

TOWN BOARD MEETING

APRIL 13, 2022

AGENDA

313. ACCEPTING TOWN BOARD MINUTES
314. AUTHORIZING 2021 BUDGET MODIFICATION
315. AUTHORIZING 2022 BUDGET MODIFICATION
316. AWARDDING BID NO. 22G24 - PURCHASE OF ONE (1) OR MORE GUNNCO OR EQUAL PUMPS
317. AWARDDING BID NO. 22G26 - BOARD-UPS OF RESIDENTIAL HOMES & OTHER STRUCTURES LOCATED WITHIN THE TOWN OF BABYLON
318. AWARDDING BID NO. 22G30 - ANIMAL FOOD
319. AWARDDING BID NO. 22G28 - INJECTION CONTROL WELL & STRUCTURE REMEDIATION CONTAMINATED SOIL CLEAN UP & THE SECURING OF HAZARDOUS MATERIALS & TRANSPORTATION OF HAZARDOUS & NON-HAZARDOUS MATERIALS
320. ACCEPTING A CREDIT AND ACCEPTING THE CONTRACT WITH CONSTRUCTION CONSULTANTS/L.I., INC. FOR BID NO. 19G31G - CONSTRUCTION OF NEW HVAC SYSTEM AT TOWN HALL, PHASE I & II AS COMPLETE
321. AUTHORIZING CHANGE ORDER NOS. 3 & 4 IN THE CONTRACT WITH ROLAND'S ELECTRIC, INC. FOR BID NO. 21G26E - INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL PHASE III & IV, ELECTRICAL CONSTRUCTION
322. AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH PREMIER MECHANICAL SERVICES, INC. FOR BID NO. 21G26M - INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL PHASE III & IV, MECHANICAL (HVAC) CONSTRUCTION
323. AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH W.H.M. PLUMBING & HEATING CONTRACTORS, INC. FOR BID NO. 21G26P -INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL PHASE III & IV, PLUMBING CONSTRUCTION
324. ACCEPTING THE CONTRACT WITH UNITECH SERVICES GROUP, INC. FOR BID NO. 21G104 - CONTROLLED DEMOLITION WITH ASBESTOS IN PLACE AT 331 50TH STREET, LINDENHURST
325. ACCEPTING THE CONTRACT WITH WEDGEWOOD BUILDING SERVICES, INC. GROUP, INC FOR BID NO. 22G07 - CONTROLLED DEMOLITION WITH ASBESTOS IN PLACE AT 462 ARNOLD AVENUE, WEST BABYLON
326. AUTHORIZING A CONTRACT WITH STONE, MCELROY & ASSOCIATES
327. AUTHORIZING A CONTRACT WITH COBERT BANKING COURIER

328. AUTHORIZING A CONTRACT WITH COMPUTER SI
329. AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF AMITYVILLE AND THE TOWN OF BABYLON
330. AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COPAIGUE FIRE PROTECTION DISTRICT AND THE TOWN OF BABYLON
331. AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC AND THE TOWN OF BABYLON
332. AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE NORTH LINDENHURST VOLUNTEER FIRE DEPARTMENT, INC. AND THE TOWN OF BABYLON
333. AUTHORIZING THE SUPERVISOR TO EXECUTE A FIREWORKS AGREEMENT WITH SANTORE'S WORLD FAMOUS FIREWORKS, LLC.
334. AUTHORIZING PAYMENT TO THOMAS VETRI FOR EMERGENCY PURCHASE OF QUICKEN DELUXE FOR SANITATION DEPARTMENT REPORTS
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338. AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY TO QUALIFIED HOUSEHOLDS
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340. DECLARING EQUIPMENT SURPLUS
341. AUTHORIZING THE PURCHASE OF EQUIPMENT FROM ALL ISLAND EQUIPMENT CORP.
342. ACCEPTING A DONATION
343. AUTHORIZING PERMISSION FOR A SIDEWALK PROCESSION ON APRIL 15, 2022, IN THE TOWN OF BABYLON FOR SS CYRIL & METHODIUS RC CHURCH
344. AUTHORIZING PERMISSION FOR A WALK-A-THON ON APRIL 23, 2022, IN THE TOWN OF BABYLON FOR THE WYANDANCH COMMUNITY RESOURCE CENTER
345. AUTHORIZING TANGER DEER PARK AND HOSTED BY NOFO EVENT CO. TO HOLD AN OUTDOOR PUBLIC ASSEMBLY/BUBBLE PALOOZA IN THE TOWN OF BABYLON ON APRIL 30, 2022
346. AUTHORIZING PERMISSION FOR A PARADE ON APRIL 30, 2022, IN THE TOWN OF BABYLON FOR BETHESDA SDA CHURCH

347. AUTHORIZING PERMISSION FOR A PARADE ON MAY 7, 2022, IN THE TOWN OF BABYLON FOR WEAR RED OR GO NAKED, INC.
348. AUTHORIZING PERMISSION FOR A PARADE ON JUNE 4, 2022, IN THE TOWN OF BABYLON FOR THE NORTH AMITYVILLE COMMUNITY FESTIVAL DAY COMMITTEE
349. PROCLAIMING APRIL 2022 AS AUTISM AWARENESS MONTH IN THE TOWN OF BABYLON
350. PROCLAIMING WEEK OF MAY 6 THROUGH MAY 14, 2022 AS TURQUOISE TAKEOVER WEEK IN THE TOWN OF BABYLON
351. AUTHORIZING THE TOWN BOARD TO ADOPT THE TOWN OF BABYLON'S HIPAA POLICY
352. ADOPTING LOCAL LAW NO. OF 2022 AMENDING CHAPTER 213 OF THE BABYLON TOWN CODE (BARBED WIRE FENCING)
353. ADOPTING LOCAL LAW NO. AUTHORIZING THE TOWN OF BABYLON PERSONNEL OFFICER TO CHARGE FEES FOR CIVIL SERVICE EXAMINATIONS
354. ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
355. ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
356. SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 14 GARFIELD PLACE LINDENHURST, NY 11757, SCTM#0100-227.00-01.00-055.000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION
357. SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 501 14TH STREET WEST BABYLON, NEW YORK 11704, SCTM#0100-130.00-04.00-013.000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION
358. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 27 OLD FARMINGDALE RD., W. BABYLON, NY 11704 SCTM NO. 0100-157.00-02.00-129.000
359. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 139 OLD FARMINGDALE RD., W. BABYLON, NY 11704 SCTM NO. 0100-157.00-03.00-155.000
360. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 31 CAPTREE ISLAND, CAPTREE, NEW YORK 11702 SCTM NO. 0100-239.00-01.00-032.0000

**RESOLUTION NO. 313 APRIL 13, 2022
ACCEPTING TOWN BOARD MINUTES**

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

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:

March 30, 2022

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 314 APRIL 13, 2022
AUTHORIZING 2021 BUDGET MODIFICATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2021 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>		
Parks & Recreation Administration		
Administrative		
A.7020-13	\$ 11,061	
Full Time Labor		
A.7020-15	\$ 8,674	
Part Time Labor		
A.7020-17	\$ 91,952	
Overtime		
A.7020-19	\$ 67	
Professional and Technical Services		
A.7020-44	\$ 8,347	
Office Supplies		
A.7020-41		\$ 688
Utilities		
A.7020-42		\$ 2,659
Repairs and Maintenance		
A.7020-46		\$ 4,887
Program Operations		
A.7020-47		\$ 8,570
Miscellaneous		
A.7020-49		\$ 1,802
Playground Recreation Centers		
Uniforms		
A.7140-48		\$ 185
Program Operations		
A.7140-47		\$ 67,531
Part Time Clerical		
A.7140-17		\$ 26,892
Special Recreation Facilities		
Part Time Labor		
A.7180-17	\$ 53,031	
Repairs and Maintenance		
A.7180-46		\$ 663
Professional and Technical Services		
A.7180-44		\$ 48,000
Program Operations		

