarding two family housing. The writer indicates the rules to build two family homes should be made easier so young professionals could stay in the area. (cc'd Supervisor/Councilpersons) Town Attorney
cc: Planning & Environment
32. Email received from Susan Racine, Secretary of the East Northport Fire District. Attached was a copy of the Public Notice for the Budget Hearing, to be held on October 20, 2015 at 7:00 PM at the main firehouse. Also received was a copy of the 2016 proposed budget. Supervisor
Town Board
Town Attorney
cc: Comptroller
33. Email sent to Town Clerk, Jo-Ann Raia, from Kimberly Glutz, expressing that there is not enough parking spots at the Cold Spring Harbor Train Station. Writer advises she takes a 9:27 am train and the lot is full when she gets there. She would like to see more parking spaces provided. Supervisor
Town Board
Town Attorney
cc: Traffic & Transportation
34. Email received from Paul Rittenhouse regarding the Duck Island Dock Application submitted on behalf of John Rittenhouse. Attached was a letter from Mr. Paul Rittenhouse responding to the various statements that have been submitted in opposition of the proposed dock. Also included were two photos of the area. (cc'd Supervisor/Councilpersons) Town Attorney
Engineering Services
Maritime Services
cc: Planning & Environment

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN EXTENSION TO THE CONTRACT FOR THE OPERATION AND MAINTENANCE SERVICE CONTRACT INCLUDING EMERGENCY SERVICE FOR MECHANICAL EQUIPMENT AT HUNTINGTON TOWN HALL, THE JOHN J. FLANAGAN CENTER AND THE DIX HILLS ICE RINK WITH MICHAEL JAMES INDUSTRIES, INC.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington is desirous of contracting with a qualified Mechanical Maintenance Contractor to provide an Operation & Preventative Maintenance Service Contract, including Emergency Service, for mechanical equipment at Huntington Town Hall, the John J. Flanagan Center and the Dix Hills Ice Rink; and

WHEREAS, Town Board Resolution 2012-452 authorized the execution of a contract with Michael James Industries, Inc. for the operation and maintenance service contract including emergency service for mechanical equipment at Huntington Town Hall, the John J. Flanagan Center and Dix Hills Ice Rink, RFP No. 2012-09-008; and

WHEREAS, said requirements contract provides for a two (2) additional three (3) year extensions at negotiated prices and no change in the terms and conditions; and

WHEREAS, Michael James Industries, Inc., 11 Drew Court, Ronkonkoma, New York 11779, has requested the first three (3) 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 contract, and any documents in connection and related therewith, with Michael James Industries, Inc. for the operation and maintenance service contract including emergency service for mechanical equipment at Huntington Town Hall, the John J. Flanagan Center and Dix Hills Ice Rink. The extension period shall be effective for a three (3) year term commencing on December 31, 2015 in the sum of FOUR HUNDRED FORTY SIX THOUSAND NINE HUNDRED SIXTY THREE AND NO/100 (\$446,963.00) DOLLARS, for three years based on a negotiated price to include no price increase for

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2016 and a 3% increase for years 2017 and 2018 plus additional emergency repair services will be utilized on an as needed basis in accordance with the contract pricing to be charged to A1621-4420, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CHANGE TO THE EXISTING CONTRACT WITH H2M ARCHITECTS + ENGINEERS (FORMERLY HOLZMACHER, MCLENDON & MURRELL, PC) FOR PROFESSIONAL ENGINEERING SERVICES FOR THE COLBY DRIVE WATER STORAGE TANK, FOR THE DIX HILLS WATER DISTRICT

Resolution for Town Board Meeting Dated: October 6, 2015

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

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

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

WHEREAS, the project construction period has extended four (4) months beyond the original estimated completion time, resulting in additional inspection fees; and

WHEREAS, the vendor has requested the contract increase from \$157,000.00 to \$172,000.00 to cover their additional inspection fees during the extended construction period; and

WHEREAS, pursuant to SEQRA, 6NYCRR, §617.5(c)(20), engineering administration services is a Type II action and, therefore, no further review is required.

NOW, THEREFORE, upon the recommendation of the Director of Engineering Services, to amend the contract account as follows:

Original Contract Amount: \$157,000.00
Change Order #1: \$ 15,000.00
Revised Contract Amount: \$172,000.00

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to increase the contract amount by \$15,000.00 from \$157,000.00 to \$172,000.00 for H2M architects + engineers for engineering services for the Colby Drive Water Storage Tank Rehabilitation to be charged to Capital Budget Item No. EG8397-2102-FB308, and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-453

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR REFUSE AND RECYCLING REMOVAL SERVICE TWO CUBIC YARD, FOUR CUBIC YARD, SIX CUBIC YARD AND EIGHT CUBIC YARD CONTAINERS WITH JAMAICA ASH & RUBBISH REMOVAL, CO, INC. AND WINTERS BROS. HAULING OF LI, LLC.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, various departments throughout the Town require 2 cubic yard, 4 cubic yard, 6 cubic yard, or 8 cubic yard refuse removal, in order to consolidate, recycle and remove rubbish generated from various Town facilities. The facilities that utilize these containers include but are not limited to Town Parks, Beaches, Marinas, Streetlighting, HART Bus and the Dix Hills Water District; and

WHEREAS, sealed bids were received on September 17, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers, Bid No. TOH 15-09R-051 and the same were opened publicly and read aloud; and

WHEREAS, Jamaica Ash & Rubbish Removal Co., Inc., 172 School Street, Westbury, New York 11590 and Winters Bros. Hauling of LI, LLC, 1198 Prospect Avenue, Westbury, New York 11590 are the lowest responsive, responsible bidders for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers; and

WHEREAS, refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers 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 execute a requirements contract, and any documents in connection and related therewith, with Jamaica Ash & Rubbish Removal Co., Inc. and Winters Bros. Hauling of LI, LLC for refuse and recycling removal service 2 cubic yard, 4 cubic yard, 6 cubic yard and 8 cubic yard containers. The contract period shall be effective for a one year term commencing upon execution of the contract but not prior to January 1, 2016 and upon mutual agreement of the vendor and the Town, the contract may be extended for one (1) additional one (1) year period under the same prices, terms and conditions, to be charged to various operating budgets of various departments, and upon such other terms and conditions as may be acceptable to the Town Attorney.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH EACH OF THE QUALIFIED PROPOSERS TO CONDUCT DEBT COLLECTION SERVICES FOR THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by: **COUNCILMAN COOK**

WHEREAS, Town of Huntington Town Board Resolution 2015-378 approved by the Town Board on August 11, 2015, designated both Silverman Acampora LLP and Smith Carroad Levy & Wan PC as qualified proposers to conduct debt collection services for the Town of Huntington; and

WHEREAS, the Town now seeks to enter into a written agreement with both Silverman Acampora LLP and Smith Carroad Levy & Wan PC as qualified proposers to conduct debt collection services for the Town of Huntington; and

WHEREAS, this action is considered routine or continuing agency administration and management therefore this action is a Type II action defined by SEQRA in 6 N.Y.C.R.R. 617.5(c)(20), and therefore, no further SEQRA review is required.

NOW, THEREFORE, BE IT

RESOLVED, Town Board of the Town of Huntington hereby authorizes the Supervisor to execute a written agreement with both Silverman Acampora LLP and Smith Carroad Levy & Wan PC as qualified proposers to conduct debt collection services for the Town of Huntington, to commence upon execution of the Agreement for a term of three (3) years, and upon mutual agreement of the proposers and Town, the agreement may be extended for two (2) additional one (1) year periods upon the negotiated prices, terms and conditions and the recovery percentage will be charged to A1420-4550 and 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	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 ADOPT

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A FIRST AMENDMENT TO THE MANAGEMENT AND ADMINISTRATIVE SERVICES AGREEMENT MADE WITH THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION AND DIRECTING THE RELEASE OF FUNDS RELATED THERETO

Resolution for Board meeting dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington Local Development Corporation ("THLDC") was formed as a not-for-profit local development corporation of the State of New York during 2010, with the public or quasi-public objectives of, among other things, training community residents in the development of their business and living skills, reducing adult unemployment, promoting maximum adult employment by bettering, facilitating and maintaining adult job opportunities, and otherwise stimulating economic growth within the Town of Huntington by serving as a conduit for tax-exempt and taxable bond financing for the not for profit sector of the Town of Huntington; and

WHEREAS, by Resolution No. 2012-167, the Town Board authorized the Supervisor to make a Management and Administrative Services Agreement with the Town of Huntington Local Development Corporation; and

WHEREAS, pursuant to the Management and Administrative Services Agreement the Town of Huntington was engaged by the THLDC to perform management and administrative services on its behalf; and

WHEREAS, it is understood that in fulfillment of its own mission and purpose, the THLDC will be entering into an Memorandum of Understanding with the Huntington Community Development Agency ("HCDA") to align itself and collaborate with the job training initiatives and activities available to unemployed and underemployed Town residents through HCDA's Huntington Opportunity Resource Center; and

WHEREAS, the Town of Huntington and the THLDC wish to clarify the respective terms of the Management and Administrative Services Agreement by amending its Section 4 and direct the THLDC to release funding to HCDA pursuant to the aforementioned Memorandum of Understanding; and

WHEREAS, the subject of 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

THE TOWN BOARD HEREBY

2015 - 455

AUTHORIZES the Supervisor to execute a First Amendment to the Management and Administrative Services Agreement made with the Town of Huntington Local Development Corporation, and upon such terms and conditions as may be acceptable to the Town Attorney; and

DIRECTS that, to support training initiatives and operations at Huntington Opportunity Resource Center located at 1264 and/or 1268 New York Avenue, Huntington Station, New York, the Town of Huntington Local Development Corporation release funds to the Huntington Community Development Agency in an amount not to exceed the sum of TWENTY-FIVE THOUSAND & XX/100 (\$25,000.00) DOLLARS.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 - 456

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SURPLUS HART TRANSIT BUSES TO BROOME COUNTY TRANSIT

Resolution for Town Board Meeting Dated: October 6, 2015

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

WHEREAS, Town Board Resolution 2015-260 declared certain Federal Transit Administration (FTA) funded transit buses as surplus; and

WHEREAS, Broome County Transit is in need of these buses and requested that the Town of Huntington consider transferring the buses to them; and

WHEREAS, the FTA has no financial interest in the buses and encourages cooperation between FTA designated recipients; and

WHEREAS, transferring surplus buses is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(25), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to take all actions necessary to transfer ownership of the surplus transit buses listed in Schedule A at no cost to Broome County Transit, and upon approval of the FTA and such other terms and conditions as may be acceptable to the Office of 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.

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SCHEDULE A

Bus #	Year	Make	Grant that funded purchase	Remaining useful life	Federal share remaining	VIN #
601	1997	Gillig	NY-90-X197	0	\$0	15GCA2017V1088196
			NY-90-X306			
			NY-90-X358			
602	1997	Gillig	NY-90-X306	0	\$0	15GCA2017V1088197
			NY-90-X358			
801	2003	Gillig	NY-90-X451	0	\$0	15GCA20143112001
806	2003	Gillig	NY-90-X451	0	\$0	15GCA20143112006
807	2003	Gillig	NY-90-X451	0	\$0	15GCA20143112007

RESOLUTION AUTHORIZING THE SUPERVISOR TO APPLY FOR AND RECEIVE FUNDING FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION PURSUANT TO THE CLEAN VESSEL ASSISTANCE PROGRAM OPERATION & MAINTENANCE GRANT PROGRAM FOR 2015, NUNC PRO TUNC.

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the federal Clean Vessel Act of 1992 established a matching grant program for the construction, renovation and operational costs for marine waste holding tanks and portable toilets; and

WHEREAS, the U.S. Department of Interior awarded a grant to the State of New York to provide assistance of up to 75% per pumpout facility for expenditures eligible under the Clean Vessel Assistance Program (CVAP); and

WHEREAS, the New York State Environmental Facilities Corporation has been selected by the New York State Department of Environmental Conservation to administer the Clean Vessel Assistance Program ; and

WHEREAS, in October 2006, the New York State Environmental Facilities Corporation established an Operations & Maintenance Grants Program to the New York State Clean Vessel Assistance Program to assist operators of CVAP funded facilities in maintaining and operating their existing pumpout facilities; and

WHEREAS, annual funding is available for up to 75% of eligible costs with a maximum grant amount of \$5,000 for pumpout boats and \$2,000 for all other pumpout facilities. Marinas with stationary pumpouts that provide services to pumpout boats are eligible for up to an additional \$2,250 in funding for expenses incurred for Pumpout Boat Support; and

WHEREAS, the Town of Huntington is eligible to participate having received previous reimbursements under the CVAP; and

WHEREAS, pursuant to SEQRA, 6 NYCRR §617.5(c) (27) this action is Type II and therefore no further environmental review is required.

