

A Regular Meeting of the Town Board, Town of Babylon, was held at the Town Hall, 200 East Sunrise Highway, Lindenhurst, NY, and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 15th day of February, 2023 at 3:00 p.m. prevailing time.

Supervisor Schaffer called the meeting to order with a salute to the flag.

Supervisor Schaffer: Please remain standing for a moment of silence and I'd ask you keeping your thoughts and prayers the brave servicemen and women serving our country both here and abroad.

Thank you, please be seated.

The Town Clerk called the roll:

Councilman Manetta	Present
Councilman Martinez	Present
Councilman McSweeney	Present
Councilman Gregory	Excused Absence
Supervisor Schaffer	Present

1. PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 213 (ADMINISTRATION, SUBDIVISION OF LAND UNDER THIS ARTICLE, AMENDMENT OF THIS ARTICLE)
2. PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 213 (REGULATING PLAN TILE 8)
3. PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 168 (PEDDLERS, SOLICITORS AND CANVASSERS)
4. PUBLIC HEARING IN REFERENCE TO AMENDING THE TRAFFIC CODE OF THE TOWN OF BABYLON, CHAPTER TC-5 (COMMERCIAL VEHICLES; WEIGHT LIMITS) AND CHAPTER TC-1 (GENERAL PROVISIONS), ARTICLE III (PENALTIES)
5. PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 301 MERRITT AVENUE, WYANDANCH, NY 11798, SCTM#0100-039.00-04.00-054.001, A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

CONSENSUS RESOLUTION AGENDA Wednesday, February 15, 2023 at 3:00 P.M.

RESOLUTION NO. 120 FEBRUARY 15, 2023 RENUMBERING LOCAL LAWS ENACTED ON DECEMBER 21, 2022

WHEREAS, on December 21, 2022, the Town Board enacted three local laws amending the Town Code as set forth in Resolution Nos. 1034, 1035 and 1036, which local laws were designated as Local Law Nos. 22, 23 and 24 of 2022; and WHEREAS, those local laws have been re-designated as Local Law Nos. 1, 2 and 3 of 2023; NOW, THEREFORE, be it RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that the local laws previously designated as Local Law Nos. 22, 23 and 24 of 2022 are re-designated as Local Laws 1, 2 and 3 of 2023 and the minutes of the December 21, 2022 Town Board meeting are hereby amended to so reflect.

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 121 FEBRUARY 15, 2023 ACCEPTING TOWN BOARD MINUTES

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

February 1, 2023

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 122 FEBRUARY 15, 2023 AWARDING BID NO.23G05 - REQUIREMENTS CONTRACT FOR STORM DRAINAGE SYSTEM MAINTENANCE

WHEREAS, the following bids for Bid No.23G05, Requirements Contract for Storm Drainage System Maintenance, was received, opened and publicly read:

BIDDER	TOTAL BID COMPARISON PRICE
Dejana Industries, Inc.	\$ 480,689.40
Rosemar Contracting, Inc.	\$ 931,850.00
Earth Repair, LLC	\$1,189,300.00
Parkline Asphalt Maintenance, Inc.	\$1,630,475.00

NOW THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of the Department of Works and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 23G05 be and is hereby awarded to the low bidder, Dejana Industries, Inc. for a total bid comparison price of FOUR HUNDRED EIGHTY THOUSAND SIX HUNDRED EIGHTY NINE 40/100 (\$480,689.40) DOLLARS; and be it further RESOLVED, that the aforementioned Bid Comparison price is for illustrative purposes only and does not represent the actual contract amount; and be it further RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with Dejana Industries, Inc., which expires December 31, 2023, 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.

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

2/15/2023 Minutes

RESOLUTION NO. 123 FEBRUARY 15, 2023
AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTER MUNICIPAL AGREEMENT BETWEEN THE BOARD OF EDUCATION OF THE PLAINEDGE UNION FREE SCHOOL DISTRICT AND THE TOWN OF BABYLON

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with Board of Education of the Plainedge Union Free School District, in order to allow Plainedge to access and utilize a bid issued by Babylon involving Draining Construction, in accordance with General Municipal Law Section 103; and be it

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

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

VOTES: 5 YEAS: 5 NAYS: 0
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 124 FEBRUARY 15, 2023
AUTHORIZING THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT FOR THE NORTH AMITYVILLE YOUTH CENTER AT 48A CEDAR ROAD, AMITYVILLE, NEW YORK

WHEREAS, United North Amityville Youth Organization ("UNAYO") has been leasing space from the Town of Babylon in the North Amityville Youth Center ("Center") located at 48A Cedar Road, Amityville, New York, SCTM #0100-123.00-02.00-019.000; and WHEREAS, the lease agreement between the United North Amityville Youth Organization and the Town of Babylon expired on December 31, 2022; and

WHEREAS, UNAYO has again offered to lease space from the Town in the Center; and

WHEREAS, the Town and UNAYO have agreed upon the terms of the lease for rooms in the Center.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized, but not mandated, to enter into a lease agreement for rooms in the North Amityville Youth Center as follows:

TENANT	ROOMS	TERM	ANNUAL RENT
United North Amityville Youth Organization	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14 and 16	3 YRS.	\$1.00

and be it further

RESOLVED, that the form and content of the aforesaid lease agreement shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that this resolution is subject to a permissive referendum and the Town Clerk is hereby directed to publish notice of adoption of this resolution in an official newspaper of the Town.