A.7180-47		\$ 4,791
Uniforms		
A.7180-48		\$ 104
Historian		
Administrative		
A.7510-13	\$ 221	
Part Time Clerical		
A.7510-16		\$ 4,756
Office Supplies		
A.7510-41		\$ 750
Miscellaneous		
A.7510-49		\$ 1,075

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 315 APRIL 13, 2022
AUTHORIZING 2022 BUDGET MODIFICATION

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, upon the recommendation of the Town
Comptroller, that the following 2022 Budget Modification is hereby authorized:

Increase **Decrease**

Part Town Fund

Public Safety Administration

Uniforms		
B.3010-48	\$ 5,000	
Equipment		
B.3010-20		\$ 1,000
Professional and Technical Services		
B.3010-44		\$ 4,000

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 316 APRIL 13, 2022
AWARDING BID NO. 22G24 - PURCHASE OF ONE (1) OR MORE GUNNCO OR EQUAL PUMPS

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

WHEREAS, the following bids for Bid No. 22G24, Purchase of One (1) or more GunnCo or Equal Pumps were received, opened and publicly read:

Item 1. Pump Model P2K.40.3 with 25' power cable and stainless pull cable

<u>BIDDER</u>	<u>UNIT PRICE</u>
GunnCo Pump & Control, Inc.	\$2,895.00
Bensin Contracting, Inc.	\$7,590.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and Commissioner of Environmental Control and upon their finding the aforementioned bids to be fair and reasonable, Bid No.22G24 be and is hereby awarded to the low bidder, GunnCo Pump & Control, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract to GunnCo Pump & Control, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 317 APRIL 13, 2022
AWARDING BID NO. 22G26 - BOARD-UPS OF RESIDENTIAL HOMES & OTHER STRUCTURES
LOCATED WITHIN THE TOWN OF BABYLON

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

WHEREAS, the following bids for Bid No.22G26, Board-up of Residential Homes & Other Structures
Located within the Town of Babylon were received, opened and publicly read:

SPREAD SHEET ON FILE IN DEPARTMENT OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and upon
her finding the aforementioned bids to be fair and reasonable, Bid No.22G26 be and is hereby awarded to the
low bidder; Cipco Boarding Co., Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract Cipco
Co., Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney;
and be it further

RESOLVED, that said contract may be extended for four (4) additional one (1) year periods at the
discretion of the Commissioner of General Services.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 318 APRIL 13, 2022
AWARDING BID NO. 22G30 - ANIMAL FOOD

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

WHEREAS, the following bids for Bid No.22G30 - Animal Food were received, opened and publicly
read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the
Shelter Director and upon their finding the aforementioned bids to be fair and reasonable, Bid No.22G30 be and
is hereby awarded to the low bidder The Barn Pet Feed & Supplies; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with
The Barn Pet Food & Supplies, and that the form and content of said contract shall be subject to the approval of
the Town Attorney; and be it further

RESOLVED, that said contracts may be extended for two (2) additional one (1) year periods at the
discretion of the Commissioner of General Services.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 319 APRIL 13, 2022
AWARDING BID NO. 22G28 - INJECTION CONTROL WELL & STRUCTURE REMEDIATION
CONTAMINATED SOIL CLEAN UP & THE SECURING OF HAZARDOUS MATERIALS &
TRANSPORTATION OF HAZARDOUS & NON-HAZARDOUS MATERIALS

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

WHEREAS, the following bids for Bid No.22G28 - Injection Control Well & Structure Remediation Contaminated Soil Clean Up & the Securing of Hazardous Materials & Transportation of Hazardous & Non-Hazardous Materials was received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of Environmental Services and upon their finding the aforementioned bids fair and reasonable, Bid No.22G28 be and is hereby awarded to the overall low bidder Innovative Recycling Technologies, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Innovative Recycling Technologies, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 320 APRIL 13, 2022
ACCEPTING A CREDIT AND ACCEPTING THE CONTRACT WITH CONSTRUCTION
CONSULTANTS/L.I., INC. FOR BID NO. 19G31G, CONSTRUCTION OF NEW HVAC SYSTEM AT
TOWN HALL, PHASE I & II AS COMPLETE

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

WHEREAS, Bid No.19G31G, Installation of New HVAC System at Town Hall, General Construction was awarded to Construction Consultants LI, Inc. pursuant to Resolution No.50 of January 2, 2020, for a total contract amount of ONE MILLION, EIGHTY-FOUR THOUSAND (\$1,084,000.00) DOLLARS; and

WHEREAS, Change Order Nos. 1, 2 & 3 were approved pursuant to Resolution No.362 of May 13, 2020, which resulted in no change to the contract amount; and

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No.451 of July 8, 2020 which resulted in no change to the contract amount; and

WHEREAS Change Order Nos. 5 & 6 were approved pursuant to Resolution No.497 of July 20, 2020, increasing the total contract amount to ONE MILLION, ONE HUNDRED NINE THOUSAND, ONE HUNDRED NINETY-FIVE DOLLARS AND 67/100 (\$1,109,195.67); and

WHEREAS, Change Order Nos. 7, 8 & 9 were approved pursuant to Resolution No.795 of December 23, 2020 which resulted in no change to the contract amount of ONE MILLION, ONE HUNDRED NINE THOUSAND, ONE HUNDRED NINETY-FIVE DOLLARS AND 67/100 (\$1,109,195.67); and

WHEREAS, the following credit is due from Construction Consultants/L.I., Inc.:

Credit for unused Contingency	(\$41,799.96)
TOTAL CREDIT	(\$41,799.96)

WHEREAS, the Commissioner of General Services, the Commissioner of the Dept. of Public Works and Cashin Associates, P.C. have deemed all work performed by Construction Consultants/L.I., Inc. pursuant to bid No. 19G31G as complete and acceptable.

NOW, THEREFORE, be it

RESOLVED, that the credit in the amount of FORTY-ONE THOUSAND, SEVEN HUNDRED NINETY-NINE DOLLARS AND 96/100 (\$41,799.96) be and is hereby accepted from Construction Consultants/L.I., Inc. hereby reducing the total contract amount to ONE MILLION SIXTY-SEVEN THOUSAND, THREE HUNDRED NINETY-FIVE DOLLARS AND 71/100 (\$1,067,395.71); and be it further

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Dept. of Public Works and Nelson + Pope Engineers, all work performed by Construction Consultants/L.I., Inc. pursuant to Bid No.19G31G, be and is hereby accept as satisfactorily complete at a final contract amount of ONE MILLION SIXTY SEVEN THOUSAND, THREE HUNDRED NINETY FIVE DOLLARS AND 71/100 (\$1,067,395.71).

