

**SPECIAL TOWN BOARD MEETING
JUNE 2, 2020
AGENDA**

- 393. AUTHORIZING A CONTRACT WITH CIVIC PLUS
- 394. AUTHORIZING A CONTRACT WITH IDEXX DISTRIBUTION, INC.
- 395. AUTHORIZING A CONTRACT WITH LPS USA, INC.
- 396. AUTHORIZING A CONTRACT WITH VHB ENGINEERING, SURVEYING, LANDSCAPE ARCHITECTURE AND GEOLOGY, P.C.
- 397. RESOLUTION AUTHORIZING THE COMMISSIONER OF PLANNING AND DEVELOPMENT TO APPROVE TEMPORARY OUTDOOR DINING PERMITS FOR EXISTING RESTAURANTS AND TO WAIVE SPECIAL PERMIT FOR "BAR/RESTAURANT," SITE PLAN REVIEW AND ANCILLARY OFF-STREET PARKING REQUIREMENTS SET FORTH IN BUILDING AND ZONING ORDINANCES UNTIL SEPTEMBER 1, 2020 OR UPON FURTHER DETERMINATION OF THE TOWN BOARD, SUBJECT TO SPECIFIED CONDITIONS

RESOLUTION NO. 393 JUNE 2, 2020
AUTHORIZING A CONTRACT WITH CIVIC PLUS

The following resolution was offered by
and seconded by _____ :

WHEREAS, a proposal for additional SMS text messaging for Parks, Recreation & Cultural Affairs was solicited from Civic Plus and

WHEREAS, the Professional Consultant Evaluation Committee convened on June 1, 2020 with the Chief of Staff, the Town Attorney, Comptroller, the Commissioner of General Services, and Commissioner of the Department of Public Works and 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 Civic Plus at the following fees:

Year 1	\$5,300.45
Year 2	\$5,670.00

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 with Civic Plus at the aforementioned fees, subject to the approval of 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.

VOTES:_____ YEAS:_____ NAYS:_____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 394 JUNE 2, 2020
AUTHORIZING A CONTRACT WITH IDEXX DISTRIBUTION, INC.

The following resolution was offered by
and seconded by

WHEREAS, a proposal was solicited from Idexx Distribution, Inc. for various testing services utilized at the Town of Babylon Animal Shelter, and

WHEREAS, the Professional Consultant Evaluation Committee convened on June 1, 2002 with the Deputy Supervisor, 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 proposals; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Idexx Distribution Inc. at the fees attached hereto as Schedule A

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 Idexx Distribution Inc. at the fees attached hereto 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 the Animal Shelter

VOTES: _____ YEAS: _____ NAYS: _____

The resolution was thereupon declared duly adopted.

SCHEDULE A

CONFIDENTIAL

IDEXX Reference Laboratories

Your 2020 pricing

Below is your pricing for IDEXX Reference Laboratories testing, organized by testing type. A 25% discount applies to all discountable materials not listed.

If you are using Cornerstone[®] B.4 Software or later, or Neo[®] Software, list pricing will be automatically downloaded during the day of January 2, 2020.

If you are using Cornerstone[®] B.3 NEXT or earlier, list pricing will be available for download on Monday, December 16, 2019.