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

VOTES: 5 YEAS: 5 NAYS: 0
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 125 FEBRUARY 15, 2023
AUTHORIZING THE SUPERVISOR TO EXECUTE A "RESIDENTIAL INNOVATIVE AND ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM GRANT" AND RELATED DOCUMENTS (BARRY AND TONI BURNS)

WHEREAS, the Town of Babylon is the owner of the parcel identified by SCTM No.: 0100-239.00-01.00-010.000, 9 Captree Island, Babylon, NY 11702 (the "Premises"), currently leased to Barry and Toni Burns (the "Tenants" or "Applicants"); and

WHEREAS, the Tenants have applied and been approved to receive a Septic Improvement Program Grant from the County of Suffolk (the "Grant"); and

WHEREAS, pursuant to the terms of the lease agreement between the Town and Tenants, the Applicants, are solely responsible for the provision, cost, and maintenance of on-site wastewater disposal for the Premises; and

WHEREAS, the Tenants have asked the Town to sign the Grant agreement and any other related documents to effectuate the receipt of the Grant as the property owner.

NOW THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute the "Residential Innovative And Alternative On-Site Wastewater Treatment System Grant" and related documents on behalf of the Town of Babylon as the owner of the Premises identified by SCTM No. 0100-239.00-01.00-010.000 currently leased to Barry and Toni Burns; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 126 FEBRUARY 15, 2023
AUTHORIZING THE SUPERVISOR TO SIGN A THIRD ADDENDUM AGREEMENT BETWEEN SUFFOLK COUNTY WATER AUTHORITY AND THE TOWN OF BABYLON

WHEREAS, Suffolk County Water Authority ("SCWA") and the Town of Babylon ("Town") entered into an Agreement dated August 26, 1997, whereby the parties agreed to permit the Town to use property owned by SCWA at Tenety Avenue, Town of Babylon, State of New York; and WHEREAS, an addendum to the Agreement was made between the parties on January 5, 1998 ("Addendum"); and

WHEREAS, a second addendum ("Second Addendum") to the Agreement between the parties was fully executed on October 1, 2002; and

WHEREAS, the parties desire to extend and modify the Agreement, as amended by the Addendum and Second Addendum, to allow the further extension of the Agreement, as amended by the Addendum and Second Addendum.

NOW, THEREFORE, in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, it is agreed as follows:

1. The Agreement, the Addendum and the Second Addendum are hereby extended and shall terminate August 26, 2027.
2. All other terms and conditions of the Agreement, the Addendum, and the Second Addendum shall remain in full force and effect, to the extent not inconsistent with this Third Addendum.
3. The Town shall have the option to renew the Agreement, together with the Addendum, the Second Addendum and this Third Addendum, for a similar five-year period, provided the Town gives the SCWA 60 days written notice of its intention to renew. The Town shall be permitted to exercise the option to renew for three consecutive periods, provided the Agreement is not otherwise terminated.

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

VOTES: 5 YEAS: 5 NAYS: 0
The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 127 FEBRUARY 15, 2023

AUTHORIZING PAYMENT TO IDEXX DISTRIBUTION INCORPORATED

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Town Attorney, that the Comptroller is hereby authorized to issue payment to Idexx Distribution Incorporated for services rendered for the following Invoice:

INVOICE NO.	AMOUNT
1222213332-2	\$338.16

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 128 FEBRUARY 15, 2023

AUTHORIZING PAYMENT TO PROFESSIONAL LAUNDRY SERVICES, LLC

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Town Attorney, that the Comptroller is hereby authorized to issue payment to Professional Laundry Services, LLC for services rendered for the following Invoice:

INVOICE NO.	AMOUNT
1398346-IN	\$473.53

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 129 FEBRUARY 15, 2023

AUTHORIZING REFUND OF PAYMENT

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of Long Island Green Homes that the following payment be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ADDRESS	TYPE	AMOUNT	REASON
Roger and Paula Ann Smith	37A County Line Rd., Amityville, NY 11701	Green Homes Benefit Assessment	\$419.28	Overpayment

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 130 FEBRUARY 15, 2023

AUTHORIZING 2022 BUDGET MODIFICATION

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:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
Revenues			
Narcotics Guidance Council A.0000-3484		\$ 355,000	
Narcotics Addiction Control Program A.0000-4486			\$ 355,000
Parks & Recreation Administration			
Administrative A.7020-13		\$ 32,165	
Full Time Labor A.7020-15		\$ 41,031	
Part Time Clerical A.7020-16		\$ 1,638	
Equipment A.7020-20		\$ 1,418	
Professional and Technical Services A.7020-44		\$ 7,489	
Miscellaneous A.7020-49		\$ 8,706	
Part Time Labor A.7020-17			\$ 14,006
Overtime A.7020-19			\$ 1,615
Office Supplies A.7020-41			\$ 2,296
Program Operation A.7020-47			\$ 15,109
Playground & Recreation Centers			
Part Time Labor A.7140-17		\$ 1,942	
Program Operations A.7140-47			\$ 45,926
Uniforms A.7140-48			\$ 3,166
Special Recreation Facilities			
Overtime A.7180-19			\$ 410
Repairs and Maintenance A.7180-46			\$ 2,833
Program Operations A.7180-47			\$ 5,885
Uniforms A.7180-48			\$ 3,143

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 131 FEBRUARY 15, 2023
AUTHORIZING 2023 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2023 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
General Fund		
Revenues		
Narcotics Guidance Council A.0000-3484	\$ 370,000	
Narcotics Addiction Control Program A.0000-4486		\$ 370,000

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 132 FEBRUARY 15, 2023
AUTHORIZING 2023 INTERFUND TRANSFER**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller that the following 2023 Interfund Transfer is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
H13 – 456 Albany Avenue		
Genl gvt, equipment and Capital Outlay		
Interfund Transfer		
H13.9950-90	\$ 10.34	
Construction Services		
H13.1997-26		\$ 10.34
H132 – Reconstruction of Town Buildings		
Transfer to Capital Project Fund		
Interfund Transfer		
H132.0000-5031	\$ 10.34	
Genl gvt, equipment and Capital Outlay		
Construction Services		
H132-1997.26	\$ 10.34	

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 133 FEBRUARY 15, 2023
APPOINTING ASSISTANT CHIEF LIFEGUARDS**

BE IT RESOLVED, that Thomas Corcoran, Lou Howard, Kurt Lassen, and Richard Ryan are hereby appointed as Assistant Chief Lifeguards, effective April 15, 2023, pursuant to the Lifeguard Contract.