2015-457

NOW, THEREFORE

THE TOWN BOARD,

HEREBY AUTHORIZES the Supervisor of the Town of Huntington to apply for and receive funding from the New York State Environmental Facilities Corporation pursuant to the Clean Vessel Assistance Program Operations and Maintenance Grant Program each and every year that the program is in effect to off-set the annual operation and maintenance of municipally operated marine sanitation pumpout facilities, and to execute any documents in connection therewith, Nunc pro tunc.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 458

RESOLUTION AUTHORIZING COMPTROLLER TO APPROPRIATE MONIES FROM THE ENVIRONMENTAL OPEN SPACE AND PARK IMPROVEMENT FUND FOR RECOMMENDED NEIGHBORHOOD ENHANCEMENT (GREENLAWN RAILROAD STATION PARKING AREA LANDSCAPING)

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by **SUPERVISOR PETRONE,**
COUNCILMAN CUTHBERTSON, COUNCILMAN COOK
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 Greenlawn Civic Association to provide funding to install landscape plantings and enhancements at the Greenlawn Railroad Station, which is being coordinated through and supported by the Department of Engineering Services, in an amount not to exceed \$10,000, and

WHEREAS, an approved Eagle Scout project will complement the proposal with installation of a new entrance station sign and planting bed supported by private fundraising, and

WHEREAS, the proposed Greenlawn Railroad Parking Area landscaping is classified Type II pursuant to 6 NYCRR 617.5(c)(1 and 2) as it involves repair and rehabilitation of an existing facility;

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 ENGINEERING SERVICES

Greenlawn Railroad Parking Area Landscaping, not to exceed \$10,000

Purchase and install landscaping at Greenlawn Railroad parking area working with the Greenlawn Civic Association

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

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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	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- 459

RESOLUTION AUTHORIZING THE COMPTROLLER TO DISTRIBUTE INTEREST EARNED ON TAX REVENUE TO THE VARIOUS TAXING DISTRICTS WITHIN THE TOWN OF HUNTINGTON.

Resolution for Town Board Meeting Date: October 6, 2015

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

And seconded by **COUNCILMAN CUTHBERTSON**

WHEREAS, interest earned on tax monies received and held in interest bearing accounts by the Receiver of Taxes is required to be distributed to the taxing districts; and

WHEREAS, the distribution of interest earned on tax accounts is not an action under SEQRA 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 Comptroller to distribute the earned interest on tax revenue to the various taxing districts within the Town of Huntington pursuant to the schedule attached hereto and made a part of this resolution.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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**TOWN OF HUNTINGTON
HUNTINGTON, NEW YORK
INTEREST EARNINGS ON TAX MONIES: 2014-2015**

Interest to be distributed: \$9,882.60

<u>Town</u>	<u>2014-2015 Tax Distribution</u>	<u>Percentage of Total</u>	<u>Interest Earned</u>
General Fund - Whole Town	\$38,044,044.00	3.8423%	\$379.72
General Fund-Unpaid Property Clean-up	\$61,028.40	0.0062%	\$0.61
General Fund-Unpaid Demolition	\$170,224.70	0.0172%	\$1.70
General Fund-Blight Abatement	\$150,000.00	0.0151%	\$1.49
General Fund-Court Ordered Receiver	\$71,060.97	0.0072%	\$0.71
General Fund - Part Town	\$4,195,795.00	0.4238%	\$41.88
Highway 1 & 2	\$29,717,196.00	3.0014%	\$296.62
Environmental Open Space Bond	\$1,500,000.00	0.1515%	\$14.97
Out of County Tuition	\$3,094,565.00	0.3125%	\$30.88
	<u>\$77,003,914.07</u>	<u>7.7772%</u>	<u>\$768.58</u>
 <u>County</u>			
County of Suffolk	\$140,542,438.73	14.1944%	\$1,402.78
	<u>\$140,542,438.73</u>	<u>14.1944%</u>	<u>\$1,402.78</u>
 <u>School Districts</u>			
Cold Spring Harbor C.S.D.	\$45,614,286.31	4.6069%	\$455.28
Commack U.F.S.D.	\$49,350,085.55	4.9842%	\$492.57
Elwood Library	\$1,482,586.23	0.1497%	\$14.79
Elwood U.F.S.D.	\$37,838,184.71	3.8216%	\$377.67
Half Hollow Hills C.S.D.	\$162,264,451.21	16.3883%	\$1,619.59
Harborfields Public Library	\$4,713,693.19	0.4761%	\$47.05
Harborfields U.F.S.D.	\$53,694,015.46	5.4230%	\$535.93
Huntington U.F.S.D.	\$99,218,087.80	10.0208%	\$990.32
Northport/E. Nport U.F.S.D.	\$138,532,210.01	13.9914%	\$1,382.71
South Huntington U.F.S.D.	\$101,462,195.58	10.2474%	\$1,012.71
Syosset C.S.D.	\$10,322.02	0.0010%	\$0.10
	<u>\$694,180,118.07</u>	<u>70.1104%</u>	<u>\$6,928.72</u>
 <u>Fire Districts</u>			
Centerport	\$1,777,599.21	0.1795%	\$17.74
Cold Spring Harbor	\$1,645,677.56	0.1662%	\$16.42
Commack	\$1,607,497.94	0.1624%	\$16.05
Dix Hills	\$5,060,334.70	0.5111%	\$50.51
East Northport	\$3,781,391.06	0.3819%	\$37.74
Eatons Neck	\$619,401.27	0.0626%	\$6.19
Greenlawn	\$2,924,735.13	0.2954%	\$29.19
Halesite	\$1,766,586.56	0.1784%	\$17.63
Huntington	\$2,957,277.22	0.2987%	\$29.52
Huntington Manor	\$4,989,323.59	0.5039%	\$49.80
Melville	\$4,961,072.85	0.5011%	\$49.52
	<u>\$32,090,897.09</u>	<u>3.2412%</u>	<u>\$320.31</u>

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Special Districts

Street Lighting	\$3,281,315.00	0.3314%	\$32.75
Huntington Sewer District	\$4,901,789.00	0.4951%	\$48.93
Centerport Sewer District	\$114,847.00	0.0116%	\$1.15
Consolidated Refuse District	\$24,034,328.00	2.4274%	\$239.89
Huntington Comm. Ambulance	\$2,371,423.00	0.2395%	\$23.67
Commack Ambulance	\$548,871.00	0.0554%	\$5.47
Fire Protection Dist. # 1	\$1,531,543.00	0.1547%	\$15.29
Dix Hills Water District	\$2,433,277.00	0.2458%	\$24.29
Dix Hills-Unpaid Water Bills	\$173,880.13	0.0176%	\$1.74
Huntington-BID	\$87,500.00	0.0088%	\$0.87
Huntington Station-BID	\$90,000.00	0.0091%	\$0.90
Cold Spring Harbor-BID	\$9,000.00	0.0009%	\$0.09
	<hr/>		
	\$39,577,773.13	3.9973%	\$395.04

Water Districts

So. Huntington Water Dist.	\$3,900,253.00	0.3939%	\$38.93
South Huntington-Unpaid Water Bills	\$282,092.43	0.0285%	\$2.82
Greenlawn Water District	\$2,331,281.00	0.2355%	\$23.27
Greenlawn-Unpaid Water Bills	\$215,750.44	0.0218%	\$2.15
	<hr/>		
	\$6,729,376.87	0.6797%	\$67.17

Total	\$990,124,517.96	100.0000%	\$9,882.60
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RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **SUPERVISOR PETRONE**

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

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

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2015 Operating Budget

Create the following positions:

A-1621-1100	Maintenance Mechanic II	\$17,026
A-6772-1100	Sr. Citizen Outreach Coordinator (Stipend)	904
SS1-8131-1100	Laborer (Sewer)	7,792

Abolish the following position:

A-1621-1100	Labor Crew Leader I	(\$18,529)
SS1-8131-1100	Maintenance Mechanic II	(17,026)

Adjust the following appropriations:

A-1990-1100	Contingency	\$599
SS1-1990-1100	Contingency	9,234

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-461

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2015 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – TOWN ATTORNEY

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by **COUNCILMAN CUTHBERTSON**

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

WHEREAS, the Town Board approved appropriated funds to be set aside for the purposes of the Judgments & Claims Reserve in accordance with General Municipal Law; and

WHEREAS, it is in the best interests of the Town to have those appropriations in place for use for court settlements and judgments; and

WHEREAS, the funding of settlements and amending the operating budget 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 AUTHORIZES the Comptroller to amend the 2015 Operating Budget as follows:

Reserves to be appropriated:

A-0876 Reserve for Judgments & Claims \$75,000

Increase the following appropriations:

A-1930-4160 Judgments & Claims \$75,000

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COMMACK VOLUNTEER AMBULANCE CORPORATION FOR EMERGENCY MEDICAL AND AMBULANCE SERVICES TO THE COMMACK AMBULANCE DISTRICT AND ADOPTING A SCHEDULE OF USER FEES AS OF JULY 1, 2015, NUNC PRO TUNC

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

And seconded by **COUNCILWOMAN EDWARDS**

WHEREAS, pursuant to Town Law Section 198 (10-f), the Town of Huntington and the Commack Volunteer Ambulance Corporation have repeatedly entered into annual agreements under which the Commack Volunteer Ambulance Corporation has provided pre-hospital, emergency treatment, emergency medical, and ambulance services, as these terms are defined in Article 30 of the Public Health Law, within the geographical boundaries of the Commack Ambulance District; and

WHEREAS, pursuant to Town Board Resolution 2015-28, the Town Board, on behalf of the Commack Ambulance District, was authorized to execute an agreement with the Commack Volunteer Ambulance Corporation for emergency medical and ambulance services for the term beginning January 1, 2015 and ending December 31, 2015, and these parties therefore currently have an agreement in place for 2015; and

WHEREAS, the Town of Huntington and the Commack Volunteer Ambulance Corporation wish to amend and extend the term of the above described agreement until December 31, 2016, by entering into a new agreement pursuant to which the Commack Volunteer Ambulance Corporation shall continue to provide the aforementioned services through to December 31, 2016; and

WHEREAS, funding in the amount of THREE HUNDRED FORTY-ONE THOUSAND THREE HUNDRED THIRTY-EIGHT AND NO/100 (\$341,338.00) DOLLARS has been allocated for the Commack Ambulance District in the Town of Huntington's proposed 2016 Operating Budget; and

WHEREAS, the Town of Huntington recognizes that the amounts payable by it under prior annual contracts with the Commack Volunteer Ambulance Corporation have not fully satisfied its present and future financial needs, and that the Commack Volunteer Ambulance Corporation requires additional funding to meet both its present budgetary needs and those related to additional services it anticipates offering to the Town of Huntington, including the need for expanded facilities to accommodate its providing said additional services; and

WHEREAS, under applicable New York State law, the cost of the above described services may be offset by user fees billed to the persons served commencing as of a date prior to the date of this resolution, and it is anticipated that user fees in the sum of FOUR HUNDRED SIXTEEN THOUSAND FOUR HUNDRED SEVENTEEN AND XX/100

(\$416,417.00) DOLLARS can be collected during 2016 to meet the Commack Volunteer Ambulance Corporation's budgetary needs; and

WHEREAS, the execution of this agreement is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.(c)(20) and (27), and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD,

HEREBY AUTHORIZES the Town Board, on behalf of the Commack Ambulance District, to execute an agreement with the Commack Volunteer Ambulance Corporation for emergency medical and ambulance services for the term beginning November 1, 2015 and ending December 31, 2016, at a cost of SEVEN HUNDRED FIFTY-SEVEN THOUSAND SEVEN HUNDRED FIFTY-FIVE AND XX/100 (\$757,755.00) DOLLARS, THREE HUNDRED FORTY-ONE THOUSAND THREE HUNDRED THIRTY-EIGHT AND NO/100 (\$341,338.00) DOLLARS of which shall be charged to 2016 Operating Budget Item line # SM1-4541-4001 in two equal installments of ONE HUNDRED SEVENTY THOUSAND SIX HUNDRED SIXTY-NINE AND NO/100 (\$170,669.00) DOLLARS each to be paid by voucher on January 31, 2016 and on June 30, 2016, and FOUR HUNDRED SIXTEEN THOUSAND FOUR HUNDRED SEVENTEEN AND XX/100 (\$416,417.00) DOLLARS shall be paid from billing revenue only, and engaging the Commack Volunteer Ambulance Corporation to bill and collect the below described user fees for the Town of Huntington on behalf of the Commack Ambulance District, and on such other terms and conditions as may be acceptable to the Town Attorney; and

HEREBY AUTHORIZES the billing and collection of user fees commencing as of July 1, 2015, nunc pro tunc, to be imposed upon persons furnished emergency medical and ambulance services from that date, and adopts as of July 1, 2015, nunc pro tunc, the following user fees to be charged to persons furnished such services:

ALS 2	\$1,250.00
ALS 1	\$1,050.00
BLS	\$ 775.00
MILEAGE	\$ 25.00 per mile

With the amounts established by government programs, including, but not limited to, Medicare and Medicaid, to be included in such user fees.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-465

RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR LABORATORY ANALYSIS FOR THE HUNTINGTON SEWER DISTRICT SEWAGE TREATMENT PLANT WITH LONG ISLAND ANALYTICAL LABORATORIES, INC.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS; the objective of this RFP is to award single contracts, to laboratories, to provide certified environmental laboratory services, which will include laboratory analyses and report preparation and correspondence with regulatory agencies for wastewater. Typical analyses may include: wastewater analyses for compliance with the NYSDEC and the Clean Water Act (CWA) requirements and Sludge analyses for compliance with the NYSDEC, and sludge, grit and screenings landfill and/or incinerator disposal requirements; and

WHEREAS, sealed proposals were received on September 11, 2015, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the laboratory analysis for the Huntington Sewer District, RFP No. 2015-09-010 and the same were opened and read aloud; and

WHEREAS, Long Island Analytical Laboratories, Inc., 110 Colin Drive, Holbrook, New York 11741 is the successful responsive, responsible proposer; and

WHEREAS, laboratory analysis for the Huntington Sewer District is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(18) and (c)(20), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the execution of a contract, and any documents in connection and related therewith, with Long Island Analytical Laboratories, Inc. for the laboratory analysis for the Huntington Sewer District. The contract period shall be effective for a twelve (12) month period commencing upon January 1, 2016 and expiring on December 31, 2016. Upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional twelve (12) month periods under the same prices, terms and conditions, to be charged to Operating Budget line SS1.8131.4550, and upon such other terms and conditions as may be acceptable to the Town Attorney.

