

**TOWN BOARD MEETING
APRIL 14, 2021**

AGENDA

236. ACCEPTING TOWN BOARD MINUTES
237. AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH ROLAND'S ELECTRIC, LTD FOR BID NO. 19G31FA, INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, FIRE ALARM CONSTRUCTION
238. PROVIDING WATER SYSTEM IMPROVEMENTS FOR THE OAK BEACH COMMUNITY WATER SYSTEM PURSUANT TO TOWN LAW ARTICLE 12-C
239. AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH NORBERTO CONSTRUCTION, INC. FOR BID NO. 21G05 REPLASTERING OF SAWYER AVENUE MAIN POOL & WADING POOL
240. AWARDED BID NO. 21G16 ROOF REPLACEMENT AT IRWIN QUINTYNE BUILDING, 1 COMMERCE BOULEVARD, AMITYVILLE
241. AWARDED BID NO. 21G27 PURCHASE OF ONE (1) NEW/UNUSED 2020 ELGIN STREET SWEEPER WITH ONE (1) NEW/UNUSED FREIGHTLINER M2 CHASSIS OR EQUAL
242. AWARDED BID NO. 21G28 ONE MILLION SEED CLAMS AND OYSTERS
243. AWARDED BID NO. 21G32 FOUNTAINS, AERATORS, ETC., AQUA CONTROL INC., KASCO MARINE INC. CATALOGS OR EQUAL AND LABOR
244. AUTHORIZING A CONTRACT WITH DELL TECHNOLOGIES
245. AMENDING THE CONTRACT WITH TENELEVEN
246. AUTHORIZING AN AMENDMENT TO THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM'S FISCAL YEARS 2016, 2017, 2018, 2019 AND 2020, COMMUNITY DEVELOPMENT USE OF FUNDS STATEMENTS AND THE 2015-2019, 2020-2024 FIVE YEAR CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLANS AND SUBSEQUENT ANNUAL UPDATES TO COMPLETE A RECONCILIATION BETWEEN THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM ACCOUNTS AND THE HUD IDIS SYSTEM
247. AUTHORIZING THE ASSESSOR TO ESTABLISH PROTOCOLS AND PROCESSES ALLOWING FOR THE ELECTRONIC FILING OF COMPLAINTS FOR ADMINISTRATIVE REVIEW OF ASSESSMENTS
248. AUTHORIZING THE SUPERVISOR TO SIGN ADDENDUM TO AN AGREEMENT BETWEEN THE TOWN OF BABYLON AND EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC.

249. AUTHORIZING THE SUPERVISOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC. AND NORTH SHORE UNIVERSITY AMBULANCE SERVICE
250. AUTHORIZING THE SUPERVISOR TO SIGN A LOCAL PROJECT PARTNERSHIP AGREEMENT BETWEEN THE STATE OF NEW YORK AND THE TOWN OF BABYLON FOR THE FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK COASTAL STORM RISK MANAGEMENT PROJECT
251. WAIVING ALL DEPARTMENT OF PLANNING AND DEVELOPMENT EXTENSION FEES FOR THE CONSTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES DURING THE COVID-19 PANDEMIC
252. AUTHORIZING RELEASE OF BOND
253. AUTHORIZING REFUND OF PAYMENTS
254. AUTHORIZING EMPLOYEE REIMBURSEMENT
255. CONFIRMING MEMBERSHIP TO THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC.
256. CONFIRMING MEMBERSHIP TO THE NORTH BABYLON VOLUNTEER FIRE COMPANY, INC.
257. CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST FIRE DEPARTMENT, INC.
258. NAMING OF DEER PARK PLAYGROUND AT 35 TIBER AVENUE, DEER PARK, NY 11729 "TIBER AVENUE PARK"
259. AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME
260. ADOPTING AMENDMENTS CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
261. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
262. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 89 OF THE BABYLON TOWN CODE
263. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 23 CUMBERBACH ST., WYANDANCH, NY 11798 SCTM NO. 0100-080.00-03.00-159.000

264. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE (IN-GROUND POOL), LOCATED AT 2 MANCHESTER BLVD., WHEATLEY HEIGHTS, NY 11798 SCTM NO. 0100-015.00-04.00-021.000
265. APPROVING THE 2020 SERVICE AWARD LIST FOR THE NORTH AMITYVILLE, NORTH LINDENHURST, NORTH BABYLON, WYANDANCH AND EAST FARMINGDALE FIRE DEPARTMENTS
266. APPROVING THE 2020 SERVICE AWARD LIST FOR THE WYANDANCH WHEATLEY HEIGHTS AMBULANCE DISTRICT

**RESOLUTION NO. 236 APRIL 14, 2021
ACCEPTING TOWN BOARD MINUTES**

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 minutes of the
following Town Board Meeting be and the same are hereby accepted:

March 31, 2021

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 237 APRIL 14, 2021
 AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH
 ROLAND’S ELECTRIC, LTD FOR BID NO. 19G31FA, INSTALLATION OF NEW HVAC
 SYSTEM AT TOWN HALL, FIRE ALARM CONSTRUCTION**

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

WHEREAS, Bid No. 19G31FA, Installation of New HVAC System at Town Hall, Fire Alarm Construction was awarded to Roland’s Electric, Ltd. pursuant to Resolution No. 49 of January 2, 2020 for a total contract amount of SEVENTY-SIX THOUSAND (\$76,000.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 605 of September 23, 2020 which resulted in no change to the contract amount and

WHEREAS, the Change Order Committee convened on April 13, 2021 with the Chief of Staff, Town Attorney, Comptroller and Commissioner of General in attendance to review Change Order No.21, and

WHEREAS, the Change Order Committee and Cashin Associates recommend the approval of Change Order No.2 as follows:

Furnish & Install all equipment, materials and labor to wire the FM200 system	\$5,516.04
Credit for to contingency	(\$5,516.04)
Total Change Order No. 2	\$0

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of and the Change Order Review Committee and Cashin Associates, P.C., the Supervisor be and he is hereby authorized to execute Change Order No. 2 in contract with Roland’s Electric, Ltd, which results in no change in the total contract amount of SEVENTY SIX THOUSAND (\$76,000.00) DOLLARS.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 238 APRIL 14, 2021
PROVIDING WATER SYSTEM IMPROVEMENTS FOR THE OAK BEACH
COMMUNITY WATER SYSTEM PURSUANT TO TOWN LAW ARTICLE 12-C

The following resolution was **TABLED** by Supervisor Schaffer

and seconded by Councilman Martinez

WHEREAS, the Suffolk County Health Department has determined that the current wells, (Mccaren, Mccroeden, Dougherty, and the Community Center Wells) which currently serve 56 dwellings located in the Oak Beach community are public water systems that must be abandoned and replaced; and

WHEREAS, the Town Board of the Town of Babylon, New York (the “Town”), has caused to be prepared a general plan, report and map for providing water improvements in the Oak Beach Community of the Town as described below; and

WHEREAS, on March 24, 2021, said plan, report and map were duly filed in the office of the Town Clerk of the Town of Babylon; and

WHEREAS, after said plan, report and map were filed in the office of the Town Clerk, the Town Board did, by Resolution No. 192 dated March 24, 2021, duly adopted a resolution calling a public hearing and reciting the proposed improvements, a description of the boundaries of the proposed benefitted area, the maximum amount proposed to be expended for the improvements, the fact that a plan, map and report describing the same are on file in the Town Clerk’s Office for public inspection and specifying that the Town Board shall meet at the 14th day of April, 2021 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the “Open Meetings Law”, authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the “How Do I...” link, and then “Participate in a Public Hearing” to order to participate), to consider the aforesaid plan, report and map and the question of providing of the Improvement and to hear all persons interested in the subject thereof and concerning the same and to take such action thereon as is required by law; and

WHEREAS, copies of said notice of hearing were duly published and posted according to law, and the Town Board did, at the time and place specified in said resolution, duly meet and consider such proposal and heard all person interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Babylon, New York that it be and hereby is determined as follows:

1. The notice of hearing was published and posted as required by law and is otherwise sufficient.
2. That all of the property within the proposed benefited area is benefited by the proposed improvements.
3. That all of the property benefited is included within the proposed benefited area.
4. That the proposed method of apportioning the costs of the improvements should not be changed.
5. It is in the public interest to provide the water improvements as hereinafter described, and be it.

FURTHER RESOLVED, that the Town Board does hereby approve and authorize the construction of a new distribution system, thereby replacing each of the above-mentioned existing wells, in order to, create a new centralized treatment and water storage building approximately +/- 2000 square feet from where treated water would be conveyed via a new distribution system comprised of approximately 6500 linear feet of 4 inch blue water main terminating at a water meter for each home in the assessment area; and

FURTHER RESOLVED, the boundaries of the proposed benefitted area are identified on the map on file with the Town Clerk's Office; and

FURTHER RESOLVED, the maximum amount proposed to be expended for such improvements is \$8,800,000; and

FURTHER RESOLVED, proposed method of financing to be employed by said Town consists of expenditure of current revenues of the Town and the issuance of general obligation bonds of the Town and the apportionment of costs of said improvements partly through a levy of taxes upon all of the property in the benefited area and partly through a levy of taxes upon the area of the Town outside of villages in each case without limit of rate or amount and/or pursuant to an agreement between the Town and the Environmental Facilities Corporation; and

FURTHER RESOLVED, this resolution is adopted subject to permissive referendum in the manner provided in Town Law Article 7.

The resolution was thereupon declared duly **TABLED** to April 28, 2021 Meeting.