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 134 FEBRUARY 15, 2023
AUTHORIZING LIDL SUPERMARKET TO HOLD A GRAND OPENING EVENT
AND USE SOUND EQUIPMENT FROM
JANUARY 18, 2023 THROUGH AND INCLUDING JANUARY 22, 2023**

WHEREAS, Lidl Supermarket has applied for permission to hold a grand opening event with sound equipment from January 18, 2023 through and including January 22, 2023 at 450 Commack Road, Deer Park, New York, subject to Schedule "A" attached hereto; and WHEREAS, Lidl Supermarket has obtained sufficient insurance to protect the interests of the Town of Babylon.

INDIVIDUAL: Monira Abdalla Robert Carrol Legacy Marketing for LIDL Supermarket - 709 West Jericho Turnpike Huntington, NY 11743 - (703) 203-2514 or (631) 673-3643	ORGANIZATION: Monira Abdalla Robert Carrol Legacy Marketing for LIDL Supermarket - 709 West Jericho Turnpike Huntington, NY 11743 - (703) 203-2514 or (631) 673-3643
DATES & TIMES: Wednesday, Jan. 18, 2023 7:00 a.m. to 9:00 p.m. Thursday, Jan. 19, 2023 7:00 a.m. to 9:00 p.m. Friday, Jan. 20, 2023 7:00 a.m. to 9:00 p.m. Saturday, Jan. 21, 2023 7:00 a.m. to 9:00 p.m. Sunday, Jan. 22, 2023 7:00 a.m. to 9:00 p.m.	LOCATION: Lidl Supermarket 450 Commack Road Deer Park, NY 11729
SPECIAL REQUIREMENTS: Tent(s): Yes; (2) 10x10, Sound Equipment: Yes; Type: DJ and mics, Amusement Rides and/or Bouncy Rides: N/A, Toilet & Water Facilities: Bathroom facilities available inside supermarket, Approximate # of Participants: 250-500 expected throughout the event (per day)	

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.

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The above resolution was thereupon declared duly adopted.

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 10:00 a.m. on Saturdays and Sundays, and shall close not later than 8:00 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. 135 FEBRUARY 15, 2023
AUTHORIZING PERMISSION FOR A PARADE ON APRIL 15, 2023
IN THE TOWN OF BABYLON FOR DEER PARK LITTLE LEAGUE**

WHEREAS, the Deer Park Little League has requested permission to hold a parade on Saturday, April 15, 2023 with a rain date of Sunday, April 16, 2023 within the Town of Babylon.

INDIVIDUAL: Joe Geosits 19 Mohawk Ave. - Deer Park, NY 11729 - (631) 404-2735	ORGANIZATION: Deer Park Little League 28 W. 9 th St. - Deer Park, NY 11729 - (631) 488-7344
DATES & TIMES: Date(s): 4/15/2023 to: Time: 10:00 a.m. to 11:00 a.m. Rain Date: 4/16/2023	STARTING: John F. Kennedy Intermediate School, 101 Lake Avenue, Deer Park (parking lot) ENDING: Pine Acres Park, 196 Pine Acres Blvd., Deer Park

ROUTE:
Leaving the JFK School, proceed west on Lake Ave. to Deer Park Ave.; proceed north on Deer Park Ave. to Old Country Rd.; proceed east on Old Country Rd. and turn right into Pine Acres Park.

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.

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

VOTES: 5 YEAS: 5 NAYS: 0
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 136 FEBRUARY 15, 2023
AUTHORIZING PERMISSION FOR A WALK-A-THON ON MAY 6, 2023
IN THE TOWN OF BABYLON FOR THE WITNESS WALK OF LONG ISLAND**

WHEREAS, the Witness Walk of Long Island has requested permission to hold a walk-a-thon on Saturday, May 6, 2023, from 7:30 a.m. to 4:00 p.m. within the Town of Babylon.

INDIVIDUAL: Traci Fonville Commissioner of Human Services - 1 Commerce Blvd., Amityville, NY 11701 (631) 464-4340	ORGANIZATION: Witness Walk of Long Island 1 Commerce Blvd., Amityville, NY 11701 (631) 464-4340
DATES & TIMES: Date(s): 5/6/2023 to: Time: 7:30 a.m. to 4:00 p.m. Rain Date: n/a	STARTING: Wyandanch Sr. Nutrition Center, Wyandanch ENDING: Town of Babylon, Lindenhurst

ROUTE:
Travel west on Wyandanch Ave. to Straight Path, continuing South on Wellwood Ave., continuing east on Farmers Ave., proceeding to Indiana Ave., continuing south to Sunrise Hwy., continuing east on N. Monroe Ave., completing one lap around the pond and ending at Town Hall.

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.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 137 FEBRUARY 15, 2023
AUTHORIZING PERMISSION FOR A PARADE ON JUNE 1, 2023 IN THE TOWN OF BABYLON
FOR WYANDANCH UNION FREE SCHOOL DISTRICT**

WHEREAS, Wyandanch Union Free School District has requested permission to hold a parade on Thursday, June 1, 2023 within the Town of Babylon.