2015- 465

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015 - 466

RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO PAY TAXES FOR THOSE PERSONS GRANTED A SENIOR CITIZEN TAX EXEMPTION AND ENHANCED STAR EXEMPTION PURSUANT TO CHAPTER 178 OF THE CODE OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 6th, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to §925-b of the Real Property Tax Laws of the State of New York, the Town Board, by Resolution 1997-589, adopted Local Law No. 20-1997 amending the Code of the Town of Huntington, Chapter 178 (Taxation), Article I (Senior Citizens Tax Exemption and Enhanced Star Exemption) allowing an extension of time to pay taxes of up to five (5) business days; and

WHEREAS, said amendment allows the Town Board to enact a resolution each year prior to the adoption of the final budget of the Town, extending the deadline for payment of taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions pursuant to the Code of the Town of Huntington, §178-3; and

WHEREAS, said extension of time to pay must comply with deadlines set forth in the Suffolk County Tax Act; and

WHEREAS, the extension of the time to pay taxes for persons granted a Senior Citizen tax exemption and Enhanced Star exemption is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, upon the recommendation of the Receiver of Taxes,

THE TOWN BOARD

HEREBY AUTHORIZES an extension of the time to pay taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions and Enhanced Star Exemptions pursuant to the Code of the Town of Huntington §178-3 to Monday, June 6, 2016.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING NAMED FINANCIAL INSTITUTIONS AS DEPOSITORIES FOR TAX RECEIPTS AND AUTHORIZING THE RECEIVER OF TAXES TO EXECUTE COLLATERAL AGREEMENTS FOR TAX RECEIPT ACCOUNTS ON BEHALF OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

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

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

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

WHEREAS, authorizing financial institutions as depositories and authorizing the execution of collateral agreements is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (20) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the following financial institutions as depositories for tax receipts, JPMorgan Chase Bank, 395 North Service Road, Suite 302, Melville, New York; Valley National Bank, Two Jericho Plaza, Jericho, New York; HSBC Bank USA, 534 Broadhollow Road, Melville, New York; Wells Fargo Bank, 58 South Service Road, Melville; and TD Bank, 45 Melville Park Road, Melville, New York pursuant to Town Law 64 (1); and

HEREBY AUTHORIZES the Receiver of Taxes to execute collateral agreements for tax receipt accounts with said banks on behalf of the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE DEPARTMENT OF PLANNING AND ENVIRONMENT TO REQUEST EXTENSION FOR ROUND 11 URBAN AND COMMUNITY FORESTRY GRANT PROGRAM

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

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

WHEREAS, the Town of Huntington was awarded a \$25,000 New York State Urban and Community Forestry Program matching grant authorized by Town Board Resolution 2012-287 to implement the TRIPLE (Tree Registry, Inventory, and Planting Location Evaluation) Program to create a registry of new trees being added to the local landscape; inventory the approximately 60 active Town parks for trees and forest habitat; and conduct a planting location evaluation to add tree cover to the Town's active parks that provide the best opportunity for people to experience them; and

WHEREAS, the inventory and planting locations evaluation was supported with \$25,000 matching funding provided through the EOSPA Program; and

WHEREAS, the New York State Urban and Community Forestry Program that is providing grant funding for this will expire on November 14, 2015; however, additional work is necessary to meet the full objectives of the grant, and the Department of Planning and Environment has recommended extension of the grant deadline; and

WHEREAS, the proposed action to extend the grant deadline is a Type II action pursuant to SEQRA 6 NYCRR §617.5(c)(20) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Department of Planning and Environment to submit a request for grant extension satisfactory to the New York State Urban and Community Forestry Program.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-469

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

Resolution for Town Board Meeting Dated: October 6, 2015

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

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

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

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

NOW, THEREFORE, THE TOWN BOARD

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

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

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
21 Lec Street Huntington, NY 11743	0400-190.00-01.00-078.000	Helen M White	09/03/2015	N/A
50 East 5 th Street Huntington Station, NY 11743	0400-148.00-02.00-015.000	Marie M Saint -Hilaire	10/02/2015	N/A

Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
27 Durham Drive Dix Hills, NY 11746	0400-262.00-02.00-020.000	Martin J Slavin	09/14/2015	N/A
50 East 5 th Street Huntington Station, NY 11743	0400-148.00-02.00-015.000	Marie M Saint -Hilaire	10/02/2015	N/A

Chapter 191, Section 3 of the Code of the Town of Huntington
Authorizing the Securing of an Unsafe Structure

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
27 Durham Drive Dix Hills, NY 11746	0400-262.00-02.00-020.000	Martin J Slavin	09/14/2015	N/A

2015- 470

RESOLUTION ABANDONING A PORTION OF QUEENS STREET BETWEEN VALE DRIVE AND HILLTOP AVENUE PURSUANT TO HIGHWAY LAW §205.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, residents whose properties abut a portion of Queens Street have petitioned the Superintendent of Highways to abandon that portion of the "paper street" that lies between Vale Drive and Hilltop Avenue; and

WHEREAS, pursuant to Highway Law §205, "Every highway that shall not have been opened and worked within six years from the time it shall have been...laid out...shall cease to be a highway...and the town superintendent, with the written consent of the majority of the town board...shall file...in the Town Clerk's office...a written description, signed by him...and the same shall thereupon be discontinued."; and

WHEREAS, said portion of Queens Street between Vale Drive and Hilltop Avenue has never been opened or worked and the Superintendent of Highways consents to said Abandonment; and

WHEREAS, the subject of this resolution is a Type II action pursuant to 6 NYCRR 617.5 (c)(19), and therefore no further SEQRA review is required.

NOW THEREFORE BE IT

RESOLVED that the Town Board

HEREBY ABANDONS a portion of Queens Street between Vale Drive and Hilltop Avenue pursuant to Highway Law §205.

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 ACCEPTING A DONATION OF CONSTRUCTION REPAIRS TO THE MUNICIPAL PARKING LOT AT HALESITE TOWN DOCK BY THE BOHLSSEN RESTAURANT GROUP

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Dock Parking lot (municipal parking lot #9) located adjacent to The Harbor Club in Halesite, is in need of repairs to asphalt and concrete curbing; and

WHEREAS, the owners of the Harbor Club, BRG Bohlsen Restaurant Group, have offered to pay the cost of asphalt and curbing repairs, brick installation, and sealcoat/re-striping; and

WHEREAS, the proposed construction will be monitored by the Department of Engineering Services for conformance with accepted Town Standards; and

WHEREAS, maintenance and protection of traffic will be performed in accordance with the manual of uniform traffic control devices (MUTED) and by the Bohlsen Restaurant Group; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY ACCEPTS the donation by Bohlsen Restaurant Group of repairs to the municipal parking lot at the Halesite Town Dock and thanks them for their generosity.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION ACCEPTING A DONATION OF A BENCH WITH PLAQUE IN
MEMORY OF DEBRA COTUGNO

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, in September, 2015, the Town of Huntington sadly lost one of its long time employees, Debra "Debbie" Cotugno; and

WHEREAS, in her memory, her co-workers would like to donate an outdoor bench with a plaque to be placed on the grounds at Town Hall; and

WHEREAS, the donation of a bench with a plaque is not an action 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 ACCEPTS the donation of a bench with a plaque to be placed on the grounds at Town Hall in memory of Debra "Debbie" Cotugno.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION APPOINTING MEMBERS TO THE TOWN OF HUNTINGTON
VETERANS ADVISORY BOARD

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone
Councilwoman Berland

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, there currently exists vacancies on the Town of Huntington Veterans
Advisory Board; and

WHEREAS, the appointment of a member to the Town of Huntington Veterans Advisory
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 appoints the following individuals to the Town of
Huntington Veterans Advisory Board:

Bill Amadio, 1 Auburn Drive, Greenlawn, 11740
Northport American Legion #694
Treasurer, Veterans Advisory Board, nunc pro tunc

Walter Scally, 51 Pioneer Boulevard, Huntington Station, 11746
Huntington American Legion #360

Richard C. Serynek, 16 Anchor Court, Huntington, 11743
Disabled American Veterans

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2015- 474

RESOLUTION GRANTING THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION AUTHORITY CONCERNING THE DIX HILLS WATER
DISTRICT RE: CONTRACT PIN NO. 0809.56

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement including Priority Resurfacing at Various Locations in the Town of Huntington, classified as "PIN 0809.56: Priority Resurfacing Projects Various Locations Nassau and Suffolk Counties"; and

WHEREAS, the New York State Department of Transportation will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of water valve boxes (of the Dix Hills Water District) to final grade, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of Town of Huntington; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the New York State Department of Transportation will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project; and

WHEREAS, work to be performed pursuant to this agreement is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(1), (2), (4), (5), (20) and (27) and therefore no further SEQRA review is required.

NOW, THEREFORE,

BE IT RESOLVED that the Town of Huntington approves of the relocation of and adjustment to their water mains and appurtenances and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Dix Hills Water District will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and

BE IT FURTHER RESOLVED that the Supervisor has the authority to sign, with the concurrence of the Town Board, any and all documentation that may become necessary as a result of this project known as "PIN 0809.56: Priority Resurfacing Projects Various Locations Nassau and Suffolk Counties" as it relates to the Town of Huntington *nunc pro tunc* and upon such terms and conditions as may be acceptable to the Town Attorney; and

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION EXTENDING THE TIME TO MAKE A DETERMINATION REGARDING THE ADOPTION OF LOCAL LAW INTRODUCTORY NUMBER 6-2015, CONSIDERING ZONE CHANGE APPLICATION #2014-ZM-405, MELVILLE HOTEL, LLC, TO CHANGE THE ZONING FROM I-1 LIGHT INDUSTRY DISTRICT TO C-10 PLANNED MOTEL DISTRICT FOR PROPERTY LOCATED ON THE WEST SIDE OF BROADHOLLOW ROAD, SOUTH OF THE SOUTH SERVICE ROAD, MELVILLE, SCTM# 0400-255-01-035.001.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by **SUPERVISOR PETRONE**

WHEREAS, Town Board Resolution 2015-144 scheduled a public hearing, and the same was held on the 21st day of April, 2015, to consider adopting Local Law Introductory No. 6-2015, amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), Article II (Zoning Districts; Map; General Regulations), §198-7 of the Huntington Town Code, thereby rezoning from I-1 Light Industry District to C-10 Planned Motel District property designated on the Suffolk County Tax Map as 0400-255-01-035.001; and

WHEREAS, the Town Board reserved decision; and

WHEREAS, pursuant to the Code of the Town of Huntington Chapter 54, the time period to make a determination on the application was extended to October 18, 2015 by resolution number 2015-308, and the time period is about to expire; and

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

NOW, THEREFORE, THE TOWN BOARD

HEREBY EXTENDS the time to make a determination concerning the above referenced change of zone application for an additional 90 day time period to January 16, 2016.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-476

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 18-2015, AMENDING THE CODE OF THE TOWN OF HUNTINGTON SO AS TO CREATE CHAPTER 189 (UNMANNED AIRCRAFT SYSTEMS)

Resolution for Town Board Meeting dated: October 6, 2015

The following resolution was offered by: Councilman Cuthbertson,
COUNCILWOMAN EDWARDS
and seconded by: SUPERVISOR PETRONE

THE TOWN BOARD, having held a public hearing on the 14th day of July 2015, at 2:00 p.m. to consider adopting Local Law Introductory No. 18-2015 amending the Code of the Town of Huntington so as to create Chapter 189 (Unmanned Aircraft Systems) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 18-2015, amending the Code of the Town of Huntington so as to create Chapter 189 (Unmanned Aircraft Systems); as follows:

LOCAL LAW NO 39-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
SO AS TO CREATE CHAPTER 189 (UNMANNED AIRCRAFT SYSTEMS)

Section 1. Amendment to the Code of the Town of Huntington, so as to create Chapter 189 (Unmanned Aircraft Systems) is hereby created and will read as follows:

CHAPTER 189
UNMANNED AIRCRAFT SYSTEMS

ARTICLE 1

GENERAL PROVISIONS

§189-1. Legislative Intent.

- A. It is the intention of the Huntington Town Board to protect the public health, safety and welfare of the community by authorizing the establishment of procedures for the recreational operation of Unmanned Aircraft Systems (hereinafter "UAS"), commonly known as model aircraft (small UAS) or "drones", throughout the community.
- B. This chapter applies only to recreational use of small unmanned aircraft. The Huntington Town Board recognizes that the Federal Aviation Administration (hereinafter "FAA") currently authorizes and regulates the use of UAS by public entities and UAS used for commercial or business purposes. No person shall fly an unmanned aircraft or UAS for commercial purposes without express

permission from the FAA. Public entities, which include publically funded universities, law enforcement, fire departments and other government agencies, may apply for a Certificate of Authorization from the FAA in order to use unmanned aircraft for governmental and municipal purposes.

§ 189-2. Scope; Applicability.

