

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 4th day of January, 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	Present
Supervisor Schaffer	Present

- PUBLIC HEARING REGARDING THE REZONING 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**
- PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 15 (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)**

CONSENSUS RESOLUTIONS

RESOLUTION NO. 200 MARCH 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:

March 1, 2023 & March 10, 2023

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 201 MARCH 15, 2023 RESCINDING RESOLUTION NO. 189 OF 2023 ADOPTED ON MARCH 1, 2023

BE IT RESOLVED, by the Town Board of the Town of Babylon that the resolution entitled "RESOLUTION NO. 189 MARCH 1, 2023 ADOPTING LOCAL LAW __ OF 2023 AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 213 (REGULATING PLAN TILE 8)" is hereby rescinded.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 202 MARCH 15, 2023 AMENDING THE ADMINISTRATIVE SALARY PLAN

RESOLVED, that the amendments to the Salary Levels and Steps in the Administrative Salary Plan is hereby adopted in accordance with Schedule "A" annexed hereto; and be it further;

RESOLVED, that all amendments to the Salary Plan shall be effective this date.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

SCHEDULE A" 2023 ADMINISTRATIVE SALARY PLAN

TITLE	LEVEL	STEP
Affirmative Action Officer	I	20
Assessor	J	19a
Assistant Town Attorney	I	4a
Assistant Town Attorney	G	9
Chief Assistant Town Attorney	I	18
Chief Deputy Commissioner of Public Safety	H	18a
Chief of Staff	J	20
Citizens Advocate/Supervisor	J	12
Commissioner of Department of Public Works	J	19

Commissioner of Environmental Control	I	18a
Commissioner of General Services	H	18a
Commissioner of Human Services	H	18a
Commissioner of Planning & Development	J	19a
Commissioner of Parks & Recreation	G	22a
Commissioner of Public Safety	I	18
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	G	3
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	E	14
Community Service Aide/Supervisor	H	11a
Community Service Aide/Supervisor	J	10a
Community /Service Aide/Supervisor	G	6
Community Service Aide/Supervisor	F	9a
Community Service Aide/Supervisor	I	12
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	F	5
Community Service Aide/Supervisor	H	6a
Community Service Aide/Environmental Control	F	9
Deputy Commissioner Environmental Control/Landfill	J	16
Deputy Commissioner General Services	G	22a
Deputy Commissioner Human Services	E	19a
Deputy Commissioner Human Services	J	5a
Deputy Commissioner II of DPW	H	21a
Deputy Commissioner I of DPW	H	18a
Deputy Commissioner of Environmental	I	15
Deputy Commissioner of Planning and Development	G	19
Deputy Commissioner II of Planning and Development	E	20a
Deputy Commissioner I of Parks and Recreation	J	16
Deputy Commissioner II of Parks and Recreation	I	15
Deputy Commissioner of Public Safety	I	12
Deputy Comptroller	I	18
Deputy Receiver of Taxes	J	7
Deputy Town Attorney	G	22a
Deputy Town Clerk	J	7
Deputy Town Personnel Officer	E	21
Director of Bureau of Administrative Adjudication	J	7a
Director of Behavioral Health Services	I	16
Director of Finance	H	22
Director of Resource Recovery	J	14a
Director of Youth Bureau	G	20a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	J	5
Executive Assistant to Parks and Recreation	H	13
Executive Assistant to Comm. of General Services	H	17a
Executive Assistant to Comptroller	E	20a
Executive Assistant to Deputy Supervisor	J	5
Executive Assistant to DPW	H	15a
Executive Assistant to Environmental Control	E	21
Executive Assistant to Planning	I	16
Executive Assistant to Public Safety	G	16a
Executive Assistant to Supervisor	J	15a
Executive Assistant to Town Attorney	E	21
Executive Assistant to Town Clerk	A	20a
Executive Assistant to Town Personnel Officer	C	20a
Executive Assistant to Tax Receiver	I	4a
Government Liaison Officer	J	18a
Legislative Aide	H	4a
Legislative Aide	J	1a
Legislative Aide	I	12
Legislative Aide	E	21
Legislative Secretary	J	5a
Legislative Secretary	H	4a
Legislative Secretary	H	4a
Legislative Secretary	E	19a
Neighborhood Aide	I	4a
Public Information Officer/Supervisor	J	15
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	G	6a
Secretary to Commissioner of Environmental Control	I	4a
Secretary to Commissioner of General Services	G	17

Secretary to Commissioner of Planning & Development	I	16
Secretary to Commissioner of Parks & Recreation	G	9a
Secretary to Comptroller	G	13a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	H	11a
Secretary to Public Safety	G	6a
Secretary to Supervisor	B	18a
Secretary to Tax Receiver	E	20a
Secretary to Town Attorney	J	1a
Secretary to Town Clerk	F	9
Secretary to Town Personnel Officer	I	10a
Senior Assistant Town Attorney	I	14a
Senior Assistant Town Attorney	E	21
Senior Assistant Town Attorney	I	19a
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	10a
Town Attorney	J	20
Town Comptroller	I	22
Town Historian	I	6
Town Investigator	E	21
Town Personnel Officer	G	22a
Women's Resources Advisor I	C	20
Women's Resource Advisor II	H	11a

2022 Administration Plan:

	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477

a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,940	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	138,000
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	142,000
18	51,321	56,195	62,666	69,136	76,837	89,762	102,295	114,424	130,393	147,900
a	53,887	59,004	65,799	72,593	80,679	94,250	107,409	120,145	135,087	149,324
19	54,965	60,184	67,115	74,045	82,292	96,135	109,558	122,548	137,789	152,310
a	57,054	62,471	69,665	76,859	85,419	99,788	113,721	128,798	143,025	158,098
20	59,222	64,845	72,312	79,780	88,665	103,580	118,042	133,692	150,465	163,157
a	61,472	67,309	75,060	82,812	92,034	107,516	122,528	138,772	156,484	169,357
21	63,808	69,867	77,912	85,959	95,531	111,602	127,184	144,045	162,430	175,793
a	66,233	72,522	80,873	89,225	99,161	115,843	132,017	149,519	168,602	182,473
22	68,750	75,278	83,946	92,616	102,929	120,245	137,034	156,397	171,980	189,407
a	71,363	78,139	87,136	96,135	106,840	124,814	141,830	162,340	178,515	196,604

**RESOLUTION NO. 203 MARCH 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:

Increase	Decrease
General Fund	

Assessment

Program Operations		
A.1355-47	\$ 3,000	
Professional and Technical Services		
A.1355-44		\$ 3,000

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 204 MARCH 15, 2023
TOWN CLERK PERMIT/LICENSE FEES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk, Permits and Licenses, that the Town Clerk Permit/License Fees are hereby established as set forth in the annexed Schedule "A".
The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**Schedule A
Town Clerk Permit/License Fees
Schedule of Fees.**