INDIVIDUAL: Tanisha Crawford 108 Patton Ave. Wyandanch, NY 11798 (631) 523-2425 (631) 870-0464	ORGANIZATION: Wyandanch Union Free School District – Pre-Prom Parade Committee 54 South 32 nd St. Wyandanch, NY 11798
DATES & TIMES: Date(s): 6/1/2023 to: Time: 2:30 a.m. to 5:00 p.m. Rain Date: n/a	STARTING: Intersection of Long Island Ave. & South 18 th St., Wyandanch (Parking lot) ENDING: 54 South 32 nd St., Wyandanch (Wyandanch Memorial High School)

ROUTE:
Leaving the intersection of Long Island Ave. & South 18th St., proceed east on Long Island Ave. toward Straight Path, make a sharp right and proceed south on Straight Path, turn left on Mount Ave., turn right and proceed west on Parkway Blvd., turn right onto Straight path and an immediate left onto 24th St., turn left onto Jamaica Ave. and ending at Wyandanch Memorial High School parking lot and field.

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.

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

VOTES: 5 **YEAS:** 5 **NAYS:** 0
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 138 FEBRUARY 15, 2023
AUTHORIZING PERMISSION FOR A PARADE ON JUNE 3, 2023
IN THE TOWN OF BABYLON FOR
THE NORTH AMITYVILLE COMMUNITY FESTIVAL DAY COMMITTEE**

WHEREAS, the North Amityville Community Festival Day Committee has requested permission to hold a parade on Saturday, June 3, 2023 within the Town of Babylon.

INDIVIDUAL: Madeline A. Quintyne-McConney Director of Equity, Inclusivity & Diversity 200 E. Sunrise Hwy., Lindenhurst, NY 11757 (631) 620-8489 (631) 464-4340	ORGANIZATION: North Amityville Community Festival Day Committee P.O. Box 88 - Copiague, NY 11726 (631) 464-4340 (631) 620-8489
DATES & TIMES: Date(s): 6/3/2023 to: Time: 11:00 a.m. to 6:00 p.m. Rain Date: n/a	STARTING: Intersection of Harrison Ave. & Rosewood Ave., Amityville ENDING: Bolden Mack Park - 3453 Great Neck Rd. Amityville, NY 11701

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.

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

VOTES: 5 **YEAS:** 5 **NAYS:** 0
The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 139 FEBRUARY 15, 2023
SCHEDULING A PUBLIC HEARING ON THE APPLICATION OF EMERSON CORNER CORP (PB JOB #22-15ANE)
FOR THE PREMISES IDENTIFIED AS SCTM#: 0100-180-03-022.006
LOCATED ON THE N/W/C/O MONTAUK HWY & N. EMERSON AVE, COPIAGUE**

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 15th day of March, 2023 at 3:00 p.m., prevailing time, on the application for a change of zone of the property at SCTM No. **0100-180-03-022.006**, further described on Schedule A attached hereto, from split-zoned E-Business and C-Residence to entirely E-Business. This rezoning application was made in order to make an existing building and pump island with canopy and construct a new pump island with a 3,900sf canopy and renovate an existing 2,860sf (footprint), two-story building for a gas station convenience store and public garage with storage space on the second floor; and be it further

RESOLVED, that a more detailed diagram of the property which is affected by the petition is on file in the office of the Department of Planning and Development and may be examined during regular office hours by any interested person, and any interested person will be given the opportunity to be heard at the public hearing; and be it further

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

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

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

The above resolution was thereupon declared duly adopted.

SCHEDULE A

DESCRIPTION (SCTM 0100-180-03-22.6)

ALL that certain plot, piece or parcel of land, situate, lying and being in Copiague, Town of Babylon, County of Suffolk and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the northerly side of Montauk Highway (S.R. 27A) and the westerly side of Emerson Avenue (North Emerson Avenue);

RUNNING THENCE South 88 degrees 46 minutes 30 seconds West, 61.72 feet along the northerly side of Montauk Highway (S.R. 27A);

THENCE North 01 degrees 13 minutes 30 seconds West 100.00 feet;

THENCE South 88 degrees 46 minutes 30 seconds West, 77.32 feet;

THENCE North 16 degrees 21 minutes 35 seconds East, 144.70 feet;

THENCE South 73 degrees 38 minutes 25 seconds East, 100.00 feet to the westerly side Emerson Avenue (North Emerson Avenue);

THENCE South 01 degrees 13 minutes 30 seconds East, 207.73 feet along the westerly side of Emerson Avenue (North Emerson Avenue) to the northerly side of Montauk Highway (S.R. 27A) at the point or place of **BEGINNING**.

Containing 20,896 Square Feet, more or less.

**RESOLUTION NO. 140 FEBRUARY 15, 2023
SCHEDULING A PUBLIC HEARING IN REFERENCE TO
AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 15 (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 15th day of March, 2023 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Town Traffic Code as set forth in Exhibit "A" annexed hereto; and be it further

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

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The above resolution was thereupon declared duly adopted.

Exhibit "A"

AMEND as follows:

**CHAPTER 15
DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT**

§ 15-6. Residency requirements, background checks and fingerprinting.