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 321 APRIL 13, 2022

AUTHORIZING CHANGE ORDER NOS. 3 & 4 IN THE CONTRACT WITH ROLAND'S ELECTRIC, INC. FOR BID NO.21G26E - INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL PHASE III & IV, ELECTRICAL CONSTRUCTION

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

WHEREAS, Bid No.21G26E - Installation of New HVAC System at Town Hall, Phase III & IV, Electrical Construction was awarded to Roland's Electric, Inc. pursuant to Resolution No.416 of July 7, 2021, for a total contract amount of SEVEN HUNDRED THIRTY-EIGHT THOUSAND (\$738,000.00) DOLLARS; and

WHEREAS, Change Order Nos.1 & 2 were approved pursuant to Resolution No.632 of October 13, 2021, which resulted in no change to the contract amount of SEVEN HUNDRED THIRTY EIGHT THOUSAND (\$738,000.00) DOLLARS; and

WHEREAS, the Change Order Committee convened on March 30, 2022, with the Chief of Staff, Deputy Chief of Staff, Comptroller, Town Attorney, Commissioner of General Services, Commissioner of Planning & Development and Commissioner of Dept. of Public Works, in attendance to review Change Order Nos.3 & 4; and

WHEREAS, the Change Order Review Committee and Nelson + Pope recommend the approval of Change Order Nos. 3 & 4 as follows:

Change Order No. 3 Furnish & Install PreAction System wiring as per Fire Marshall	\$25,066.13
Change Order No. 4 Furnish & Install new circulator pump	\$1,055.50
Credit to Contingency	(\$26,121.)
TOTAL CHANGE ORDER NOS. 3 & 4	\$0

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order Nos.3 and 4, which has resulted in no change to the contract amount of SEVEN HUNDRED THIRTY EIGHT THOUSAND (\$738,000.00) DOLLARS.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 322 APRIL 13, 2022
AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH
PREMIER MECHANICAL SERVICES, INC. FOR BID NO. 21G26M, INSTALLATION OF NEW
HVAC SYSTEM AT TOWN HALL PHASE III & IV,
MECHENCIAL (HVAC) CONSTRUCTION**

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

WHEREAS, Bid No. 21G26M, Installation of New HVAC System at Town Hall, Phase III & IV, Plumbing Construction was awarded to W.H.M. Plumbing & Heating Contractors, Inc. pursuant to Resolution No. 418 of July 7, 2021, for a total contract amount of TWO MILLION FOUR HUNDRED SIXTY-SEVEN THOUSAND (\$2,467,000.00) DOLLARS; and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 776 of December 1, 2021 which resulted in no change to the contract amount of TWO MILLION FOUR HUNDRED SIXTY-SEVEN THOUSAND (\$2,467,000.00) DOLLARS; and

WHEREAS, the Change Order Committee convened on March 30, 2022 with the Chief of Staff, Deputy Chief of Staff, Comptroller, Town Attorney, Commissioner of Planning & Development, Commissioner of Dept. of Public Works and the Commissioner of General Services in attendance to review Change Order No. 2; and

WHEREAS, the Change Order Review Committee and Nelson + Pope recommend the approval of Change Order No.2 as follows:

Change Order No. 2 - Furnish & Install all equipment, labor and materials to remove and repipe existing chilled water systems for new hydronic pump headers to connect to chillers on roof	\$56,498.76
Credit to Contingency	(\$56,498.86)
TOTAL CHANGE ORDER NO. 2	\$0

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 2 which has resulted in no change to the contract amount of TWO MILLION FOUR HUNDRED SIXTY-SEVEN THOUSAND (\$2,467,000.00) DOLLARS.

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	Excused Absence

Supervisor Schaffer

Voting

Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 323 APRIL 13, 2022

AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH W.H.M. PLUMBING & HEATING CONTRACTORS, INC. FOR BID NO. 21G26P -INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL PHASE III & IV, PLUMBING CONSTRUCTION

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

WHEREAS, Bid No.21G26P - Installation of New HVAC System at Town Hall, Phase III & IV, Plumbing Construction was awarded to W.H.M. Plumbing & Heating Contractors, Inc. pursuant to Resolution No.419 of July 7, 2021, for a total contract amount of THREE HUNDRED SIXTY-ONE THOUSAND, FIVE HUNDRED EIGHTY (\$361,580.00) DOLLARS; and

WHEREAS, Change Order No. 1 was authorized pursuant to Resolution No.634 of October 13, 2021, which resulted in no change to the contract amount of THREE HUNDRED SIXTY-ONE THOUSAND, FIVE HUNDRED EIGHTY (\$361,580.00) DOLLARS; and

WHEREAS, the Change Order Committee convened on March 30, 2022, with the Chief of State, Deputy Chief of Staff, Town Attorney, the Commissioner of General Services, Commissioner of Planning & Development and Commissioner of Dept. of Public Works in attendance to review Change Order No.2; and

WHEREAS, the Change Order Review Committee and Nelson + Pope recommend the approval of Change Order No.2 as follows:

Change Order No. 2- Furnish & Install additional dry heads in the attic per Fire Marshall	\$27,516.05
Credit to Contingency	(\$27,516.05)
TOTAL CHANGE ORDER NO.2	\$0

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No.2 which has resulted in no change to the contract amount of THREE HUNDRED SIXTY-ONE THOUSAND, FIVE HUNDRED EIGHTY (\$361,580.00) DOLLARS.

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	Excused Absence
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 324 APRIL 13, 2022
ACCEPTING THE CONTRACT WITH UNITECH SERVICES GROUP, INC. FOR BID NO.
21G104 - CONTROLLED DEMOLITION WITH ASBESTOS
IN PLACE AT 331 50TH STREET, LINDENHURST

The following resolution was offered by Councilman Manetta

and seconded by Councilman McSweeney

WHEREAS, Bid No.21G104 - Controlled Demolition with Asbestos in Place at 331 50TH St. Lindenhurst, was awarded to Unitech Services Group Inc. pursuant to Resolution No.150 of February 16, 2022, in the amount of FORTY-EIGHT THOUSAND, FOUR HUNDRED (\$48,400.00) DOLLARS; and

WHEREAS, the Commissioner of General Services recommends that all work performed by Unitech Services Group. Inc. pursuant to Bid No.21G104 be deemed as satisfactorily complete.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, all work performed by Unitech Services Group, Inc. pursuant to Bid No.21G104 be and is hereby deemed satisfactorily complete for a final contract amount of FORTY-EIGHT THOUSAND FOUR HUNDRED (\$48,400.00) DOLLARS.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 325 APRIL 13, 2022
ACCEPTING THE CONTRACT WITH WEDGE WOOD BUILDING SERVICES, INC.
FOR BID NO. 22G07 - CONTROLLED DEMOLITION WITH ASBESTOS IN PLACE
AT 462 ARNOLD AVENUE, WEST BABYLON

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

WHEREAS, Bid No.22G07 Controlled Demolition with Asbestos in Place At 462 Arnold Avenue, West Babylon was awarded to Wedgewood Building Services Inc. pursuant to Resolution No.155 of February 16, 2022, in the amount of THIRTY-EIGHT THOUSAND (\$38,000.00) DOLLARS; and

WHEREAS, the Commissioner of General Services recommends that all work performed by Wedgewood Building Services Inc pursuant to Bid No.22G07 be deemed as satisfactorily complete.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, all work performed by Wedgewood Building Services Inc., pursuant to Bid No.22G07 be and is hereby deemed satisfactorily complete for a final contract amount of THIRTY EIGHT THOUSAND (\$38,000.00) DOLLARS.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 326 APRIL 13, 2022
AUTHORIZING A CONTRACT WITH STONE, MCELROY & ASSOCIATES

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

WHEREAS, a proposal for Psychological Testing Services to provide screening services for potential public safety personnel was solicited from Stone, McElroy & Associates; and

