

PUBLIC HEARING
OF THE
TOWN BOARD
TOWN OF BABYLON

Held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 12th day of May 2021 at 3:30 P.M., Prevailing Time.

1. PUBLIC HEARING REGARDING AMENDMENTS CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

PRESENT:

ANTHONY MANETTA	COUNCILMAN
ANTONIO A. MARTINEZ	COUNCILMAN
TERENCE MC SWEENEY	COUNCILMAN
DUWAYNE GREGORY	COUNCILMAN
RICHARD SCHAFFER	SUPERVISOR
STEPHEN GREENWALD	DEPUTY TOWN CLERK
JOSEPH WILSON	TOWN ATTORNEY
JENNIFER TAUS	RECORDING SECRETARY

ABSENT:

GERALDINE COMPITELLO	TOWN CLERK
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The Deputy Town Clerk read the Notices of Public Hearing

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

EXHIBIT “A”

Chapter 2, Article IV, Section 2-8

[Traffic Regulations; Stop and Yield Intersections Designated]

ADD to Schedule H:

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Muncy Avenue at Henry Street	NL	Stop	East on Muncy Avenue
Henry Street at Muncy Avenue	NL	Stop	Northwest/Southeast on Henry Street

Dated: April 14, 2021, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON
GERALDINE COMPITELLO, TOWN CLERK

Councilman Manetta: I move that the hearing be CLOSED and decision reserved.

Councilman Martinez: Second

ALL IN FAVOR: AYE

HEARING CLOSED DECISION RESERVED.

/jt

PUBLIC HEARING
OF THE
TOWN BOARD
TOWN OF BABYLON

Held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>,
on Wednesday, the 12th day of May 2021 at 3:30 P.M., Prevailing Time.

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2. *PUBLIC HEARING REGARDING AMENDMENT TO THE CODE OF THE TOWN OF BABYLON, CHAPTER 89 (BUILDING CONSTRUCTION), ARTICLE II (GENERAL AND ADMINISTRATIVE PROVISIONS), SECTION 89-13.1 (APPRENTICESHIP TRAINING PROGRAM COMPLIANCE REQUIRED)*
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PRESENT:

ANTHONY MANETTA	COUNCILMAN
ANTONIO A. MARTINEZ	COUNCILMAN
TERENCE MC SWEENEY	COUNCILMAN
DUWAYNE GREGORY	COUNCILMAN
RICHARD SCHAFFER	SUPERVISOR
STEPHEN GREENWALD	DEPUTY TOWN CLERK
JOSEPH WILSON	TOWN ATTORNEY
JENNIFER TAUS	RECORDING SECRETARY

ABSENT:

GERALDINE COMPITELLO	TOWN CLERK
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The Deputy Town Clerk read the Notices of Public Hearing

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

EXHIBIT “A”

AMEND

§ 89-13.1 Apprenticeship training program compliance required.

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

- (1) A “construction contract” shall mean any contract with a value in excess of \$250,000 to which the Town of Babylon is a party or for work to be performed on Town of Babylon-owned property that concerns the construction, reconstruction, improvements, rehabilitation, maintenance, furnishing, equipping of or otherwise providing for any building, facility or physical structure of any kind; and

(2) A “Certificate of Completion” shall mean a certificate issued by the New York State Department of Labor which recognizes a person’s successful completion, within the 12 month period immediately preceding the date of the construction contract award, of a qualified apprenticeship and the training program registered approved by Commissioner of the New York State Department of Labor in accordance with the New York Labor Law and 12 NYCRR §600. et seq., and any amendments thereto.

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

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

D. This section shall not apply:

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

Dated: April 14, 2021, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON
GERALDINE COMPITELLO, TOWN CLERK

Councilman Martinez: I move that the hearing be CLOSED and decision reserved.

Councilman McSweeney: Second

ALL IN FAVOR: AYE

HEARING CLOSED DECISION RESERVED.

/jt

A Regular Meeting of the Town Board, Town of Babylon, was held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 12th day of May 2021 at 3:30 P.M., Prevailing Time.