**RESOLUTION NO. 239 APRIL 14, 2021
AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT
WITH NORBERTO CONSTRUCTION, INC. FOR
BID NO. 21G05 REPLASTERING OF SAWYER AVENUE
MAIN POOL & WADING POOL**

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

WHEREAS, Bid No. 21G05, Replastering of Sawyer Avenue Main Pool & Wading Pool was awarded to Norberto Construction, Inc. pursuant to Resolution No. 85 of February 3, 2021 for a total contract amount of FIVE HUNDRED THIRTY-THREE THOUSAND, (\$533,000.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 198 of March 31, 2021 which resulted in no change to the contract amount, and

WHEREAS, the Change Order Committee convened on April 9 2021 with the Chief of Staff, Town Attorney, Comptroller, and Commissioner of General Services, in attendance to review Change Order No.2 and

WHEREAS, the Change Order Review Committee and Luigi Pascarella, PE, PLLC, recommend the approval of Change Order No.2 as follows

Change Order No. 2 – Reconstruction of Dive Well	\$71,757.38
Credit to Contingency	(\$37,837.23)
Total Change Order No. 2	\$33,920.15

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Change Order Committee and Luigi Pascarella, P.C., the Supervisor be and he is hereby authorized to execute Change Order No. 2 in the amount of THIRTY THREE THOUSAND, NINE HUNDRED TWENTY DOLLARS AND 15/100 (\$33,920.15) increasing the total contract amount FIVE HUNDRED SIXTY SIX THOUSAND, NINE HUNDRED TWENTY DOLLARS AND 15/100 (\$566,920.15).

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 240 APRIL 14, 2021
AWARDING BID NO. 21G16
ROOF REPLACEMENT AT IRWIN QUINTYNE BUILDING,
1 COMMERCE BOULEVARD, AMITYVILLE

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

WHEREAS, the following bids for Bid No. 21G16, Roof Replacement at Irwin Quintyne Building at 1 Commerce Blvd., Amityville were received, opened and publicly read:

<u>BIDDER</u>	<u>TOTAL BID</u>
Long Island Roofing and Repairs Service Corp.	\$248,204.00
DME Construction Associates Inc.	\$265,118.00
Ralph W. Plotke, Inc., D/B/A Roof Services	\$286,000.00
Preferred Exterior Industries, Inc.	\$295,000.00
A1 Construction Service Inc.	\$308,000.00
	\$529,000.00
More Consulting Corp.	\$319,700.00
Cascella & Sons Construction Corp.	\$357,000.00
Statewide Roofing, Inc.	\$369,369.00, and

WHEREAS, the Commissioner of General Services recommends that the bids submitted by Preferred Exterior Industries, Inc. A1 Construction Service, Inc. and Cascella & Sons Construction Corp, be rejected as they do not participate in an approved apprenticeship program as required,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, the bids submitted by Preferred Exterior Industries, Inc. A1 Construction Service, Inc. and Cascella & Sons Construction Corp. be and are hereby rejected for failure to participate in an approved apprenticeship program as required, and be it further

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Deputy Commissioner of Department of Public Works and BBS Architects and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 21G16 be and is hereby awarded to the low bidder, Long Island Roofing and Repairs Service Corp. and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract to Long Island Roofing and Repairs Service Corp. for a total contract amount TWO HUNDRED FORTY EIGHT THOUSAND, TWO HUNDRED FOUR (\$248,204.00) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 241 APRIL 14, 2021
AWARDING BID NO. 21G27
PURCHASE OF ONE (1) NEW/UNUSED 2020 ELGIN STREET
SWEEPER WITH ONE (1) NEW/UNUSED FREIGHTLINER M2 CHASSIS OR EQUAL

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

WHEREAS, the following bids for Bid No. 21G27 Purchase of One (1) New Unused 2020 Elgin Street Sweeper with One (1) New/Unused Freightliner M2 Chassis or Equal were received, opened and publicly read:

Item No. 1. New Unused 2020 Street Sweeper Elgin or Equal with a 2020 Freightliner M2 Chassis or Equal

<u>BIDDER</u>	<u>UNIT PRICE</u>
Empire Equipment Sales of L.I., Inc.	
d/b/a Long Island Sanitation Equipment Co.	\$261,119.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of Department of Public Works and the Director of Fleet Maintenance upon their finding the aforementioned bids to be fair and reasonable, Bid No. 21G27 be and is hereby awarded to the sole bidder, Empire Equipment Sales of L.I., Inc., d/b/a Long Island Sanitation Equipment Co., and be it further

RESOLVED, that the Supervisor be and he is hereby authorize a one (1) year contract with, Empire Equipment Sales of L.I., Inc., d/b/a Long Island Sanitation Equipment Co. and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 242 APRIL 14, 2021
AWARDING BID NO. 21G28
ONE MILLION SEED CLAMS AND OYSTERS**

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

WHEREAS, the following bids for Bid No. 21G28, One Million Seed Clams and Oysters
were received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

WHEREAS, Town of Islip and Cascella and Sons Construction Corporation offered the
same price for Item No. 1C and a coin toss was performed to determine the low bidder, and