Application/Permit/License	Fee
Bike-a-thon, Parade, Walk-a-thon Permit	\$25.00
Block Party Permit	\$25.00
Dog License Spayed/Neutered 1 Year	\$6.50
Dog License Spayed/ Neutered 3 year	\$15.00
Dog License Un-Spayed/Un-Neutered 1 year	\$16.50
Dog License Un-Spayed/Un-Neutered 3 Year	\$45.00
Domestic Partnership Certified Copy of Certificate or Termination	\$10.00
Domestic Partnership Filing and Original Certificate	\$25.00
Domestic Partnership Termination and Original Certificate	\$25.00
Film Permit	\$50.00
Genealogy Search	\$10.00
Going Out of Business Application Fee	\$25.00
Landscaper License Application	\$150.00
Landscaper License	\$150.00
Landscaper Truck Decal Fee	\$5.00 per decal
Massage Establishment License Fee	\$2000.00
Outdoor Public Assembly /Bazaars/Fairs Permit,	\$100.00
Pawnbroker and Second Hand Dealer Permit	\$2500.00
Assisting a licensed peddler from a Pushcart	\$50.00
Assisting a Licensed Peddler from a Motor Vehicle	\$50.00
Peddling from a Pushcart	\$150.00
Peddling from a Motor Vehicle	\$250.00
Pidgeon Permit,	\$50.00
Plumber License Decal	\$5.00
Plumber License Late Fee	\$100.00
Plumber License Renewal	\$150.00
Plumber License	\$100.00
Plumber Master Application Fee	\$200.00
Plumber Reciprocal License	\$100.00
Plumber Restricted Application Fee	\$25.00
Plumber Shelved License	\$75.00
Returned Check Fee	\$35.00
Town Board Signage 3 or more	\$50 per sign
Sewer Excavation Permit	\$50.00
Solicitor's License	\$250.00 per person
Tow Truck License/Decal	\$250.00
Tow Truck Roster	\$200.00 each roster

**RESOLUTION NO. 205 MARCH 15, 2023
AUTHORIZING REFUND OF PAYMENT**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Attorney that the following payment be refunded:

REFUND OF PAYMENT:

PAYEE	ADDRESS	TYPE	AMOUNT	REASON
Philip LoBianco	23 Woodcliff Rd Islip Terrace NY, 11752	Parking Permit	\$166.68	Permit Return

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 206 MARCH 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
Carl and Maureen Schroeder	710 South 5 th St. Lindenhurst, NY 11757	Green Homes Benefit Assessment	\$668.58	Overpayment

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 207 MARCH 15, 2023
AUTHORIZING PAYMENT TO PASSPORT LABS, INC.**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Commissioner of General Services, that the Comptroller be and is hereby authorized to issue payment to for services rendered for the following:

INVOICE NO. /DATE	AMOUNT
1033308 9/30/2022	\$1,986.60

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 208 MARCH 15, 2023
AUTHORIZING PAYMENT TO LOUIS BARBATO LANDSCAPING INC.**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that based upon the recommendation of the Commissioner of Environmental Control, that the Comptroller is hereby authorized to issue payment to Louis Barbato Landscaping Inc. for retainage fees on services rendered for the following Invoices:

INVOICE NO./DATE	AMOUNT
2075RET	\$489.30
2084RET	\$549.10
2111RET	\$687.10
TOTAL	\$1,725.50

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 209 MARCH 15, 2023
AUTHORIZING THE PURCHASE OF A 10 PASSENGER BUS
FROM W.N.Y. BUS PARTS, INC. d/b/a GORMAN ENTERPRISES**

WHEREAS, the State of New York, through competitive bidding and procurement, awarded Contract No. PC68984 W.N.Y. Bus Parts, Inc. d/b/a Gorman Enterprises; and

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

WHEREAS, the Town of Babylon is desirous to purchase a 2024 Model VIP 2200 10 passenger bus and would like to make the purchase from W.N.Y. Bus Parts, Inc., d/b/a Gorman Enterprises pursuant to New York State Contract No. 23166; and

WHEREAS, the Commissioner of General Services recommends issuing a Purchase Order to W.N.Y. Bus Parts, Inc. d/b/a Gorman Enterprises for the aforementioned Passenger Bus for a unit price of ONE HUNDRED THIRTEEN THOUSAND, SEVENTY SEVEN DOLLARS AND 82/100 (\$113,077.82).

NOW THEREFORE be it

RESOLVED, the Town Board of the Town of Babylon authorizes the Commissioner of General Services to issue a Purchase Order to W.N.Y. Bus Parts, Inc. d/b/a Gorman Enterprises for the aforementioned Passenger Bus for a total amount of ONE HUNDRED THIRTEEN THOUSAND, SEVENTY SEVEN DOLLARS AND 82/100 (\$113,077.82).

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 210 MARCH 15, 2023
AUTHORIZING THE PURCHASE OF A MUNICIPAL PROPERTY TAX SYSTEM FROM
TYLER TECHNOLOGIES, INC.**

WHEREAS, Sourcewell, a State of Minnesota Purchasing Cooperative, through a Request for Proposal procurement, awarded Contract No.0900320-TT1 to Tyler Technologies; and

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

WHEREAS, the Town of Babylon is desirous to purchase a Municipal Property Tax System from Tyler Technologies, pursuant to Sourcewell Contract No.0900320-TT1; and

WHEREAS, the Commissioner of General Services, Director of Purchasing, Receiver of Taxes and the Assessor solicited a proposal from Tyler Technologies, Inc. at the following fees:

<u>Tax Billing:</u>	
Annual Fee	\$155,475.00
One time software & hardware implementation	\$254,226.00
<u>Assessment:</u>	
Annual Fee	\$150,000.00
One time software Implementation	\$649,980.00

NOW THEREFORE be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, Director of Purchasing, Receiver of Taxes and the Assessor, Tyler Technologies be and is hereby authorized to prove a Municipal Property Tax System pursuant to Sourcewell Contract No. 0900320-TT1 at the following fees:

<u>Tax Billing:</u>	
Annual Fee	\$155,475.00
One time software & hardware implementation	\$254,226.00
<u>Assessment:</u>	
Annual Fee	\$150,000.00
One time software Implementation	\$649,980.00

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 211 MARCH 15, 2023
AWARDING RFP. NO. 23G12 REQUEST FOR PROPOSALS FOR AN
EMPLOYEE ASSISTANCE PROGRAM**

WHEREAS, RFP No.23G12 for Request for Proposals for an Employee Assistance Program was received and opened; and
WHEREAS, proposals were received from the following firms:

<u>PROPOSER</u>	<u>ANNUAL FEE</u>
Labor Education & Community Service Agency ("LESCA")	\$25,000.00
National EAP	\$19,950.00

WHEREAS, a committee was formed with the Chief of Staff, Deputy Chief of Staff, Director of Operations, Director of the Div. Drug & Alcohol, and the Director of Purchasing as its members; and

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

WHEREAS, the Committee convened on March 2, 2022 to review all proposals received; and

WHEREAS, after a thorough review of all proposals and interviews and follow up clarifications, the Committee recommends an award to LESCA the firm with the highest amount of points.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee, the Supervisor be and he is hereby authorized to execute a one (1) year contract commencing March 1, 2023, with LESCA for a total annual amount of TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of Director of the Div. of Drug & Alcohol.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 212 MARCH 15, 2023
AUTHORIZING A CONTRACT WITH BRIGHTLY SOFTWARE, INC.