Rich Groh – Chief Environmental Analyst, Town of Babylon

Department of Coastal and Environmental Management - Room 406, 281 Phelps Lane, North Babylon, NY 11703-4045 Phone (631) 422-7640

Makes a presentation and awards the winners of the 3rd Annual Waterways Poster contest in memory of Burt Koza.

Abby Paolillo – 1st Place, Alexis Sirris – 2nd Place, Dorian Collymore – 3rd Place.

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 ask that you keep in your thoughts and prayers the brave service men and women serving our country both here and abroad as well as those in our town who are still dealing with the aftermath of the Covid-19 pandemic, especially those who have lost a loved one or are suffering through a serious illness as well as those first responders and health care professionals working to serve our community.*

Thank you, please be seated.

The Deputy Town Clerk called the roll:

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

- 1. PUBLIC HEARING REGARDING AMENDMENTS CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**
- 2. PUBLIC HEARING REGARDING AMENDMENT TO THE CODE OF THE TOWN OF BABYLON, CHAPTER 89 (BUILDING CONSTRUCTION), ARTICLE II (GENERAL AND ADMINISTRATIVE PROVISIONS), SECTION 89-13.1 (APPRENTICESHIP TRAINING PROGRAM COMPLIANCE REQUIRED)**

RESOLUTION NO. 238 MAY 12, 2021

PROVIDING WATER SYSTEM IMPROVEMENTS FOR THE OAK BEACH COMMUNITY WATER SYSTEM PURSUANT TO TOWN LAW ARTICLE 12-C

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The resolution was thereupon declared duly **TABLED** to May 20, 2021 Meeting.

**RESOLUTION NO. 294 MAY 12, 2021
ACCEPTING TOWN BOARD MINUTES**

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

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

April 28, 2021

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 295 MAY 12, 2021
AUTHORIZING CHANGE ORDER NO. 3 IN THE CONTRACT WITH ROLAND'S ELECTRIC, INC.
FOR BID NO. 19G31FA, INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, FIRE ALARM CONSTRUCTION**

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

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

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

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 237 of April 14, 2021, which resulted in no change to the contract amount; and

WHEREAS, the Change Order Committee convened on May 7, 2021 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of Planning & Development and Commissioner of General in attendance to review Change Order No.3; and

WHEREAS, the Change Order Committee and Cashin Associates recommend the approval of Change Order No. 3 as follows:

Change Order No. 3 Provide all labor and materials to tie the existing Fire Alarm system in the new FACP and had a horn strobe in the 911 call center	\$3,966.89
Credit for to contingency	(\$3,033.54)
Total Change Order No.3	\$933.35

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of and the Change Order Review Committee and Cashin Associates, P.C., the Supervisor be and he is hereby authorized to execute Change Order No. 3 in the amount of NINE HUNDRED THIRTY THREE DOLLARS AND 35/100 (\$933.35), increasing the contract with Roland's Electric, Inc. to SEVENTY SIX THOUSAND, NINE HUNDRED THIRTY THREE DOLLARS AND 35/100 (\$76,933.35).

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 296 MAY 12, 2021
AUTHORIZING CHANGE ORDER NO. 3, FOR BID NO. 19G80 IMPROVEMENTS TO WATER & FIRE PROTECTION SYSTEMS
AT GILGO/WEST GILGO IN THE CONTRACT WITH BENSIN CONTRACTING, INC.**

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

WHEREAS, Bid No.19G80, Improvements to Water & Fire Protection Systems at Gilgo/West Gilgo was awarded to Bensin Contracting, Inc. for a total contract amount of FOUR HUNDRED SEVENTY-TWO THOUSAND TWO HUNDRED DOLLARS (\$472,200.00) pursuant to Resolution No.186 of February 13, 2020; and

WHEREAS, this project is part of the Governor's Office of Storm Recovery (GOSR) mitigation projects; and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 298 of April 7, 2020, which resulted in no change to the contract amount; and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution no. 748 of December 2, 2020; and

WHEREAS, the Change Order Committee ("Committee") convened on May 7, 2021 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 3 as follows:

Change Order No. 3 provide all labor and material to reposition the chlorine injection devices upstream of the iron removal vessels	\$10,483.00
Credit to Contingency	(\$3,195.56)

Total Change Order No. 3	\$7,287.44
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WHEREAS, the Chief of Staff has abstained from voting on this Change Order; and
 WHEREAS, Change Order No.3 has been approved by the Committee, H2M, and the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, H2M, and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 3 in the amount of SEVEN THOUSAND TWO HUNDRED EIGHTY SEVEN DOLLARS AND 44/100 (\$7,287.44), increasing the total contract amount with Bensin Contracting, Inc. to FOUR HUNDRED SEVENTY NINE FOUR HUNDRED EIGHTY SEVEN DOLLARS AND 44/100 (\$479,487.44).

