

2024-442

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NO. 22-2024 TO AMEND THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 12 (CAPITAL PROGRAM)

Resolution for Town Board Meeting dated: August 6, 2024

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

and seconded by: **SUPERVISOR SMYTH**

WHEREAS, Huntington Town Code Chapter 12 establishes a capital program and budget procedure to enable the Town of Huntington to meet long-range goals of development as specified in the Comprehensive Plan; and

WHEREAS, pursuant to the SEQRA regulations, updating administrative processes in the Code of the Town of Huntington is a Type II action pursuant to 6 NYCRR Part 617.5(c)(26), and no further SEQRA review is required at this time; and

THE TOWN BOARD having held a public hearing on the 9th day of July, 2024 at 2:00 p.m. to consider adopting Local Law Introductory No. 22-2024 amending the Code of the Town of Huntington, Chapter 12 (Capital Program), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 22-2024 amending the Code of the Town of Huntington, Chapter 12 (Capital Program), as follows:

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

LOCAL LAW NO. 31-2024  
AMENDING THE CODE OF THE TOWN OF HUNTINGTON  
CHAPTER 12 (CAPITAL PROGRAM)

Section 1: Chapter 12 (Capital Program) of the Code of the Town of Huntington is hereby amended as follows:

CHAPTER 12  
CAPITAL PROGRAM

\* \* \*

§ 12-5 Procedure for preparation of proposed program and budget.

\* \* \*

B. By March 15, the Comptroller [Planning Board, acting for the Supervisor,] shall request proposals for capital projects and shall send instructions and forms to department heads and provide instructions and forms to citizens' groups on request.

C. By April 30, department heads and citizens' group shall submit capital improvement project proposals, with the following required information, to the Comptroller [Planning Board] on the appropriate forms:

\* \* \*

[E. A Citizens' Advisory Committee shall be appointed by the Town Board and shall consist of representatives selected from, among others, civic, business, political, housing and conservation groups, special skills and minority groups.]

E. [F.] The Comptroller [Planning Board], after reviewing all project proposals with heads of departments [and with the Citizens' Advisory Committee], shall compile a list of projects in order of their priority, together with a detailed explanation of the reasons for the priority ranking selected. The explanation shall include a statement clarifying the extent to which the proposed projects shall aid in implementing the Town's [town's] goals and objectives. While reviewing proposed capital items, the Comptroller [Planning Board] shall request the appropriate department to aid in collecting any additional required information about projects requested by citizens' groups.

F. [G.] Simultaneous with the Comptroller's [Planning Board's] review of project proposals, the Town Engineer shall review all proposals and report on the technical feasibility of each proposed project. His review of the technical feasibility shall include a report on the accuracy of the cost estimates.

G. [H. Simultaneous with the Planning Board's review of project proposals, the] The Comptroller shall prepare an analysis of the Town's [town's] financial status.

H. [I.] By June 30, after consultation with the Town Engineer [and the Comptroller], the Comptroller [Planning Board] shall draft a preliminary capital program and budget and submit it to the Town Board. [Copies shall be made available to the Citizens' Advisory Committee.]

I. [J.] The Town Board shall review the preliminary capital program and budget and hold informal discussions with the [Chairman of the Planning Board, Planning and Environment Director,] Comptroller, Town Engineer and the heads of those departments, agencies, authorities and councils submitting proposed capital projects, as may be appropriate. The Board may make any modifications of the preliminary program and budget which it deems appropriate.

J. [K.] In light of any modifications of the preliminary program and budget made by the Town Board, the Comptroller [Planning Board] shall complete their preliminary capital program and budget, copies of which shall be made available to the public no less than 10 days prior to public hearing. The Comptroller's [Planning Board] preliminary capital program and budget, as presented at public hearing, shall include the following elements:

\* \* \*

[§ 12-6 Public hearings.

A. By August 1, the Planning Board shall hold a public hearing on the proposed capital program and budget. The public hearing shall be in the evening in a hall sufficiently large to accommodate all interested citizens. The Planning Board may, at its option, hold more than one hearing.

B. By September 1, following the public hearing on the proposed capital program and budget, the Planning Board shall complete its recommendations and shall submit them to the Supervisor.]

\* \* \*

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 invalidated, 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 State 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 Edmund J. Smyth	AYE
Councilman Dr. Dave Bennardo	AYE
Councilman Salvatore Ferro	AYE
Councilwoman Brooke A. Lupinacci	AYE
Councilwoman Theresa Mari	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED