



Town Board Meeting
Wednesday, January 4, 2023 at 3:00 PM

I. SALUTE TO THE FLAG

II. MOMENT OF SILENCE

III. CALL TO ORDER

IV. ROLL CALL

V. PUBLIC HEARINGS

1. PUBLIC HEARING ON REZONING APPLICATION OF ALZHEIMER'S FOUNDATION OF AMERICA (PB JOB #22-32AE) FOR THE PREMISES IDENTIFIED AS SCTM#: 0100-123-02-021.005 LOCATED ON THE N/W/C/O ALBANY AVE & SCHLEIGEL BLVD, NORTH AMITYVILLE
2. PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
3. PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

VI. CONSENSUS RESOLUTION AGENDA

1. ACCEPTING TOWN BOARD MINUTES
2. AUTHORIZING PAYMENT TO APPELLATE INNOVATIONS
3. AUTHORIZING REFUND OF FEES
4. AUTHORIZING RELEASE OF BOND
5. AUTHORIZING A VETERANS POST PROGRAM
6. AUTHORIZING THE SUPERVISOR TO EXECUTE YOUTH SERVICE PROJECT CONTRACTS FOR THE 2023 BUDGET YEAR

7. AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE CHILD CARE COUNCIL OF SUFFOLK INC.
8. AMENDING THE ADMINISTRATIVE SALARY PLAN
9. AMENDING THE SALARY PLAN FOR PART-TIME, HOURLY, AND SEASONAL EMPLOYEES
10. APPOINTING PART-TIME PERSONNEL
11. AMENDING RESOLUTION APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES
12. POLICY REGARDING ALTERNATE SECRETARIES
13. TOWN ATTORNEY ENABLING RESOLUTION
14. PROCLAIMING FRIDAY, JANUARY 13, 2023 AS EAGLE SCOUT NICHOLAS J. SULLIVAN DAY
15. SCHEDULING A PUBLIC HEARING IN REFERENCE TO ADOPTING A LOCAL LAW AMENDING THE BABYLON TOWN CODE CHAPTER 89 (BUILDING CONSTRUCTION), ARTICLE VII (UNSAFE BUILDINGS)
16. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 99 (COASTAL EROSION HAZARD AREAS) ARTICLE IV (VARIANCES AND APPEALS)
17. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 106 (DOGS AND OTHER ANIMALS)
18. DESIGNATING OFFICIAL NEWSPAPERS AND ADDITIONAL NEWSPAPERS OF THE TOWN OF BABYLON

VII. RESOLUTION AGENDA

19. AUTHORIZING SALARY FOR ELECTED OFFICIAL
20. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
21. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
22. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
23. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
24. AUTHORIZING SALARY FOR ELECTED OFFICIAL

25. AUTHORIZING SALARY FOR ELECTED OFFICIAL

26. APPOINTING MEMBERS AND SETTING SALARIES FOR THE INDUSTRIAL DEVELOPMENT COUNCIL

27. APPOINTING MEMBERS TO THE INDUSTRIAL DEVELOPMENT AGENCY

VIII. REMAINING GENERAL PUBLIC COMMENT

IX. ADJOURNMENT

The next regularly scheduled Town of Babylon Board Meeting will be held on Wednesday, January 18, 2023, at 7:00 p.m.



VI . CONSENSUS RESOLUTION AGENDA
Wednesday, January 4, 2023 at 3:00 P.M.

**RESOLUTION NO. 1 JANUARY 4, 2023
ACCEPTING TOWN BOARD MINUTES**

BE IT RESOLVED, by the Town Board of the Town of Babylon that the minutes of the following Town Board Meeting be and the same are hereby accepted:

December 21, 2022

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 2 JANUARY 4, 2023
AUTHORIZING PAYMENT TO APPELLATE INNOVATIONS

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendations of the Town Attorney, that the Comptroller is hereby authorized to issue payment to Appellate Innovations for services rendered for the following Invoices:

INVOICE NO. /DATE	AMOUNT
15889 of 05/13/2021	\$3,876.14
16267 of 07/30/2021	\$13,455.25
16495 of 09/22/2021	\$942.15
17328 of 03/22/2022	\$556.37

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 3 JANUARY 4, 2023
AUTHORIZING REFUND OF FEES**

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following fees be refunded:

NAME and ADDRESS	TYPE	AMOUNT	RECOMMENDED BY
Muhammad A. Akhtar 21 Kuhl Avenue Hicksville, NY 11801	Auctioned 2016 Kia	\$480.00	Town Attorney

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 4 JANUARY 4, 2023
AUTHORIZING RELEASE OF BOND**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk that the following check for street excavation bond be released:

PERMIT #	DATE OF PERMIT	NAME & ADDRESS	TYPE	AMOUNT
10481	11/6/2020	Wooselyne & Paul Jean 111 Colonial Road West Babylon, NY 11704	Check	\$750.00

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 5 JANUARY 4, 2023
AUTHORIZING A VETERANS POST PROGRAM

WHEREAS, the Town Board of the Town of Babylon has recognized the need for various Veterans Posts Programs in the Town of Babylon; and

WHEREAS, the Town Board of the Town of Babylon has decided to fund these programs; and

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with various Veterans Posts, whereby the Town of Babylon will provide funds in an amount not to exceed the sum of Four Hundred and Fifty (\$450.00) Dollars; and be it further

RESOLVED, that the agreement is subject to the approval of the Town Attorney as to form and content.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 6 JANUARY 4, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE YOUTH SERVICE
PROJECT CONTRACTS FOR THE 2023 BUDGET YEAR

BE IT RESOLVED, by the Town Board of the Town of Babylon that the Supervisor be and he hereby is authorized, but not mandated, to execute youth service project contracts for the 2023 budget year subject to the approval of the Town Attorney as to form and content as follows:

Babylon Village Youth Project:	\$58,225.00
Family Life Center:	\$65,000.00
Lindenhurst Youth Services Board:	\$171,942.00
North Babylon Teen Center:	\$118,812.00
United North Amityville Youth Org. (UNAYO):	\$144,532.00
West Babylon Community Youth Center:	\$40,000.00

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 7 JANUARY 4, 2023
AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT
WITH THE CHILD CARE COUNCIL OF SUFFOLK INC.

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with the Child Care Council of Suffolk, Inc. whereby the Town of Babylon will provide funds in an amount not to exceed the sum of Nine Thousand (\$9,000.00) Dollars and Child Care Council of Suffolk, Inc. will provide parent leadership services during the year 2023; and be it further

RESOLVED, that the agreement is subject to the approval of the Town Attorney as to form and content.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 8 JANUARY 4, 2023
AMENDING THE ADMINISTRATIVE SALARY PLAN**

RESOLVED, that the amendments to the Salary Levels and Steps in the Administrative Salary Plan is hereby adopted in accordance with Schedule "A" annexed hereto; and be it further; RESOLVED, that all amendments to the Salary Plan shall be effective this date.

SCHEDULE A”

2022 ADMINISTRATIVE SALARY PLAN

<u>TITLE</u>	<u>LEVE L</u>	<u>STEP</u>
Affirmative Action Officer	I	20
Assessor	J	19a
Assistant Town Attorney	I	4a
Assistant Town Attorney	G	9
Chief Assistant Town Attorney	I	18
Chief Deputy Commissioner of Public Safety	H	18a
Chief of Staff	J	20
Citizens Advocate/Supervisor	J	12
Commissioner of Department of Public Works	J	19
Commissioner of Environmental Control	I	18a
Commissioner of General Services	H	18a
Commissioner of Human Services	H	18a
Commissioner of Planning & Development	J	19a
Commissioner of Parks & Recreation	G	22a
Commissioner of Public Safety	I	18
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	F	9
Community Service Aide/Supervisor	G	3
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	E	14
Community Service Aide/Supervisor	H	11a
Community Service Aide/Supervisor	J	10a
Community /Service Aide/Supervisor	G	6
Community Service Aide/Supervisor	F	9a
Community Service Aide/Supervisor	I	12
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	F	5

Community Service Aide/Environmental Control	J	14a
Deputy Commissioner Environmental Control/Landfill	J	16
Deputy Commissioner General Services	G	22a
Deputy Commissioner Human Services	E	19a
Deputy Commissioner Human Services	J	5a
Deputy Commissioner II of DPW	H	21a
Deputy Commissioner I of DPW	H	18a
Deputy Commissioner of Environmental	I	15
Deputy Commissioner of Planning	H	15
Deputy Commissioner of Planning and Development	E	20a
Deputy Commissioner I of Parks and Recreation	J	16
Deputy Commissioner II of Parks and Recreation	J	15a
Deputy Commissioner of Public Safety	I	12
Deputy Comptroller	I	18
Deputy Receiver of Taxes	J	7
Deputy Town Attorney	G	22a
Deputy Town Clerk	J	7
Deputy Town Personnel Officer	E	21
Director of Bureau of Administrative Adjudication	J	7a
Director of Behavioral Health Services	I	16
Director of Finance	H	22
Director of Youth Bureau	G	20a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	J	5
Executive Assistant to Parks and Recreation	D	14a
Executive Assistant to Comm. of General Services	H	17a
Executive Assistant to Comptroller	E	20a
Executive Assistant to Deputy Supervisor	J	5
Executive Assistant to DPW	H	15a
Executive Assistant to Environmental Control	E	21
Executive Assistant to Planning	I	16
Executive Assistant to Public Safety	G	16a
Executive Assistant to Supervisor	J	15a
Executive Assistant to Town Attorney	E	21
Executive Assistant to Town Clerk	A	20a
Executive Assistant to Town Personnel Officer	C	20a

Executive Assistant to Tax Receiver	I	4a
Government Liaison Officer	J	18a
Legislative Aide	H	4a
Legislative Aide	J	1a
Legislative Aide	I	12
Legislative Aide	E	21
Legislative Secretary	J	5a
Legislative Secretary	H	4a
Legislative Secretary	H	4a
Legislative Secretary	E	19a
Neighborhood Aide	I	4a
Public Information Officer/Supervisor	J	15
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	G	6a
Secretary to Commissioner of Environmental Control	I	4a
Secretary to Commissioner of General Services	I	14
Secretary to Commissioner of Planning & Development	I	16
Secretary to Commissioner of Parks & Recreation	G	6A
Secretary to Comptroller	G	9a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	H	11a
Secretary to Personnel Officer	I	10a
Secretary to Public Safety	G	6a
Secretary to Supervisor	H	6a
Secretary to Tax Receiver	E	20a
Secretary to Town Attorney	J	1a
Secretary to Town Clerk	F	9
Secretary to Town Personnel Officer	C	20
Senior Assistant Town Attorney	I	14a
Senior Assistant Town Attorney	E	21
Senior Assistant Town Attorney	I	19a
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	10a
Town Attorney	J	20
Town Comptroller	I	22
Town Historian	I	6
Town Investigator	E	21
Town Personnel Officer	G	22a

Women's Resources Advisor I	C	20
Women's Resource Advisor II	H	11a

Administration
2022 Plan:

	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107

a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,940	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	138,000
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	142,000
18	51,321	56,195	62,666	69,136	76,837	89,762	102,295	114,424	130,393	147,900
a	53,887	59,004	65,799	72,593	80,679	94,250	107,409	120,145	135,087	149,324
19	54,965	60,184	67,115	74,045	82,292	96,135	109,558	122,548	137,789	152,310
a	57,054	62,471	69,665	76,859	85,419	99,788	113,721	128,798	140,049	158,098
20	59,222	64,845	72,312	79,780	88,665	103,580	118,042	133,692	150,465	163,157
a	61,472	67,309	75,060	82,812	92,034	107,516	122,528	138,772	156,484	169,357
21	63,808	69,867	77,912	85,959	95,531	111,602	127,184	144,045	162,430	175,793
a	66,233	72,522	80,873	89,225	99,161	115,843	132,017	149,519	168,602	182,473
22	68,750	75,278	83,946	92,616	102,929	120,245	137,034	156,397	171,980	189,407
a	71,363	78,139	87,136	96,135	106,840	124,814	141,830	162,340	178,515	196,604

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 **YEAS:** 5 **NAYS:** 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 9 JANUARY 4, 2023 AMENDING
THE SALARY PLAN FOR PART-TIME,
HOURLY, AND SEASONAL EMPLOYEES**

BE IT RESOLVED by the Town Board of the Town of Babylon that the following salaries for certain part-time, hourly, and seasonal positions be and the same are hereby adopted:

<u>TITLE</u>	<u>SALARY</u>
Account Clerk /Account Clerk Typist Spanish	16.00 - 18.00/hr.
Assessment Assistant	16:00/hr.
Assistant Beach & Pool Manager	15:00 – 20.00
Assistant Town Attorney	20.00 - 30.00/hr.
Bay Constable – HOURLY, up to 30 hrs./week	18.00 - 30.00/hr.
Beach & Attendant	15.00 - 18.00/hr.
Beach & Pool Manager	15.00 - 22.00/hr.
Bingo Inspector, Part-time	25.00/hr.
Building Inspector I - HOURLY, up to 30 hrs./week	22.00/hr.
Building Inspector II - HOURLY, up to 30 hrs./week	25.00/hr.
Building Inspector III - HOURLY, up to 30 hrs./week	27.00/hr.
Building Inspector IV - HOURLY, up to 30 hrs./week	30.00/hr.
Chief Building Inspector – HOURLY, up to 30 hrs./week	\$50.00 - \$75.00/hr.
Certified Public Accountant	30.00/hr.
Clerical	15.00 - 18.00/hr.
Clerk Typist	15.00 - 18.00/hr.
Clerk	15.00/hr.
College Intern Analyst I	15.00/hr.
College Intern Analyst II	16.00/hr.
College Intern Analyst III	17.00/hr.
Community Pride Worker I	15.00/hr.
Community Pride Worker II	15.50/hr.
Community Pride Worker III	16.00/hr.
Community Pride Worker IV	16.50/hr.
Community Pride Worker V	17.00/hr.
Community Pride Worker VI	17.50/hr.
Community Pride Worker VII	18.00/hr.
Contract Staff-Administrative	15.00 - 30.00/hr.
Cook	16.00/hr.
Custodian	15.00 - 18.00/hr.
Data Entry Operator	16.00/hr.
Data Processing Equip. Operator	16.45/hr.
Deputy Supervisor	50,000/annual
Dispatcher – HOURLY, up to 30 hrs./week	15.00 - 30.00/hr.
Dock Master	15.00 - 25.00/hr.
Document Imaging Operator I	15.00/hr.
Document Imaging Operator II	16.00/hr.
Document Imaging Operator III	17.00/hr.
Document Imaging Operator IV	18.00/hr.
Drug & Alcohol Counselor I	18.00 - 22.00/hr.
Drug & Alcohol Counselor II	23.00 - 25.00/hr.
Drug & Alcohol Counselor III	26.00 - 30.00/hr.

Drug & Alcohol Counselor IV	31.00 - 35.00/hr.
Duplicating Machine Operator	14.00 - 15.00/hr.
EAP Coordinator	85.00/hr.
Electrician I	20.00 - 21.00/hr.
Electrician II	21.01 - 22.00/hr.
Electrician III	22.01 - 23.15/hr.
Electrician IV	23.16 - 24.32/hr.
Engineering Aide I	20.00/hr.
Engineering Aide II	22.50/hr.
Engineering Aide III	25.00/hr.
Environmental Analyst Part Time	20.00 - 40.00/hr.
Environmental Steward I	15.00/hr.
Environmental Steward II	15.50/hr.
Environmental Steward III	16.00hr
Environmental Steward IV	16.50/hr.
Environmental Steward V	18.75/hr.
Environmental Steward VI	21.35/hr.
Environmental Steward VII	23.35/hr.
Environmental Steward VIII	25.65/hr.
Environmental Steward IX	27.95/hr.
Environmental Steward X	30.40/hr.
Examiner I	17.00 – 20.00/hr.
Examiner II	20.00 – 23.00/hr.
Examiner III	23.00 – 25.00/hr.
Facilities Guard- HOURLY, up to 30 hrs./week	18.00-25.00/hr.
Fire Marshal Call-In	50.00/hr.
Fire Marshal I	15.00 - 16.00/hr.
Fire Marshal II	16.01 - 17.00/hr.
Fire Marshal III	17.01 - 18.00/hr.
Fire Marshal IV	18.01 - 19.00/hr.
Fire Marshal V	19.01 - 20.00/hr.
Fire Marshal VI	20.01 - 25.00/hr.
Fire Marshal VII	25.01 - 30.00/hr.
GIS Technician I/II/III, part time	22.00-27.00/hr.
Government Liaison Officer	50.00/hr.
Government Liaison Officer II	375.00/meeting
Groundskeeper	15.00 – 16.00/hr.
Guard I – HOURLY, up to 30 hrs./week	15.00 – 18.00/hr.
Guard II – HOURLY, up to 30 hrs./week	18.50 – 20.00/hr.
Guard III (Supervisor) – HOURLY, up to 30 hrs./week	20.50 - 22.00/hr.
Guard IV (LT.) – HOURLY, up to 30 hrs./week	22.50 – 25.00/hr.
Historian	16.00/hr.
Kennel Attendant I	15.00/hr.
Kennel Attendant II	15.50/hr.

Kennel Attendant III	16.00/hr.
Kennel Attendant IV	16.50/hr.
Laborer I	15.00/hr.
Laborer II	15.50/hr.
Laborer III	16.00/hr.
Laborer IV	16.50/hr.
Laborer V	17.00/hr.
Laborer VI	17.50/hr.
Laborer VII	18.00/hr.
Law Clerk	16.25/hr.
Law Intern I	15.00/hr.
Law Intern II	16.00/hr.
Law Intern III	17.00/hr.
Material Control Clerk	15.00/hr.
Medical Billing Agent	20.00 - 30.00/hr.
Medical Director-Drug Abuse Treatment	120.00 - 175.00/hr.
Micrographics Operator	15.00/hr.
Mini Bus Driver – up to 20 hrs./week	15.00-20.00/hr. contract
Neighborhood Aide	15.00/hr.
Ordinance Enforcement Officer I	15.00/hr.
Ordinance Enforcement Officer II	16.00/hr.
Ordinance Enforcement Officer III	17.00/hr.
Ordinance Enforcement Officer IV	18.00/hr.
Ordinance Enforcement Officer V	20.00/hr.
Ordinance Inspector I	15.00/hr.
Ordinance Inspector II	16.00/hr.
Ordinance Inspector III	17.00/hr.
Ordinance Inspector IV	18.00/hr.
Paralegal Assistant	18.00/hr.
Paralegal Assistant II	20.00/hr.
Park Attendant I	15.00 – 18.00/hr.
Park Attendant II	18.00 – 20.00/hr.
Park Ranger – HOURLY, up to 30 hrs./week	18.00 - 30.00/hr.
Parking Meter Officer	16.00 - 19.00/hr.
Part Time Fire Marshal Call-In	50.00/hr.
Part Time Maintenance Mechanic I	20.00- 45.00/hr.
Part Time Maintenance Mechanic II	20.00- 45.00/hr.
Part Time Maintenance Mechanic III	20.00- 45.00/hr.
Part Time Maintenance Mechanic IV	20.00- 45.00/hr.
Photo Technician	30.00/hr. (Effective 01/01/2022)
Planning Aide	18.00/hr.
Plumber I	16.00/hr.
Plumber II	17.00/hr.
Plumber III	18.00/hr.

Plumbing Inspector I	15.00/hr.
Plumbing Inspector II	16.00/hr.
Plumbing Inspector III	17.00/hr.
Plumbing Inspector IV	18.00/hr.
Plumbing Inspector V	20.00/hr.
Plumbing Inspector VI	25.00/hr.
Plumbing Inspector VII	30.00/hr.
Pole Inspector I	15.00/hr.
Pole Inspector II	16.00/hr.
Pole Inspector III	17.00/hr.
Program Aide I-HOURLY, up to 30 hrs./week	15.00/hr.
Program Aide II-HOURLY, up to 30 hrs./week	16.00/hr.
Program Aide III-HOURLY, up to 30 hrs./week	18.00/hr.
Program Aide IV-HOURLY, up to 30 hrs./week	20.00/hr.
Program Aide V-HOURLY, up to 30 hrs./week	22.00/hr.
Program Aide VI-HOURLY, up to 30 hrs./week	25.00/hr.
Program Aide VII-HOURLY, up to 30 hrs./week	30.00/hr.
Recreation Aides	15.00- 20,00
Recreation Specialist	15.00 - 30.00/hr.
Recreation Specialist-HOURLY, up to 30 hrs./week	30.00 - 85.00/hr.
Registered Nurse	40.00/hr.
Rental/Accessory Apartment Inspector I	15.00/hr.
Rental/Accessory Apartment Inspector II	20.00/hr.
Rental/Accessory Apartment Inspector III	25.00/hr.
Sanitation Inspector I	15.00/hr.
Sanitation Inspector II	16.00/hr.
Sanitation Inspector III	17.00/hr.
Seasonal Ordinance Enforcement Officer IV	17.00/hr.
Senior Bay Constable	15.00 - 20.00/hr.
Senior Citizen Specialist	18.00/hr.
Senior Clerk I	15.00/hr.
Senior Clerk II	16.00/hr.
Senior Clerk III	17.00/hr.
Senior Clerk IV	18.00 /hr.
Senior Park Ranger	15.00 - 20.00/hr.
Sign Language Interpreter	60.00/mtg.
Solid Waste Administrator-HOURLY, up to 30 hrs./week	50.00 - 85.00/hr.
Stenographer	15.00/hr.
Student Intern	15.00 – 18.00/hr.
Student Intern II	17.00/hr.
Switchboard Operator I	15.00/hr.
Switchboard Operator II	16.00/hr.
Switchboard Operator III	17.00/hr.
Switchboard Operator IV	18.00/hr.

Tax Clerk I	16.00/hr.
Tax Clerk II	17.00/hr.
Tax Clerk III	18.00/hr.
Tax Clerk IV	19.00/hr.
Tax Clerk V	20.00/hr.
Tax Clerk VI	21.00 /hr.
Tax Clerk VII	22.00/hr.
Tax Clerk VIII	23.00/hr.
Tax Receiver Office Guard	25.00 - 40.00/hr.
Town Investigator	20.00 - 50.00/hr.
Traffic Engineer I	25.00 - 35.00/hr.
Traffic Engineer II	35.00 - 45.00/hr.
Trainer for Health and Wellness	30.00/hr.
Veterinary Technician I	18.00/hr.
Veterinary Technician II	20.00/hr.
Veterinary Technician III	22.00/hr.
Veterinary Technician IV	25.00/hr.
Youth Counselor	15.20/hr.
Zoning Inspector I	15.00/hr.
Zoning Inspector II	16.00/hr.
Zoning Inspector III	17.00/hr.
Zoning Inspector IV	18.00/hr.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 10 JANUARY 4, 2023
APPOINTING PART-TIME PERSONNEL**

BE IT RESOLVED by the Town Board of the Town of Babylon that the following persons be and they are hereby appointed and/or reappointed to the positions and departments indicated at the salaries indicated.

<u>NAME</u>	<u>TITLE & DEPARTMENT</u>	<u>SALARY</u>
Richard Casey	p/t Asst. Town Attorney	25,000/ann. Plus health benefits
David Bishop	p/t Asst. Town Attorney	18,000/ann.
Kevin Snover	p/t Asst. Town Attorney	20,000/ann. Plus health benefits
William Wexler	p/t Asst. Town Attorney	50,000/ann. Plus health benefits
Fred Thiele	p/t Asst. Town Attorney	30,000/ann.
Lindsay Henry	p/t Asst. Town Attorney	50,000/ann. Plus health benefits
Pamela Greene	p/t Asst. Town Attorney	35,000/ann. Plus health benefits
Janice Stamm	p/t Asst. Town Attorney	25,000/ann. Plus health benefits
Peter Mayer	p/t Asst. Town Attorney	35,000/ann. Plus health benefits

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 11 JANUARY 4, 2023
AMENDING RESOLUTION APPOINTING PERSONNEL TO
ADDITIONAL POSITIONS AND SETTING SALARIES**

BE IT RESOLVED by the Town Board of the Town of Babylon that the following employees are appointed to the additional positions listed below at the annual salaries indicated herein and that the same are hereby effective as of this date:

NAME	TITLE	SALARY
Anthony Borrero	p/t Stock Clerk	5,000
Bianca Dormer	Wellness Coordinator	10,000
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Christiam Gomez	Town Clerk Coordinator	1,500
Dawn Carberry	Subregistrar	3,000
Deborah Smolenski	Beach Lease Transfer Coordinator	1,500(eff. 1/1/22)
Denise Graziano	p/t Clerk	32,500
Diana Mallia	Rental Board Coordinator	5,000
Geraldine Compitello	Clerk Advisory Chairperson	10,000
Gilbert Hanse	Emergency Preparedness Coordinator	10,000
Jennifer Montiglio	Tax Warrant Coordinator	10,000
Jen Taus	Secretary to Town Board	6,500
Jerry Guarino	Counsel to Sanitation Commission	10,000
Jimmy Russo	Liaison to Nassau/Suffolk towns and County Plumbing Licensing Boards	6,500
John Ripple	Liasion to NYS Real Property Tax Services	8,000
Joseph Olmedo	Drug & Alcohol Financial Coordinator	3,500
Joseph Price	Parks Payroll Liaison	9,000
Joseph Wilson	Sanitation Commission Chairman	8,000
Lori Lynn Hansen	Deputy Registrar	3,650
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Melissa Justi	SCAR Coordinator	4,000
Peter Russo	Plumbing Regulation Liaison to NYS	9,500
Ronald Kluesener	Solid Waste Administrator	8,500

Stephen Greenwald	Traffic Safety Coordinator/Secretary	5,200
Stephen Greenwald	Grant Writer	5,000
Susanne Boltz	HUD Coordinator	7,000
Umeko Healy	Deputy Assistant to Town Board	4,000
Viscel Moore	ARPA Funding Administrator	30,000
Stephanie Brennan	Part Time Citizens Advocate	3,000
Victoria Marotta	Director of Community Development	4,000
Thomas Vetri	Assistant Solid Waste Coordinator	6,000
Edward Buturla	Solid Waste Billing Coordinator	4,500
Mary Sullivan	Tax IDA Coordinator	13,000
Linda Murphy-Puglia	Tax IT Coordinator	2,500
Marybridget Sepulveda	Purchasing Coordinator	(eff. 4/15/22) 3000
Donna Domaratus	Assistant Quality of Life Coordinator	5,000
Noreen Wood	Assistant Tax Warrant	3,000

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 12 JANUARY 4, 2023
POLICY REGARDING ALTERNATE SECRETARIES

WHEREAS, the Zoning Board of Appeals, the Planning Board, and certain other boards in the Town of Babylon have designated an alternate or alternative secretary to perform the duties of the Board secretary in the event that the Board secretary is not available; and

WHEREAS, there are occasions when neither the Board secretary nor the alternate secretary is available to perform his or her duties for a particular board;

NOW THEREFORE, BE IT;

RESOLVED, that the Town Board of the Town of Babylon authorizes the Zoning Board of Appeals, the Planning Board and any other board in the Town of Babylon to utilize the alternate or alternative secretary designated by any other board in the Town, should he or she be available, at the same rate of compensation as would have been paid to the alternate secretary who is not available.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 13 JANUARY 4, 2023
TOWN ATTORNEY ENABLING RESOLUTION

WHEREAS, it is in the interest of the people of the Town of Babylon to properly enforce the local laws and ordinances of the Town of Babylon, and to further enforce applicable State and Federal laws and regulations where enforcement powers thereof have properly vested in the Town of Babylon; and

WHEREAS, it is further in the interest of the people of the Town of Babylon to appear in and defend against any/all actions and proceedings commenced in any court, forum or venue brought against the Town of Babylon, and/or any of its Boards, Bodies or Agencies in any court, forum or venue; and

WHEREAS, pursuant to Babylon Town Code Chapter 6, the Department of the Town Attorney is the proper governmental entity to enforce the aforesaid laws, ordinances and regulations, and to defend said actions and proceedings:

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Attorney of the Town of Babylon, and or his or her designee and/or such other counsel as he may employ within budgetary limits, is hereby authorized, pursuant to Sections 65, 135 and 268 of the Town Law of the State of New York, to commence, prosecute and/or defend any action or proceeding in law or equity, in any court, forum or venue as follows:

a) Enforce or compel compliance with the ordinances and local laws of the Town of Babylon and any Regulation thereunder in any instance where there exists reasonable cause to believe a violation of said Code or Regulation has occurred or is about to occur; and

b) To enforce or compel compliance with any statute or regulation of the State of New York or the United States where enforcement power thereof has properly vested in the Town of Babylon, and where there exists reasonable cause to believe a violation of said statutes or regulations has occurred or is about to occur; and

c) To enforce or compel compliance with any contractual or legal obligation which exists between the Town of Babylon, or any Board, Body or Agency and any other party; and

d) To appear for, defend and settle on behalf of the Town of Babylon, or any Board, Body or Agency, any claim, action, proceeding, or potential litigation, brought by or against the Town of Babylon, its agents, officers and employees, and other persons indicated in the Town Code, where said appearance is permissible by law; and

e) To carry out the stated policies, goals and objectives of the Town Board of the Town of Babylon or to act in any proper court, forum or venue in furtherance of the stated policies, goals and objectives of the Town Board of the Town of Babylon, and such action may be reasonably related to the furtherance of said policies, goals and objectives; and be it further

RESOLVED, that the Town Attorney, or his designee, shall be appointed and recognized as the ADA Coordinator in compliance with the tenets set forth in the Americans with Disabilities Act (ADA). As such, the Town Attorney shall be empowered to address concerns and complaints raised by the public and to serve as a monitor of the Town's compliance with the ADA; and be it further

RESOLVED, that the Town Attorney, and/or his/her designee is hereby authorized to take any steps reasonably and prudently necessary to consummate a duly authorized acquisition or conveyance of real or personal property on behalf of the Town of Babylon; and be it further

RESOLVED, that the Town Attorney, and/or his her designee is hereby authorized to commence or defend any tax certiorari matter including but not limited to engaging the services of professionals in connection with same; and be it further

RESOLVED, that the Town Attorney, and/or his/her designee is hereby authorized to commence, defend and settle litigation presently pending or commenced hereinafter, or potential litigation, within budgetary appropriations, and consistent with Chapter 6 of the Babylon Town Code; and be it further

RESOLVED, that any actions or proceedings heretofore commenced by the Town of Babylon, and any actions to which the Town of Babylon, or any Board, Body or Agency of the Town has been made a party in which the Town Attorney or his designated counsel has heretofore appeared are hereby ratified and authorized; and be it further

RESOLVED, that the Town Attorney and/or his designee is hereby authorized to enter into any contracts and/or to continue to act pursuant to presently executed contracts in connection with legal research or law related material service providers, including, but not limited to, Thomson West, Westlaw, General Code and Lexis/Nexis, all contracts are subject to budgetary requirements; and be it further

RESOLVED, that the Town Attorney and/or his designee is hereby authorized to enter into any contracts and/or to retain the services of court reporting service providers. title examination service providers, property appraisers, legal publishers, outside counsel firms, and/or experts, consultants or other outside professionals in any field required by a pending or potential litigation to which the Babylon Town Attorney's Office is called upon to commence or defend a litigation or other legal related matter; and be it further

RESOLVED, that the Town Attorney is hereby authorized to execute Memorandums of Understanding concerning potential labor agreements in anticipation of final ratification of the contracts by the Town Board.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 14 JANUARY 4, 2023
PROCLAIMING FRIDAY, JANUARY 13, 2023 AS
EAGLE SCOUT NICHOLAS J. SULLIVAN DAY**

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and

WHEREAS, the rank of Eagle Scout is a rarity in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and

WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and

WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Nicholas J. Sullivan was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Nicholas J. Sullivan its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Friday, January 13, 2023 as Eagle Scout Nicholas J. Sullivan Day.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 15 JANUARY 4, 2023
SCHEDULING A PUBLIC HEARING IN REFERENCE TO
ADOPTING A LOCAL LAW AMENDING THE BABYLON TOWN CODE
CHAPTER 89 (BUILDING CONSTRUCTION), ARTICLE VII (UNSAFE
BUILDINGS)**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 1st day of February, 2023 at 3:00 p.m., prevailing time, to consider adopting a local law amending Article VII of Chapter 89 of the Babylon Town Code, as set forth in Exhibit A; and be it further

RESOLVED, that the Town Clerk of the Town of Babylon is directed to publish notice of said public hearing in one of the official newspapers of the Town.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

Exhibit "A"
LOCAL LAW ___ OF 2023

Section 1. **Amend** as follows:

**CHAPTER 89
BUILDING CONSTRUCTION
ARTICLE VII
UNSAFE BUILDINGS**

§ 89-82 Penalties for offenses.

Any person who enters or remains in any structure, building or premises that has been previously posted by an Ordinance Inspector, Building Inspector, Zoning Inspector or Fire Marshal as "unsafe, unlawful or not fit for human occupancy" pursuant to the New York State Uniform Building Code shall be guilty of a misdemeanor, and upon conviction thereof, a fine of not less than \$2,500 nor more than \$7,500 must be imposed and a term of imprisonment for a period not to exceed one year may be imposed, or both. Knowledge that the structure, building or premises had been previously posted by a Building Inspector, Zoning Inspector or Fire Marshal as "unsafe or not fit for human occupancy" is not an element of this violation, and said violation shall be one of strict liability.

RESOLUTION NO. 16 JANUARY 4, 2022
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF
THE TOWN OF BABYLON, CHAPTER 99 (COASTAL EROSION HAZARD AREAS)
ARTICLE IV (VARIANCES AND APPEALS)

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 1st day of February, 2023 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Town Code as set forth in Exhibit “A” annexed hereto; and be it further

RESOLVED, that the Town Clerk of the Town of Babylon is directed to publish notice of said public hearing in one of the official newspapers of the Town.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

Exhibit “A”

AMEND as follows:

CHAPTER 99
COASTAL EROSION
ARTICLE IV
VARIANCES AND APPEALS

§ 99-22 Coastal Erosion Hazard Board of Review

~~The Town Board is hereby designated as the~~ There is established a board of review known as the Coastal Erosion Hazard Board of Review, which shall consist of three members: the Commissioner of Environmental Control, the Commissioner of Planning and Development, and the Town Attorney, or their respective designees. The Coastal Erosion Hazard Board of Review ~~and~~ has the authority to:

- A. Hear, approve, approve with modification or deny requests for variances or other forms of relief from the requirements of this chapter.
- B. Hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination of the administrator, including stop or cease and desist orders. Notice of such decision will forthwith be given to all parties in interest. The rules and procedures for filing appeals are as follows.

**RESOLUTION NO. 17 JANUARY 4, 2022
SCHEDULING A PUBLIC HEARING IN REFERENCE TO
AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 106 (DOGS AND OTHER ANIMALS)**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 1st day of February, 2023 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Town Code as set forth in Exhibit “A” annexed hereto; and be it further

RESOLVED, that the Town Clerk of the Town of Babylon is directed to publish notice of said public hearing in one of the official newspapers of the Town.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

Exhibit “A

AMEND as follows:

**CHAPTER 106
DOGS AND OTHER ANIMALS ARTICLE I
DOGS**

.....
§ 106-3. ~~Licensing; running Dogs at large~~

[Amended 7-7-1970; 11-20-1979 by Res. No. 3; 10-21-2003 by L.L. No. 27-2003; 8-16-2011 by L.L. No. 15-2011]

~~It shall be a violation, punishable as provided in § 106-9 of this article, for any person owning, harboring, possessing or having care or custody or responsibility for any dog~~