Test Code	Description	Your Price	Test Code	Description	Your Price
Atropine/Dermatology Tests					
2331-UC	Adapt (Panel), Modified/Real Latex Reagent with FerriA Sulfate and Insect - Carnivores/In	149.02	3524-UC	Diagnosis/Genosis (201) RealPCR™ Panel (Corticosteroids) - Canine	66.33
3521-UC	Atropine (Dermatology) Real PCR™ Panel	10.91	3621-UC	Quadruplex RealPCR™ Test - Mammals	26.54
Cytology					
2621-UC	Cytology with Fluorescent Description (1 Slide) - 50x Slide	64.05	3711-UC	Resistive to Parasiticide	15.43
2611-UC	Cytology with Fluorescent Description (1 Slide) - 50x Slide	22.99	3821-UC	Trichostema RealPCR™ Panel - Feline	50.41
3261-UC	FLU Analysis with Companion - Body Coat Disorders	63.00	2516-UC	Trichostema/Chlamydia RealPCR™ Panel with eBioscience and Ribo Lytic Shell (10x) (10x) (10x)	84.15
Diagnostic Panels/Profiles					
2344-UC	894 (5) (4) Panel (Feline) - RealPCR™ Panel	67.06	2617-UC	Artemis RealPCR™ Panel with FISH/PCR by ELISA - Feline	75.56
Endocrinology					
22261-UC	Thyroid Dysfunction Panel (Canine) - Add-on	30.07	2618-UC	Artemis RealPCR™ Panel with FISH/PCR by ELISA - Feline	71.84
221-UC	T4 - Total - Canine	27.14	32201-UC	Feline RealPCR™ B-type (Add-on to Feline Diagnostic RealPCR™ Test)	9.07
245-UC	Thyroid Panel	44.64	312-UC	Lyophilized Antigen Panel by Kinase/Immuno	31.60
509-UC	T4 - Dog	16.35	3121-UC	Feline Antigen by FIA - Add-on	27.50
651-UC	Thyroid Panel 2 - Canine/Feline	87.42	317-UC	Feline Antigen by FIA	27.50
652-UC	Thyroid Panel 6 - Canine	87.42	Microbiology		
695-UC	Urea Carbon/Clamp - 6x9 (10x)	51.42	1594-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	91.67
Fecal Tests					
24829-UC	Fecal (COP) Profile with Giardia	10.55	400-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	79.12
5463-UC	Fecal (COP) Profile with Giardia	17.69	4025-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	39.15
5010-UC	Fecal (COP) Profile with Giardia	10.35	405-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	25.19
5011-UC	Fecal (COP) Profile with Giardia	10.35	405-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	25.19
51921-UC	Fecal (COP) Profile with Giardia	7.59	405-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	25.19
51924-UC	Fecal (COP) Profile with Giardia	7.59	405-UC	Amplisense, Urine Chlamydia - WGS Susceptibility	25.19
Genetics					
9825-UC	Fluorescent Real PCR™ Panel (Comprehensive) - Canine	78.28	Urinalysis		
9827-UC	Fluorescent Real PCR™ Panel (Comprehensive) - Feline	78.28	2229-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
General Practice/Profile					
1019526-UC	Total Health™ Profile	34.44	90900-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
1112-UC	Chem 27 with IDEXX SDMA/3P Test	53.02	9101-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
1326-UC	HealthCheck™ Profile	67.57	9102-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
20949599-UC	HealthCheck™ Plus Profile	62.77	9103-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
403266-UC	HealthCheck™ Plus Profile	34.30	9104-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
733599-UC	Total Health™ Plus Profile	33.13	9105-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
75-UC	Total Health™ Plus Profile (Snick)	33.52	9106-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
763599-UC	Senior Profile	41.71	9107-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
983599-UC	Senior Screen	41.71	9108-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
Hematology/Clinical Chemistry					
300-UC	CEM/CEC Select™	25.77	9109-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
301-UC	CEM/CEC Select™	17.37	9110-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
Histopathology					
2101-UC	Biopsy with Microscopic Description (1.5% (Ankle) - Standard)	21.27	9111-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
2102-UC	Biopsy with Microscopic Description (2 (Nose/Labial) - Standard)	161.74	9112-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
Infectious Disease Tests					
1045-UC	Feline Adenovirus (FV) Antibody by ELISA - Add-on	17.61	9113-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
244-UC	Feline Adenovirus (FV) Antibody by ELISA	17.61	9114-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17
2512-UC	Upper Respiratory Disease (URD) RealPCR™ Panel - Feline	62.09	9115-UC	Urinalysis with Pylus L.P.C. (1 Unit) - Canine	24.17

*Specimen reference only

1 Pricing operational across system pricing for 2020 as of October 31, 2019. Any changes made after that time are not included. Pricing effective January 1, 2020.



RESOLUTION NO. 395 JUNE 2, 2020
AUTHORIZING A CONTRACT WITH LPS USA, INC.