- A. Legislative intent. The purpose and intent of this section is to establish residency requirements for certain appointed Town officers of the Town of Babylon who are appointed to positions of Park Ranger and Fire Marshal. In order to employ and maintain employment of quality appointed Town officers in these positions, the Town Board of the Town of Babylon has determined that residency of such Town officers within the State of New York would provide sufficient geographical boundaries within which to secure and maintain a pool of qualified appointed Town officers available to be appointed by the Town of Babylon as the needs for such appointments occur from time to time. ***
- B. Establishment of residency requirements for appointed Town officers. Notwithstanding the provisions of Subdivision 1 of § 23 of the Town Law of the State of New York, and notwithstanding the provisions of Subdivision 1 of § 3 of the Public Officers Law, and notwithstanding the provisions of Subdivision 1 of § 3-b of the Public Officers Law or Subdivision 1d of § 30 the Public Officer's Law, in the Town of Babylon, Suffolk County, New York, all persons appointed to the positions of Park Ranger and Fire Marshal shall reside within the State of New York.
- C. Fingerprinting and background checks.
 - 1 All prospective candidates for Bay Constable, Harbor Master, Park Ranger, Fire Marshal, Public Safety Officer, Dispatcher, Ordinance Inspector, Zoning Inspector, and Code Enforcement Officer shall be fingerprinted for the purpose of obtaining a criminal history report from the New York Division of Criminal Justice Series (DCJS). Each such candidate shall submit proof that he or she has been electronically fingerprinted through a DCJS-approved Statewide Vendor-Managed Civil Fingerprint Capture System.
 - 2 If any such candidate has been convicted of a felony and/or misdemeanor, the decision regarding the candidate's fitness for the position must be made by way of a case-by-case review using the factors contained in Article 23-A of the New York State Correction Law.
- ⊖ D. Conflict with state statutes and authority to supersede. To the extent that any provisions of this section are in conflict or are construed as inconsistent with the provisions of the New York State Town Law or New York State Public Officers Law, this section supersedes, amends and takes precedence over New York State Town Law and New York State Public Officers Law pursuant to the Town's Municipal Home Rule powers pursuant to Municipal Home Rule Law §§ 10, Subdivisions 1(ii)d(3) and 1(ii)a(14), and 22 to supersede any inconsistent authority. ***

ADDITIONS ARE INDICATED BY UNDERLINE
DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~

**RESOLUTION NO. 141 FEBRUARY 15, 2023
AUTHORIZING A CONTRACT WITH LIGHTHOUSE CLINICAL
& CONSULTATION SERVICES, LLC**

WHEREAS, a proposal was solicited from Lighthouse Clinical & Consultation Services, LLC to provide clinical and consultation services for the Division of Drug & Alcohol; and
WHEREAS, the Professional Consultant Evaluation Committee convened on February 1, 2023, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, the 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 to Lighthouse Clinical & Consultation Services, LLC, at the rate of EIGHTY FIVE (\$85.00) DOLLARS PER HOUR, not to exceed a total annual contract amount of FORTY EIGHT THOUSAND (\$48,000.00) 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 Lighthouse Clinical & Consultation Services, LLC at a rate of EIGHTY FIVE (\$85.00) DOLLARS PER HOUR, not to exceed a total annual contract amount of FORTY EIGHT THOUSAND (\$48,000.00) 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 four (4) additional one (1) periods at the discretion of the Director of Division Drug & Alcohol.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 142 FEBRUARY 15, 2023
AUTHORIZING A CONTRACT WITH USI CONSULTING GROUP**

WHEREAS, a proposal for GASB 74/75 Actuarial Evaluation Services was solicited from USI Consulting Group; and

WHEREAS, the Professional Consultant Evaluation Committee convened on February 1, 2023, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, the Commissioner of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposals, the Committee recommends the award of a contract to USI Consulting Group for a total contract amount not to exceed the following fees:

Biennial GAS 74/75 Valuation & Report	\$8,000.00
FY 2023 Disclosure	\$800.00
FY 2024 Disclosure	\$800.00
Additional services, if requested	\$385.00/hour

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 USI Consulting Group at the following fees:

Biennial GAS 74/75 Valuation & Report	\$8,000.00
FY 2023 Disclosure	\$800.00
FY 2024 Disclosure	\$800.00
Additional services, if requested	\$385.00/hour

and that said contract shall be subject to the approval of the Town Attorney as to form and content.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 143 FEBRUARY 15, 2023
AUTHORIZING A CONTRACT TLC VIRTUAL RESILIENCY**

WHEREAS, a proposal was solicited from TLC Virtual Resiliency to provide support services for Town of Babylon Departments on an as needed basis; and

WHEREAS, the Professional Consultant Evaluation Committee convened on February 1, 2023, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, the 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 TLC Virtual Resiliency at the following fees:

Assessment - \$3,500 each
6 week program at \$700.00 per group for \$4,200 per program

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 TLC Virtual Resiliency at the following fees:

Assessment - \$3,500 each
6 week program at \$700.00 per group for \$4,200 per program; and be it further

RESOLVED, 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 Office of the Supervisor.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 144 FEBRUARY 15, 2023
AWARDING RFP 22G102 REQUEST FOR PROPOSALS
FOR PARKING TICKET MANAGEMENT PACKAGE**

WHEREAS, the following proposals for RFP No.22G102 Request for Proposal for Parking Ticket Management Package were received and opened; and

WHEREAS, the following firms submitted proposals and all proposals are on file in the Department of General Services:

T2 Systems, Inc.
IPS Group
Blinkay
Net Tech Solutions
Passport
Cardinal Tracking Inc.

WHEREAS, a committee was formed with the Town Attorney, Assistant to the Town Attorney's Office, Director of Purchasing, Purchasing Secretary, as its members ("Committee"), to review all proposals received; and

WHEREAS, a point system was included in the Request for Proposals to rate each proposal submitted; and

WHEREAS, the Committee convened on December 9, 2021 and January 18, 2023 to review all proposals received; and

WHEREAS, the Committee conducted an interview with T2 Systems, Inc. on January 18, 2023; and

WHEREAS, after a thorough review of all proposals received and conduction interviews, the Committee recommends awarding RFP No.22G102 T2 Systems, the proposer receiving the highest total number of points, pursuant to the rating system set forth in the Request for Proposals.