A. Scope. The provisions of this chapter shall apply to the operation of unmanned aircraft or UAS on or near all properties in the unincorporated portions of the Town of Huntington, residential, commercial and otherwise.

B. Applicability. The provisions of this chapter shall be deemed to supplement applicable Federal, State and local laws, ordinances, codes and regulations. Nothing in this chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing requirements of any other provision of local laws or ordinances of the Town or County or State laws and regulations. In case of conflict between any provisions of this chapter and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail.

§ 189-3. Definitions.

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

Aircraft- A vessel used or designed for navigation of or flight in the air.

Code Enforcement Official- An official charged with the enforcement and/or administration of this article.

Commercial Use-Use of an unmanned aircraft system for catering to or for business and/or use with a sole or chief emphasis on salability, profit, or success.

Manned Aircraft- Aircraft that is carrying or being operated by one or more persons.

Neighborhood- An area of the Town of Huntington defined by its residents and its distinctive characteristics.

Pilot- A person, entity, or agency that is responsible for flying, steering or guiding an unmanned aircraft or UAS; to operate or control the course of an unmanned aircraft or UAS

Property- Any land, improved or unimproved, situated within the borders of the Town of Huntington whether publicly or privately owned.

Recreational Use- Use of an UAS for pastime or diversion for the purpose of affording relaxation and enjoyment.

Surveillance- Continuous observation of a place, person, group, property or ongoing activity typically without the subject of the observation having knowledge of same.

Unmanned Aircraft (also known as "Drone" or "Model Aircraft")- A non-human-carrying aircraft weighing no more than 55 pounds, capable of sustained flight in the atmosphere intended exclusively for sport, recreation, education and/or competition and is typically guided by remote control or onboard computers.

Unmanned Aircraft System (UAS)- An unmanned aircraft and associated elements, including communication links and components that control the unmanned aircraft.

Visual Line of Sight (VLOS)-The distance at which the pilot of an UAS is able to maintain visual contact with the aircraft and determine its orientation without enhancements other than corrective lenses.

§189-4 through §189-9. (Reserved).

ARTICLE II

USE OF UNMANNED AIRCRAFT SYSTEMS

§ 189-10: General Prohibitions

Except as otherwise provided in this Chapter, no person, business entity, or agency shall use an unmanned aircraft, for recreational purposes, in the following manner:

- A. Use imaging technology for aerial surveillance with an unmanned aircraft and/or unmanned aircraft system having the capability of obtaining high-resolution photographs and/or video, or using any types of sensors, for the collection, retention, or dissemination of surveillance data or information on individuals, homes, businesses, or property at locations where there is a reasonable expectation of privacy. Said conduct is strictly prohibited unless written expressed permission is obtained from the individual property owner or manager;
- B. Pilot an unmanned aircraft on private real property without the express written consent of the property owner and/or the property manager;
- C. Pilot an unmanned aircraft within the border of any real property owned, used or leased by the Town of Huntington or Huntington Board of Trustees without the express written consent of the Town or Huntington Board of Trustees, as may be applicable;
- D. Pilot an unmanned aircraft in a manner that interferes with manned aircraft;
- E. Pilot an unmanned craft outside of the pilot's VLOS;
- F. Pilot an unmanned aircraft higher than 400 feet from the ground;
- G. Pilot an unmanned aircraft near or over unprotected persons or moving vehicles at a height less than 25 feet from same;

- H. Pilot an unmanned aircraft under the influence of drugs and/or alcohol;
- I. Pilot an unmanned aircraft in adverse weather conditions such as in high winds or reduced visibility; and
- J. Pilot an unmanned aircraft near or over sensitive infrastructure or property such as power stations, sewage treatment facilities, and heavily traveled roadways within the Town of Huntington.

§189-11-§189-16. (Reserved).

ARTICLE III

ADMINISTRATION AND ENFORCEMENT

§ 189-17: Enforcement.

This chapter and its provisions shall be enforced by the Police Department of New York State or Suffolk County and/or by employees of the Town of Huntington responsible for security or for enforcement of Town ordinances and codes.

§ 189-18: Penalties for Offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation, punishable by a fine not exceeding One-Thousand (\$1,000) dollars or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

§189-19 through §189-22. (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 a court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Local Law, and it shall be construed to have been the legislative intent to enact this Local Law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

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

2015-476

ADDITIONS ARE INDICATED BY UNDERLINE
*** INDICATES NO CHANGE IN PRESENT TEXT
DELETIONS ARE INDICATED BY BRACKETS

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 22-2015, CONSIDERING ZONE CHANGE APPLICATION #2014-ZM-402, POWER LAND CORP, TO CHANGE THE ZONING FROM C-6 GENERAL BUSINESS DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON THE NORTHWEST CORNER OF JERICHO TURNPIKE AND ELWOOD ROAD, ELWOOD, SCTM# 0400-214-01-056.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, POWER LAND CORP, 1905 East Jericho Tpke., Huntington, NY 11743-5718, property owner, submitted application #2014-ZM-402 for a change of zone from C-6 General Business District to C-11 Automotive Service Station District for property located on the northwest corner of Jericho Turnpike (NYS 25) and Elwood Road (CR 10), Elwood, designated as 0400-214-01-056 on the Suffolk County Tax Map; and

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

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on July 14, 2015; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated April 1, 2015 the Planning Board recommended to the Town Board that the Town Board issue a Negative Declaration under SEQRA and approve the zone change application;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board, as Lead Agency, determines that the action will not have a significant effect

upon the environment because the rezoning of the property and proposed site development will have no adverse environmental impacts, and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with the Board's long term planning policies and goals, and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information and/or revisions to the conceptual plan, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 16th day of September, 2015, to consider adopting Local Law Introductory Number 22-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from C-6 General Business District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-214-01-056, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 22-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. 1-2016
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 198-7 (ZONING MAP)

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

CHAPTER 198 (ZONING)

* * *
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *
§ 198-7 Zoning Map

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

* * *
The premises located on the northwest corner of Jericho Turnpike and Elwood Road, Elwood, designated on the Suffolk County Tax Map as 0400-214-01-056, to be rezoned from C-6 General Business District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT on the northerly side of Jericho Turnpike, as widened, at the extreme southwesterly end of a line which connects the westerly side of Elwood Road, as widened, with the northerly side of Jericho Turnpike, as widened,

THENCE from said POINT OF BEGINNING South 66 degrees 13 minutes 50 seconds West, 114.74 feet,

THENCE North 08 degrees 24 minutes 00 seconds West, 128.82 feet,

THENCE North 66 degrees 13 minutes 50 seconds East, 145.85 feet,

THENCE South 08 degrees 24 minutes 00 seconds East, 98.31 feet,

THENCE South 29 degrees 20 minutes 33 seconds West, 49.01 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the property owner of the following Covenants and Restrictions, to run with the land in perpetuity. Such Covenants and Restrictions shall be in a form acceptable to the Town Attorney, and filed at

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 23-2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-409, APPLE FARM REALTY, LLC, TO CHANGE THE ZONING FROM I-5 GENERAL INDUSTRY DISTRICT TO C-11 AUTOMOTIVE SERVICE STATION DISTRICT FOR PROPERTY LOCATED ON THE SOUTHEAST CORNER OF OAKWOOD ROAD AND WEST 11TH STREET, HUNTINGTON STATION, SCTM# 0400-137-01-061.001.

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

WHEREAS, APPLE FARM REALTY, LLC, 1520 Northern Blvd., Manhasset, NY 11030, contract vendee, submitted application #2015-ZM-409 for a change of zone from I-5 General Industry District to C-11 Automotive Service Station District for property located on the southeast corner of Oakwood Road (CR 92) and West 11th Street, Huntington Station, designated as 0400-137-01-061.001 on the Suffolk County Tax Map; and

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

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on July 14, 2015; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated July 1, 2015 the Planning Board recommended to the Town Board that the Town Board issue a Negative Declaration under SEQRA and approve the zone change application;

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board, as Lead Agency, determines that the action will not have a significant effect

upon the environment because the rezoning of the property and proposed site development will have no adverse environmental impacts, and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with the Board's long term planning policies and goals, and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information and/or revisions to the conceptual plan, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 16th day of September, 2015, to consider adopting Local Law Introductory Number 23-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from I-5 General Industry District to C-11 Automotive Service Station District the property designated on the Suffolk County Tax Map as 0400-137-01-061.001, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 23-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. ____ - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON

CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 198-7 (ZONING MAP)

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

CHAPTER 198 (ZONING)

* * *
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *
§ 198-7 Zoning Map

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

* * *
The premises located on the southeast corner of Oakwood Road and West 11th Street, Huntington Station, designated on the Suffolk County Tax Map as 0400-137-01-061.001, to be rezoned from I-5 General Industry District to C-11 Automotive Service Station District, more particularly described as:

BEGINNING at a POINT on the northeasterly end of a tie line connecting the south side of East 11th Street with the east side of Oakwood Road,

THENCE from said POINT OF BEGINNING North 84 degrees 51 minutes 30 seconds East, 235.46 feet,

THENCE South 08 degrees 39 minutes 20 seconds West, 225.07 feet,

THENCE North 87 degrees 57 minutes 00 seconds West, 250.59 feet,

THENCE North 02 degrees 23 minutes 30 seconds East, 145.15 feet,

THENCE North 42 degrees 41 minutes 20 seconds East, 64.51 feet along the tie line to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the property owner of the following Covenants and Restrictions, to run with the land in perpetuity. Such Covenants and Restrictions shall be in a form acceptable to the Town Attorney, and filed at the property owner's own cost and expense in the Office of the Suffolk County Clerk.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 29-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 55 (PUBLIC SAFETY, DEPARTMENT OF)

Resolution for Town Board Meeting Dated: October 6, 2015

The following Resolution was offered by: Supervisor Petrone

and seconded by: COUNCILMAN CUTHBERTSON

THE TOWN BOARD having held a public hearing on the 16th of September, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 29-2015 amending the code of the Town of Huntington Chapter 55 (Pubic Safety, Department of) and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 29-2015, amending the Code of the Town of Huntington, Chapter 55 (Public Safety, Department of), as follows:

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

LOCAL LAW NO. 40 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 55 (PUBLIC SAFETY, DEPARTMENT OF)

Section 1. Amendment to Chapter 55 (Public Safety, Department of) the Code of the Town of Huntington; as follows:

CHAPTER 55
(PUBLIC SAFETY, DEPARTMENT OF)

* * *

§55-6. Fees. The Director may establish, subject to Town Board approval, a schedule of fees to be collected for services rendered in connection with the work of the Department and for which it is deemed necessary to charge and collect a fee therefor. Such fees shall include, as follows:

(1) Departmental searches: \$30.00 per property.

* * *

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

2015-480

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 30-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 87 (BUILDING CONSTRUCTION), ARTICLE III (BUILDING PERMITS)

Resolution for Town Board Meeting Dated: October 6, 2015

The following Resolution was offered by: Supervisor Petrone

and seconded by: COUNCILWOMAN BERLAND

THE TOWN BOARD having held a public hearing on the 16th of September, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 30-2015 amending the Code of the Town of Huntington Chapter 87 (Building Construction), Article III (Building Permits), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 30-2015, amending the Code of the Town of Huntington, Chapter 87 (Building Construction), Article III (Building Permits), as follows:

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

LOCAL LAW NO. 41 -2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 87 (BUILDING CONSTRUCTION),
ARTICLE III (BUILDING PERMITS)

Section 1. Amendment to Chapter 87 (Building Construction) of the Code of the Town of Huntington, Article III (Building Permits); as follows:

CHAPTER 87
(BUILDING CONSTRUCTION)

* * *

ARTICLE III
BUILDING PERMITS

* * *

§ 87-23. Application fees.

* * *

B. Fee exemption. The application fee shall be waived if the owner of the property for which a building 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] and use is for governmental, municipal or district purposes and is not proprietary in nature.

* * *

E. Fixed fees. The following fees are not subject to the minimum fee or based upon the estimated costs of construction.

* * *

(3) General applications:

* * *

(c) [Forty (\$40)] Fifty (\$50) dollars for:

- (1) Original certificate of completion and certificate of occupancy.
- (2) Each additional certified copy of a certificate of completion, certificate of occupancy or letter-in-lieu.

(d) Thirty (\$30) dollars for:

- (1) Departmental searches - per property.

[(d)](e) Five (\$5) dollars for:

* * *

* * *

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

2015-480

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 31-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198, (ZONING), ARTICLE III (RESIDENCE DISTRICT) AND ARTICLE XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Resolution for Town Board Meeting Dated: October 6, 2015

The following Resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board is the established "lead agency" in accordance with the State Environmental Quality Review Act (SEQRA) as it is the only agency that may amend the Huntington Town Code and, as such, this action is a direct agency action; and

WHEREAS, this action by the Town Board is classified as a Type I action pursuant to 6 N.Y.C.R.R. 617.4 (b)(2) OF THE SEQRA regulations; and

WHEREAS, an Environmental Assessment Form (EAF) Parts I, II and III has been prepared for this direct agency action by the Department of Planning and Environment; and

WHEREAS, the Town Board has reviewed the proposed action pursuant to Article 8 of the New York State Environmental Conservation Law, the State Environmental Quality Review Act (SEQRA) and Part 617 of the implementing regulations; and

THE TOWN BOARD having held a public hearing on 16th of September, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 31-2015 amending the code of the Town of Huntington Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations); and due deliberation having been had,

NOW THEREFORE, THE TOWN BOARD

HEREBY DETERMINES that no potentially significant adverse environmental impacts are posed by the proposed amendment to the Code and issues a Negative Declaration in accordance with SEQRA; and

HEREBY ADOPTS

Local Law Introductory No. 31-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), as follows:

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

LOCAL LAW NO. 42 -- 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICT) AND ARTICLE
XI (CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

Section 1. Chapter 198 (Zoning), Article III (Residence District) and Article XI (Conditional Uses; Supplementary Regulations) of the Huntington Town Code are hereby amended, as follows:

CHAPTER 198
(ZONING)

* * *

ARTICLE III
(RESIDENCE DISTRICTS)

§198-19. R-5 Residence District.