WHEREAS, the Professional Consultant Evaluation Committee convened on March 30, 2022, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services and Commissioner of Planning & Development, in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a one year contract Stone, McElroy & Associates at a rate of FOUR HUNDRED (\$400.00) PER PERSON.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a one (1) year contract with Stone, McElroy & Associates at a rate of FOUR HUNDRED (\$400.00) DOLLARS PER PERSON, and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of the Commissioner of Public Safety.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 327 APRIL 13, 2022
AUTHORIZING A CONTRACT WITH COBERT BANKING COURIER

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

WHEREAS, a proposal for courier services for the office of Planning & Development was solicited from Cobert Banking Courier; and

WHEREAS, the Professional Consultant Evaluation Committee convened on March 20, 2022, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services and Commissioner of Dept. of Public Works, in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a one (1) year contract effective February 1, 2022, to Cobert Banking Courier at a rate of TWENTY-TWO (\$22.00) DOLLARS PER DAY.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a one (1) year contract, effective February 1, 2022, with Cobert Banking Courier at a rate of TWENTY TWO (\$22.00) DOLLARS PER DAY, and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of the Commissioner of Planning & Development.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 328 APRIL 13, 2022
AUTHORIZING A CONTRACT WITH COMPUTER SI

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

WHEREAS, a proposal for a block of FORTY (40) hours of support for OnBase was solicited from Computer SI; and

WHEREAS, the Professional Consultant Evaluation Committee convened on March 30, 2022 with the Deputy Supervisor, the Chief of Staff, Deputy Chief of Staff, the Town Attorney, the Commissioner of General Services, the Commissioner of the Dept. of Public Works and the Commissioner of Planning & Development, in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Computer SI for a total contract amount not to exceed EIGHT THOUSAND (\$8,000.00) DOLLARS.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Computer SI for a total contract amount of exceed EIGHT THOUSAND (\$8,000.00) DOLLARS for a block of FORTY (40) HOURS of support for OnBase and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 329 APRIL 13, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT
BETWEEN THE VILLAGE OF AMITYVILLE AND THE TOWN OF BABYLON

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an Intermunicipal Agreement on behalf of the Town of Babylon with Village of Amityville to provide fire protection and ambulance coverage to North Amityville Fire Protection Districts No. 5 and 6, for the months of January and February, 2022; and be it

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 330 APRIL 13, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING
BETWEEN THE COPAIGUE FIRE PROTECTION DISTRICT
AND THE TOWN OF BABYLON

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 Supervisor be and he hereby is authorized to execute and Memorandum of Understanding on behalf of the Town of Babylon with Copiague Fire Protection District. to provide fire protection and ambulance coverage to North Amityville Fire Protection Districts No. 5 and 6, for the months of January and February, 2022; and be it

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 331 APRIL 13, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING
BETWEEN THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC
AND THE TOWN OF BABYLON

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute a Memorandum of Understanding on behalf of the Town of Babylon with E. Farmingdale Fire Company, Inc. to provide fire protection and ambulance coverage to North Amityville Fire Protection Districts No. 5 and 6, for the months of January and February, 2022; and be it

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 332 APRIL 13, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING
BETWEEN THE NORTH LINDENHURST VOLUNTEER FIRE DEPARTMENT, INC.
AND THE TOWN OF BABYLON

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute a Memorandum of Understanding on behalf of the Town of Babylon with North Lindenhurst Fire Company, Inc. to provide fire protection and ambulance coverage to North Amityville Fire Protection Districts No. 5 and 6, for the months of January and February, 2022; and be it

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 333 APRIL 13, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE A FIREWORKS AGREEMENT WITH
SANTORE’S WORLD FAMOUS FIREWORKS, LLC.

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 Supervisor be and he hereby is authorized to execute an agreement with Santore’s World Famous Fireworks, LLC., for a fireworks display within the Town of Babylon on August 13, 2022 (alternate date August 14, 2022) for a fee of TWENTY THREE THOUSAND FIVE HUNDRED and 00/100 (\$23,500.00) DOLLARS; and be it further

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 334 APRIL 13, 2022
**AUTHORIZING PAYMENT TO THOMAS VETRI FOR EMERGENCY PURCHASE OF QUICKEN
DELUXE FOR SANITATION DEPARTMENT REPORTS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Chief of Staff, that the Comptroller be and is hereby authorized to issue payment to Thomas Vetri for reimbursement for the following invoice:

SERVICES PERFORMED DATE	AMOUNT
Invoice # 36136	\$51.99
TOTAL	\$51.99

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 335 APRIL 13, 2022
AUTHORIZING PAYMENT TO SECURETEL, INC.

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendations of the
Commissioner of General Services, that the Comptroller is hereby authorized to issue payment to Securetel Inc.

INVOICE NO. /DATE	AMOUNT
R60980	\$194.85

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 336 APRIL 13, 2022
AUTHORIZING PAYMENT TO CLEAR FLO TECHNOLOGIES LIMITED

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 Commissioner of Environmental Control that the Comptroller be and is hereby authorized to issue payment to Clear Flo Technologies Limited for services rendered for the following invoices:

SERVICES PERFORMED DATE	AMOUNT
Invoice #190341297 on 3/24/2022	\$1,404.00
TOTAL	\$1,404.00

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 337 APRIL 13, 2022
AUTHORIZING PAYMENT TO NATIONAL GRID

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the Comptroller be is hereby authorized to issue payment to National Grid for the disconnection of a gas mains at the following locations in connection with the Wyandanch Rising Phase:

<u>LOCATION</u>	<u>AMOUNT</u>
2 Grand Blvd., Wyandanch	\$795.00
52 Woodland Rd., Wyandanch	\$795.00

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 338 APRIL 13, 2022
AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN
MONEY TO QUALIFIED HOUSEHOLDS

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

WHEREAS, the COVID-19 pandemic continues to cause a significant public health emergency in the Town of Babylon (“Town”) affecting the economic vitality of the Town; and

WHEREAS, the United States Congress, recognizing the impact of the pandemic on local government and the communities that those governments serve, passed the American Rescue Plan Act of 2021 (“ARPA”) which was signed into law by President Joseph R. Biden, Jr. on March 11, 2021; and

WHEREAS, ARPA delivers eligible localities money to respond to the pandemic and bring back jobs through the Coronavirus State and Local Fiscal Recovery Funds (“SLRF”) to provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, pursuant to statute and regulations promulgated by the United States Department of the Treasury the Town of Babylon is a Metropolitan City entitled to \$27,770,292.00 in SLRF to be distributed to the Town in two equal installments in 2021 and 2022; and

WHEREAS, SLRF provides the Town with a substantial infusion of resources to meet pandemic response needs to rebuild a stronger, and more equitable economy as the country recovers, the Town may use SLRF funds to address negative economic impacts caused by the public health emergency, including economic harms to households and the impact of and resilience to climate change; and

WHEREAS; the Town has determined that the owners of boat berths along Grand Canal in Lindenhurst must secure surveys and an electrical underwriters inspection of the boat berths and improvements thereto as a necessary investment and project that is required to maintain a level of service that, at least, meets applicable standards, taking into account resilience to and impact of climate change, and the need to ameliorate the effects on households; and

WHEREAS, the Town Board has determined that boat berth owners must submit an application seeking reimbursement, along with proof of payment in an amount not to exceed \$1,500.00 per boat berth parcel before December 30, 2022; and