WHEREAS, Cascella and Sons Construction Corporation won the coin toss for Item No.
1C;

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General
Services and the Commissioner of Environmental Services and upon their finding the
aforementioned bids fair and reasonable, Bid No. 21G28 be and is hereby awarded to the low bidder
per item, Town of Islip for Items Nos. 1A, 2A, 2B, 2C, 2D, 2E, 2F and Cascella and Sons
Construction Corporation for Item Nos. 1B, 1C, 1D, 1E, 1F; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with
Town of Islip and Cascella and Sons Construction Corporation and that the form and content of said
contract shall be subject to the approval of the Town Attorney.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 243 APRIL 14, 2021
AWARDING BID NO. 21G32 FOUNTAINS, AERATORS, ETC., AQUA CONTROL INC.,
KASCO MARINE INC. CATALOGS OR EQUAL AND LABOR

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

WHEREAS, the following bids for Bid No. 21G32, Fountains, Aerators, etc., Aqua Control Inc., Kasco Marine Inc. Catalogs or Equal and Labor were received, opened and publicly read:

<u>Item</u>	<u>Vendor</u>	<u>Pricing</u>
1. Percent off catalog Price		
	L & M Spec. dba Long Island Fountain Supply Co.	-15%
	TCS Marine Services Company	-8%
2. Labor – Hourly Rate - onsite		
	L & M Spec. dba Long Island Fountain Supply Co.	\$145.00
	TCS Marine Services Company	no bid
3. Labor – Hourly Rate - offsite		
	L & M Spec. dba Long Island Fountain Supply Co.	\$120.00
	TCS Marine Services Company	no bid

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 21G32 be and is hereby awarded to the low bidder, L & M Specialty Co., Inc. d/b/a Long Island Fountain Supply Co. and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with Long Island Fountain Supply Co. 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. 244 APRIL 14, 2021
AUTHORIZING A CONTRACT WITH
DELL TECHNOLOGIES**

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

WHEREAS, a proposal for Email Software Protection was solicited from Dell Technologies
and

WHEREAS, the Professional Consultant Evaluation Committee convened on April 9, 2021
with the Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, and
the Commissioner of the Department 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 contract Dell Technologies. at an annual cost not to exceed TWENTY-FIVE THOUSAND,
NINE HUNDRED THIRTY-FIVE (\$25,935.00) DOLLARS, commencing April 1, 2021 through
May 1, 2022

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
Dell Technologies for an annual contract amount not to exceed TWENTY FIVE THOUSAND,
NINE HUNDRED THIRTY FIVE (\$25,935.00) DOLLARS, commencing April 1, 2021 through
May 1, 2022, 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) year periods
at the discretion of the Director of IT.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 245 APRIL 14, 2021
AMENDING THE CONTRACT WITH TENELEVEN**

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

WHEREAS, a proposal for Electronic Record Keeping System for the Division of Drug & Alcohol was awarded to TenEleven pursuant to Resolution No. 328 of April 24, 2019, and

WHEREAS, the contract needs to be amended to include E-prescribing Gold and annual support, and

WHEREAS, the Professional Consultant Evaluation Committee convened on April 9 2021 with the Chief of Staff, the Town Attorney, the Comptroller the Commissioner of General Services, Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends amending the award of a contract to TENELEVEN to include the following fees:

Additional Prescriber E-Prescribing Gold	
One Time Set Up Fee	\$,1,375.00
Annual Support	\$1,100.00

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 amendment with TenEleven at the aforementioned fees 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. 246 APRIL 14, 2021
AUTHORIZING AN AMENDMENT TO THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM'S FISCAL YEARS 2016, 2017, 2018, 2019 AND 2020, COMMUNITY DEVELOPMENT USE OF FUNDS STATEMENTS AND THE 2015-2019, 2020-2024 FIVE YEAR CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLANS AND SUBSEQUENT ANNUAL UPDATES TO COMPLETE A RECONCILIATION BETWEEN THE TOWN OF BABYLON COMMUNITY DEVELOPMENT PROGRAM ACCOUNTS AND THE HUD IDIS SYSTEM

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

WHEREAS, the Town of Babylon Community Development Program proposes to amend its Fiscal Years 2016, 2017, 2018, 2019 and 2020 Community Development Use of Funds Statements, and the 2015-2019, 2020-2024 Five Year Consolidated Housing and Community Development Plans and subsequent annual updates to complete a reconciliation between the Town of Babylon Community Development Program accounts and the Department of Housing and Urban Development IDIS System,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon Community Development Program does hereby amend its Fiscal Years 2016, 2017, 2018, 2019 and 2020 Annual Plans, Community Development Use of Funds Statements and the 2015-2019, 2020-2024 Five Year Consolidated Housing and Community Development Plans and subsequent annual updates to complete this reconciliation between the Town of Babylon Community Development Program accounts and the Department of HUD IDIS System, as described in Attachment A, upon passage of this resolution; and be it further