WHEREAS, a proposal a proposals for Asset Essential Enterprise Software to include Facilities/Physical Plant Module, Fleet Module, Dude Analytics and Asset Essentials Inventory was solicited from Brightly Software, Inc.; and

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

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a ONE (1) YEAR contract, to Brightly Software, Inc. commencing February 1, 2023, for a total contract amount of THIRTY SIX THOUSAND, ONE HUNDRED FIFTY DOLLARS AND 40/100 (\$36,150.40) 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 ONE (1) YEAR contract with Brightly Software, Inc., commencing February 1, 2023, for at a total contract amount not to exceed THIRTY SIX THOUSAND, ONE HUNDRED FIFTY DOLLARS AND 40/100 (\$36,150.40) DOLLARS, and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of the Commissioner of the Department of Public Works. The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 213 MARCH 15, 2023
AUTHORIZING A CONTRACT WITH CIVIC PLUS

WHEREAS, a proposal was solicited from Civic Plus for Web Hosting, Support, Recurring Redesign and additional SMS Subscribers; and

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

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Civic Plus at the following fees:

Additional SMS Subscribers	\$7,439.00 per annum
Hosting & Support	\$17,096.56 per annum
SSL Certificate	\$227.82 per annum

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Civic Plus at the aforementioned fees, subject to the approval of Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of the Supervisor's Office. The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 214 MARCH 15, 2023
AUTHORIZING A CONTRACT WITH TRADESMEN SAFETY TRAINING

WHEREAS, a proposal was solicited from Tradesmen Safety for OSHA 30 training for Town Employees; and

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

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Tradesmen Safety Training at a rate of THREE HUNDRED (\$300.00) DOLLARS PER EMPLOYEE for a total contract amount not to exceed TWENTY FIVE THOUSAND (\$25,000.00) 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 Tradesmen Safety Training at a rate of THREE HUNDRED (\$300.00) DOLLARS PER EMPLOYEE for a total contract amount not to exceed TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS subject to the approval of Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) periods at the discretion of the Commissioner of the Department of Public Works. The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 215 MARCH 15, 2023
AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF BABYLON AND SESAC, LLC.

BE IT RESOLVED, by the Town Board of the Town of Babylon that the Supervisor be and is hereby authorized to execute an Agreement between the Town of Babylon and SESAC, LLC., for a license to perform music that is copyrighted by SESAC, LLC. at various Town events; and be it further

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

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

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

3/15/2023 Minutes

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 216 MARCH 15, 2023
AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF BABYLON AND EASTERN SUFFOLK BOCES
TO JOIN THE JOINT MUNICIPAL COOPERATIVE BIDDING PROGRAM

WHEREAS, the Commissioner of General Services recommends the Town of Babylon to enter into an annual agreement with Eastern Suffolk Boces to participate in their cooperative bidding program for an annual fee of THREE THOUSAND FORTY SIX (\$3,046.30) AND 30/100 DOLLARS; and

WHEREAS, various educational and municipal corporations located within the State of New York desire to bid jointly for generally needed services and standardized supply and equipment items; and

WHEREAS, the Town of Babylon, an educational/municipal corporation is desirous of selectively participating with other educational and/or municipal corporations in the State of New York in joint bidding in the areas mentioned above pursuant to General Municipal Law § 119-o and Education Law Section 1950; and

WHEREAS, the Town of Babylon is a municipality within the meaning of General Municipal Law § 119-n and is eligible to participate in the Board of Cooperative Educational Services, First Supervisory District of Suffolk County (hereinafter Eastern Suffolk BOCES) Joint Municipal Cooperative Bidding Program (hereinafter the "Program") in the areas mentioned above; and

WHEREAS, the Town of Babylon acknowledges receipt of the Program description inclusive of Eastern Suffolk BOCES' standard bid packet and the general conditions relating to said Program; and

WHEREAS, with respect to all activities conducted by the Program, the Town of Babylon wishes to delegate to Eastern Suffolk BOCES the responsibility for drafting of bid specifications, advertising for bids, accepting and opening bids, tabulating bids, awarding the bids, and reporting the results to the Town of Babylon.

NOW THEREFORE, be it

RESOLVED, that based on the recommendation of the Commissioner of General Services, the Supervisor be and he is hereby authorized to execute an agreement between the Town of Babylon and Eastern Suffolk Boces, at an annual fee of THREE THOUSAND FORTY SIX AND 30/100 (\$3,046.30) DOLLARS; and

BE IT FURTHER RESOLVED, that said contract will expire on June 30, 2024; and

BE IT FURTHER RESOLVED, that the Town of Babylon hereby appoints Eastern Suffolk BOCES to represent it and to act as the lead agent in all matters related to the Program as described above; and

BE IT FURTHER RESOLVED, that the Town of Babylon hereby authorizes Eastern Suffolk BOCES to place all legal advertisements for any required cooperative bidding in Newsday, which is designated as the official newspaper for the Program; and

BE IT FURTHER RESOLVED, that a Town of Babylon Meeting shall be held annually consisting of a representative from each Town of Babylon Program. Notice of the meeting shall be given to each representative at least five (5) days prior to such meeting; and

BE IT FURTHER RESOLVED, that an Advisory Committee will be formed consisting of five to ten representatives of own of Babylon's Program T for a term of three (3) years as authorized by General Municipal Law §119-o.2.j; and

BE IT FURTHER RESOLVED, that this Agreement with the Town of Babylon shall be for a term of one (1) year as authorized by General Municipal Law §119-o.2.j; and

BE IT FURTHER RESOLVED, that the Town of Babylon agrees to pay Eastern Suffolk BOCES an annual fee as determined annually by Eastern Suffolk BOCES to act as the lead agent for the Program.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 217 MARCH 15, 2023
AUTHORIZING THE SUPERVISOR TO EXECUTE A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT NEGOTIATED
BY THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 237

WHEREAS, the Town of Babylon (Town) has entered into a collective bargaining agreement (CBA) with the International Brotherhood of Teamsters Local 237 (Union); and

WHEREAS, the benefits contained therein were duly negotiated with representative of the Union; and

WHEREAS, the successor CBA recently ratified by the Union is in the best interest of the Town.