WHEREAS, the Town now wishes to allocate SLRF funds to reimburse boat berth owners the costs associated with securing surveys and an electrical underwriters inspection of the boat berths and improvements thereto because the project will reduce the impact of climate change and increase the resiliency of the Grand Canal in American Venice, and affects the services the Town renders and the impact on households; and

WHEREAS, the Town Board designates three (3) members to a review committee to be selected by the Town Supervisor and that the committee, without additional Board approval, shall have the authority to award

individual grants that comply with the standards set by this resolution and which grants will not to exceed an amount of \$1,500.00 for each application and an aggregate amount of \$290,000.00 for all grants awarded; and

WHEREAS, that committee has reviewed and approved the following applications:

Name	Amount
1) Dominick Peluso	\$245.000

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the recipient to do so will mean the grant money will be withheld, denied or claw-backed in the Town's discretion; and

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment not to exceed \$290,000.00 to the boat berth owners approved by the committee above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 339 APRIL 13, 2022
AUTHORIZING THE ADDITIONAL GRANT OF AMERICAN RESCUE PLAN MONEY TO
QUALIFIED SMALL BUSINESSES

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

WHEREAS, the COVID-19 pandemic continues to cause a significant public health emergency in the Town of Babylon (“Town”) affecting the economic vitality of the Town; and

WHEREAS, the United States Congress, recognizing the impact of the pandemic on local government and the communities that those governments serve, passed the American Rescue Plan Act of 2021 (“ARPA”) which was signed into law by President Joseph R. Biden, Jr. on March 11, 2021; and

WHEREAS, ARPA delivers eligible localities money to respond to the pandemic and bring back jobs through the Coronavirus State and Local Fiscal Recovery Funds (“SLRF”) to provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, pursuant to statute and regulations promulgated by the United States Department of the Treasury the Town of Babylon is a Metropolitan City entitled to \$27,770,292.00 in SLRF to be distributed to the Town in two equal installments in 2021 and 2022; and

WHEREAS, SLRF provides the Town with a substantial infusion of resources to meet pandemic response needs to rebuild a stronger, and more equitable economy as the country recovers, the Town may use SLRF funds to address negative economic impacts caused by the public health emergency, including economic harms to small businesses; and

WHEREAS; the Town has determined that assisting small businesses is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town Supervisor has designated seven (7) members of a Direct Support Program committee to create, review and score applications from the Town’s small businesses and appointed Viscel C. Moore as Director of such program; and

WHEREAS, that committee has reviewed the applications of the following Town small businesses and recommends the corresponding grant award:

The Delica Sea	\$29,700.00
King Gutters, Inc.	\$19,800.00
Cornucopia’s Noshery, Inc.	\$39,600.00
East Coast J+J Corp	\$18,500.00

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the business to do so will mean the grant money will be withheld, denied or claw-backed in the Town's discretion; and

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment not to exceed \$6,000,000.00 to the businesses listed above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 340 APRIL 13, 2022
DECLARING EQUIPMENT SURPLUS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of the Department of Public Works, that the following obsolete equipment be and is hereby declared surplus and sold to All Island Equipment Corp. as a trade in for the purchase of a new Takeuchi TL12V2-CRHR Track Loader:

MAKE/MODEL	SERIAL NO.	VEHICLE ID NO.
2010 Takeuchi TL240 w/bucket	224000626	1249
2007 Gehl 5640 w/bucket	0560V00509764	1124

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 341 APRIL 13, 2022
AUTHORIZING THE PURCHASE OF EQUIPMENT FROM ALL ISLAND EQUIPMENT CORP.

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

WHEREAS, pursuant to General Municipal Law 103 (16), a political subdivision is authorized to contract for services through the use of contracts let by any other political subdivision therein; and

WHEREAS, the Town of Babylon is desirous to purchase the following equipment from All Island Equipment Corp., pursuant to the Town of Huntington No. TOH21-12-077, Takeuchi TL12V2 High-Flow, Tier IV Final Rubber Track Loader; and

WHEREAS, the Town of Babylon has declared the following equipment as surplus, which shall be used as a trade-in to offset the cost of equipment:

EQUIPMENT DESCRIPTION/DEPARTMENT	COST
Takeuchi Model TL12V2-CRHR for DPW	\$89,000
Trade-In – 2010 Takeuchi TL240 w/bucket S/N – 224000626	(\$23,000.00)
Trade In – 2007 Gehl 5640 w/bucket – S/N05640V00509764	(\$11,000.00)
TOTAL COST	\$55,00.00

WHEREAS, the Commissioner of General Services recommends issuing Purchase Order for All Island Equipment Corp. for the above equipment.

NOW THEREFORE be it

RESOLVED, the Town Board of the Town of Babylon authorizes the Commissioner of General Services to issue Purchase Orders to All Island Equipment Corp. for the aforementioned equipment.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 342 APRIL 13, 2022
ACCEPTING A DONATION**

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 donation is accepted
with gratitude:

DONATOR	DONATION	TO BE USED FOR	RECOMMENDED BY
West Babylon LITTLE LEAGUE BASEBALL INC.	25 Leyland Cypress \$115.00 per plant Total value of \$2,875.00	To be planted in Town of Babylon Parks.	Deputy Commissioner Department of Public Works.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 343 APRIL 13, 2022
AUTHORIZING PERMISSION FOR A SIDEWALK PROCESSION ON APRIL 15, 2022, IN THE
TOWN OF BABYLON FOR SS CYRIL & METHODIUS RC CHURCH

The following resolution was offered by Councilman McSweeney

and seconded by Councilman Martinez

WHEREAS, SS Cyril & Methodius Church RC has requested permission to hold a sidewalk procession on Friday, April 15, 2022, from 12:00 p.m. to 2:30 p.m. within the Town of Babylon:

<p>INDIVIDUAL: Timothy Leitch 1362 August Rd. North Babylon, NY 11703 (631) 806-4715</p>	<p>ORGANIZATION: SS Cyril & Methodius RC Church 125 Half Hollow Rd. Deer Park, NY 11729 (631) 667-4044</p>
<p>DATES & TIMES: Date(s): 4/15/2022 to: Time: 12:00 p.m. to 2:30 p.m. Rain Date: n/a</p>	<p>STARTING/ENDING: SS Cyril & Methodius RC Church, 125 Half Hollow Rd., Deer Park</p>

ROUTE:
 Leaving SS Cyril & Methodius RC Church parking lot, proceed north on Deer Park Ave. to Nicolls Rd., cross to east sidewalk of Deer Park Ave. and head south on Deer Park Ave. to the Knights of Columbus on Long Island Ave., heading east on Long Island Ave., heading west on Long Island Ave., head south on Deer Park Ave. to Lake Ave., heading east on Lake Ave., heading west on Lake Ave., heading south on Deer Park Ave. to Mangano’s Funeral Home, returning north on Deer Park Ave. to Grand Blvd., cross to the west sidewalk on Deer Park Ave. and proceed south on Deer Park Ave. to SS Cyril & Methodius RC Church.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 **YEAS:** 4 **NAYS:** 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 344 APRIL 13, 2022
AUTHORIZING PERMISSION FOR A WALK-A-THON ON APRIL 23, 2022, IN THE TOWN OF
BABYLON FOR THE WYANDANCH COMMUNITY RESOURCE CENTER

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

WHEREAS, The Wyandanch Community Resource Center has requested permission to hold a Walk-A-Thon on Saturday, April 23, 2022, from 10:00 a.m. to 11:00 a.m. within the Town of Babylon:

<p>INDIVIDUAL: Beverly Theodore 1609 Straight Path Wyandanch, NY 11798 (631) 643-1971/1963</p>	<p>ORGANIZATION: Wyandanch Community Resource Center 1609 Straight Path Wyandanch, NY 11798 (631) 643-1957/1963</p>
<p>DATES & TIMES: Date(s): 4/23/2022 to: Time: 10:00 a.m. to 11:00 a.m. Rain Date: n/a</p>	<p>STARTING: Wyandanch Park, 81-99 Birch St., Wyandanch</p> <p>ENDING: Delano Stewart Plaza (Wyandanch Plaza), 40 Station Dr., Wyandanch</p>

ROUTE:
Leaving Wyandanch Park, head west on Birch St. towards Mount Ave., make a right onto Mount Ave., turn right onto Straight Path, turn right onto Station Dr. and ending at Wyandanch Plaza.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 **YEAS:** 4 **NAYS:** 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 345 APRIL 13, 2022
AUTHORIZING TANGER DEER PARK AND HOSTED BY NOFO EVENT CO.
TO HOLD AN OUTDOOR PUBLIC ASSEMBLY/BUBBLE PALOOZA
IN THE TOWN OF BABYLON ON APRIL 30, 2022**

The following resolution was offered by Councilman Manetta

and seconded by Councilman McSweeney

WHEREAS, the Tanger Deer Park/NOFO Event Co. has requested permission to hold an outdoor public assembly/Bubble Palooza on Saturday, April, 30, 2022 between the hours of 10:00 a.m. and 2:00 p.m., within the Town of Babylon at the north parking lot of Tanger Outlets, 152 The Arches Circle, Deer Park, NY 11729;

WHEREAS, the Tanger Deer Park/NOFO Event Co. has obtained sufficient insurance to protect the interests of the Town of Babylon; subject to Schedule "A" attached hereto.

<p>INDIVIDUAL: Shannon Reitz 21 Midland Ave. Riverhead, NY 11901 (631) 276-6660</p>	<p>ORGANIZATION: NOFO Event Co. P.O. Box 180 Calverton, NY 11933 (631) 833-3364 info@bubblepalooza.com</p>
<p>DATES & TIMES: Date(s): 4/30/2022 to: Time: 10:00 a.m. to 2:00 p.m. Rain Date: n/a</p>	<p>LOCATION: Tanger Outlets (north parking lot) 152 The Arches Circle Deer Park, NY 11729</p>
<p>SPECIAL REQUIREMENTS: Event Details: Bubble Palooza Tents: No Amusement Rides and/or Bouncy Rides: No Sound Equipment: Yes; PA System Toilet/Water Facilities: 2 Porta Potties/1 Handwashing Station & 9-bathroom facilities; 72 stalls with hot running water Approximate # of Participants: 1,000 expected throughout the event</p>	

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 **YEAS:** 4 **NAYS:** 0

The resolution was thereupon declared duly adopted.

F A I R S - SCHEDULE "A"

Pursuant to Section 79-2 of the Code of the Town of Babylon, you are hereby advised that the Town Board of the Town of Babylon, pursuant to the powers contained in the aforesaid Section 79-2, will impose the following requirements upon any permit granted pursuant to this article:

1. Opening and Closing Times. All amusements provided pursuant to a permit issued under this article shall not have an opening time prior to 6:00 p.m. during the days of Monday through Friday and 1:00 p.m. on Saturdays and Sundays, and shall close not later than 11:00 p.m. on any day.

2. No portable or movable living accommodations shall be allowed on the site of the amusement or elsewhere within the Town in connection with said amusement, unless allowed pursuant to the Building Zone Ordinance of the Town of Babylon.

3. No games shall be permitted which will violate State Law.

4. Any person or organization seeking permission to conduct any game of chance shall file the proper application with the Town Clerk and shall comply with all provisions of Chapter 130 of the Code of the Town of Babylon.

5. Adequate sanitary facilities shall be provided, based upon the size and scope of the event.

6. Any person employed by any organization working in connection with the Amusement found to be undesirable by the Town Board, the Commissioner of Planning and Development or the Suffolk County Police Department, shall be summarily dismissed.

7. Proper liability insurance shall be provided, at time of application.

8. All rides or other amusements which may require it, shall have proper State safety certification prior to any use thereof.

9. All necessary permits required by the Suffolk County Department of Health for the sale of food and other consumables shall be obtained prior to the commencement of operations.

10. Any violation of the above conditions shall result in the summary revocation of the permit issued hereunder. For purposes of this provision, the Commissioner of Planning and Development, or the Suffolk County Police Department, as well as the Town Board, may summarily revoke a permit.

11. Live animal acts or exhibitions are prohibited.

All requirements hereunder must be met prior to the opening of any event required to be licensed pursuant to this article.

RESOLUTION NO. 346 APRIL 13, 2022
AUTHORIZING PERMISSION FOR A PARADE ON APRIL 30, 2022, IN THE TOWN OF BABYLON
FOR BETHESDA SDA CHURCH

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

WHEREAS, the Bethesda SDA Church has requested permission to hold a parade on Saturday, April 30, 2022 within
the Town of Babylon:

INDIVIDUAL: Yves Faustin 62 Washington St. E. Farmingdale, NY 11735 (516) 805-0768	ORGANIZATION: Bethesda SDA Church 76 Parkway Ave. Amityville, NY 11701 (516) 805-0768
DATES & TIMES: Date(s): 4/30/2022 to: Time: 2:00 p.m. to 3:30 p.m. Rain Date: n/a	STARTING/ENDING: Bethesda SDA Church 76 Parkway Ave. Amityville, NY 11701

ROUTE:
Leaving the Bethesda SDA Church parking lot and making a left on Parkway Ave., left on Madison Ave., left on Dubois St., right on Booker Blvd., crossover Great Neck Rd. to Tyrconnell St., left on Brandon Ave., left on Glenmalure St., right on Columbia Ave., left on The Blvd., right on Musette Pl., left on Nathalie Ave., left on Carrol St., left on Great Neck Rd., right on Miller Ave., left on Schleigel Blvd., left on Parkway Ave. and back to the church at 76 Parkway Ave.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 **YEAS:** 4 **NAYS:** 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 347 APRIL 13, 2022
AUTHORIZING PERMISSION FOR A PARADE ON MAY 7, 2022, IN THE TOWN OF BABYLON
FOR WEAR RED OR GO NAKED, INC.