RESOLVED, that this amendment is not subject to U.S. Department of Housing and Urban Development Community Development Program citizen participation procedures in accordance with 24 CFR 91.105; and be it further

RESOLVED, that the Comptroller make these changes to the affected budgets as described in Attachment "A", upon passage of this resolution.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

Attachment “A”

		<u>Balance</u>	<u>Change</u>	<u>New Balance</u>
118153	Village of Lindenhurst	\$125,259.75	\$214,250.90	\$339,510.65
119153	Village of Lindenhurst	\$104,939.90	(\$104,939.90)	\$0.00
120153	Village of Lindenhurst	\$109,311.00	(\$109,311.00)	\$0.00
118050	Village of Amityville	\$101,592.33	(\$101,592.33)	\$0.00
119105	Village of Amityville	\$40,506.80	\$101,592.33	\$142,099.13
118105	Village of Babylon	\$102,674.78	(\$102,674.78)	\$0.00
119105	Village of Babylon	\$44,179.70	(\$44,179.70)	\$0.00
120105	Village of Babylon	\$46,019.93	\$146,854.48	\$192,874.41
218801	Down Payment Assistance	\$116,816.69	(\$116,816.69)	\$0.00
219801	Down Payment Assistance	\$100,000.00	(\$100,000.00)	\$0.00
220801	Down Payment Assistance	\$100,000.00	\$216,816.69	\$316,816.69
100000	Uncommitted	\$3,406.06	(\$3,406.06)	\$0.00
116002	Home Improvement Program	\$10,136.89	(\$10,136.89)	\$0.00
117002	Home Improvement Program	\$77,402.27	(\$77,402.27)	\$0.00
118002	Home Improvement Program / PI	\$15,156.84	(\$15,156.84)	\$0.00
119002	Home Improvement Program / PI	\$239,608.18	\$106,102.06	\$345,710.24

RESOLUTION NO. 247 APRIL 14, 2021
AUTHORIZING THE ASSESSOR TO ESTABLISH PROTOCOLS AND PROCESSES
ALLOWING FOR THE ELECTRONIC FILING OF COMPLAINTS FOR
ADMINISTRATIVE REVIEW OF ASSESSMENT

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

WHEREAS, the Office of Real Property Tax Services within the New York State Department of Taxation and Finance has issued standards for electronic real property tax administration pursuant to the provisions of RPTL §104; and

WHEREAS, the Assessor has advised this Board that a system of electronic filing of complaints for the administrative review of assessments vastly improves the efficiency of the process of filing grievance complaints saving the town vital work force resources at no extra cost to the town; and

NOW THEREFORE, BE IT RESOLVED, that the Assessor is immediately authorized to create and implement a system of electronic filing of complaints for the administrative review of assessments in accordance with the standards for electronic real property tax administration

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 248 APRIL 14, 2021
AUTHORIZING THE SUPERVISOR TO SIGN ADDENDUM TO AGREEMENT
BETWEEN THE TOWN OF BABYLON AND EAST FARMINGDALE VOLUNTEER
FIRE COMPANY, INC.

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

WHEREAS, The Town and the East Farmingdale Volunteer Fire Company, Inc. wish to enter into a memorandum of agreement with the North Shore University Ambulance Service for the purpose of advancing of EMS services within the geographical coverage area that includes the East Farmingdale Fire Protection District in an effort to create a community benefit by providing patients with improved pre-hospital care and efficiencies through collaboration between Northwell, the Town, and East Farmingdale Fire Company; and

WHEREAS, the Town, East Farmingdale Fire Company, Inc. and North Shore University Ambulance Service, desire to provide for the delivery of advanced EMS services to the residents and persons located within the East Farmingdale Fire Protection District; and be it

RESOLVED, the Town Supervisor is hereby authorized by the Town Board to sign Addendum One of the aforementioned Agreement; and be it further

RESOLVED, that said Addendum to the Agreement 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. 249 APRIL 14, 2021
AUTHORIZING THE SUPERVISOR TO SIGN A MEMORANDUM OF
UNDERSTANDING BETWEEN THE EAST FARMINGDALE VOLUNTEER FIRE
COMPANY, INC. AND NORTH SHORE UNIVERSITY AMBULANCE SERVICE

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

WHEREAS, the Town of Babylon, East Farmingdale Volunteer Fire Company, Inc. and the North Shore University Ambulance Service are partnering to provide the framework for any future arrangements regarding the Advancing of EMS Services within the geographic coverage area that includes the East Farmingdale Fire Protection District in an effort to create a community benefit by providing patients within the geographical area covered by the Memorandum with improved pre-hospital care and efficiencies; and

RESOLVED, that said Memorandum of Understanding 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. 250 APRIL 14, 2021
AUTHORIZING THE SUPERVISOR TO SIGN A LOCAL PROJECT PARTNERSHIP
AGREEMENT BETWEEN THE STATE OF NEW YORK AND THE TOWN OF
BABYLON FOR THE FIRE ISLAND INLET TO MONTAUK POINT, NEW YORK
COASTAL STORM RISK MANAGEMENT PROJECT