NOW, THEREFORE, be it

RESOLVED, based on the recommendation of the Committee, RFP No. 21G102 be and is hereby awarded to T2 Systems, Inc. at the attached fees; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute a one (1) year contract with T2 Systems, Inc., subject to 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 General Services and the Town Attorney.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

Price proposal includes

- (5) CityCite Platform Licenses
- (5) XF Scan All-In-One handheld unit with 3-year warranty
- (5) Verizon LTE Handheld Data Plans
- One Year Supply of standard preprinted polyvinyl ticketstock
- Customized Patron payment portal
- IVR phone payments
- Conversion of previous vendor data
- Passport Real Time handheld integration
- DMV lookups – In State
- Automated mailing of in-state notices
- One Onsite In-Depth Training
- (3) annual Support visits

Additional Items Pricing:

CityCite Platform Backoffice Site License - \$199 permonth
CityCite Mobile User License - \$249 per month
XF Scan All-In-One Handheld Unit - \$3,195.00 per unit
Verizon LTE Handheld Data Plans - \$420 per Year Per Device
Standard Polyvinyl Ticket Stock - \$169 per box of 50 rolls. (After year one supply)
Onsite Personalized Training - \$2,000.00 per session
Webinar Personalized Training - \$895.00 per session
Automated Delinquent Notices - \$1.00 per letter
Patron Portal and IVR payment transactions Rate- Greater of 4% or \$3.00 per transaction (paid by patron)
DMV Research

- **In State** – Included with CityCite Subscription
- **Out of State** –
 - \$2.50 per successful lookup
 - Included if by T2 Collections

Revenue Share Price Proposal: No Change to share percentage

Amounts below reflect the percentage of all collected citation revenue to be paid to T2 Systems. This percentage does not include manual entry or collections services.

Year 1: 8%
Year 2: 5%
Year 3: 5%

Additional Services Requested

The following services are outside of the original pricing sent with RFP response.

Manual Citation Services Pricing – (\$.70 per citation processed)

T2 systems will bill The Town per each manual citation that is processed. Our team will enter all citation data into The Towns UPSafety cloud account. The Town will be responsible for mailing these citations to the collections department located in Indianapolis, IN. This amount will be invoiced monthly.

T2 Collections Services - (20% Contingency billed to Payee)

T2 Systems will collect a 20% Contingency fee for every successful collection. The 20% fee will be added to the outstanding citation amount before sent to collections and extended to the delinquent citation payee. The original citation amount will be remitted to The Town and subject to the shared citation revenue.

Collection Notes:

- Licensed Collection Agency
- ACA Certified, FDCPA Compliant, and State Licensed
- Customer service oriented
- Internal best practices
- 90-day collection cycle
- Skip tracing
- Collection letters
- Client portal
- Seamless process

Pricing Notes

T2 Systems structured our pricing model based on the information outlined in the RFP. Should the revenue be significantly lower than the figures provided in the RFP, T2 reserves the right to modify the revenue share percentage based on actual collection amounts. The estimated revenue was \$600,000.00 annually. Payments collected through the UPSafety Patron Portal, or IVR pay by phone will be remitted to the town daily. T2 Systems will invoice The Town monthly to include: Share of revenue, manual citations entry, and out of state lookups (if requested) for payment within 30 days of invoice. All issued citations including electronic and handwritten will be recorded and processed through the UPSafety portal for tracking. Payments made through the UPSafety portal, in person, over the phone, by mail, or T2 collections, are considered "Shared revenue." Original pricing did not include out of state DMV lookups, per the addendum. If The Town wishes to send delinquent letters to out of state citations, and receive the owner info, we can perform lookups for \$2.50 per successful lookup. Alternatively, each out of state citation can be sent directly to collections where the out of state lookup is included, but not recorded to The Towns records.

**RESOLUTION NO. 145 FEBRUARY 15, 2023
AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY
TO QUALIFIED ENTITIES PROVIDING WORK FORCE DEVELOPMENT**

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 on the workforce; and

WHEREAS; the Town has determined that assisting entities that provide workforce development training to the Town of Babylon and its resident is in the public good; and

WHEREAS, Viscel C. Moore has been appointed by the Town Board to collect and review applications of such entities; and
WHEREAS, based on those applications Mrs. Moore recommends the corresponding grant award:

I.B.E.W. Local 25 Joint Apprenticeship and Training Trust Fund	\$49,500.00
Iron Workers Locals 40 and 361 Apprenticeship and Training	\$49,500.00
Sheet Metal Workers Local 28 Education Fund	\$49,500.00
North Atlantic States Carpenters Training Fund	\$49,500.00
International Union of Operating Engineers Local 138 Joint Apprenticeship Training Committee	\$49,500.00
NYCDCC Apprenticeship Journeyman Retraining and Educational & Industry Fund dba NYC District Council of Carpenters Training Center	\$49,500.00
General Building Laborers' Local Union 66 Training Fund	\$49,500.00

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.

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment 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.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 146 FEBRUARY 15, 2023

AUTHORIZING THE ADDITIONAL GRANT OF AMERICAN RESCUE PLAN MONEY TO QUALIFIED SMALL BUSINESSES

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:

Babylon Fish and Clam, Inc.	\$24,750.00
Reyes Deli, Inc.	\$29,700.00

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 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.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 147 FEBRUARY 15, 2023

AUTHORIZING THE TRANSFER OF AMERICAN RESCUE PLAN MONEY TO THE BABYLON CENTRAL FIRE ALARM AND RESCUE ALARM CORP.