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

WHEREAS, Wear Red or Go Naked, Inc. has requested permission to hold a parade on
Saturday, May 7, 2022 within the Town of Babylon:

INDIVIDUAL: Matthew Amore 840 6 th St. West Babylon, NY 11704 (631) 921-6291	ORGANIZATION: Wear Red or Go Naked, Inc. 840 6 th St. West Babylon, NY 11704 (631) 921-6291
DATES & TIMES: Date(s): 5/7/2022 to: Time: 9:00 a.m. to 11:00 a.m. Rain Date: n/a	STARTING/ENDING: Santapogue Elementary School, 1130 Herzel Blvd., West Babylon (Parking Lot)

ROUTE: Leaving the Santapogue Elementary School parking lot; proceed west on Herzel Blvd. to Straight Path; proceed north to 13 th St.; proceed northeast to Little East Neck Rd.; proceed south to 3 rd St.; proceed southwest to 12 th Ave.; proceed north to 9 th St. to the Santapogue Elementary School parking lot.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 348 APRIL 13, 2022
AUTHORIZING PERMISSION FOR A PARADE ON JUNE 4, 2022, IN THE TOWN OF BABYLON
FOR THE NORTH AMITYVILLE COMMUNITY FESTIVAL DAY COMMITTEE

The following resolution was offered by Councilman Manetta

and seconded by Councilman McSweeney

WHEREAS, the North Amityville Community Festival Day Committee has requested permission to hold a parade on Saturday, June 4, 2022 within the Town of Babylon:

<p>INDIVIDUAL: Madeline A. Quintyne-McConney Commissioner of Human Services 200 E. Sunrise Hwy., Lindenhurst, NY 11757 (631) 620-8489 (631) 957-3088</p>	<p>ORGANIZATION: North Amityville Community Festival Day Committee P.O. Box 88 Copiague, NY 11726 (631) 464-4340 (631) 620-8489 (631) 957-3088</p>
<p>DATES & TIMES: Date(s): 6/4/2022 to: Time: 8:00 a.m. to 6:00 p.m. Rain Date: n/a</p>	<p>STARTING: Intersection of Harrison Ave. & Rosewood Ave., Amityville</p> <p>ENDING: Bolden Mack Park 3453 Great Neck Rd. Amityville, NY 11701</p>

ROUTE:
 Leaving the intersection of Harrison Ave. & Rosewood Ave. traveling east to Albany Ave., traveling north to Great Neck Rd. and ending at Bolden Mack Park and Booker Blvd. Festival to follow at Bolden Mack Park in Amityville.

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 349 APRIL 13, 2022
PROCLAIMING APRIL 2022 AS AUTISM AWARENESS MONTH IN THE TOWN OF BABYLON

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

WHEREAS, the Autism Society of America and its partner organizations are staging special events throughout the month of April to increase awareness and advocacy, and promote early autism diagnosis and therapeutic research; and

WHEREAS, the Town of Babylon would like to support and encourage efforts towards early diagnosis and research.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby proclaim April 2022 as Autism Awareness Month in the Town of Babylon.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

ESOLUTION NO. 350 APRIL 13, 2022
PROCLAIMING WEEK OF MAY 6 THROUGH MAY 14, 2022 AS TURQUOISE TAKEOVER WEEK
IN THE TOWN OF BABYLON

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

WHEREAS, about every two and a half minutes, a person in the U.S. is diagnosed with lung cancer; and

WHEREAS, lung cancer is the leading cause of cancer deaths for women and men; and

WHEREAS, Lung cancer screening saves lives, and advocacy and increased awareness will result in more high-risk individuals getting screened; and

WHEREAS, public support for research funding will result in new treatments and better methods of early detection; and

WHEREAS, LUNG FORCE is a national initiative led by the American Lung Association, to defeat lung cancer.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby proclaims the week of May 6 through May 14, 2022 as”
Turquoise Takeover Week” in the Town of Babylon.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 351 APRIL 13, 2022
AUTHORIZING THE TOWN BOARD TO ADOPT THE TOWN OF BABYLON'S HIPAA POLICY

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, upon the recommendation of the Director of Drug and Alcohol, that the Town of Babylon HIPAA Policy, which is on file in the Office of the Town Clerk, is hereby adopted for the Town of Babylon.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 352 APRIL 13, 2022
ADOPTING LOCAL LAW NO. 7 OF 2022 AMENDING CHAPTER 213 OF THE BABYLON TOWN
CODE (BARBED WIRE FENCING)

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, located at 200 E Sunrise Hwy. N. Lindenhurst, NY 11757, on the 13th day of April, 2022 at 3:30 p.m., prevailing time, upon the question of enactment of Local Law No. 7 of 2022 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213 (Barbed Wire Fencing); and

WHEREAS; In accordance with Part 617.5 (c.) (26), State Environmental Quality Review (SEQR), the adoption of this Local Law is classified a Type II Action and not subject to environmental review under SEQR; and

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 7 of 2022, of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

LOCAL LAW NO. 7 of 2022

AMENDING THE CODE OF THE TOWN OF BABYLON
CHAPTER 213 (BARBED WIRE FENCING)

Be it hereby enacted by the Town Board of the Town of Babylon as follows:

Section 1. Legislative intent.

The Town Board hereby finds that it is necessary to amend and update Chapter 213, Article XXVII, specifically §213-357, of the Town Code of the Town of Babylon, which relates to Barbed-Wire Fencing.

Section 2. Amendments.

Chapter 213, Article XXVII, specifically §213-357 of the Code of the Town of Babylon shall be amended to read as follows (additions/changes to the Code are underlined):

[SECTIONS OMITTED]

§213-356. Limitations on use.

[Amended 7-20-1999 by L.L. No. 12-1999]

No owner, occupant, tenant, manager, agent or person in charge of any parcel in the Town shall erect, maintain, use or alter or suffer or permit to be erected, maintained, used or altered thereon any barbed wire, except in G Industrial Districts, Ga Industrial Districts, GB Industrial Districts and H Heavy Industrial Districts, and only then after complying with the other requirements contained in this article and only under the following circumstances:

- A. No barbed wire may extend beyond the front building line.
- B. Barbed wire must be securely fastened to a fence or wall of the size, material and construction as may reasonably be required by the Planning Board, but in no event shall any such fence or wall exceed six feet in height.
- C. Any use of barbed wire shall not prevent the reasonable and orderly use of adjacent parcels or adversely affect the health, safety and welfare of the community.
- D. A one-foot-by-one-foot sign must be conspicuously posted on any fence or wall on which barbed wire is fastened in each of such places as may be directed by the Planning Board and shall state in red letters no less than three inches high as follows: CAUTION BARBED WIRE.
- E. No barbed wire shall be permitted on any property adjoining property used or zoned residential

§ 213-357. Planning Board review.

- A. Any use of barbed wire in districts permitted by this article is subject to review by the Planning Board, which may approve, approve with modifications or disapprove the use of barbed wire as it deems necessary to preserve the health, safety or welfare of the community.
- B. The Planning Board may waive the limitation(s) on the use of barbed wire that are set forth in Town Code Section 213-356, in its discretion, upon finding that the waiver is necessary to protect personal property, while not causing any harm to the health, safety and welfare of the surrounding community.

[SECTIONS OMITTED]

Section 3. Severability.

If any clause, sentence, paragraph, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which judgment should have been rendered.

Section 4. Effective date.

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 353 APRIL 13, 2022
ADOPTING LOCAL LAW NO. 8 AUTHORIZING THE TOWN OF BABYLON PERSONNEL OFFICER TO CHARGE FEES FOR CIVIL SERVICE EXAMINATIONS

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, located at 200 E Sunrise Hwy. N. Lindenhurst, NY 11757, on the 13th day of April, 2022 at 3:30 p.m., prevailing time, upon the question of enactment of Local Law No. 8 of 2022 of the Town of Babylon, Suffolk County, New York, being a Local Law authorizing the Town of Babylon Personnel Officer to charge fees for civil service examinations; and

WHEREAS, Civil Service Law § 50, subdivision 5(b), authorizes the Town of Babylon Personnel Officer, subject to the approval of the Town Board of the Town of Babylon, to establish application fees for civil service examinations

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town of Babylon Personnel Officer, that fees for civil service examinations are hereby approved as follows:

LOCAL LAW NO. 8 of 2022

**AUTHORIZING THE TOWN OF BABYLON PERSONNEL OFFICER
TO CHARGE FEES FOR CIVIL SERVICE EXAMINATIONS**

§1. Fee Established.