NOW, THEREFORE BE IT

RESOLVED, this Town Board deems that the terms and conditions set forth in said CBA are fair and reasonable and further that it is in the best interests of the Town to enter into said CBA; and be it further

RESOLVED, that the Supervisor be hereby authorized to execute the CBA embodying the changes outlined in the memorandum of agreement negotiated by representative of the Town of Babylon and the International Brotherhood of Teamsters Local 237; and be it further

RESOLVED, that the CBA must be approved by the Town Attorney as to form; 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 Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 218 MARCH 15, 2023
AUTHORIZING THE SUPERVISOR TO SIGN AND SUBMIT THE FISCAL YEAR 2022 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT

WHEREAS, the Town of Babylon has prepared a draft of the Fiscal Year 2022 Housing and Community Development Plan (HCD Plan) Consolidated Annual Performance Evaluation Report (CAPER) for submittal to the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the draft document has been made readily available for all interested members of the public to review and provide comment; and

WHEREAS, submission of the Fiscal Year 2022 HCD Plan Consolidated Annual Performance Evaluation Report requires that the authorized official representative of the Town, the Supervisor, sign the document.

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 CAPER signature requirements, subject to public comments, ending on March 28, 2023, and submit the Fiscal Year 2022 HCD Plan Consolidated Annual Performance Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development; and be it further

RESOLVED, that the CAPER is subject to the review of the Town Attorney as to form and content.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 219 MARCH 15, 2023
AUTHORIZING THE FILING OF AN APPLICATION AND EXECUTION OF A CONTRACT FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE STATE ASSISTANCE PROGRAM

WHEREAS, New York State provides financial aid for household hazardous waste programs; and

WHEREAS, the Town of Babylon has examined and duly considered the applicable laws of the State of New York and deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS, a contract by and between the People of the State of New York and the Town of Babylon is required to be executed for such state aid.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understandings and assurances contained in said application is hereby authorized; and be it further

RESOLVED, that the Supervisor is directed and authorized to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State; and be it further

RESOLVED, that the Town of Babylon agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 220 MARCH 15, 2023
ACCEPTING THE LEGAL, MAINTENANCE AND REPAIR RESPONSIBILITY FOR CERTAIN PORTIONS OF CERTAIN ROADWAYS WITHIN THE TOWN OF BABYLON

BE IT RESOLVED, by the Town Board of the Town of Babylon, that upon the recommendation of the Commissioner of Department of Public Works, the Town of Babylon hereby takes the legal, maintenance and repair responsibility of those portions of roadways and streets cited below and upon the recommendation of Vincent Piccoli, Commissioner of Public Works.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

<u>NAME</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>
Merritt Ave	N. 28 th St.	N. 27 th St.	200 feet
Merritt Ave	N. 25 th St.	N. 24 th St.	200 feet

**RESOLUTION NO. 221 MARCH 15, 2023
DECLARING EQUIPMENT SURPLUS**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of the Department of Public Works, that the following obsolete equipment be and is hereby declared surplus and be auctioned or discarded:

Going to March 2023 Auction

(Parenthesis show amount if none equals only 1)

Komatsu Part#

L245V8102E12 Tie-rod (2)
1685401C91 Tie-rod
L20LV8088A13 Tie-rod
L24SV8102E12 Tie-rod (2)
L205V8101C15 Tie-rod
L245V8104B14 Tie-rod (2)
1685402C91 Tie-rod
1205V8100B13-1 Tie-rod
C245V8112A14 Tie-rod (2)
C20LV8087A13 Tie-rod
358-7180-1 Airbag
111063C2 Bracket (4)
423-926-A250 Wiper Motor
6742-01-5040 Water Pump (2)
20G-06-K1250 Flasher Relay
664608C92 Mirror
417-06-23310 Lamp
416-942-A290 Panel Mount (2)
1295466H91 Fuel shut-off
6742-01-1900 Thermostat
1801191C91 Thermostat
6731-71-6430 Filter Cover
600-311-9971 Screen
423-43-27211 Tube
424-35-12930 Tube
424-35-12171 Tube
421-35-14320 Hose
1122154C1 Hose
423-03-41750 Hose
21P-03-K1161 Hose
423-03-41580 Hose
423-03-41770 Hose
21P-03K1171 Hose
4RL82 Hose
6742-01-3560 Hose
423-03-41770 Hose
423-03-41750 Hose
112215C1 Hose
423-23-41580 Hose (2)
660891C2 Bracket (3)
419-03-11540 Hose
124121742 Gasket
1173783C1 Latch
1173782C1 Latch
08844-1 Latch (2)
1240882H1 Pulley
1129988C1 Latch
363-06-31121 Switch
424-06-23220 Lens (2)
421-06-26110 Switch
51509-17780 Blower Resistor
1208492H1 Hinge (4)
6742-01-5279 Hinge
1222679H91 Lever
1222689H91 Lever
704523C1 Relay (2)
33248 Filter (2)
419-15-16930 Filter (6)
207-04-A1100 Filter (2)
07700-50240 Valve
07030-00252 Breather (4)
6754-61-6212 Thermostat
701922C2 Cap
6735-21-7130 Cap (2)
423-54-34170 Rubber
423-06-44550 (2)
424-54-44861 Plate (2)
314-6590 Bracket

1241236H92 Bracket
6731-61-4199 Tensioner (2)
GM Part #
F3H2-13350-A Flasher
F6SU-1766-CA Sensor
1358-1921 Level Sensor
84053438 Door Latch
25691383 Fuel Ring
10325852 Fuel Ring
DC22-32719-A Solenoid
SF609 Flasher
SF593 Flasher
841B6138
2511-2905 Line
15661957 Bracket
22989961 HTR
15933016 Mirror
7C32-7H557A Sensor
1576-9412 Cable (3)
2579-5074 Harness
33725 Wheel Cylinder (2)
33628 Wheel Cylinder (3)
33726 Wheel Cylinder (3)
34139 Wheel Cylinder
33627 Wheel Cylinder
2037781 Wheel Cylinder (2)
33597 Wheel Cylinder (2)
33708 Wheel Cylinder
34140 Wheel Cylinder (2)
31139 Wheel Cylinder
H2622 Spring
H5781Q Spring
H2697 Spring
H5069 Spring
16118 Spring
WC13891 Wheel Cylinder
WC13595 Wheel Cylinder
H7289 Bolt
111962037 Drum Acc.
H2663 Spring
H5055 Spring
H5663 Spring
33627 Wheel Cylinder
WC13206
H5626 Drum Acc.
H2587 Drum Acc.
HW5075 Drum Acc.
H5647 Drum Acc.
H2588 Drum Acc.
H2535 Drum Acc.
WC13597 Drum Acc.
H2589 Drum Acc (2)
H7181 Drum Acc.
H7055 Drum Acc.
5516 Wheel Kit (2)
H2585 Drum acc.
150.66109 Brake Line (2)
International Part#
BH380295 Line (2)
2509252C92 Side pin (2)
11548 Separator (2)
KN24001 Water
513596C92 Valve
Kit 8042
761-5000DX Shoes (2)
3561639C1 Valve
K229859 Valve
H7333 Shoe (2)
H13882 Shoe (3)

1012214 Slack (2)
CS52320 Slack
E-3518X2 Shoe Kit (2)
4278326 Slack (4)
BXK04397 Slack
BXX041877 Slack
H7250 Spring (2)
ETNQ210724 Brake Kit
2509252C92 Repair Kit
581694C1 Wheel Lock
581604C1 Wheel lock
MC340259 Master Cyl. (2)
3119 Brake Hardware
Part #
21083 Hose
27437 Hose
22771 Hose
108-9529 Clip
0087049 Light
252-5002 Filter (2)
209-8217 Filter
252-5001 Filter
209-8217 Filter (2)
266-7765 Filter (3)
6V-6535 Bolt
89-2928 Bolt
89-2933 Nut
6V-8360 Bolt
3K-9770 Nut
948315 Clamp
294-3067 Clamp
K205Y Teeth (5)
277-5063 Gasket
735327C91 Pump
243-2153V Pipe
Flywheel
PA3419 Baldwin Air Filter (2)
21-3507 CAT Nuts
137501 Filter (2)
184709 Filter
0000805187 Filter
493027C2 Bracket (4)
137498 Air Filter
132024Filter
074830 Filters
15821958 Fuel line
19169004 GM taillight
E7H2-2268-G GM Tube
137509 Tube
588197C1 Steering Wheel (3)
A0109 Harness
2026920C1 International Light
3557558C91 International A/C Line
07236302870 Compressor
25962114C91 Pedal (2)
E7HZ-9735-A Pedal (3)
1830033C2 International Tensioner
2026920C1 International Dome Light (2)
180124412 International Turbo Drain
C0016002 International Line (2)
489078C91 Tube
18011398C91 Oil Pan (2)
2005081C2 Tube (2)
3289369 Cummins Belt
4775174C5 Cable
F4HZ-9A702-FA Rod
FLF FLX10740003 Boot
3538315C1 Bottle
00325 Door Switch

07063-01100 Komatsu Filter (2)
20Y-979-6261 Filter (7)
17M-911-3530
3050692 Switch
4489070140 Light
3800675 Solenoid
3870555460 Line
C69891 Step
44890-60260 Kawasaki Light (2)
44881-60330 Kawasaki Light
44881-60310 Kawasaki Light (2)
08-60036002M91 Terex Hose (2)
1447048m2 AGCO Filter
6195408M91 Terex Air Filter
619541M91 Terex Filter
08-6101316M91 Terex Fuel cap
02961001
4031460060 Kawaski Fuel Cap
A-22-62922-002 A/C Lines
38705-54540 Line
38705-55460 Line
38755-41000 Kawasaki Pipe
3325860070 Dip Stick
137573 Hose
137573 Hose
43022201807 Kawasaki pedal
AF2307 Air Filter (2)
2004991C1 Valve
K276567 Valve
H1338-2 Valve
HW5945 Spring Kit
620570 Chambers (#)
8042 Spring Kit
A0526382002 Pipe
K274 Spring Kit (4)
E-536 Bushing (2)
8032 Bushing Kit (4)
100400B Air Brake Controller
5249 Brake Parts
6736-81-8730 Bolt
1842906C92 Bolt
479001 Bolt
SX1064 Pads
PAB670 Pads (2)
PD544 Pads
MX249 Pads
RD322 Pads
PD759 Pads
SS-7891-X Pads
MX632 Pads
MKD642 Pads
PAB643 Pads
10014460 Backing Plate (18)

97869 Bracket (2)
K6145T Ball Joint
17067 Mirror (2)
A22-54642-001 Mirror
W51-106-A2 Mirror
K700432
E580761 Tie-rod
K750519 Tie-Rod
K6187T Idler Arm
84300729 Bearing
EV80782 Tie-Rod (2)
K90389 Link Kit
K8268 Bushing Kit
K6659 Idler Arm
K80026 Ball Joint (2)
K750519 Ball Joint
K80604 Ball Joint (2)
K80065 Ball Joint
K500232 Ball Joint (2)
LAL4908E1 Control Arm (4)
596654C92 Tie-rod (5)
N2-4-533 U-joint (3)
CP-133W U-joint (5)
2-0054HD U-joint (3)
261N5H U-joint (3)
CP35R U-joint (4)
CP133N U-joint
312471502 U-joint (3)
447797C91 U-joint (4)
371 U-joint (6)
CP155X U-joint (2)
32-0034110 U-joint (3)
355 U-joint (2)
CP133N U-joint
CP147 U-joint (3)
CP153X U-joint
210-3105 U-joint (2)
3-70-28X U-joint
2210-0160 U-joint
22-301-1HD U-joint
1-0153HD U-joint (4)
2354 U-joint
52020228 Mount (2)
3-70-38X U-joint (2)
CP170X U-joint
2-0053 U-joint
HB-88107A U-joint
2-2-477 Flange (2)
20702 U-joint
1-6301 U-joint
492-10 U-joint
4C4Z-4676-CA U-joint
131N 2 329 U-joint

36945 Fan Clutch
2830667C93 Housing
2561050C91 Housing
719VN Alt. (2)
7122 Alt.
7297N Alt.
E820119 Alt. (2)
A11047 Alt.
SA 847-RM Alt
F3HZ-11002BRM Starter
13735 Starter
7750 Alt.
7861-7 Alt.
8489 Alt.
7793 Alt.
70835 Alt.
37-6179 Starter
349412ASB Starter
M3T90071 Starter
5G041641AC Starter
12667172 Starter
26653 Starter
57629C1 International Headlight Bezel
Komatsu 424-06-23210 Headlight
Philips 4419 Light (2)
Komatsu 28169R1 Light (3)
Komatsu 1108145C91 Light (3)
Komatsu 1301268H91 Light
Federal 6510 light
Federal 6502 Light (4)
Federal 6500A Light (2)
Motorcraft EC-767 Oil Filter (2)
Wicks 51789 Oil Filter (2)
Hastings LF113 Oil filter (21)
Fram PH3900 Oil filter (9)
Fram PH21 Oil filter (7)
Fram CH9549 Oil filter
Fram PH977A Oil Filter (7)
Fram PH4731 Oil filter (2)
Fram P10715
Fram PS9000 Oil filter (5)
Fram P3555A Oil (4)
Fram PH2842 Oil filter (6)
Fram PH8AFP Oil filter (6)
Elgin SF-6707-MG oil filter (2)
Zinga AE-10 filter
Fram PS3607 Oil (2)
Wix 57182 Oil
Fram PH63449A Filter
Fram PH8691 Filter
Napa 3548 Filter
Fleet Pack 1074FP (2)

To be Discarded

Part #

TF 204
PA 10184 (2)
CA9778 (3)
1-8567
NS-319
55847

29538489 (2)
CA 873754
PC4013
PA10072
CA8817 (2)
Komatsu 424-06-4324
1035484 Deflector (5)
1035485 Deflector (4)

1026544 Deflector
1022649 Spool Bracket (3)
301298 Runner Brackets (2)
For Trade-in
Miller Model 320A/BP; Serial #
HH060865; Town of Babylon Property #
00152

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 222 MARCH 15, 2023
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

WHEREAS, Thomas B. Smith was born in 1937 and passed away in 2023. Thomas was a proud resident of North Babylon for over Eighty years; and

WHEREAS, Thomas B. Smith was a police officer for Forty Two years, serving both Babylon Village Police Department and Suffolk County Police Department; and

WHEREAS, Thomas B. Smith was the Town Historian from 2004 to 2013; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of a section of Marcy Street, between Lewis Avenue and Bond Street, North Babylon, to "Lt. Thomas B. Smith Way;" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "Lt. Thomas B. Smith Way."

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 223 MARCH 15, 2023
PROCLAIMING MONDAY, APRIL 10, 2023, AS
EAGLE SCOUT CONOR J. DAVIS DAY**

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, Conor J. Davis 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 Conor J. Davis its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, April 10, 2023, as Eagle Scout Conor J. Davis Day.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 224 MARCH 15, 2023
AUTHORIZING PERMISSION FOR A 5K WALK/RUN ON APRIL 2, 2023
IN THE TOWN OF BABYLON FOR
THE NORTH BABYLON HIGH SCHOOL CIVIL ACTION**

WHEREAS, the North Babylon High School Civil Action has requested permission to hold a parade on Sunday, April 2, 2023 within the Town of Babylon,

INDIVIDUAL: Meghan Kelly 92 Parkside St., Holbrook, NY 11741 - (631) 456-2196	ORGANIZATION: North Babylon High School Civic Action 1 Phelps Lane, North Babylon, NY 11703 - (631) 456-2196
DATES & TIMES: Date(s): 4/2/2023 to: Time: 9:00 a.m. to 12:00 p.m. - Rain Date: n/a	STARTING: Phelps Lane Park (parking lot on the east side) 281 Phelps Lane, North Babylon, NY 11703 ENDING: 212 Phelps Lane (on the west side of Phelps Lane), North Babylon, NY 11703

ROUTE:
Leaving the parking lot on the east side of Phelps Lane Park and turning sharp left onto Spangle Dr., turn right onto Strathmore Dr., turn left onto Monitor St., turn Magro St., turn left onto Frankie Ln., turn right onto Frankie Ct., turn left onto Sylvan Rd., turn left onto Westwood Dr., turn left onto Eastwood Dr., turn right onto Stratford Pl., turn right onto Westwood Dr., turn left onto Southwood Ln., turn right onto Hughes Ln., turn left onto Westwood Dr., turn left onto Sylvan Rd., turn left onto Miller Ave., turn sharp right onto Alfred St., turn right onto Miller Ave./Phelps Ln. and ending in front on house #212.

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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 225 MARCH 15, 2023
AUTHORIZING PERMISSION FOR A PARADE ON APRIL 15, 2023
IN THE TOWN OF BABYLON FOR THE WEST BABYLON LITTLE LEAGUE**

WHEREAS, the West Babylon Little League has requested permission to hold a parade on Saturday, April 15, 2023 within the Town of Babylon,

INDIVIDUAL: Thomas Sullo 1471 5 th Street, West Babylon, NY 11704 - (631) 612-0941	ORGANIZATION: West Babylon Little League 129 Sawyer Avenue, West Babylon, NY 11704 - (631) 553-9280
DATES & TIMES: Date(s): 4/15/2023 to: Time: 12:00 p.m. to 1:00 p.m. - Rain Date: n/a	STARTING: Pape Field, 220-234 Old Farmingdale Road, West Babylon ENDING: 129 Sawyer Avenue, West Babylon

ROUTE:
Leaving the football fields at Pape Field, turn right and travel east onto Old Farmingdale Road toward Little E. Neck Road, make a right and proceed south onto Berkshire Road to Sawyer Avenue, make a right and proceed west onto Sawyer Avenue and make a right onto the ball fields.

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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 226 MARCH 15, 2023
AUTHORIZING PERMISSION FOR A WALK-A-THON ON OCTOBER 22, 2023
IN THE TOWN OF BABYLON FOR MICHAEL SENA'S MEMORIAL FUND – RUN FOR HOPE**

WHEREAS, Michael Sena's Memorial Fund – Run for Hope has requested permission to hold a 5K Run/Walk on Sunday, October 22, 2023, from 9:00 a.m. to 10:00 a.m. within the Town of Babylon,

INDIVIDUAL: Barbara Sena 53 Western Avenue, Deer Park, NY 11729 - (631) 796-5191	ORGANIZATION: Michael Sena Memorial Fund – Run for Hope 53 Western Avenue, Deer Park, NY 11729 - (631) 796-5191
DATES & TIMES: Date(s): 10/22/2023 to: Time: 9:00 a.m. to 10:00 a.m. - Rain Date: n/a	STARTING: Deer Park High School, 1 Falcon Place, Deer Park ENDING: Deer Park High School, 1 Falcon Place, Deer Park

ROUTE:
Leaving Deer Park High School, proceeding south on North 1st Street, turning west on Acorn Street, proceeding north on Ocean Avenue, turning west on Adam Street, turning north on Western Avenue, heading east on Nicolls Road, heading north on Half Hollow Road, turning east on Old Country Road, heading south on Jefferson Avenue, turning east on Nicolls Road, turning south on North 1st Street, then turning west on Falcon Place to Deer Park High School.

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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 227 MARCH 15, 2023
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 67 (CARLLS RIVER BOTANICAL GARDEN BOARD)**

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 12th day of April, 2023, at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Town 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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

Exhibit "A"

ADD as follows:

**CHAPTER 67
CARLLS RIVER BOTANICAL GARDEN BOARD**

§ 67-01. Establishment of Carlls River Botanical Garden Board.