A. Use regulations. In the R-5 Residence District, a building or premises shall be used only for the following purposes:

* * *

[(3)] [Two family owner-occupied dwellings, where one (1) of the dwelling units is owner-occupied in perpetuity, and subject to the filing of a covenant and restriction to run with the land requiring such occupancy, which shall be filed in the Office of the Suffolk County Clerk and the filed copy submitted to the Department of Engineering Services, prior to the issuance of a Certificate of Occupancy and/or Certificate of Permitted Use.]

[(4)] (3) Any accessory use or structure permitted in the R-80 Residence District, subject to the same limitations and restrictions enumerated in § 198-13(B).

* * *

ARTICLE XI
(CONDITIONAL USES; SUPPLEMENTARY REGULATIONS)

* * *

§198-68. Uses permitted by Board of Appeals.

A. The Zoning Board of Appeals may authorize the following uses after making all of the required findings and after public hearing as provided in Article XVI. Plans for parking and loading facilities for proposed uses, shall be referred to the Planning Department for technical evaluation and advisory report, and no decision shall be made until the report has been received or thirty (30) days has elapsed. Landscaping and

fencing and, screening may be required in connection with any use permitted under this section.

* * *

(17) Two-family dwellings. Two-family dwellings may be authorized in R-5 Residence Districts subject to the following:

A. In cases where the lot size is under 10,000 square feet or the lot width is less than 100 feet, the following conditions shall apply: [Conversion of a single-family dwelling to a two-family dwelling in R-5 Residence Districts in cases where the lot area is less than ten thousand (10,000) square feet and/or the lot width is less than one hundred (100) feet, provided that:]

[(a)] [The dwelling is five (5) years of age or more at the time of application.]

[(b)](1) The minimum lot width is not less than fifty (50) feet; and[.]

[(c)](2) The [converted] dwelling will be designed and situated [reasonably in keeping with] so as to be compatible with the character of the neighborhood and with neighboring dwellings.

[(d)](3) The owner [can show hardships which require that the conversion be permitted] demonstrates to the satisfaction of the Zoning Board that the owner has sustained or will sustain severe hardship if the application were to be denied, and the hardship has not been or will be self-created; and

[(e)](4) The [conversion] two-family home will not [impair] negatively impact the character of the neighborhood or adversely affect property values[.]; and

[(f)](5) [In an R-5 Residence District, as] As a condition of the special use permit, [a grant of any variance to permit conversion from a one-family to a two-family dwelling,] a covenant and restriction to run with the land shall be filed by the applicant in the Office of the [Clerk of] Suffolk County Clerk requiring that one of the dwelling units be owner-occupied in perpetuity. Such covenant shall be reviewed by the Town Attorney as to form and substance before it is filed. A copy of the filed covenant shall be submitted to the Department of Engineering Services prior to the issuance of a Certificate of Occupancy[, and/or Certificate of Permitted Use.

(6) In cases where the conversion of a one family to a two family home is proposed, the dwelling must be five (5) years of age or more at the time of application.

B. Where the lot size is 10,000 square feet or more, two-family owner-occupied dwellings may be permitted where one (1) of the dwelling units is owner-occupied in perpetuity, and a covenant and restriction to run with the land requiring such occupancy is filed by the applicant in the Office of the Suffolk County Clerk. Such covenant shall be reviewed by the Town Attorney as to form and substance before it is filed. A copy of the filed covenant shall be submitted to the Department of Engineering Services, prior to the issuance of a Certificate of Occupancy and/or a Certificate of Permitted Use.

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 33-2015, CONSIDERING ZONE CHANGE APPLICATION #2015-ZM-408, STONE RIDGE III, TO CHANGE THE ZONING FROM R-40 RESIDENCE DISTRICT TO R-3M GARDEN APARTMENT SPECIAL DISTRICT FOR PROPERTY LOCATED ON THE EAST SIDE OF THE INTERSECTION OF DEER PARK AVENUE (NYS 231) AND RYDER AVENUE, DIX HILLS, SCTM# 0400-278-02-170 & 171.

Resolution for Town Board Meeting Dated: October 6, 2015

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

WHEREAS, STONE RIDGE AT DIX HILLS CONSTRUCTION CORP., 2580 Hempstead Tpke., East Meadow, NY 11554, contract vendee, submitted application #2015-ZM-408 for a change of zone from R-40 Residence District to R-3M Garden Apartment Special District for property located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills, designated as 0400-278-02-170 & 171 on the Suffolk County Tax Map; and

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

WHEREAS, the Town Board, 100 Main St., Huntington, NY 11743 classified the action as Unlisted in accordance with the provisions of 6 NYCRR Part 617, SEQRA, and established itself as Lead Agency on August 11, 2015; and

WHEREAS, the Department of Planning and Environment has prepared an EAF Parts II and III which analyzes the planning and zoning issues relative to the subject application as well as consistency with the Horizons 2020 Comprehensive Plan and evaluates potential project impacts in accordance with the SEQRA regulations, and the SEQRA documents and additional information concerning the SEQRA process can be obtained from the Department of Planning and Environment, 100 Main St., Room 212, Huntington, NY 11743, phone: (631) 351-3196, e-mail: planning@huntingtonny.gov; and

WHEREAS, by resolution dated July 29, 2015 the Planning Board recommended to the Town Board that the Town Board issue a Negative Declaration under SEQRA and approve the application subject to the following conditions:

- (1) Soil testing shall be conducted on the property and a Soil Management Plan shall be adopted by the Planning Board before any site plan approvals are granted, and

- (2) No building setback shall be less than 25 feet from the property lines of any single-family homes to the east or south.

NOW THEREFORE BE IT

RESOLVED, upon due deliberation of the completed Environmental Assessment Form on file in the offices of the Town Clerk and the Department of Planning and Environment, the Town Board, as Lead Agency, determines that the action will not have a significant effect upon the environment because the rezoning of the property and proposed site development will have no adverse environmental impacts, and further finds that the proposed action to rezone the property is consistent with the Town of Huntington Comprehensive Plan and with the Board's long term planning policies and goals, and additionally finds that any subdivision or site plan resulting therefrom may require its own determination of significance, following SEQRA assessment of the specific project's environmental consequences based upon new information and/or revisions to the conceptual plan, the Town Board hereby:

- (1) Issues a Negative Declaration based on the reasons outlined in the EAF, Parts II and III; and
- (2) Finds that the requirements for a SEQRA review have been met; and

BE IT FURTHER RESOLVED, that the Town Board, having held a public hearing on the 16th day of September, 2015, to consider adopting Local Law Introductory Number 33-2015 amending the "Amended Zoning Map of the Town of Huntington", as referenced in Chapter 198 (Zoning), §198-7 of the Huntington Town Code, thereby rezoning from R-40 Residence District to R-3M Garden Apartment Special District the property designated on the Suffolk County Tax Map as 0400-278-02-170 & 171, and due deliberation having been had

HEREBY APPROVES the change of zone as set forth below, except that this Local Law shall not be filed with the Secretary of State by the Huntington Town Clerk or be deemed effective against the subject property until the Covenants and Restrictions identified in this Resolution are approved by the Town Attorney as to form and content, and the applicant provides proper proof of filing with the Suffolk County Clerk to the Department of Planning and Environment, Town Attorney, and Town Clerk; and

FURTHER RESOLVES that no subdivision or site plan shall be approved by the Planning Board or signed by the Director of Planning unless the plan is in full compliance with the requirements of this Resolution, the Covenants and Restrictions, and any applicable condition, restriction, or limitation established by the Planning Board during subdivision or site plan review; and

HEREBY ADOPTS

Local Law Introductory No. 33-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article II (Zoning Districts, Map, General Regulations), as follows on the terms and conditions as set forth herein.

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

LOCAL LAW NO. ____ - 2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING)
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)
SECTION 198-7 (ZONING MAP)

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

CHAPTER 198 (ZONING)

* * *
ARTICLE II (ZONING DISTRICTS; MAP; GENERAL REGULATIONS)

* * *

§ 198-7 Zoning Map

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

* * *

The premises located on the east side of the intersection of Deer Park Avenue (NYS 231) and Ryder Avenue, Dix Hills designated on the Suffolk County Tax Map as 0400-278-02-170 & 171, to be rezoned from R-40 Residence District to R-3M Garden Apartment Special District, more particularly described as:

BEGINNING at a POINT on Deer Park Avenue at the southwestern corner of the parcel, where it intersects with the northwest corner of Stone Ridge I & II,

THENCE from said POINT OF BEGINNING North 05 degrees 58 minutes 40 seconds West, 207.47 feet,

THENCE North 81 degrees 49 minutes 30 seconds East, 1008.27 feet,

THENCE South 09 degrees 44 minutes 00 seconds East, 207.40 feet,

THENCE South 81 degrees 49 minutes 30 seconds West, 1021.86 feet to the POINT OF BEGINNING.

Such change of zone shall be specifically conditioned upon the filing by the property owner of the following Covenants and Restrictions, to run with the land in perpetuity. Such Covenants and Restrictions shall be in a form acceptable to the Town Attorney, and filed at the property owner's own cost and expense in the Office of the Suffolk County Clerk. Proof of such filing shall be provided by the owner to the Town Attorney, Director of Planning, and Huntington Town Clerk. All such Covenants and Restrictions shall be in addition to such terms and conditions as deemed necessary by the Town Attorney to assure compliance with the Covenants.

- (1) All residential units on the property shall be owned and occupied as senior housing units; and
- (2) Soil testing shall be conducted on the property and, if necessary, a Soil Management Plan shall be adopted by the Planning Board before any site plan approvals are granted; and
- (3) No building setback shall be less than 25 feet from the property lines of any single-family homes to the east or south.

*

*

*

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].

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 34-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS), SECTION 198-21.2 (R-PUD THE GREENS AT HALF HOLLOW PLANNED UNIT DEVELOPMENT)

Resolution for Town Board Meeting dated: October 6, 2015

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

THE TOWN BOARD having held a public hearing on the 16th day of September, 2015 at 2:00 p.m. to consider adopting Local Law Introductory No. 34-2015, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development District); and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 34-2015 amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development District), as follows:

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

LOCAL LAW NO. 43-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING), ARTICLE III (RESIDENCE DISTRICTS),

Section 1. Chapter 198-21.2 (Zoning), Article III (Residence Districts), Section 198-21.2 (R-PUD The Greens at Half Hollow Planned Unit Development District) is hereby amended, as follows:

CHAPTER 198
ZONING

* * *

ARTICLE III
RESIDENCE DISTRICTS

* * *

§ 198-21.2. The Greens at Half Hollow Planned Unit Development District.

* * *

N. Eligibility List. Current residents of Condo Building V may choose to relocate to a first or second story unit as follows:

- (1) Those residents currently occupying one of the 100 affordable units in Condo Building V at the Greens shall have a one-time right to add their names to a list of existing owners desiring to relocate from a first floor unit to a second floor unit, or from a second floor unit to a first floor unit only, as units become available for re-sale under the current program; and
- (2) Residents who elect to participate shall have their names added to the Eligibility List maintained by the LIHP in the order in which they were selected for the initial affordable housing lottery; and
- (3) Any current owner desiring to participate in the Eligibility List must meet all of the financial requirements for ownership of an affordable unit in order to remain on the Eligibility List in the event they seek to exercise their right to purchase a newly available re-sale unit; and
- (4) Current owners shall have a sixty (60) day period after the enactment of this Local Law to add their names to the Eligibility List. Future owners shall have a sixty (60) day period after they close to add their names to the Eligibility List; and
- (5) As existing units become available for re-sale, the next qualifying person on the Eligibility List shall have a one-time option to purchase the re-sale unit under the following terms and conditions:
 - (a) The current qualifying owner must immediately offer their unit for sale under existing pricing guidelines to the next eligible person on the waiting list; and
 - (b) The current qualifying owner on the Eligibility List must enter into a contract to purchase the available resale unit within sixty (60) days of unit availability under current pricing guidelines; and
 - (c) Should the first current owner on the Eligibility List decline to exercise the right to purchase a resale unit, then the unit shall be offered to the next person on the Eligibility List, and so on; and
- (6) The closing of title on the sale of the units referenced in paragraph (5) hereof shall occur within sixty (60) days of each other as no person may hold title to two units at any time; and
- (7) If an owner on the Eligibility List should decline to exercise a right to purchase a unit on another floor their name shall go to the bottom of the Eligibility List for consideration one final time when his or her name is reached; and

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 37-2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 78 (ANIMALS) SO AS TO ADD ARTICLE VII (DEER MANAGEMENT), AND AMENDING CHAPTER 109 (FIREARMS)

Resolution for Town Board Meeting Dated: October 6, 2015

The following resolution was offered by: Councilwoman Edwards

and seconded by: **SUPERVISOR PETRONE, COUNCILMAN CUTHBERTSON**

WHEREAS, the Town Board having held a public hearing on the 6th of October, 2015 at 6:00 p.m. to consider adopting Local Law Introductory No. 37-2015 amending the code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 37-2015, amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms) as follows:

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

LOCAL LAW NO. ~~37~~44-2015
AMENDING THE CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 78 (ANIMALS) SO AS TO ADD
ARTICLE VII (DEER MANAGEMENT),
AND AMENDING CHAPTER 109 (FIREARMS)

Section 1. Amending the Code of the Town of Huntington, Chapter 78 (Animals) so as to add Article VII (Deer Management), and amending Chapter 109 (Firearms); as follows:

CHAPTER 78
ANIMALS

* * *

ARTICLE VII

DEER MANAGEMENT

§78-41. Permitted Acts.