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 transferring funds to a constituent units of government pursuant to Section 603(c) (3); and

WHEREAS; the Town has determined that assisting the Babylon Central Fire Alarm and Rescue Alarm Corp. in the equipping and renovation of space 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 shall enter into an agreement with the Babylon Central Fire Alarm and Rescue Alarm Corp. and transfer \$1,550,653.72 for the equipping and renovation of space; 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 \$1,550,653.72 to the Babylon Central Fire Alarm and Rescue Alarm Corp. 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 Babylon Central Fire Alarm and Rescue Alarm Corp. accepting the transfer, 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 Town Supervisor 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.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 148 FEBRUARY 15, 2023
ACCEPTING A DONATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following donations are accepted with gratitude:

DONATOR	ITEM AND VALUE	RECOMMENDED BY	USE
Stanley Clayton	Computer Monitor: Samsung S34J55x Valued at \$800	Department of Environmental Control	Department of Environmental Control
Stop & Shop	Bloomin' for Good Program (Check) Total: \$45.00	Human Services	North Amityville Senior Center Meal Programs

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The above resolution was thereupon declared duly adopted.

**VII. RESOLUTION AGENDA
Wednesday, February 15, 2023 at 3:00 PM**

**RESOLUTION NO. 149 FEBRUARY 15, 2023
ADOPTING LOCAL LAW __ OF 2023**

AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 106 (DOGS AND OTHER ANIMALS)

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

WHEREAS, the Town Board of the Town of Babylon seeks to adopt a local law amending the Town Code so as to limit the manner and length of time in which dogs may be restrained outdoors; and

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 and on the 1st day of February, 2023 upon the question of the enactment of Local Law No. 5 of 2023 of the Town of Babylon, Suffolk County, New York, being such a local law; 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 5 of 2023 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

LOCAL LAW 5 OF 2023

AMENDING THE CODE OF THE TOWN OF BABYLON

AMEND as follows:

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

§ 106-3. Licensing; running Dogs at large

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

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

- A. ~~Which is not licensed;~~
- B. ~~To affix to any dog any false or improper identification or purebred license tag;~~
- C. ~~Which is not securely confined or which is running loose or at large upon any public highway, sidewalk or other public place in the Town, or upon the premises of another without the knowledge or consent of the owner or inhabitant of said premises. There shall be a rebuttable presumption that a dog running loose or at large on the premises of another does so without the knowledge or consent of the owner of said premises.~~
- A. Dogs at large prohibited; restraining dogs
 - (1) It shall be a violation of this section for any owner to permit a dog, whether licensed or unlicensed, to be at large within the Town other than on the owner's premises. For purposes of this section, a dog on a leash of six feet or more shall be considered a "dog at large."
 - (2) No person shall tether, leash, fasten, secure, restrain, chain or tie a dog to a stationary object outdoors, or cause such animal to be so restrained, for longer than one continuous hour in any continuous twelve-hour period.
 - (3) Nothing in this section shall be construed to prohibit a person from walking a dog on a hand-held leash.
 - (4) Any person who tethers, leashes, fastens, secures, restrains, chains or ties a dog to a stationary object outdoors shall provide such animal with adequate food, water and shelter, and shall restrain the dog with a device having swivels at both ends that is of an adequate length for the type, age and size of the dog being restrained; provided, however, that the requirement to provide adequate food, water and shelter shall not apply to a person who restrains a dog for a period of time that is 15 minutes or less in duration.
- B. Notwithstanding the provisions of this section, no person shall tether leash, fasten, chain, tie, secure or restrain any dog for any amount of time with a device that:
 - (1) Is a choke collar or pinch collar; or similar collar that restrains the dog in such a manner that it impairs the flow of oxygen or blood to the dog which may cause choking or substantial discomfort to the dog;
 - (2) Is embedded, partially embedded or may become embedded in the dog's skin;
 - (3) Weighs more than 1/8 of the dog's total body weight, but in no event shall such weight exceed 10 pounds;
 - (4) Is less than 10 feet in length for a running cable trolley and 15 feet in length for a tether to a stationary object;
 - (5) Is too short to allow the dog continuous access to adequate food, water, and shelter or to urinate or defecate in an area separate from where it must eat, drink, or lie down;
 - (6) Is not designed for dogs;
 - (7) Has weights attached or contains links that are more than one-quarter-inch thick;

(8) Because of its design or placement is likely to become entangled around itself, the dog, objects or other animals;

(9) Is long enough to allow the animal to move outside of its owner's property; and

(10) Would allow the restrained animal to move over an object, including but not limited to any type of fencing or barrier or edge that could result in the strangulation of or injury to such animal.

- C. Notwithstanding the provisions of this section, any tether, leash, fastener, chain, tie, or restraint shall be attached to a properly fitting collar or harness designed for this purpose worn by the dog, with enough room between the collar and the dog's throat through which two adult fingers may fit; provided, however, that such collar or harness is in compliance with subdivision B(1) above.
- D. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, chain, tie, secure or restrain any dog for any amount of time if such dog is less than six months of age, sick or injured, or a nursing mother whose offspring is present.
- E. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, chain, tie, secure or restrain more than one dog at a time on a permissible device.
- F. Notwithstanding the provisions of this section, no person shall tether, leash, fasten, secure, restrain, chain, tie, pen or otherwise confine a dog outdoors for more than 30 minutes in inclement weather or under other conditions or for such a period of time as may endanger the health or well-being of such dog due to heat, lack of potable water or such other circumstances, such as a weather advisory by any federal, state, county, or town government or as reasonably may be expected to cause suffering, disability or death. It shall be a rebuttable presumption that any temperature below 32° F. or above 90° F. constitutes inclement weather.
- G. Notwithstanding the provisions of this section, no person shall allow a tethered, leashed, fastened, chained, tied, secured or restrained dog to be taunted, prod, hit, harassed, threatened, attacked or otherwise harmed by humans or other animals.
- H. Upon a finding of any violation(s) of this section, any dog seized pursuant to the provisions of this chapter or any other state or federal law, shall be returned to the owner or custodian only upon proof that the violation(s) have been cured.
- I. Violations of this section may be supported by evidence, including, but not limited to, time-stamped photographs and video, records of complaints, and sworn witness statements.
- J. The provisions of this section shall not be construed to prohibit the department, the American Society for the Prevention of Cruelty to Animals, the Suffolk County Society for the Prevention of Cruelty to Animals or any law enforcement officer or peace officer from enforcing any other law, rule or regulation regarding the humane treatment of animals.
- K. The provisions of Subsection A of this section shall not apply to the officers or employees of any federal, state or city law enforcement agency using dogs in the scope of their employment.
- L. Nothing in this section shall be construed to affect any other protections afforded to animals under any provision of law, including, but not limited to, the requirement of adequate shelter pursuant to § 353-b of the New York State Agriculture and Markets Law.
- M. If any clause, sentence, paragraph, subdivision, or part of this section, or the application thereof to a particular person, animal or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this section directly involved in the controversy in which such judgment shall have been rendered.