The following resolution was offered by
and seconded by

WHEREAS, a proposal was solicited from LPS USA, Inc. to provide COVID-19 drive up testing in the Town of Babylon

WHEREAS, the Professional Consultant Evaluation Committee convened on June 1, 2020 with the Deputy Supervisor, Chief of Staff, Town Attorney, the Comptroller, and the Commissioner of General Services in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposals, the Committee recommends the award of a contract for the year 2020, to LPS USA, Inc. at the rate of FORTY THREE (\$43.00) DOLLARS PER HOUR PER PERSON, plus any additional set up and weekly fees,

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 LPS USA, Inc. at the rate of FORTY THREE (\$43.00) DOLLARS PER HOUR PER PERSON, plus any additional set up and weekly fees, 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 shall be in effect for the year of 2020.

VOTES: _____ YEAS: _____ NAYS: _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 396 JUNE 2, 2020
AUTHORIZING A CONTRACT WITH VHB ENGINEERING, SURVEYING,
LANDSCAPE ARCHITECTURE AND GEOLOGY, P.C.

The following resolution was offered by
and seconded by

WHEREAS, a proposal was solicited from VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. (“VHB”) to host the Town’s Smart Asset Management and Inventory System

WHEREAS, the Professional Consultant Evaluation Committee convened on June 1, 2020 with the Deputy Supervisor, Chief of Staff, Town Attorney, the Comptroller, and the Commissioner of General Services in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of an annual contract to ”VHB” for a total amount not to exceed ONE THOUSAND, FIVE HUNDRED (\$1,500.00) 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 an annual contract with VHB at an amount not to exceed ONE THOUSAND, FIVE HUNDRED (\$1,500.00) DOLLARS 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 Commissioner of the Department of Public Works.

VOTES: _____ YEAS: _____ NAYS: _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 397 JUNE 2, 2020
RESOLUTION AUTHORIZING THE COMMISSIONER OF PLANNING AND DEVELOPMENT TO APPROVE TEMPORARY OUTDOOR DINING PERMITS FOR EXISTING RESTAURANTS AND TO WAIVE SPECIAL PERMIT FOR “BAR/RESTAURANT,” SITE PLAN REVIEW AND ANCILLARY OFF-STREET PARKING REQUIREMENTS SET FORTH IN BUILDING AND ZONING ORDINANCES UNTIL SEPTEMBER 1, 2020 OR UPON FURTHER DETERMINATION OF THE TOWN BOARD, SUBJECT TO SPECIFIED CONDITIONS

The following resolution was offered by

seconded by _____ :

WHEREAS, the COVID-19 pandemic has led to the necessary closure of lawfully operating restaurants in the Town of Babylon; and

WHEREAS, the operation of a restaurant and/or the expansion of a restaurant to include outdoor dining is subject to the grant of a special exception permit for “bar/restaurant,” or the modification of an existing permit, site plan review, and the provision of required off-street parking spaces under Building and Zoning Ordinances of the Town, specifically set forth in Town Code provisions: Chapter 186: Site Plan Review (§186-1 -- §186-25); Chapter 213, Article XXVI On-Premises Food and Beverage Consumption Establishments (§213-346 – §213-354); and Chapter 213, Article XXIII Off-Street Parking and Loading (§213-286 – §213-289); and

WHEREAS, the Town Board is mindful of current public health concerns and the health, safety and welfare of its residents is paramount. At the same time, local businesses, including restaurants are experiencing extreme economic hardship because of closure and/or limited service relating to the COVID-19 pandemic; and

WHEREAS, allowing restaurants, where feasible, the opportunity to provide for the safe conduct of outdoor dining for a portion of its overall service and seating capacity, subject to the approval and conditions hereinafter set forth, is a prudent measure that rationally balances these important public interests, and allows for the gradual reopening of restaurants in accordance with New York State guidance.