A. In an effort to control deer populations, the following methods shall be permitted:

- (1) Installation of deer fencing;
- (2) Planting of non-deer friendly plants and/or vegetation;
- (3) Implantation of deterrent tactics such as pepper-based repellent sprays on foliage, motion detector/triggered lights and/or sprinklers, as well as displaying coyote effigies;
- (4) Bow hunting of deer in accordance with Chapters 109 and 159 of the Code of the Town of Huntington.

§78-42. Prohibited Acts.

A. No person shall engage in, or encourage, the feeding of deer.

§78-43 through §78-49. (Reserved)

§78-50. Penalties for offenses.

Any person who commits an act in violation of this Article shall, upon conviction thereof, be guilty of a violation subject to a fine or penalty of not less than one hundred (\$100.) dollars and not more than one thousand (\$1,000.) dollars for a conviction of a first offense; upon the conviction of a second offense, where the offense occurred within two (2) years of the commission of the first offense, a fine or penalty of not less than five hundred (\$500.) dollars and not more than two thousand five hundred (\$2,500.) dollars; and upon conviction of a third or subsequent offense, where the offense occurred within five (5) years of the commission of the first offense, shall be punishable by a fine or penalty of not less than five hundred (\$500.) dollars and not more than five thousand (\$5,000.) dollars.

* * *

CHAPTER 109 (FIREARMS)

* * *

§109-3. Exemptions.

The provisions of this chapter shall not apply to:

- A. A law enforcement officer in the performance of his official duties.
- B. Programs conducted by public or private schools offering instruction or training in the use of firearms.
- C. The authorized use of a pistol, rifle or target range regularly operated and maintained by a police department or other law enforcement agency or by any duly organized membership corporation or by any municipal corporation.
- D. The lawful use of a firearm in the defense of person or property.

- E. Duly recognized parade or marching groups, including any United States military organizations and the Huntington Battalion of Minute Men and duly recognized veterans' groups.
- F. Long bow hunting, during deer hunting season only, as outlined by the New York State Department of Environmental Conservation, pursuant to a validly issued license by the New York State Department of Environmental Conservation. Long bow hunting in accordance with this Chapter and Chapter 159 of the Code of the Town of Huntington shall be permitted providing that:
 - a. Notification, in writing, is given to the Town's Department of Public Safety and local police department, prior to the commencement of said activity; and
 - b. Residents whose homes are within 150 feet of long bow hunting activity shall be notified, in writing, prior to the commencement of said activity whenever possible and/or as circumstances permit. Anyone who willfully disregards this provision shall be subject to penalties as set forth in this Chapter.

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015-485

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: October 6, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, on September 16, 2015 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

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

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

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

NOW THEREFORE,

THE TOWN BOARD

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

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

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

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

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

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

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

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

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

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
202	3 Olmstead Lane E. Northport	0400-184.00-01.00-024.000	Gloria A. Gelmin Jeffrey Gelmin, Jr. 3 Olmstead Lane E. Northport, NY 11731-4715	8/16/2015	\$2,500.00
199	19 Oakcrest Drive Huntington Station	0400-201.00-03.00-044.000	Wayne E. Hughes Teresa M. Hughes 19 Oakcrest Drive Huntington Station, NY 11746	8/12/2015	\$2,500.00
198	19 Oakley Drive Huntington Station	0400-195.00-01.00-023.000	Tom F. Keogh Benia Keogh 19 Oakley Drive Huntington Station, NY 11746	7/20/2015	\$2,500.00

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

2015-485

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	BLIGHT DESIGNATION DATE
202	3 Olmstead Lane E. Northport	0400-184.00-01.00-024.000	Gloria A. Gelmin Jeffrey Gelmin, Jr. 3 Olmstead Lane E. Northport, NY 11731-4715	8/16/2015	9/16/2015
199	19 Oakcrest Drive Huntington Station	0400-201.00-03.00-044.000	Wayne E. Hughes Teresa M. Hughes 19 Oakcrest Drive Huntington Station, NY 11746	8/12/2015	9/16/2015
198	19 Oakley Drive Huntington Station	0400-195.00-01.00-023.000	Tom F. Keogh Benia Keogh 19 Oakley Drive Huntington Station, NY 11746	7/20/2015	9/16/2015

-SCHEDULE B-

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

2015-485

PREVIOUS EXHIBITS-SCHEDULE A	PROPERTY ADDRESS	TAX ID #	PROPERTY OWNER / MAILING ADDRESS	BLIGHT DESIGNATION DATE
4	17 Carman Road Dix Hills	0400-243.00-01.00-029.000	Russell Van Deirse 241-16 Linden Blvd. Elmont, New York 11003-4021	9/19/2011
149	11 Woodland Lane Huntington	0400-037.00-02.00-075.003	Gina Insigne 11 Woodland Lane Huntington, NY 11743-1536	11/6/2014
194	29 Thornwood Drive Dix Hills	0400-263.00-03.00-123.000	LSC1 Management Corp. 29 Thornwood Drive Dix Hills, NY 11746	8/11/2015
196	425 New York Avenue Huntington	0400-096.00-01.00-009.000	Gary P. Field 425 New York Ave., Ste 204 Huntington, NY 11743	8/11/2015

-SCHEDULE C-
 IN COMPLIANCE

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

2015-485

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	BLIGHT DESIGNATION 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	11/6/2014	\$ 2,500.00
103	4 Carriage Court Dix Hills	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio 194 Smith Street Deer Park, NY 11729	10/15/2013	\$ 2,500.00
139	9 Maryanne Court Huntington	0400-077.00-02.00-036.007	Walter J. Hergenhan Jo Ann Hergenhan 9 Maryanne Court Huntington, NY 11743-7912	9/16/2014	\$ 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	11/6/2014	\$ 2,500.00

**-SCHEDULE D-
PERSISTENT BLIGHT**

2015-486

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: October 6, 2015

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILWOMAN EDWARDS**

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 **5th** day of **NOVEMBER**, 2015 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2015-486

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

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

2015-486

EX. #	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
201	5 Brown Meadows Court Huntington	0400-206.00-02.00-144.002	LI Assets Acquisitions 43 President Street Huntington, NY 11743	8/18/2015	\$2,500.00
200	47 St. Andrews Drive Huntington	0400-018.00-02.00-015.000	Beatrice H. Berry-Frech 47 St. Andrews Drive Huntington, NY 11743-2419	8/18/2015	\$2,500.00

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RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 38 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: MINETTA COURT, HUNTINGTON- STOP SIGNS

Resolution for Town Board Meeting dated: October 6, 2015

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

and seconded by: **COUNCILMAN COOK**

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

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

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 5th day of November, 2015 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 38 -2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 38 -2015
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

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

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

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

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2015- 488

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 39 -2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: LAUREL ROAD, EAST NORTHPORT - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: October 6, 2015

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to improve visibility and remove congestion from an intersection; 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 5th day of November, 2015 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 39 -2015 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

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

LOCAL LAW INTRODUCTORY NO. 39 -2015
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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

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

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

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

*Laurel Road East Northport - Parking Restrictions - Public Hearing
Transportation & Traffic Safety/sm
9/23/2015 1:06 PM*

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NUMBER 40 - 2015 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 4 (PARKING FIELDS), ARTICLE I (USE REGULATIONS) AND SCHEDULE L (TOWN PARKING FIELDS)

Resolution for Town Board Meeting dated: October 6, 2015

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

WHEREAS, it is the intent of the Town Board to update the Uniform Traffic Code of the Town of Huntington in order to allow for a limited amount of general public parking in the Woodbine Marina Municipal Parking Lot; and

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

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby schedules a public hearing for the 5th day of ~~November~~ 2015 at 2:00 p.m. at Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 40 -2015, amending the Uniform Traffic Code of the Town of Huntington, Chapter 4 (Parking Fields), Article I (Use Regulations) and Schedule "L" (Town Parking Fields); as follows:

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

LOCAL LAW INTRODUCTORY NO. 40 - 2015

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

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

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON

* * *
CHAPTER 4
(PARKING FIELDS)

ARTICLE I
(USE REGULATIONS)

* * *

§4-3. Town Parking Fields.

* * *

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

* * *

SCHEDULE "L"
(TOWN PARKING FIELDS)

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

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

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 41 -2015 AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 117 (SOLID WASTE MANAGEMENT: COLLECTION, RECYCLING AND DISPOSAL)

Resolution for Town Board Meeting Dated: October 6, 2015

The following Resolution offered by: Supervisor Petrone

And seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, it is the intention of the Town Board to update its solid and liquid waste regulations commensurate with regulations promulgated by the Department of Environmental Conservation and other advances in the field of processing waste products; and

WHEREAS, pursuant to §617.5(c)(20 & 27) of the SEQRA regulations, amending the Code of the Town of Huntington to update administrative processes is a Type II action, requiring no further SEQRA review,

NOW THEREFORE, THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 5th day of November, 2015 at 2:00 p.m. at Town Hall, 100 Main Street, Huntington, New York to consider adopting Local Law Introductory No. 41 -2015, amending the Code of the Town of Huntington, Chapter 117 (Solid Waste Management: Collection, Recycling and Disposal); as follows:

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

LOCAL LAW INTRODUCTORY NUMBER 41 -2015

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

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

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

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

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* * *

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

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

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

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

* * *

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

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

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

* * *

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

* * *

IMMEDIATE FAMILY - An individual's spouse, parent, child or sibling.

MEDICAL WASTE, REGULATED (RMW) - [All infectious and noninfectious medical waste, including but not limited to surgical, pathological and biological waste.] Material

generated in research, production and testing of biologicals or for health care purposes, including but not limited to infectious animal waste, human pathological waste, human blood and blood products, needles and syringes (sharps) except for those used residentially for maintenance of chronic medical conditions, cultures and stocks (microbiological materials), and other biohazard waste such as materials contaminated with infectious agents such as the Ebola virus

* * *

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

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

* * *

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

* * *

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

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

* * *

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

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

SOLID WASTE - All putrescible and nonputrescible materials or substances discarded or rejected as being spent, useless, worthless or in excess to the owner's at the time of such

discharge or rejection, including but not limited to refuse, industrial and commercial waste, sludges from air or water control facilities, tires, contained gaseous material, construction and demolition material [and recyclable items], but not including sewage and other highly diluted water-carried materials or substances and those in noncontainerized gaseous form.

* * *

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

* * *

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

* * *

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

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

[B.] [Permit required.]

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

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

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

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

[D.] [Date of permit.]

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

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

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

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

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

(2) Container permit.

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

(b) A permit shall only be affixed provided the dumpster, compactor unit or roll-off container is in good condition, free from leakage and in working order and if the name and telephone number of the owner appears on two (2)

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

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

§117-3. Application for license; contents.

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

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

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

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

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

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

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

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

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

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

(9) [(10)] Fingerprints and convictions. As part of the application process, all [All] applicants and members thereof, if an unincorporated association, or, if a corporation,

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

* * *

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

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

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

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

(B) Amendment to the Application. In the event there is a change in the information provided on the application, the applicant and/or licensee shall advise the Director in writing within five (5) calendar days of the change. Failure to notify the Director shall be deemed a violation of this Chapter. [Any person who maintains an up-to-date Suffolk County home improvement or electrician's license may apply for a permit to deliver all acceptable waste to a Town facility. This permit shall be issued by the Town Clerk upon the presentation of a copy of the license, not the ID card, which shall be attached to the application.]

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

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

* * *

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

* * *

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

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

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

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

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

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

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

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

(1) Workers' compensation insurance.

(2) Disability benefits insurance.

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

(4) General Liability and property damage (with a minimum limit of \$1,000,000 for each occurrence).

(B) Security deposit.

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

* * *

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

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

* * *

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

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

solid and/or liquid waste disposal, and that based on the information on the application and submissions of the applicant, a license may be issued, shall issue such license and permits as requested by the applicant.

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

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

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

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

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

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

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

* * *

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

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

* * *

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

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

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

* * *

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

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

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

(C) Hearings. Whenever the Town Clerk makes a determination to deny, or seeks to suspend or revoke a license[, certificate] or permit, or the license is suspended by the Director under §117-8(B)(4) or §117-28(C)(2) [pursuant to § 117-4 or 117-17A] the applicant or licensee, as the case may be, shall be given written notice of the reason for such action and[,] an opportunity to appear before the Town Board or a duly appointed

hearing officer and present evidence in his own behalf. [shall be scheduled in accordance with this chapter. The hearings shall be held as follows:]

* * *

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

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

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

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

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

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

* * *

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

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

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

no later than 12:00 p.m. the day after the day of collection to a location to the rear of the front line of the main dwelling.

* * *

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

* * *

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

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

* * *

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

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

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

* * *

§117-23. Residential source separation.

* * *

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

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

§117-24. Commercial source separation.