§ 106-4. Seizure of dogs at large.

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

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

§ 106-7. Licensing of dogs.

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

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

**ARTICLE II
ANIMALS AND FOWL**

§ 106-11. Tethering or leashing of animals.

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

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 150 FEBRUARY 15, 2023
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 44 SPRUCE ST., WYANDANCH, NEW YORK 11798
SCTM NO. 0100-083.00-02.00-046.000

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

WHEREAS, a certain structure(s) located at **44 Spruce Street, Wyandanch, New York**, bearing **SCTM# 0100-083.00-02.00-046.000** has no running water as per a communication with the Suffolk County Water Authority and the structures have become so deteriorated and/or dilapidated and become so out of repair as to be dangerous and unsafe 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 **January 30, 2023** indicates the structure should be demolished including the removal of the foundation which is the most likely and prudent course of action

WHEREAS, §92-10 of the Town Code provides for the 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 demolition and removal of the structures located at **44 Spruce Street, Wyandanch, New York**, bearing **SCTM# 0100-083.00-02.00-046.000** 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 dated **January 30, 2023** 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 promises 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. 151 FEBRUARY 15, 2023
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
29 DAVIDSON ST., WYANDANCH, NY 11798 SCTM NO. 0100-080.00-02.00-017.000

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

WHEREAS, a certain structure(s) located at **29 Davison St., Wyandanch, New York 11798**, bearing **SCTM# 0100-080.00-02.00-017.000** has no running water as per communication with the Suffolk County Water Authority, wherein 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 **29 Davidson St., Wyandanch, NY bearing SCTM # 0100-080.00-02.00-017.000** 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 February 6, 2023 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. 152 FEBRUARY 15, 2023
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
91 PARKWAY BLVD., WYANDANCH, NY 11798 SCTM NO. 0100-080.00-01.00-021.000

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

WHEREAS, a certain structure(s) located at **91 Parkway Blvd., Wyandanch, New York 11798**, bearing **SCTM# 0100-080.00-01.00-021.000** the dwelling is in deplorable condition and was condemned due to 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 **91 Parkway Blvd., Wyandanch, NY bearing SCTM # 0100-080.00-01.00-021.000** 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 inspector's report dated February 8, 2023 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. 153 FEBRUARY 15, 2023
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURES LOCATED AT
41 CROWN STREET, DEER PARK, NY 11729 SCTM No. 0100-090.00-01.00-092.000

The following resolution was **TABLED** by Councilman Manetta and seconded by Councilman Martinez

WHEREAS, a certain structure, located at **41 Crown Street, Deer Park, NY**, bearing Suffolk County Tax Map No. **0100-090.00-01.00-092.000** is accessible to the public and has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, pursuant to Local Law No. 1 of 1981 and Local Law No. 1 of 1978 all necessary proceedings have been completed in connection with the removal/securing of the aforementioned unsafe structure; and

WHEREAS, said building has not been repaired or removed; and

WHEREAS, the architect/professional engineer's report dated **January 16, 2023**, indicates the structures have become so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe and unfit for human habitation therefore the demolition of the structures including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structures including removal of the foundation, located at **41 Crown Street, Deer Park, NY**, A/K/A SCTM No. **0100-090.00-01.00-092.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report attached hereto; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structures located at on the premises **41 Crown Street, Deer Park, NY**, A/K/A SCTM No. **0100-090.00-01.00-092.000**, in accordance with the Conclusions and Recommendations set forth in the inspector'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, the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the Assessor is hereby authorized to assess the property owner(s), for all costs incurred in connection with the proceedings to secure the subject premises including the cost of actual securing, removing and repairing.

The resolution was thereupon declared duly **TABLED** to March 15, 2023 Meeting.

TABLED RESOLUTIONS
Wednesday, February 15, 2023 at 3:00 PM

RESOLUTION NO. 1031 DECEMBER 21, 2023
DECLARING 15 IRVING ROAD,
BEARING SCTM# 0100-182.00-01.00-141.000 AMITYVILLE ABANDONED

The following resolution was **TABLED** by Councilman Martinez and seconded by Councilman McSweeney

WHEREAS, a public was held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 7th day of December, 2022, at 3:30 p.m., prevailing time, in reference to declaring 15 Irving Road, Amityville, bearing Suffolk County Tax Map No. 0100-182.00-01.00-141.000, abandoned.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon hereby declares declaring 15 Irving Road, Amityville, bearing Suffolk County Tax Map No. 0100-182.00-01.00-141.000, abandoned.

The resolution was thereupon declared duly **TABLED** to March 15, 2023 Meeting.

GENERAL PUBLIC COMMENT
Wednesday, February 15, 2023 at 3:00 PM

No Speakers

Being no further business before the Board, the meeting adjourned at 3:18 pm on the motion of Councilman Manetta, seconded by Councilman Martinez.



Geraldine Compitello, Town Clerk

/jt