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 297 MAY 12, 2021
 AMENDING RESOLUTION NO. 83 OF FEBRUARY 3, 2021 WITH L.E.B. ELECTRIC LTD FOR BID NO. 19G87,
 FURNISH & INSTALL DECORATIVE STREET LIGHTS ON STRAIGHT PATH AS COMPLETE AND ACCEPTABLE**

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

WHEREAS, Bid No. 19G87, Installation of New HVAC System at Town Hall, Mechanical (HVAC) Construction was awarded to L.E.B. Electric Ltd. pursuant to Resolution No. 768 OF December 4, 2019 for a total contract amount of TWO HUNDRED FORTY-EIGHT THOUSAND, FIVE HUNDRED TWENTY-TWO DOLLARS AND 21/100 (\$248,522.21); and

WHEREAS, Change Order No. 1 was approved in the amount of THIRTEEN THOUSAND, NINE HUNDRED EIGHT DOLLARS AND 30/100 (\$13,980.30) pursuant to Resolution No. 381 of May 17, 2020; and

WHEREAS, Change Order No. 1 was amended and the contract with L.E.B. Electric, Ltd was closed out pursuant to Resolution No. 83 of February 3, 2021; and

WHEREAS, due to a scrivener's error, a credit amount was omitted as follows:

Credit for actual amount of labor and materials used	(\$10,266.24)
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WHEREAS, the final contract amount should be amended to TWO HUNDRED FIFTY THOUSAND, SIX HUNDRED FIFTY-NINE DOLLARS AND 32/100 (\$250,659.32);

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 83 of February 3, 2021 be and is hereby amended to include a credit in the amount of TEN THOUSAND, TWO HUNDRED SIXTY-SIX DOLLARS AND 24/100 (\$10,266.24); and be it further

RESOLVED, that the final contract amount for L.E.B. Electric, Ltd. pursuant to Bid No. 19G87 be and is hereby amended at a total contract amount not to exceed TWO HUNDRED FIFTY THOUSAND, SIX HUNDRED FIFTY-NINE DOLLARS AND 32/100 (\$250,659.32).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 298 MAY 12, 2021
 AUTHORIZING CHANGE ORDER NO. 1, IN THE CONTRACT WITH PIONEER LANDSCAPING & ASPHALT PAVING, INC
 FOR BID NO. 20G73, CARLL'S RIVER WATERSHED, LOCATION NO. 1 SUNRISE HIGHWAY**

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

WHEREAS, Bid No.20G73, Carll's River Watershed, Location No. 1 Sunrise Highway was awarded to Pioneer Landscaping & Asphalt Paving, Inc. for a total contract amount of ONE MILLION SEVEN HUNDRED SEVENTY-FIVE THOUSAND (\$1,775,000.00) DOLLARS pursuant to Resolution No.784 of December 23, 2020; and

WHEREAS, this project is part of the Governor's Office of Storm Recovery (GOSR) mitigation projects; and

WHEREAS, the Change Order Committee ("Committee") convened on May 7, 2021 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 1 as follows:

Change Order No. 1 provide all labor and material to add stone for the structural integrity of the gabion walls due to a higher than normal groundwater level	\$17,276.02
Credit to Contingency	(\$17,276.02)
Total Change Order No. 1	\$0

WHEREAS, Change Order No.1 has been approved by the Committee, NV5, and the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, NV5, and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 1 in the contract with Pioneer Landscaping & Asphalt Paving, Inc., which has resulted in no change to the contract amount.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 299 MAY 12, 2021
AUTHORIZING CHANGE ORDER NOS 1 & 2 IN THE CONTRACT WITH GRACE INDUSTRIES, LLC FOR BID NO. 20G74
CARL'S RIVER WATERSHED, LOCATION NO. 5 LOCUST AVENUE, BABYLON VILLAGE IN THE CONTRACT