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

WHEREAS, the Town of Babylon and the State of New York desire to enter into an
agreement for the construction of the Fire Island Inlet to Montauk Point, New York Coastal Storm
Risk Management Project; and be it

RESOLVED, that said Agreement 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. 251 APRIL 14, 2021
WAIVING ALL DEPARTMENT OF PLANNING AND DEVELOPMENT EXTENSION
FEES FOR THE CONSTRUCTION OF RESIDENTIAL AND
COMMERCIAL PROPERTIES DURING THE COVID-19 PANDEMIC

The following resolution was offered by Councilman Gregory
seconded by Councilman Martinez

WHEREAS, on or about December 31, 2019, the first reported case of severe phenomena was reported in China, and by January 7, 2020, the virus was identified as a new coronavirus, COVID-19; and

WHEREAS, on March 7, 2020 the State of New York declared a State of Emergency to allow New York's government to respond faster by lifting regulations, as the number of coronavirus cases in New York rose; and

WHEREAS, on March 12, 2020 the County of Suffolk declared a State of Emergency, which lifted some restrictions and provided powers including bypassing purchasing regulations, thus allowing the county to act more quickly; and

WHEREAS, Richard Schaffer, Supervisor of the Town of Babylon, State of New York, by virtue of the authority vested in him by the Constitution and the Laws of the State of New York, thereby found, pursuant to Section 24 of Article 2-B of the Executive Law, that a disaster occurred throughout the Town of Babylon and therefore declared a Local State of Emergency for the entire Town of Babylon on March 13, 2020, and continuing thereafter; and

WHEREAS, multiple homeowners and business owners have been negatively impacted economically throughout the Town of Babylon as a result of the COVID-19 Pandemic; and

WHEREAS, the Commissioner of Planning and Development has recommended to the Town Board that all Department of Planning and Development extension fees, including but not limited to, building permit extensions, plumbing permit extensions, etc. for the construction of residential and commercial properties during the COVID-19 Pandemic be waived for a period of one year and six months beginning March 13, 2020.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development that all Department of Planning and Development extension fees, including but not limited to, building permit extensions, plumbing permit extensions, etc. for the construction of residential and commercial properties during the COVID-19 Pandemic shall be waived for a period of one year and six months beginning March 13, 2020, at the discretion of the Commissioner of Planning and Development.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 252 APRIL 14, 2021
AUTHORIZING RELEASE OF BOND**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation
of the Commissioner of Planning and Development, that the following incomplete site work bond
be released from Town Trust:

PAYEE	PROPERTY LOCATION	APPLICATION/PERMIT #	AMOUNT DUE
Henry Kauffman 130 E. 59 th St. New York, NY 10022	75 Colonial Springs Rd. Wheatley Heights, NY 11798	Building Permit #'s: 2020-0601	\$200.00

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 253 APRIL 14, 2021
AUTHORIZING REFUND OF PAYMENTS**

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

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

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON	Recommended by
Matthew Turnbull 15 Ernest Place Babylon, NY 11702	Account #004484 MTD Corp 41 Otis Street West Babylon, NY 11704	Commercial Waste District	\$35.06	Overpayment	Commissioner of Environmental Control
North & East Management LLC 2005 Deer Park Avenue Suite 3 Deer Park, NY 11729	Account #011158 PSJ Molds Inc. 62 North Industry Court Deer Park, NY 11729	Commercial Waste District	\$18.59	Overpayment	Commissioner of Environmental Control
National Field Representatives 136 Maple Avenue Claremont, NH 03743	Account #018495 Mortgage Equity Conversion Asset Trust 2011 48 Newkirt Avenue West Babylon, NY 11704	Commercial Waste District	\$1,5000.00	Overpayment	Commissioner of Environmental Control
Joseph Catlan 332 Byrd St., Lindenhurst, NY 11757	n/a	Green Homes Benefit Assessment	\$105.30	Overpayment	Long Island Green Homes
Elizabeth Lopez 40 South 22nd St., Wyandanch, NY 11798	n/a	Green Homes Benefit Assessment	\$109.03	Overpayment	Long Island Green Homes

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 254 APRIL 14, 2021
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Comptroller is
hereby authorized to issue reimbursement to the following employee(s):

EMPLOYEE	AMOUNT
Richard Groh	\$11.52 program supplies

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 255 APRIL 14, 2021
CONFIRMING MEMBERSHIP TO THE
EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC.**

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

BE IT RESOLVED, that pursuant to Chapter 110 of the Membership Corporation Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the East Farmingdale Volunteer Fire Company, Inc., 930 Conklin Street, East Farmingdale, New York:

Frank Meza	726 11 th Street West Babylon, NY 11704
Jose L. Rodriguez	700 Fulton Street, Apartment A3 Farmingdale, NY 11735
William R. Martino II	16 Oak Street East Farmingdale, NY 11735
Michael Fisher	131 17 th Street West Babylon, NY 11704