There shall be in the Town of Babylon a Carlls River Botanical Garden (CRBG) Board consisting of five members. Said members shall be the Deputy Supervisor, who shall act as Chairperson; the Town Horticulturalist; the Commissioner of Public Works; the Commissioner of Environmental Control; and a community CRBG Board member who is appointed by the Town Board. These members shall serve without compensation.

§ 67-02. Powers and Duties.

The CRBG Board shall meet from time to time as needed, and shall adopt such policies and procedures as deemed necessary for the orderly operation of the Carlls River Botanical Garden. In addition, the CRBG Board shall make recommendations and advise the Town Board from time to time on issues concerning the operation of the CRBG.

RESOLUTION NO. 228 MARCH 15, 2023
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 47 (PERSONNEL POLICIES) ARTICLE VII (FINGERPRINTING AND BACKGROUND CHECKS)

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 12th day of April, 2023 at 3:00 p.m., prevailing time, to consider adopting a local law to amend the Babylon Town 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 Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

Exhibit "A"

ADD as follows:

CHAPTER 47
PERSONNEL POLICIES - ARTICLE VII
FINGERPRINTING AND BACKGROUND CHECKS

§ 47-24. Background checks; fingerprinting.

All prospective employees of the Town of Babylon shall be fingerprinted so that the Town may obtain a criminal history report from the New York State Division of Criminal Justice Services (DCJS). Each prospective employee shall submit proof that he or she has been electronically fingerprinted through a DCJS-approved Statewide Vendor-Managed Civil Fingerprint Capture System.

§ 47-25. Review of criminal history.

The Commissioner of Public Safety or his or her designee shall gather and review all information provided by DCJS in connection with a prospective employee's criminal history and provide a report to the Town Attorney in that regard.

§ 47-26. Candidate fitness.

If any prospective employee has been convicted of a felony and/or misdemeanor, the decision regarding his or her fitness for the position sought shall be made by the Town Attorney using the factors set forth in Article 23-A of the New York State Correction Law.

RESOLUTION NO. 229 MARCH 10, 2023
AUTHORIZING THE SUPERVISOR TO SIGN 911 EMS AMBULANCE AGREEMENT
FOR AMBULANCE SERVICES BETWEEN TOWN OF BABYLON,
CATHOLIC HEALTH AND AMERICAN MEDICAL RESPONSE OF NEW YORK, LLC

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to sign a 911 EMS Ambulance Agreement for Ambulance Services between the Town of Babylon, Catholic Health and American Medical Response of New York, LLC., for the purposes of providing emergency 911 ambulance response; 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 Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 230 MARCH 10, 2023
AUTHORIZING THE SUPERVISOR TO SIGN MEMORANDUM OF UNDERSTANDING
BETWEEN THE TOWN OF BABYLON AND NORTH AMITYVILLE FIRE COMPANY, INC.

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to sign a Memorandum of Understanding between the Town of Babylon and the North Amityville Fire Company, Inc. for the purpose of providing fire protection and ambulance coverage to North Amityville Fire Protection Districts No. 5 and 6; 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 Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 231 MARCH 15, 2023
AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY
TO QUALIFIED ENTITIES PROVIDING PROGRAMATIC SUPPORT

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 entities that provide programs 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:

Bolden Mack Basketball LLC	\$49,500.00
Famous Food Festival, LLC	\$49,500.00
Destiny Mission, Inc.	\$15,000.00

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 entity to do so will mean the grant money will be withheld, denied or claw-backed in the Town's discretion; and NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment not to exceed \$49,500.00 to the entities 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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 232 MARCH 15, 2023

UNENCUMBERING THE GRANT OF AMERICAN RESCUE PLAN MONEY TO THE WYANDANCH VFW

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

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

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

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

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

WHEREAS, the Town Board passed Resolution No. 448 on June 8, 2022; and

WHEREAS, the Town unencumbers the remaining \$10,000.00 of the program and returns them to the encumbered account; and
NOW, THEREFORE BE IT

RESOLVED, that the remaining \$10,000.00 authorized by Resolution No. 448 on June 8, 2022 is now unencumbered and that Comptroller of the Town be and hereby is authorized to return the remaining funds to the unencumbered account; 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 Manetta and seconded by Councilman Martinez

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION AGENDA

RESOLUTION NO. 233 MARCH 15, 2023

TOWN BOARD ENVIRONMENTAL DETERMINATION REGARDING AMENDING SECTION 213-503 (REGULATING PLAN TILE 8) OF CHAPTER 213 (ZONING) OF THE CODE OF THE TOWN OF BABYLON TO FACILITATE CONSTRUCTION OF THE ACADEMY CHARTER SCHOOL-TACS WYANDANCH LOWER SCHOOL ON THE NORTH SIDE OF COMMONWEALTH DRIVE WYANDANCH, NY

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

WHEREAS, the Town Board of the Town of Babylon proposes on its own motion to make changes to Section 213-503 (Regulating Plan Tile 8) of Chapter 213 (Zoning) of the Code of the Town of Babylon to facilitate construction of the Academy Charter School-TACS Wyandanch Lower Charter School on the north side of Commonwealth Drive, Wyandanch, New York; and

WHEREAS, more specifically, the proposal by the Academy Charter School-Building N submitted by Kathleen Deegan Dickson, Forchelli Law, 333 Earle Ovington Boulevard, Suite 1010, Uniondale, New York 11553 involves the construction of a 4-story 16,667 square feet footprint structure for educational purposes and associated site improvements; and

WHEREAS, the Town Board of the Town of Babylon hereby declares its intent to be the lead agency for the direct action and development proposal in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Department of Environmental Control is assisting the Town Board in fulfilling its responsibilities under SEQRA and TOBEQRA; and

WHEREAS, based upon review of the information submitted, the Department of Environmental Control has recommended a NEGATIVE DECLARATION be adopted; and

WHEREAS, the Town Board of the Town of Babylon has independently reviewed the available information and the recommendation of the Department of Environmental Control; and

WHEREAS, that the Town Board of the Town of Babylon has classified the proposal as an Unlisted Action with a coordinated review having been conducted; and

WHEREAS, that the Town Board of the Town of Babylon hereby independently determines the following:

1. The proposal will not create a significant increase in traffic. A Traffic Study has been prepared Cameron Engineering; Proposed Academy Charter School Site N at Wyandanch LIRR Town of Babylon Suffolk County, New York October 2022/Revised December 2022. The Findings of the relevant Traffic Study indicate that: "Based on the analysis and conclusions herein, it is our professional opinion that this site (development) will not create off-site traffic impacts or parking concerns." Notwithstanding, the Commissioner of Planning and Development may request modifications of the approved plans, at the owner/applicant's expense to mitigate any unforeseen traffic impacts.