* * *

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

§117-25. Unacceptable waste.

It shall be unlawful for any licensee to collect and any person to place for collection, for delivery to a Town facility any hazardous waste, regulated medical waste, regulated batteries, mixed loads of construction and demolition material, cow or horse manure, or electronic waste pursuant to § 27-2611 of the Environmental Conservation Law, except that household hazardous waste and electronic waste may be deposited for collection and recycling where designated at the Town's Recycling Center.

* * *

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

* * *

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

* * *

(2) Hazardous or regulated medical waste.

* * *

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

* * *

(B) Exemptions:

(2) The fee for spot market waste and/or waste not generated within the Town which is delivered to the resource recovery facility to satisfy fuel inventory requirements shall be subject to prevailing local waste disposal market conditions, as determined from time to time by the Director or his/her designee. [, with available] Available disposal capacity shall be [being] first offered to the [spot market] waste hauler(s) paying the highest per-ton fee, and the remaining disposal capacity shall be offered successively to each such hauler paying the next-highest per-ton fee, until fuel inventory requirements

are satisfied. The Director, or his/her designee, shall determine from time to time the interval with which to calculate fuel inventory requirements. All haulers delivering spot market waste or waste not generated within the Town to the resource recovery facility shall submit a [payment] security deposit to the Town as set forth in [§117-8B] §117-8 (B).

(C) Late payment charges.

* * *

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

* * *

Section 2. Severability.

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

Section 3. Effective Date.

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

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

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

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

* Rescinded by Resolution #2015-583 which was adopted at the 12/8/2015

2015-491

Town Board meeting.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH LISA MCQUILKIN LAND SURVEYING FOR PROFESSIONAL SURVEYING SERVICES FOR TWO (2) TOWN OF HUNTINGTON PARKING LOTS

Resolution for Town Board Meeting Dated: October 6, 2015

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

and seconded by: **COUNCILWOMAN EDWARDS**

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

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

WHEREAS, The Department of Engineering Services received two (2) proposals from qualified firms and the LISA MCQUILKIN LAND SURVEYING proposal represents the best value for the Town for the aforementioned services; and

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

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an agreement with LISA MCQUILKIN LAND SURVEYING, 274 East Main Street, East Islip, NY 11730 to provide professional Surveying services for two (2) Town of Huntington Parking Lots for an amount not to exceed SEVEN THOUSAND dollars (\$7,000.00), to be charged to Budget No. A1440-4550, and authorizes the Director of Engineering to execute contract changes with an aggregate value up to 10% of the professional services contract, upon such other terms and conditions as may be acceptable to the Town Attorney.

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.

10-6-2015

RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE A MEMORANDUM OF UNDERSTANDING TO BE MADE WITH THE TOWN OF HUNTINGTON ECONOMIC DEVELOPMENT CORPORATION

Resolution for Community Development Agency Board meeting dated: October 6, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, the Huntington Community Development Agency (“HCDA”) is a New York public benefit corporation formed pursuant to Section 654 of the New York State General Municipal Law, established for the accomplishment of any or all purposes specified in Articles fifteen and fifteen-A of Chapter 23 of the New York State General Municipal Law, and granted the powers and duties conferred by Article fifteen-A of Chapter 23 of the New York State General Municipal Law; and

WHEREAS, the Town of Huntington Economic Development Corporation (“THEDC”) is a New York local development corporation formed pursuant to Section 1411 of the New York State Not-For-Profit Corporation Law; and

WHEREAS, THEDC was created for the exclusive public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and lessening the burdens of government and acting in the public interest; and

WHEREAS, HCDA, acting in partnership with the County of Suffolk’s Departments of Labor and Social Services, has launched the Huntington Opportunities Resource Center (“HORC”), which by its operations endeavors to assist unemployed and underemployed residents of the Town of Huntington with, among other activities, resume preparation, job searches, identifying career options, access to training, furnishing tips for interview success, job readiness, preparing Department of Social Services applications, and not-for-profit referrals; and

WHEREAS, consistent with its above stated exclusive public purposes, THEDC has the power, among other things, to provide managerial, technical, and administrative advice and training; to provide, furnish, and/or procure financial aid and support to assist residents of the Town of Huntington to develop necessary business and living skills; and to disseminate information and furnish advice, and technical assistance, and liaison with federal, state, and local authorities with respect thereto; and

WHEREAS, in fulfillment of its own mission and purpose, THEDC wishes to engage HCDA, to align and collaborate with the activities of HCDA, and support the operations and ongoing employment readiness and job training initiatives at HORC; and

WHEREAS, the subject of 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

THE BOARD OF THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY
HEREBY

AUTHORIZES the Chair to execute a Memorandum of Understanding to be made by and between the Huntington Community Development Agency and the Town of Huntington Economic Development Corporation, to align, collaborate and support their respective efforts in the operations and ongoing employment readiness and job training initiatives at the Huntington Opportunities Resource Center.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE A MEMORANDUM OF UNDERSTANDING TO BE MADE WITH THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION

Resolution for Community Development Agency Board meeting dated: October 6, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, the Huntington Community Development Agency (“HCDA”) is a New York public benefit corporation formed pursuant to Section 654 of the New York State General Municipal Law, established for the accomplishment of any or all purposes specified in Articles fifteen and fifteen-A of Chapter 23 of the New York State General Municipal Law, and granted the powers and duties conferred by Article fifteen-A of Chapter 23 of the New York State General Municipal Law; and

WHEREAS, the Town of Huntington Local Development Corporation (“THLDC”) is a New York local development corporation formed pursuant to Section 1411 of the New York State Not-For-Profit Corporation Law; and

WHEREAS, THLDC was created for the exclusive public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and lessening the burdens of government and acting in the public interest; and

WHEREAS, HCDA, acting in partnership with the County of Suffolk’s Departments of Labor and Social Services, has launched the Huntington Opportunities Resource Center (“HORC”), which by its operations endeavors to assist unemployed and underemployed residents of the Town of Huntington with, among other activities, resume preparation, job searches, identifying career options, access to training, furnishing tips for interview success, job readiness, preparing Department of Social Services applications, and not-for-profit referrals; and

WHEREAS, consistent with its above stated exclusive public purposes, THLDC has the power, among other things, to provide managerial, technical, and administrative advice and training; to provide, furnish, and/or procure financial aid and support to assist residents of the Town of Huntington to develop necessary business and living skills; and to disseminate information and furnish advice, and technical assistance, and liaison with federal, state, and local authorities with respect thereto; and

WHEREAS, in fulfillment of its own mission and purpose, THLDC wishes to engage HCDA, to align and collaborate with the activities of HCDA, and support the operations and ongoing employment readiness and job training initiatives at HORC; and

WHEREAS, the subject of 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

THE BOARD OF THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY
HEREBY

AUTHORIZES the Chair to execute a Memorandum of Understanding to be made by and between the Huntington Community Development Agency and the Town of Huntington Local Development Corporation, to align, collaborate and support their respective efforts in the operations and ongoing employment readiness and job training initiatives at the Huntington Opportunities Resource Center.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2015- LDC-6

RESOLUTION RESTATING RESOLUTION 2015-LDC4 DIRECTING THE RELEASE OF FUNDS TO SUPPORT THE HUNTINGTON OPPORTUNITY RESOURCE CENTER PURSUANT TO THE MANAGEMENT AND ADMINISTRATIVE SERVICES AGREEMENT MADE BY AND BETWEEN THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION AND THE TOWN OF HUNTINGTON

Resolution for Local Development Corporation Board meeting dated: October 6, 2015

The following resolution was offered by: Member Edwards

and seconded by: **MEMBER BERLAND**
MEMBER COOK

WHEREAS, by Board Resolution No. 2015-4, the corporation authorized the release of funds to the Town of Huntington to support ongoing operations and resident job training initiatives at Huntington Opportunity Resource Center; and

WHEREAS, by Huntington Town Board Resolution No. 2015-455, the Town Board directed that said funds instead be released to the Huntington Community Development Agency for the same purposes; and

WHEREAS, the Board of the Corporation therefore wishes to restate Board Resolution No. 2015-4 to provide that the Huntington Community Development Agency instead be the recipient of said funds; and,

WHEREAS, the subject of 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

THE BOARD OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY

RESTATES Board Resolution No. 2015-4 to authorize the release of funds to the Huntington Community Development Agency to support training initiatives and operations at Huntington Opportunity Resource Center, located at 1264 and/or 1268 New York Avenue, Huntington Station, New York, in an amount not to exceed the sum of TWENTY-FIVE THOUSAND & XX/100 (\$25,000.00) DOLLARS, and upon such terms and conditions as may be acceptable to the corporation's counsel.

2015- LDC-6

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE A MEMORANDUM OF UNDERSTANDING TO BE MADE WITH THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY

Resolution for Local Development Corporation Board meeting dated: October 6, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER BERLAND**

WHEREAS, the Town of Huntington Local Development Corporation (“THLDC”) is a New York local development corporation formed pursuant to Section 1411 of the New York State Not-For-Profit Corporation Law; and

WHEREAS, THLDC was created for the exclusive public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities and lessening the burdens of government and acting in the public interest; and

WHEREAS, consistent with its above stated exclusive public purposes, THLDC has the power, among other things, to provide managerial, technical, and administrative advice and training; to provide, furnish, and/or procure financial aid and support to assist residents of the Town of Huntington to develop necessary business and living skills; and to disseminate information and furnish advice, and technical assistance, and liaison with federal, state, and local authorities with respect thereto; and

WHEREAS, the Huntington Community Development Agency (“HCDA”) is a New York public benefit corporation formed pursuant to Section 654 of the New York State General Municipal Law, established for the accomplishment of any or all purposes specified in Articles fifteen and fifteen-A of Chapter 23 of the New York State General Municipal Law, and granted the powers and duties conferred by Article fifteen-A of Chapter 23 of the New York State General Municipal Law; and

WHEREAS, HCDA, acting in partnership with the County of Suffolk’s Departments of Labor and Social Services, has launched the Huntington Opportunities Resource Center (“HORC”), which by its operations endeavors to assist unemployed and underemployed residents of the Town of Huntington with, among other activities, resume preparation, job searches, identifying career options, access to training, furnishing tips for interview success, job readiness, preparing Department of Social Services applications, and not-for-profit referrals; and

WHEREAS, in fulfillment of its own mission and purpose, THLDC wishes to engage HCDA, to align and collaborate with the activities of HCDA, and support the operations and ongoing employment readiness and job training initiatives at HORC; and

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WHEREAS, the subject of 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

THE BOARD OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY

AUTHORIZES the Chair to execute a Memorandum of Understanding to be made by and between the Town of Huntington Local Development Corporation and the Huntington Community Development Agency, to align and collaborate their respective efforts and to support the operations and ongoing employment readiness and job training initiatives at the Huntington Opportunities Resource Center in furtherance of the Town of Huntington Local Development Corporation's mission and purposes.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE CHAIR TO EXECUTE A FIRST AMENDMENT TO THE MANAGEMENT AND ADMINISTRATIVE SERVICES AGREEMENT MADE WITH THE TOWN OF HUNTINGTON

Resolution for Local Development Corporation Board meeting dated: October 6, 2015

The following resolution was offered by: Chairman Petrone

and seconded by: **MEMBER EDWARDS**

WHEREAS, the Town of Huntington Local Development Corporation (“THLDC”) was formed as a not-for-profit local development corporation of the State of New York during 2010, with the public or quasi-public objectives of, among other things, training community residents in the development of their business and living skills, reducing adult unemployment, promoting maximum adult employment by bettering, facilitating and maintaining adult job opportunities, and otherwise stimulating economic growth within the Town of Huntington by serving as a conduit for tax-exempt and taxable bond financing for the not for profit sector of the Town of Huntington; and

WHEREAS, by THLDC Board Resolution No. 3-12-2012-12, the THLDC was authorized to make a Management and Administrative Services Agreement with the Town of Huntington; and

WHEREAS, pursuant to the Management and Administrative Services Agreement, the THLDC engaged the Town of Huntington to perform management and administrative services on its behalf; and

WHEREAS, the THLDC and Town of Huntington wish to clarify the respective terms of the Management and Administrative Services Agreement, by amending its Section 4; and

WHEREAS, the subject of 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

THE BOARD OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION HEREBY

AUTHORIZES the Chair to execute a First Amendment to the Management and Administrative Services Agreement made with the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION (THE "ISSUER") AUTHORIZING THE ISSUANCE, EXECUTION, SALE AND DELIVERY OF THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION'S (I) TAX-EXEMPT REVENUE BONDS (ST. ANTHONY'S HIGH SCHOOL PROJECT), AND (II) TAXABLE REVENUE BONDS (ST. ANTHONY'S HIGH SCHOOL PROJECT), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$38,000,000; AND (III) THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS

Resolution for Local Development Corporation Board meeting dated: October 6, 2015

The following resolution was offered by: Member Cuthbertson

MEMBER BERLAND

and seconded by: **CHAIRMAN PETRONE**

WHEREAS, pursuant to the purposes and powers contained within Section 1411 of the Not-for-Profit Corporation Law ("N-PCL") of the State of New York (the "State"), as amended (hereinafter collectively called the "Act"), and pursuant to its duly filed certificate of incorporation (the "Certificate"), **THE TOWN OF HUNTINGTON LOCAL DEVELOPMENT CORPORATION** (the "Issuer") was established as a not-for-profit local development corporation of the State with the authority and power to own, lease and sell personal and real property for the purposes of, among other things, acquiring, constructing and equipping certain projects exclusively in furtherance of the charitable or public purposes of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, instructing or training individuals to improve or develop their capabilities for such jobs, by encouraging the development of, or retention of, an industry in the community or area, and lessening the burdens of government and acting in the public interest; and