NOW, THEREFORE,

BE IT RESOLVED, that the Commissioner of Planning and Development be and hereby is authorized as a matter of discretion to suspend enforcement of the zoning requirements set forth in Town Code Chapters 186: Site Plan Review; Chapter 213, Article XXVI On-Premises Food and

Beverage Consumption Establishments; and Chapter 213, Article XXIII Off-Street Parking and Loading, to allow for the temporary provision of outdoor dining at a lawfully existing restaurant, subject to the following conditions:

- 1) All compulsory social distancing and other applicable COVID-19 requirements shall be observed; and
- 2) No patron of the restaurant shall be permitted within the interior of the restaurant unless and until authorized by Order of the Governor of New York State or other controlling authority; and
- 3) All lawfully operating restaurant owners must submit an application subject to the conditions set for in the Commissioner of Planning and Development's Temporary Outdoor Dining Program as set forth in "EXHIBIT A" herein below; and
- 4) All temporary outdoor dining areas must be protected from vehicular traffic for occupant safety, in the judgment and discretion of the Department of Planning and Development; and
- 5) Placement of tables and chairs of temporary non-fixed seating shall maintain appropriate social distancing standards; and
- 6) All tables and chairs shall be removed by 10PM; and
- 7) All tent applications to accommodate temporary outside seating shall be reviewed and approved by the Fire Marshal's Office. The application fee and Town Board approval procedure relating to the review of tent permits is hereby waived.

RESOLVED, that nothing herein shall be deemed to supersede any New York State or Federal Law, Executive Orders, requirements, and/or guidelines including those relating to the COVID-19 pandemic; and

RESOLVED, that this resolution shall take effect immediately upon its adoption by the Town Board and remain in effect until September 1, 2020 or until further resolution of the Town Board.

VOTES: _____ YEAS: _____ NAYS: _____

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

TEMPORARY OUTDOOR DINING PROGRAM

Temporary outdoor dining program allows for temporary relocation of up to 50% of approved seating (as per Town CO) to be set up outdoors in sidewalk area or parking lot area. Approval is for seated patrons only.

Number of outdoor seats:

Parking lot or sidewalk area must be able to accommodate whatever seating is proposed, with maintenance of six (6) foot social distancing requirement for restaurant patrons. Removal of any landscaped areas is not permitted for use of outdoor dining.

Parking:

Existing parking relating to restaurant shall not be reduced by more than 50%. At least half of restaurant's existing parking must remain open, and shall not be taken up by outside seating.

Location of Outside Seating: Shall not obstruct existing fire lanes, emergency exits or handicapped parking spaces. Sidewalks shall remain clear and passable for ADA access.

Time of Approval:

Once issued, an outdoor dining permit shall remain in effect for six (6) months.

Fee:

No application fee

Tents:

Tent permits shall be separately reviewed by the Fire Marshal's Office in accordance with existing procedure. The Town Board approval procedure relating to the review of tent permits is hereby waived. Maximum occupancy of tent area as determined by the Fire Marshal shall be posted.

Electrical Work:

Any electrical work for outside seating area must be conducted by licensed electrician. Applicant must present electrical plan and underwriter's certificate if lighting or electrical outlets are proposed. Battery-operated LED lighting for outdoor dining is preferred.

Prohibited Items:

Music/live entertainment is not permitted unless the applicant has prior approval for event from the Town Board.

Use of propane heaters is prohibited, unless approved by the Town of Babylon Fire Marshal.

Standing assembly areas are not permitted.

Outdoor bar areas with standing service is not permitted.

Outside cooking facilities are not permitted.

In the event that the applicant fails to comply with above provisions and requirements, the temporary outdoor dining permit may be subject to immediate revocation.

APPLICATION REQUIREMENTS

Requirements of outdoor dining permit:

Building permit application stating that the application is seeking approval for temporary outdoor dining

Owner's endorsement (if applicant is not the property owner)

Copy of survey

Copy of existing CO

Copy of existing Public Assembly Permit (from Fire Marshal)

Plan for proposed outside seating showing location of tables. Total outdoor occupancy shall be stated on plan. **Plan may be informal but must provide dimensions for seating area and plan to social distance.**

Temporary bollards, planter boxes, or other means of separating and securing any outside seating areas must be provided. **Physical barrier between parking and any outdoor seating areas is required.** Wooden saw horses and traffic cones are not acceptable. Concrete barriers are preferred. *Photos, written description, or spec sheet for the product are acceptable submissions.*

Joint Inspection by Building Inspector and Fire Marshal

Submission of Application:

Applications may be submitted by email to: outdoordining@townofbabylon.com