2. The project will be developed in conformance with Chapter 189 of the Code of the Town of Babylon Stormwater Management and Erosion and Sediment Control requirements. A full Stormwater Pollution Prevention Plan will be prepared for this project.

3. Post construction stormwater management will address long term maintenance of the stormwater infrastructure on the subject site.
4. The project site does not contain any sensitive cultural or Environmental resources.
5. The development will be connected to the Wyandanch Sewer District for wastewater disposal which will mitigate impacts to groundwater resources from wastewater discharge.
6. The development is proposed to be developed in two phases. The Commissioner of Environmental Control may require modification of the approved plans, at the owner/applicant's expense for solid waste management.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Babylon as lead agency hereby determines that the proposal by Academy Charter School-Building N will not have a significant adverse impact on the environment.

AND FURTHER, be it

RESOLVED, that based upon the foregoing determination, the Town Board of the Town of Babylon hereby adopts a NEGATIVE DECLARATION, as required by the SEQRA AND TOBEQRA.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 234 MARCH 15, 2023
ADOPTING LOCAL LAW NO. 8 OF 2023 AMENDING THE CODE OF THE TOWN OF BABYLON,
CHAPTER 213 (ZONING) SECTION 213-503 (REGULATING PLAN TILE 8)**

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

WHEREAS, the Town Board of the Town of Babylon has proposed adopting a local law amending Chapter 213 (Zoning), Section 213-503 (Regulating Plan Tile 8) to facilitate construction of the Academy Charter School-TACS Wyandanch Lower Charter School on the north side of Commonwealth Drive, Wyandanch, New York ("the project"); and

WHEREAS, the Town Board duly called and held a public hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 15th day of February, 2023 regarding the proposed enactment of such local law; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), the Town Board, as lead agency, has conducted an environmental review of the project as required by SEQR and thereafter adopted a Negative Declaration, having determined that the project would have no significant adverse impact on the environment;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 8 of 2023 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows, effective upon its filing with the New York State Department of State:

**LOCAL LAW NO. 8 of 2023
AMENDING CHAPTER 213 (REGULATING PLAN TILE 8)
OF THE CODE OF THE TOWN OF BABYLON**

Section 1. **Amend** as follows:

Section 213-503 Regulating Plan Tile 8

Tile 8 of Section 213-503: Regulating Plans by Blocks, is hereby amended in connection with the proposed Building N to be located on Block 13 at the northwest corner of the intersection of Commonwealth Drive (ST-74-39) and West Lawn (ST-43-20), as follows:

- A. Build-to-Line. Build-to-line deviations not to exceed 5 feet are permitted along West Lawn (ST-43-20) frontage.
- B. Frontage Occupancy. Frontage Occupancy of 70-80% is permitted along West Lawn (ST-43-20).
- C. Frontage Occupancy. Frontage Occupancy of 58-70% is permitted along Commonwealth Drive (ST-74-39).
- D. Public Frontage (Urban-7 (U-7) frontage required). Urban-7 (U-7) public frontage requirement along Commonwealth Drive (ST-74-39) shall be eliminated.
- E. Private Frontage (Stoop or Porch and Landscaping Required). Stoop or porch and landscaping private frontage requirement for the West Lawn (ST-43-20) frontage shall be eliminated.
- F. Private Frontage (Dooryard-Hedge required). Dooryard and hedge private frontage requirement for the Commonwealth Drive (ST-74-39) frontage shall be eliminated.
- G. The provisions of this amendment shall supersede any contrary provisions set forth in Tile 8 of Section 213-503 – Regulating Plan by Blocks and Section 213-504 – Regulating Plan Elements.

Section 2. **Severability**

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. **Effective Date**

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 235 MARCH 15, 2023
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, (DETACHED GARAGE)
LOCATED AT 39 OLD COUNTRY ROAD DEER PARK, NY 11729 SCTM NO. 0100-017.00-02.00-022.001**

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

WHEREAS, a certain structure, detached garage located at **39 Old Country Road, Deer Park, New York 11729** bearing **SCTM# 0100-017.00-02.00-022.001**, all the windows and doors are wide open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, said property is improperly secured and the unsafe structure (detached garage) which constitutes an attractive nuisance to children as well as other residents of the community; and

WHEREAS, it appears that, unless said structure, detached garage 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 (detached garage) located at **39 Old Country Road, Deer Park, NY bearing SCTM # 0100-017.00-02.00-022.001** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated **March 7, 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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 236 MARCH 15, 2023
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
12 CHERWAL ST. WEST BABYLON, NY 11704 SCTM NO. 0100-220.00-02.00-014.000**

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

WHEREAS, a certain structure(s) located at **12 Cherwal St., West Babylon, New York**, bearing **SCTM# 0100-220.00-02.00-014.000** the dwelling was placarded for deplorable and unsanitary conditions, 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 **12 Cherwal St., West Babylon, New York**, bearing **SCTM# 0100-220.00-02.00-014.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated **March 1, 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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 237 MARCH 15, 2023
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
10 MOHAWK DR., NORTH BABYLON, NY 11703 SCTM NO. 0100-115.00-02.00-003.000**

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

WHEREAS, a certain structure(s) located at **10 Mohawk Dr., N. Babylon, New York 11703** bearing **SCTM# 0100-115.00-02.00-003.000** the windows and doors are wide open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing and board up of the premises located at **10 Mohawk Dr., North Babylon, NY** bearing **SCTM # 0100-115.00-02.00-003.000** to eliminate a safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated **March 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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

TABLED RESOLUTIONS

**RESOLUTION NO. 1031 of 2022 MARCH 15, 2023
DECLARING 15 IRVING ROAD, BEARING
SCTM# 0100-182.00-01.00-141.000 AMITYVILLE ABANDONED**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman Gregory

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 April 12, 2023 Meeting.

**RESOLUTION NO. 153 MARCH 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 Supervisor Schaffer and seconded by Councilman McSweeney

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 April 12, 2023 Meeting.

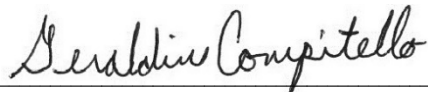
Joseph Wilson – Town Attorney

My office received a letter from the law offices of Rodolfo Plano Esquire dated March 14th, the property 41 Crown Street Deer Park was sold on March 10th, the new owner plans on submitting a building permit application within the next two weeks, they are requesting an adjournment of today's proceedings and I believe the next date would be April 12th.

GENERAL PUBLIC COMMENT

No Speakers

Being no further business before the Board, the meeting adjourned at 3:08 pm on the motion of Supervisor Schaffer, seconded by Councilman Martinez.



Geraldine Compitello, Town Clerk

/jt