- ~~A. Which is not licensed;~~
 - ~~B. To affix to any dog any false or improper identification or purebred license tag;~~
 - ~~C. Which is not securely confined or which is running loose or at large upon any public highway, sidewalk or other public place in the Town, or upon the premises of another without the knowledge or consent of the owner or inhabitant of said premises. There shall be a rebuttable presumption that a dog running loose or at large on the premises of another does so without the knowledge or consent of the owner of said premises.~~
- A. Dogs at large prohibited; restraining dogs

- (1) It shall be a violation of this section for any owner to permit a dog, whether licensed or unlicensed, to be at large within the Town other than on the owner's premises. For purposes of this section, a dog on a leash of six feet or more shall be considered a "dog at large."
- (2) No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to a stationary object outdoors, or cause such animal to be so restrained, for longer than one continuous hour in any continuous twelve-hour period.
- (3) Nothing in this section shall be construed to prohibit a person from walking a dog on a hand-held leash.
- (4) Any person who tethers, leashes, fastens, secures, restrains, chains or ties a dog to a stationary object outdoors shall provide such animal with adequate food, water and shelter, and shall restrain the dog with a device having swivels at both ends that is of an adequate length for the type, age and size of the dog being restrained; provided, however, that the requirement to provide adequate food, water and shelter shall not apply to a person who restrains a dog for a period of time that is 15 minutes or less in duration.

B. Notwithstanding the provisions of this section, no person shall tether leash, fasten, chain, tie, secure or restrain any dog for any amount of time with a device that:

- (1) Is a choke collar or pinch collar; or similar collar that restrains the dog in such a manner that it impairs the flow of oxygen or blood to the dog which may cause choking or substantial discomfort to the dog;
- (2) Is embedded, partially embedded or may become embedded in the dog's skin;
- (3) Weighs more than 1/8 of the dog's total body weight, but in no event shall such weight exceed 10 pounds;
- (4) Is less than 10 feet in length for a running cable trolley and 15 feet in length for a tether to a stationary object;
- (5) Is too short to allow the dog continuous access to adequate food, water, and shelter or to urinate or defecate in an area separate from where it must eat, drink, or lie down;
- (6) Is not designed for dogs;
- (7) Has weights attached or contains links that are more than one-quarter-inch thick;
- (8) Because of its design or placement is likely to become entangled around itself, the dog, objects or other animals;
- (9) Is long enough to allow the animal to move outside of its owner's property; and
- (10) Would allow the restrained animal to move over an object, including but not

limited to any type of fencing or barrier or edge that could result in the strangulation of or injury to such animal.

- C. Notwithstanding the provisions of this section, any tether, leash, fastener, chain, tie, or restraint shall be attached to a properly fitting collar or harness designed for this purpose worn by the dog, with enough room between the collar and the dog's throat through which two adult fingers may fit; provided, however, that such collar or harness is in compliance with subdivision B(1) above.
- D. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, chain, tie, secure or restrain any dog for any amount of time if such dog is less than six months of age, sick or injured, or a nursing mother whose offspring is present.
- E. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, chain, tie, secure or restrain more than one dog at a time on a permissible device.
- F. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, secure, restrain, chain, tie, pen or otherwise confine a dog outdoors for more than 30 minutes in inclement weather or under other conditions or for such a period of time as may endanger the health or well-being of such dog due to heat, lack of potable water or such other circumstances, such as a weather advisory by any federal, state, county, or town government or as reasonably may be expected to cause suffering, disability or death. It shall be a rebuttable presumption that any temperature below 32° F. or above 90° F. constitutes inclement weather.
- G. Notwithstanding the provisions of this section, no person shall allow a tethered, leashed, fastened, chained, tied, secured or restrained dog to be taunted, prod, hit, harassed, threatened, attacked or otherwise harmed by humans or other animals.
- H. Upon a finding of any violation(s) of this section, any dog seized pursuant to the provisions of this chapter or any other state or federal law, shall be returned to the owner or custodian only upon proof that the violation(s) have been cured.
- I. Violations of this section may be supported by evidence, including, but not limited to, time-stamped photographs and video, records of complaints, and sworn witness statements.
- J. The provisions of this section shall not be construed to prohibit the department, the American Society for the Prevention of Cruelty to Animals, the Suffolk County Society for the Prevention of Cruelty to Animals or any law enforcement officer or peace officer from enforcing any other law, rule or regulation regarding the humane treatment of animals.
- K. The provisions of Subsection A of this section shall not apply to the officers or employees of any federal, state or city law enforcement agency using dogs in the scope of their employment.

- L. Nothing in this section shall be construed to affect any other protections afforded to animals under any provision of law, including, but not limited to, the requirement of adequate shelter pursuant to § 353-b of the New York State Agriculture and Markets Law.
- M. If any clause, sentence, paragraph, subdivision, or part of this section, or the application thereof to a particular person, animal or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this section directly involved in the controversy in which such judgment shall have been rendered.

§ 106-4. Seizure of dogs at large.

[Amended 4-19-1983 by Res. No. 2; 8-16-2011 by L.L. No. 15-2011; 1-24-2012 by L.L. No. 1-2012]

- A. Animal Control Officers of the Town shall be and are hereby authorized and directed to seize all dogs:
 - (1) Whether or not tagged or licensed, not restrained by a leash, found off the owner's premises and to confine same at the Town shelter.
 - (2) Which are not licensed, whether on or off the owner's premises, pursuant to Article 7 of the New York State Agriculture and Markets Law ~~Article 7~~, and to confine same at the Town shelter.
- B. Dogs seized and confined to the Town shelter shall be held prior to euthanasia as set forth in Article 7 of the New York State Agriculture and Markets Law.

§ 106-7. Licensing of dogs.

[Added 11-20-1979 by Res. No. 3; amended 7-18-2006 by L.L. No. 20-2006]

- A. Every dog, regardless of age, owned or kept, harbored, housed, sheltered or lodged in the Town of Babylon must be licensed with the Town of Babylon. A license shall be renewed after a period of one year beginning with the first day of the month following the date of issuance and shall be renewable annually thereafter prior to the expiration date.
- B. The owner, lessee, occupant or person in charge of any property in the Town of Babylon upon which a dog is kept, harbored, housed, sheltered or lodged is guilty of a violation if said dog is not licensed, regardless of the ownership of the dog.
- C. It shall likewise be a violation to affix to any dog a false or improper identification or purebred license tag.