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 256 APRIL 14, 2021
CONFIRMING MEMBERSHIP TO THE
NORTH BABYLON VOLUNTEER FIRE COMPANY, INC.**

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

BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Babylon Volunteer Fire Company, Inc., 20 Hale Road, North Babylon, New York:

David Lees	212 Erlanger Boulevard, North Babylon, NY 11703
Louis Defazio	110 Terrace Avenue, North Babylon, NY 11703
Joseph Schwingl	94 Neptune Avenue, North Babylon NY 11703
Lindsay Varlotta	222 Lexington Avenue, North Babylon NY 11703
Melissa Contreras	479 Goodrich Avenue, North Babylon, NY 11703
Peter Curto	1229 August Road, North Babylon, NY 11703
Salvatore Curto	1229 August Road, North Babylon, NY 11703

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 257 APRIL 14, 2021
CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST
FIRE DEPARTMENT, INC.**

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

BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Lindenhurst Fire Department, Inc., 1630 Straight Path, North Lindenhurst, New York:

Anthony Zaccaro	38 Seaview Street Massapequa, NY 11758
Kevin J. Fowler	202 South 13 th Street Lindenhurst, NY 11757

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 258 APRIL 14, 2020
NAMING OF DEER PARK PLAYGROUND AT 35 TIBER AVENUE, DEER PARK, NY
11729 “TIBER AVENUE PARK”

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

WHEREAS, the Town of Babylon is building a playground on the triangle located at 35 Tiber Avenue, Deer Park, NY 11729; and

WHEREAS, the Director of the Beautification Program of the Town of Babylon recommended that the park be named “Tiber Avenue Park,” as requested by Deer Park residents;
and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the naming of the
of the playground located at 35 Tiber Avenue, Deer Park, NY 11729 as “Tiber Avenue Park” and
be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs
stating “Tiber Avenue Park”.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 259 APRIL 14, 2021
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME

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

WHEREAS, Anthony J. Tatti, a life-long North Babylon resident, has proven himself to be a committed and dedicated member for the North Babylon community. His efforts to create and maintain youth programs for students in Grades K-12 spans over 45 years. As Executive Director of North Babylon Community Youth Services, a non-profit organization housed at the North Babylon Teen Center in Phelps Lane Park, he has created both recreational and educational programs for youth in Grades K-12 to enjoy year-round.; and

WHEREAS, Anthony lead the efforts to get the North Babylon Youth Center built in 2003. In addition to offering recreational and educational workshops and camps, The Youth Center also offers programs such as teen employment, volunteer services, tutoring and drama programs. In 1988, the Almost Home Program, a before and after school program for students in the North Babylon School District, was created and continues to serve students today; and

WHEREAS; Anthony served as a volunteer for North Babylon Schools through the Parent & Youth Activities Committee (P.Y.A.C.), and was instrumental in starting Parent University, a series of annual workshops for parenting and parent concerns. P.Y.A.C. initially created the student workshop programs and the summer drama for middle school students, which North Babylon Community Youth Services continues providing today; and

WHEREAS; Anthony's efforts and impressive level of dedication over the years to youth in the community, has made him stand out as an extraordinary community leader and continues to be an important member of the North Babylon community.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of Monitor Street between Parkdale and Magro Drive, N. Babylon, to "Anthony J. Tatti Way," and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "Anthony J. Tatti Way"

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 260 APRIL 14, 2021
ADOPTING AMENDMENTS CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN
OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 31st day of March, 2020 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

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>
Shelton Street at Street Feustal Street	WB	Stop	South on Shelton
Frankie Lane at Lane Magro Drive	NB	Stop	South on Frankie
Frankie Lane at Frankie Lane	NB	Yield	West on Frankie Lane

RESOLUTION NO. 261 APRIL 14, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM
CODE OF TRAFFIC ORDINANCES

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held on the 12st day of May, 2021 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the “Open Meetings Law”, authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the “How Do I...” link, and then “Participate in a Public Hearing” to order to participate), to consider amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed 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.

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>
Muncy Avenue at Henry Street	NL	Stop	East on Muncy Avenue
Henry Street at Muncy Avenue	NL	Stop	Northwest/Southeast on Henry Street

RESOLUTION NO. 262 APRIL 14, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 89
OF THE BABYLON TOWN CODE

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

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, New York, on the 12th day of May, 2021 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the “Open Meetings Law”, authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the “How Do I...” link, and then “Participate in a Public Hearing” to order to participate), to consider amending Chapter 89 of the Babylon Town Code as set forth in Exhibit “A” herein below; 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 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	Excused Absence
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

AMEND

§ 89-13.1 Apprenticeship training program compliance required.