WHEREAS, the territory in which the Issuer's activities are principally to be conducted is the Town of Huntington and its surrounding communities; and

WHEREAS **ST. ANTHONY'S HIGH SCHOOL SOUTH HUNTINGTON**, a not-for-profit education corporation organized and existing under the laws of the State of New York, on behalf of itself and **SERAPHIC PROPERTIES INC.**, a not-for-profit corporation organized and existing under the laws of the State of New York (collectively, the "Institution") submitted an application (the "Application" to the Issuer requesting that the Issuer issue, in one or more series, its tax-exempt and/or taxable revenue bonds in a principal amount not to exceed \$38,000,000 (the "Bonds") for the purpose of paying the costs associated with a certain project (the "Project") consisting of: (A) the current refunding of all or a portion of \$34,030,000 Suffolk County Industrial Development Agency Variable Rate Demand Civic Facility Revenue Bonds, Series 2006 (St. Anthony's High School Civic Facility) (the "Series 2006 Bonds"), the proceeds of which Series 2006 Bonds were used for

the financing or refinancing of all or a portion of the costs of (1) various capital projects undertaken by the Institution including (a) the renovation and equipping of one existing building, consisting of approximately 270,000 aggregate square feet, located on the Institution's approximately 30-acre campus located at 275 Wolf Hill Road, South Huntington, Suffolk County, New York (the "Campus"), and (b) the construction and equipping of a new building on the Campus, consisting of approximately 140,000 aggregate square feet, all to be used by the Institution to develop and/or renovate various academic and athletic operations of the Institution, consisting of, but not limited to, the following: a new Student Center, a new Wrestling Room, a new Strength and Conditioning Room, new Boys and Girls Locker Room Facilities, a new Officials Room, a new Video Conference Room, new Chemistry Labs, new Biology Labs, a new Physical Therapy suite, a new School Store, new Music Rooms, new Art Studios, a new Senior Courtyard, an outdoor Football Field and Track and related fencing and site improvements (collectively, the "2006 Facility"); (2) funding a debt service reserve fund in connection with the issuances of the 2006 Bonds; and (3) funding certain costs of issuance in connection with the issuance of the series 2006 Bonds; (B) financing or refinancing of all or a portion of the costs of the renovation and equipping of an approximately 25,000 square foot science laboratory located on the second and third floors of the new Campus building, (the "2015 Facility" and collectively with the 2006 Facility, the "Facility") and (C) funding of a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (A), (B) and (C) being hereinafter collectively referred to as the "Project Costs"); and

WHEREAS, the Issuer is contemplating providing financial assistance to the Institution with respect to the Project (collectively, the "Financial Assistance") in the form of the issuance of the Bonds and an exemption from the mortgage recording tax; and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code (the "Code"), the Issuer conducted a public hearing with respect to the issuance of the tax-exempt Bonds on Tuesday, October 6, 2015, at 9:00 AM, local time, at The Town of Huntington Town Hall, Room 302, 100 Main Street, Huntington, New York 11743, following the publication on September 21, 2015, *in the Nassau and Suffolk Edition of Newsday* of a notice of said public hearing; and

WHEREAS, the Bonds are being issued pursuant to one or more Bond Purchase and Loan Agreements (collectively, the "BPLA"), by and among the Issuer, the Institution and each of Suffolk County National Bank, and People's United Bank, respectively (each a "Purchaser" and collectively the "Purchasers"); and

WHEREAS, the Issuer will loan the proceeds of the Bonds to the Institution pursuant to a certain the BPLA, with the payments made by the Institution thereunder being sufficient to pay the principal of premium, if any, purchase price and interest on the Bonds; and

WHEREAS, the Bonds will be placed by Gates Capital Corporation, as placement agent (the "Placement Agent") pursuant to a certain Bond Placement Agreement, among the Issuer, the Placement Agent and the Institution (the "Bond Placement Agreement"); and

WHEREAS, the Institution shall make certain representations, warranties and covenants for the benefit of the Purchasers, pursuant to the BPLA or one or more Bond Purchase and Continuing Covenants Agreements, if any (collectively, the "BPCCA"), by and between the Institution and each Purchaser; and

WHEREAS, as security for the Institution's obligations under the BPLA, (i) the Institution will granted to the Issuer a mortgage lien on and security interest in and to Mortgaged Premises (as defined in the hereinafter defined Mortgage) pursuant to one or more Mortgage, Assignment of Rents, Security Agreements and Fixture Filings, from the Institution to the Issuer (the "Mortgage"); the Issuer will assign its rights under the Mortgage to the Purchasers pursuant to a certain Assignment of Mortgage, from the Issuer to the Purchasers (the "Assignment of Mortgage"); (ii) if required, the Institution will grant to the Purchasers a security interest in certain of its revenues pursuant to a certain Pledge and Security Agreement or similar agreement, from the Institution to the Purchasers (the "Pledge and Security Agreement") and; (iii) if required, the Institution and one or more of its affiliates (collectively, the "Guarantors") will guarantee the principal of and interest on the Bonds pursuant to a certain Guaranty, from the Guarantors to the Purchasers (the "Guaranty"); and

NOW, THEREFORE, BE IT RESOLVED by The Town of Huntington Local Development Corporation as follows:

Section 1. a. It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration.

b. Pursuant to the Issuer's certificate of incorporation filed on April 7, 2010 with the Department of State as amended by the Issuer's certificate of amendment to the certificate of incorporation filed on February 23, 2012 (the "Certificate") and the purposes and powers contained within Section 1411 of the N-PCL, the Issuer is empowered to undertake the Project, issue the Bonds, and undertake the various transactions contemplated herein.

c. The proposed financial assistance being contemplated by the Issuer includes: (i) financing all or a portion of the Project Costs by the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$38,000,000 and (ii) an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 2. It is among the purposes of the Issuer to promote, develop, encourage and assist in the acquisition, construction, rehabilitation and improvement of facilities for not-for profit corporations and thereby relieve and reduce unemployment, better and maintain job opportunities and lessen the burdens of government. The Issuer, in undertaking

the Project pursuant to the purposes and powers set forth within N-PCL Section 1411 and the Certificate is acting in the public interest by lessening the burdens of government.

Section 3. Based upon representations made by the Institution to the Issuer, the Issuer makes the following findings and determinations:

- (a) the Project is in furtherance of the purposes of the Issuer; and
- (b) the issuance of the Bonds will be an inducement to the Institution to continue to operate and maintain the Project in the Town of Huntington, Suffolk County; and
- (c) it is desirable and in the public interest for the Issuer to issue the Bonds to finance the costs of the Project, together with certain related costs and amounts; and
- (d) the Institution is not undertaking the Project in place of, on behalf of, for the benefit of, or at the request of the Issuer.

Section 4. In consequence of the foregoing, the Issuer hereby determines to:

- (a) execute the BPLA with such amendments or modifications as the Chief Executive Officer or other officer designated by the Chief Executive Officer (the "Authorized Officer") deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer and loan the proceeds derived from the issuance of the Bonds to the Institution pursuant to the terms thereto; and
- (b) execute the Bond Placement Agreement with such amendments or modifications as the Authorized Officer deems necessary under the circumstances, provided no such amendment or modification materially alters the risk to the Issuer; and
- (c) issue and deliver the Bonds to the Purchasers on a mutually agreeable date, subject however to the approval of the final terms for the Bonds and the terms and conditions of the BPLA the BPCCA, if any consistent with this Resolution, and the prior written approval of all terms contained therein, by the Authorized Officer of the Issuer and by the Institution and the Purchasers; and
- (d) use the proceeds of the Bonds to finance a portion of the Project and to pay necessary incidental expenses in accordance with the BPLA; and
- (e) execute a Tax Compliance Agreement (the "Tax Compliance Agreement"), between the Institution and the Issuer and a completed Internal Revenue Service Form 8038 (Information Return for Private Activity Bonds) relating

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to the tax-exempt Bonds (the "Information Return") and file the Information Return with the Internal Revenue Service in connection with the issuance of the tax-exempt Bonds; and

- (f) execute and deliver all other certificates and documents required in connection with issuance and sale of the Bonds including the documents identified on the draft Closing Memorandum and any other documents as may be required by the Purchasers or otherwise required to accomplish the Project, qualify a portion of the interest on the tax-exempt Bonds for tax-exempt status under Section 103 of the Code (such certificates and documents collectively, with the Bonds, the BPLA, the BPCCA, if any, the Assignment of Mortgage and the Tax Compliance Agreement, the "Financing Documents"); and
- (g) grant an exemption an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds.

Section 5. The Issuer is hereby authorized to undertake the Project, to refund all or a portions of the Series 2006 Bonds, finance or refinance the acquisition, construction, renovation and equipping of the 2015 Facility, the funding of a debt service reserve fund, if any and costs of issuance, by the issuance of the Bonds and to grant the other Financial Assistance in the form of an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage in connection with the Project to secure the Bonds; and all acts previously taken by the Issuer with respect to the Project, the undertaking of the Project, the grant of Financial Assistance with respect to the Project and the issuance of the Bonds are hereby approved, ratified and confirmed.

Section 6. Subject to receipt of the approval of the Town Supervisor of The Town of Huntington, New York, (the "Huntington Town Supervisor") of the issuance of the Series 2015 tax-exempt Bonds pursuant to, and solely for the purposes of, Section 147 of the Code and the other limitations contained herein, the Issuer, through an Authorized Officer is hereby authorized to issue, execute, sell and deliver the Bonds to the Purchasers in accordance with the provisions of the BPLA and the terms authorized in this Resolution in the aggregate principal amount of up to \$38,000,000 in the form heretofore approved in Section 4 of this Resolution, pursuant to the Act and in accordance with the BPLA; provided that:

- (a) the Bonds authorized to be issued, executed, sold and delivered pursuant to this Section 6 (i) shall be issued, executed and delivered at such time as an Authorized Officer shall determine, (ii) shall be in such aggregate principal amount (not to exceed \$38,000,000) as is hereinafter approved by an Authorized Officer, (iii) shall bear interest at such rates as are set forth in the Bonds and the BPLA or as are hereinafter approved by an Authorized Officer, and (iv) shall be subject to prepayment prior to maturity, and have such other provisions and be issued in such manner and on such conditions as are set

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forth in the Bonds and the BPLA, all of which provisions are specifically incorporated herein with the same force and effect as if fully set forth in this Resolution; and

- (b) The maximum authorized principal amount of the tax-exempt Bonds is \$38,000,000 and of the 2015 taxable Bonds is \$1,000,000, but collectively, not to exceed \$38,000,000.
- (c) the Bonds shall be issued solely for the purpose of providing funds to assist the Institution to finance the Project Costs, the administrative, legal, financial, and other expenses of the Issuer in connection with such assistance and incidental to the issuance of the Bonds, as such costs are more specifically set forth in the Financing Documents; and
- (d) the Bonds and the interest thereon are not and shall never be a debt of the State of New York, Suffolk County, New York, The Town of Huntington, New York or the Town of Smithtown, New York and neither the State of New York nor Suffolk County, New York, or The Town of Huntington, New York or the Town of Smithtown, New York shall be liable thereon; and
- (e) the Bonds, together with interest payable thereon, shall be special obligations of the Issuer payable solely from the revenues and receipts derived from the payments made by the Institution pursuant to the BPLA or from the enforcement of the security provided by the Financing Documents.

Each of the Authorized Officers of the Issuer is hereby authorized, on behalf of the Issuer, to execute (by manual or facsimile signature) and deliver the Financing Documents, on such terms and conditions as shall be consistent with this Resolution and approved by an Authorized Officer, the execution thereof by such Authorized Officer constituting conclusive evidence of such approval.

Section 8. Notwithstanding any other provision of this Resolution, the Issuer covenants that it will make no use of the proceeds of the tax-exempt Bonds or of any other funds which, if such use had been reasonably expected on the date of issue of the Series tax-exempt Bonds, would cause the Series tax-exempt Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code.

Section 9. The Authorized Officers of the Issuer are hereby authorized and directed for and in the name and on behalf of the Issuer to do all acts and things required or provided by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, including the Financing Documents and the Information Return, and to do all such further acts and things as may be necessary or in the opinion of the Authorized Officer acting on behalf of the Issuer, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Issuer with all of the terms, covenants, and provisions of the Financing Documents binding upon the Issuer.

Section 10. It is hereby found and determined that all formal actions of the Issuer concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Issuer; and that all deliberations of the Issuer and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 11. Due to the complex nature of this transaction, the Issuer hereby authorizes its Authorized Officers to approve, execute and deliver such further agreements, documents and certificates as the Issuer may be advised by counsel to the Issuer and/or Bond Counsel to be necessary or desirable to effectuate the foregoing, such approval to be conclusively evidenced by the execution of any such agreements, documents or certificates by the Authorized Officer acting on behalf of the Issuer.

Section 12. The Chairman (or Vice Chairman), President and Chief Executive Officer and/or Chief Financial Officer of the Issuer are hereby authorized and directed to distribute copies of this Resolution to the Institution and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 13. This resolution shall take effect immediately and the Bonds are hereby ordered to be issued in accordance with this Resolution.

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

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark A. Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.