All applications for all open competitive and promotional civil service examinations shall be accompanied by a non-refundable application fee in the amount of \$40.00.

§2. Allocation and use of fees.

All fees collected pursuant to this local law shall be allocated to the general fund of the Town of Babylon and shall be utilized to offset administrative costs to the Department of Civil Service.

§3. Waiver of fees.

Application fees may be waived for those entitled to a waiver pursuant to the provisions of Civil Service Law § 50, subdivision 5(b).

§4. Rules and regulations.

The Town of Babylon Personnel Officer is hereby authorized and empowered to issue and promulgate such rules and regulations as may be necessary to implement the provisions of this local law.

§5. Effective date.

This local law shall take effect immediately upon filing in the office of the Secretary of State.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 354 APRIL 13, 2022
ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF
BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, located at 200 E. Sunrise Hwy. N Lindenhurst, NY 11757, on the 13th day of April, 2022 at 3:30 p.m. prevailing time, upon the question amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances.

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, that the amendments to the Uniform Code of Traffic Ordinances, as set forth herein as Exhibit “A”, be and the same are hereby adopted effective immediately; and be it further

RESOLVED AND ORDAINED, that the Director of Traffic Safety be authorized and directed to install, erect, remove or replace such signs or other traffic safety devices as may be required by these amendments or by the New York State Vehicle and Traffic Law.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT “A”

Chapter 2, Article IV, Section 2-8

[Traffic Regulations; Stop and Yield Intersections Designated]

ADD to Schedule H:

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Lenox Road at Manhattan Avenue	WB	Stop	North on Lenox Road
Dutchess Street at Governor Avenue	WB	Stop	West on Dutchess Street
Cortland Street at Governor Avenue	WB	Stop	West on Cortland Street
St. Ann’s Avenue at Cedar Court	CO	Stop	North/South on St. Ann’s Avenue
Governor Avenue at Zack Street	WB	Stop	North/South on Governor Avenue
Zack Street at Governor Avenue	WB	Stop	West on Zack Street
Broome Street at Governor Avenue	DP	Stop	West on Broome Street
Verona Parkway at Elm Street	WB	Stop	North/South on Verona Parkway
North 27 th Street at Washington Avenue	WY	Stop	North/South on North 27 th Street

RESOLUTION NO. 355 APRIL 13, 2022
ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF
BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, located at 200 E. Sunrise Hwy. N Lindenhurst, NY 11757, on the 13th day of April, 2022 at 3:30 p.m. prevailing time, upon the question amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances.

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, that the amendments to the Uniform Code of Traffic Ordinances, as set forth herein as Exhibit “A”, be and the same are hereby adopted effective immediately; and be it further

RESOLVED AND ORDAINED, that the Director of Traffic Safety be authorized and directed to install, erect, remove or replace such signs or other traffic safety devices as may be required by these amendments or by the New York State Vehicle and Traffic Law.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT “A”

Chapter 2, Article IV, Section 2-8

[Traffic Regulations; Stop and Yield Intersections Designated]

DELETE from Schedule H:

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Laramie Road at Columbus Avenue	NB	Stop	North/South on Laramie Road

ADD to Schedule H:

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Columbus Avenue at Laramie Road	NB	Stop	East/West on Columbus Avenue
Laramie Road at Manhattan Avenue	NB	Stop	North/South on Laramie Road
Laramie Road Peconic Avenue	NB	Stop	North/South on Laramie Road

RESOLUTION NO. 356 APRIL 13, 2022
SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 14
GARFIELD PLACE LINDENHURST, NY 11757, SCTM#0100-227.00-01.00-055.000 A PUBLIC
NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE
TOWN ATTORNEY TO COMMENCE LITIGATION

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that a Public Hearing be held on the 27th day of April, 2022 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 E Sunrise Hwy, N. Lindenhurst, NY 11757, to consider the whether the premises located at 14 Garfield Place Lindenhurst, NY 11757, SCTM#0100-227.00-01.00-055.000 is a public nuisance pursuant to the Town Code of the Town of Babylon Article III, Chapter 165, Public Nuisances; 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.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 357 APRIL 13, 2022
SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 501 14TH STREET WEST BABYLON, NEW YORK 11704, SCTM#0100-130.00-04.00-013.000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

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 a Public Hearing be held on the 27th day of April, 2022 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 E Sunrise Hwy, N. Lindenhurst, NY 11757, to consider the whether the premises located at 501 14th Street West Babylon, New York 11704, SCTM#0100-130.00-04.00-013.000 is a public nuisance pursuant to the Town Code of the Town of Babylon Article III, Chapter 165, Public Nuisances; 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.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 358 APRIL 13, 2022
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 27 OLD FARMINGDALE RD., W. BABYLON, NY 11704
SCTM NO. 0100-157.00-02.00-129.000

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

WHEREAS, a certain structure(s) located at **27 Old Farmingdale Road, West Babylon, New York**, bearing **SCTM# 0100-157.00-02.00-129.000** has no running water as per a communication with the Suffolk County Water Authority, the windows and doors are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, said property is improperly secured and constitutes an attractive nuisance to children as well as other residents of the community; and

WHEREAS, it appears that, unless said structure is immediately secured and boarded a clear and imminent danger to the life, safety and health of the surrounding residents and the general public will exist; and

WHEREAS, §92-10 of the Town Code provides for the emergency correction of said unsafe structure and the assessment of the costs of said correction against the property.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at **27 Old Farmingdale Road, West Babylon, New York**, bearing **SCTM# 0100-157.00-02.00-129.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated March 30, 2022 on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 359 APRIL 13, 2022
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 139 OLD FARMINGDALE RD., W. BABYLON, NY 11704
SCTM NO. 0100-157.00-03.00-155.000

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

WHEREAS, a certain structure(s) located at **139 Old Farmingdale Rd., West Babylon, New York 11704**, bearing **SCTM# 0100-157.00-03.00-155.000** has no running water as per a communication with the Suffolk County Water Authority the doors and windows are wide open and accessible, the dwelling is in deplorable condition, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, said property is improperly secured and constitutes an attractive nuisance to children as well as other residents of the community; and

WHEREAS, it appears that, unless said structure is immediately secured and boarded a clear and imminent danger to the life, safety and health of the surrounding residents and the general public will exist; and

WHEREAS, §92-10 of the Town Code provides for the emergency correction of said unsafe structure and the assessment of the costs of said correction against the property.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing and board up of the premises located at **139 Old Farmingdale Rd., West Babylon, NY bearing SCTM # 0100-157.00-0.00-155.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated **March 15, 2022** located in the Code Enforcement Department; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 360 APRIL 13, 2022
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 31 CAPTREE ISLAND, CAPTREE, NEW YORK 11702
SCTM NO. 0100-239.00-01.00-032.0000

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

WHEREAS, a certain structure(s) located at **31 Captree Island, Captree, New York 11702**, bearing **SCTM# 0100-239.00-01.00-032.000** has no running water, the doors and windows are wide open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, said property is improperly secured and constitutes an attractive nuisance to children as well as other residents of the community; and

WHEREAS, it appears that, unless said structure is immediately secured and boarded a clear and imminent danger to the life, safety and health of the surrounding residents and the general public will exist; and

WHEREAS, §92-10 of the Town Code provides for the emergency correction of said unsafe structure and the assessment of the costs of said correction against the property.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing and board up of the premises located at **31 Captree Island, Captree, NY bearing SCTM # 0100-239.00-01.00-032.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated April 4, 2022 located in the Code Enforcement Department; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.