- B. D. The Town Clerk shall thereafter be authorized to appoint a superior Dog Control Officer as an assistant in the issuance of said dog licenses. The issuance of any license by such officer shall be under the control and supervision of the Town Clerk.

**ARTICLE II
ANIMALS AND FOWL**

§ 106-11. Tethering or leashing of animals.

- A. No person shall allow any horse, cattle, swine, goat, ~~dog~~ or other animal, owned, possessed, kept or harbored by him to be on or at any highway, street, sidewalk or other public place or off the land or premises of the owner or person keeping, possessing or harboring such animal, unless such animal is tethered or leashed and under the full and immediate control of the person owning, possessing, keeping or harboring it.
- B. ~~The provisions of this section shall not apply to dogs used by the owners thereof or with the consent of the owners thereof, for purposes of lawfully hunting game during the seasons prescribed therefor by the laws of the United States of America and the State of New York.~~

ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~ or []

**RESOLUTION NO. 18 JANUARY 4, 2023
DESIGNATING OFFICIAL NEWSPAPERS AND ADDITIONAL NEWSPAPERS
OF THE TOWN OF BABYLON**

WHEREAS, the AMITYVILLE RECORD has been entered as second-class mail matter and is published in the English language; and

WHEREAS, the Town Board of the Town of Babylon finds that the town-wide distribution of the AMITYVILLE RECORD would provide the Town of Babylon with the option of a more expedient publication of notices, resolutions and ordinances; and

WHEREAS, the Town Board of the Town of Babylon finds that the town-wide distribution of the AMITYVILLE RECORD would provide the residents of the Town of Babylon with a greater opportunity to learn of applications pending before the Planning Board and Board of Appeals,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that AMITYVILLE RECORD be and the same hereby are declared as the official newspaper of the Town of Babylon; and be it further

RESOLVED, that the BABYLON BEACON, NEWSDAY, NOTICIA LONG ISLAND, and ABLE

NEWSPAPER, pursuant to Section 64(11) of the Town Law, are hereby designated as additional newspapers of the Town of Babylon for the publication of notices, resolutions and ordinances; and be it further

RESOLVED, that the BABYLON BEACON and NEWSDAY, are hereby designated as additional newspapers of the Town of Babylon for the publication of notices of the Planning Board and the Board of Appeals.

The above **Consensus Agenda Resolution** was offered by Councilman Martinez and seconded by Councilman McSweeney

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.



VII. RESOLUTION AGENDA
Wednesday, January 4, 2023 at 3:00 PM

RESOLUTION NO. 19 JANUARY 4, 2023
AUTHORIZING SALARY FOR ELECTED OFFICIAL

The following resolution was offered by Councilman McSweeney
and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2023:

RICHARD SCHAFFER, Supervisor	\$117,154.00
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which
resulted as follows:

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 20 JANUARY 4, 2023
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL

The following resolution was offered by Councilman Gregory
and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2023:

ANTONIO MARTINEZ, Town Board Council Member \$69,463.00

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 21 JANUARY 4, 2023
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL

The following resolution was offered by Councilman Martinez
and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2023:

ANTHONY N. MANETTA, Town Board Council Member \$69,463.00

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

Councilman Manetta	Voting	Abstain
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 22 JANUARY 4, 2023
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL

The following resolution was offered by Councilman McSweeney
and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2023:

DUWAYNE GREGORY, Town Board Council Member \$69,463.00

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Abstain
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 23 JANUARY 4, 2023
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL

The following resolution was offered by Councilman Manetta
and seconded by Councilman Martinez

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2023:

TERRENCE MCSWEENEY, Town Board Council Member \$69,463.00

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Abstain
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 24 JANUARY 4, 2023
AUTHORIZING SALARY FOR ELECTED OFFICIAL

The following resolution was offered by Councilman Martinez
and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2023:

GERALDINE COMPITELLO, Town Clerk	\$107,516.00
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VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 25 JANUARY 4, 2023
AUTHORIZING SALARY FOR ELECTED OFFICIAL

The following resolution was offered by Councilman Gregory
and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the
year 2022:

JENNIFER MONTIGLIO, Tax Receiver \$107,516.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 26 JANUARY 4, 2023
APPOINTING MEMBERS AND SETTING SALARIES FOR THE INDUSTRIAL
DEVELOPMENT COUNCIL

The following resolution was offered by Councilman Manetta
and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following
appointments effective this date are made to the following Municipal Board positions and
administrative personnel who serve at the pleasure of the Town Board, and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed
administrative personnel and Municipal Board Members who serve at the pleasure of the
Town Board as set forth herein below:

INDUSTRIAL DEVELOPMENT COUNCIL

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Tom Gaulrap	Chairperson	12,000/ann.
Justin Belkin	Vice Chair	11,000/ann.
Marcus Duffin	Member	10,000/ann.
Paulette Moses	Member	10,000/ann.
Bill Celona	Member	10,000/ann.
Rosemarie Dearing	Member	10,000/ann.
William Bogardt	Member	10,000/ann.
Vincent Piccoli	Alternate Member	10,000/ann.
Carol Quirk	Alternate Member	10,000/ann.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 27 JANUARY 4, 2023
APPOINTING MEMBERS TO THE INDUSTRIAL DEVELOPMENT AGENCY

The following resolution was offered by Councilman McSweeney
and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following appointments effective this date are made to the following Municipal Board positions and administrative personnel who serve at the pleasure of the Town Board, and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board as set forth herein below:

INDUSTRIAL DEVELOPMENT AGENCY

<u>NAME</u>	<u>TITLE</u>
Tom Gaulrap	Chairperson
Justin Belkin	Vice Chair
Marcus Duffin	Member
Paulette Moses	Member
Bill Celona	Member
Rosemarie Dearing	Member
William Bogardt	Member
Vincent Piccoli	Member
Carol Quirk	Member

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.