



Special Town Board Meeting

Wednesday, September 7, 2022 at 2:00 PM

I. SALUTE TO THE FLAG

II. MOMENT OF SILENCE

III. CALL TO ORDER

IV. ROLL CALL

V. RESOLUTION AGENDA

- 746. AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 1258 STRAIGHT PATH, WEST BABYLON, NY 11704
SCTM NO. 0100-078.00-02.00-020.000
- 747. AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 72 WEST 14TH ST., DEER PARK, NY 11729
SCTM NO. 0100-162.00-01.00-046.000
- 748. AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP, CLEAN UP AND SECURING OF UNSAFE STRUCTURE(S) LOCATED AT 24 ALBERT ROAD, AMITYVILLE, NY 11701
SCTM NO. 0100-181.00-01.00-023.000
- 749. PROCLAIMING MONDAY, SEPTEMBER 12, 2022 AS EAGLE SCOUT BRANDON BALZANI DAY

VI. REMAINING GENERAL PUBLIC COMMENT

VII. ADJOURNMENT

The next regularly scheduled Town of Babylon Board Meeting will be held on Wednesday, September 21, 2022, at 7:00 p.m.



V. RESOLUTION AGENDA
Wednesday, September 7, 2022 at 2:00 PM

RESOLUTION NO. 746 SEPTEMBER 7, 2022
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 1258 STRAIGHT PATH, WEST BABYLON, NY 11704
SCTM NO. 0100-078.00-02.00-020.000

The following resolution was offered by Supervisor Schaffer
and seconded by Councilman Martinez

WHEREAS, a certain structure(s) located at **1258 Straight Path, West Babylon, New York 11704**, bearing **SCTM# 0100-078.00-02.00-020.000** and the doors and windows are open and accessible, the building is in deplorable and unsanitary conditions, 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 **1258 Straight Path, West Babylon, New York 11704**, bearing **SCTM# 0100-078.00-02.00-020.000** 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 **September 2, 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: 3 YEAS: 3 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 747 SEPTEMBER 7, 2022
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE
STRUCTURE, LOCATED AT 72 WEST 14TH ST., DEER PARK, NY 11729
SCTM NO. 0100-162.00-01.00-046.000

The following resolution was offered by Supervisor Schaffer
and seconded by Councilman McSweeney

WHEREAS, a certain structure(s) located at **72 West 14th Street, Deer Park, New York**, bearing **SCTM# 0100-162.00-01.00-046.000** is so deteriorated and or dilapidated, it has become so out of repair as to be dangerous, unsafe, unsanitary and unfit for human habitation, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, the architect/professional engineer's report dated **September 4, 2022** indicates the structure(s) should be demolished including the removal of the foundation is the most likely and prudent course of action

WHEREAS, §92-10 of the Town Code provides for the emergency correction of said unsafe rear structures 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 demolition and removal of the structure(s) located at **72 West 14th Street, Deer Park, New York**, bearing **SCTM# 0100-162.00-01.00-046.000** 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 on file in the Department of Code Enforcement, 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: 3 YEAS: 3 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 748 SEPTEMBER 7, 2022
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP, CLEAN UP AND SECURING OF
UNSAFE STRUCTURE(S) LOCATED AT 24 ALBERT ROAD,
AMITYVILLE, NY 11701 SCTM NO. 0100-181.00-01.00-023.000

The following resolution was offered by Supervisor Schaffer
and seconded by Councilman Martinez

WHEREAS, there exists a 1-story dwelling located at **24 Albert Road, Amityville, New York 11701**, bearing **SCTM# 0100-181.00-01.00-023.000** (hereafter referred to as the “Premises”) which lacks a valid Building Permit and/or Certificate of Occupancy for interior alterations, thereby presenting a nuisance and an imminent danger to the safety, health and welfare of the surrounding community and residents; and

WHEREAS, the premises contains outdoor storage of debris, including but not limited to, eight (8) propane tanks, car tires, tall grass exceeding eighteen (18) inches in height, ladders, piles wood, pallets, coolers, refrigerators, etc.; and

WHEREAS, said 1-story frame dwelling located on said property was altered without permits, failed to have safety inspections, was constructed without following FEMA directives, and said structure lacks a valid Building Permit and/or Certificate of Occupancy; and

WHEREAS, said 1-story frame dwelling located at the premises is a clear and imminent danger to the life, safety and health of the surrounding residents and must be immediately secured, boarded and cleaned up of debris; and

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

WHEREAS, said property has an accessory structure located behind the two-car garage on said premises that was constructed without a Plumbing Permit, Building Permit and/or Certificate of Occupancy; and

WHEREAS, an application for said accessory structure was filed and received on August 13, 2012; said permit application was denied on August 14, 2012, and a denial letter/notice was picked up by Peter Miller or his representative on or about August 20, 2012; and

WHEREAS, said accessory structure contains plumbing, exposed wires, extension cords, power strips, electrical wiring throughout the structure without an electrical underwriters certificate, a wood burning stove, fireplace, and unapproved ventilation; and

WHEREAS, there exists the improper storage of approximately eight (8) propane tanks stored against the accessory structure; and

WHEREAS, a Summons was written to Peter Miller on May 19, 2021 for illegal construction of said accessory structure; and

WHEREAS, on March 24, 2022 said accessory structure was posted as an unlawful structure by the Town; and

WHEREAS, on September 1, 2022 after many reports of people occupying and inhabiting said accessory structure, the structure was once again posted as an unlawful structure; and

WHEARAS, said accessory structure continues to pose a danger to neighbors and their properties as said structure lacks underwriting for electrical work, extension cords, electrical wiring throughout the structure without an electrical underwriters certificate, a wood burning stove, and fireplace, all while the structure continues to be occupied and/or inhabited; and

WHEAREAS, said accessory structure needs to be demolished to ensure the safety and wellbeing of those living on said property and adjacent neighbors and their property; 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 1-story dwelling located at **24 Albert Road, Amityville, New York 11701**, bearing **SCTM# 0100-181.00-01.00-023.000** and authorizes the cleanup of debris 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 **September 1, 2022** located in the Code Enforcement Department; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing, board up, clean up and demolition of the unlawful accessory structure of the premises located at **24 Albert Road, Amityville, New York 11701**, bearing **SCTM# 0100-181.00-01.00-023.000** 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 **September 1, 2022** located in the Code Enforcement Department; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary demolition, board-up, 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: 3 YEAS: 3 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 749 SEPTEMBER 7, 2022
PROCLAIMING MONDAY, SEPTEMBER 12, 2022 AS
EAGLE SCOUT BRANDON BALZANI DAY**

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

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Brandon Balzani its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, September 12, 2022, as Eagle Scout Brandon Balzani Day.

VOTES: 3 YEAS: 3 NAYS: 0

The resolution was thereupon declared duly adopted.