A. For the purpose of this section, the following terms shall have the meanings indicated:

- (1) A "construction contract" shall mean any contract with a value in excess of \$250,000 to which the Town of Babylon is a party or for work to be performed on Town of Babylon-owned property that concerns the construction, reconstruction, improvements, rehabilitation, maintenance, furnishing, equipping of or otherwise providing for any building, facility or physical structure of any kind; and
- (2) A "Certificate of Completion" shall mean a certificate issued by the New York State Department of Labor which recognizes a person's successful completion, within the 12 month period immediately preceding the date of the construction contract award, of a qualified apprenticeship and the training program registered approved by Commissioner of the New York State Department of Labor in accordance with the New York Labor Law and 12 NYCRR §600.1 et seq., and any amendments thereto.

B. Prior to awarding a construction contract, each of the general contractor, subcontractor, or applicant (as the case may be, and hereinafter the "Contractor") shall provide (i) a list of all trades or classifications of workers it anticipates engaging on the construction project given the type and scope of work to be performed and (ii) documentation to show that it has apprenticeship agreements appropriate for said type and scope of work to be performed which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, and at least one (1) Certificate of Completion from each apprenticeship training program with which it has an apprenticeship agreement. The Contractor must also submit then current New York State Department of Labor approved Form AT-401 certificates or similar certificates demonstrating that there is at least one (1) apprentice currently enrolled in each apprenticeship training program for the type and scope of work to be performed on the construction contract, and if the Contractor is to be a signatory to a sponsored apprenticeship training program, it must submit to the Town a letter from the sponsor of the apprenticeship training program(s), verifying of the Contractor's signatory status as a participating entity approved by the Commissioner of the New York State Department of Labor to employ New York State registered apprentices.

C. The determination of compliance with this section shall be made and certified by the Commissioner of General Services. An aggrieved party may appeal such determination in an Article 78 proceeding to the Supreme Court, Suffolk County, filed within thirty (30) days of filing of the determination by the Commissioner with the Town Clerk or mailing of such determination to the Contractor, whichever is later.

D. This section shall not apply:

- 1) Where the requirements of a construction contract that is essential to the Town can only be fulfilled by a sole source, and such sole source is unwilling to comply with the requirements of this section; or
- 2) Where federal funding prohibits the Town from imposing the requirements of this section.

RESOLUTION NO. 263 APRIL 14, 2021
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE
STRUCTURE, LOCATED AT 23 CUMBERBACH ST., WYANDANCH, NY 11798
SCTM NO. 0100-080.00-03.00-159.000

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

WHEREAS, a certain structure(s) located at 23 Cumberbach St., Wyandanch, New York 11798, bearing SCTM# 0100-080.00-03.00-159.000 the doors and windows 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 emergency securing and board up of the premises located at 23 Cumberbach St., Wyandanch, New York, bearing SCTM# 0100-080.00-03.00-159.000 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 5, 2021 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. 264 APRIL 14, 2021
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE
STRUCTURE (IN-GROUND POOL), LOCATED AT 2 MANCHESTER BLVD.,
WHEATLEY HEIGHTS, NY 11798 SCTM NO. 0100-015.00-04.00-021.000

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

WHEREAS, a certain structure(s) located at 2 Manchester Blvd., Wheatley Heights, New York, bearing SCTM# 0100-015.00-04.00-021.000 the in-ground pool is 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 in-ground pool 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 (in-ground pool) 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 in-ground pool located at 2 Manchester Blvd., Wheatley Heights, New York, bearing SCTM# 0100-015.00-04.00-021.000 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 architect/professional engineer's report dated April 6, 2021 located in the Code Enforcement Department; and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of Three Hundred Dollars (\$300.00) for said premises from the appropriate fund, 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. 265 APRIL 14, 2021
APPROVING THE 2019 SERVICE AWARD LIST FOR THE
NORTH AMITYVILLE, NORTH LINDENHURST, NORTH BABYLON, WYANDANCH
AND EAST FARMINGDALE FIRE DEPARTMENTS

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

BE IT RESOLVED, that based upon the certification and recommendation by the officers of the North Amityville, North Lindenhurst, North Babylon, Wyandanch and East Farmingdale Fire Departments, and the review and recommendation by the Comptroller, the 2020 Service Award List on file in the Office of the Town Clerk for the North Amityville, North Lindenhurst, North Babylon, Wyandanch and East Farmingdale Fire Departments be and is hereby approved and each Fire Department is hereby directed to post said list pursuant to General Municipal Law. 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	Excused Absence
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 266 APRIL 14, 2021
APPROVING THE 2020 SERVICE AWARD LIST FOR THE
WYANDANCH WHEATLEY HEIGHTS AMBULANCE DISTRICT

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

BE IT RESOLVED, that based upon the certification and recommendation by the officers of the Wyandanch Wheatley Heights Ambulance District, and the review and recommendation by the Comptroller, the 2020 Service Award List on file in the Office of the Town Comptroller for the Wyandanch Wheatley Heights Ambulance District be and is hereby approved.

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	Excused Absence
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.