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

WHEREAS, Bid No.20G74, Carl's River Watershed, Location No. 5 Locust Avenue, Babylon Village was awarded to Grace Industries, LLC for a total contract amount of ONE MILLION NINE HUNDRED SEVENTY-TWO THOUSAND, SIX HUNDRED TEN (\$1,972,610.00) DOLLARS pursuant to Resolution No.785 of December 23, 2020; and

WHEREAS, this project is part of the Governor's Office of Storm Recovery (GOSR) mitigation projects; and

WHEREAS, the Change Order Committee ("Committee") convened on May 7, 2021 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order Nos. 1 & 2 as follows:

Change Order No. 1 provide all labor and material to Survey & perform vibration monitoring at Hibernian property located at 27 Locust	\$11,303.50
Change Order No. 2 Install test pit and survey to accurately locate 42" sewer main running down Locust Ave	\$53,313.16
Credit to Contingency	(\$64,616.66)
Total Change Order Nos. 1 & 2	\$0

WHEREAS, Change Order No.1 has been approved by the Committee, NV5, and the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, NV5, and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 1 in the contract with Grace Industries, LLC, which has resulted in no change to the contract amount.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 300 MAY 12, 2021
RESCIND AWARD OF BID NO. 21G22-TOWING SERVICES: REMOVAL OF ABANDONED VEHICLES FROM THE TOWN
ROADWAYS & PRIVATE PROPERTY AND REMOVAL OF VEHICLES FOR ROADWORK TO ROLL-RITE TOWING
DIV. OF SUNRISE TRANSPORTERS INC. AND REAWARD TO BANGS TOWING, INC.

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

WHEREAS, Bid No. 2122-Towing Services: Removal of Abandoned Vehicles from Town Roadways & Private Property and Removal of Vehicles for Roadwork was awarded to Roll-Rite Towing a Div. of Sunrise Transporters for Items No. 2 and 3 pursuant to Resolution No. 203 of March 31, 2021; and

WHEREAS, Roll-Rite Towing a Div. of Sunrise Transporters has requested to withdraw from the bid; and

WHEREAS, the Commissioner of General Services recommends accepting the withdrawal of Roll-Rite Towing a Div. of Sunrise Transporters without penalty; and

WHEREAS, the Commissioner of General Services recommends re-awarding to the second over-all low bidder Bang's Towing Inc.; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, Bid No. 21G22 be rescinded to Roll-Rite Towing a Div. of Sunrise Transporters bid; and be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services be and the same is hereby awarded to the second overall low bidder, Bang's Towing, Inc.; and be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a the remainder of the one (1) year contract with Bang's Towing, Inc. for Bid No. 21G22 and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that said contracts may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 301 MAY 12, 2021
AWARDING RFP NO. 21G24 REQUEST FOR PROPOSALS FOR ENGINEERING, DESIGN, BID PHASE SERVICES,
CONSTRUCTION MANAGEMENT, INSPECTION, SUPERVISION, AND OBSERVATION & CONSTRUCTION
ADMINISTRATION FOR MAINHOUSE & GREENHOUSES AT GEIGER LAKE PARK

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

WHEREAS, the following proposals for RFP No.21G24, Request for Proposals for Engineering, Design, Bid Phase Services, Construction Management, Inspection, Supervision, and Observation & Construction Administration for Mainhouse & Greenhouse at Geiger Lake Park were received, opened and publicly read:

PROPOSER	ORIGINAL COST PROPOSAL
Cashin Associates, P.C.	\$183,800.00
B. Thayer Associates	\$12,000.00 for topographic survey
BBS Architects	\$188,150.00
	\$16,800 for surveying
	\$223,210.00

BLD Architecture	\$224,000.00
Nelson + Pope	\$243,000.00
Liro Engineers, Inc.	\$263,860.00

WHEREAS, a committee was formed with the Commissioner of General Services, Administrative Assistant for General Services, Commissioner, Deputy Commissioner of Department of Public Works, and the Town Horticulturalist; and

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

WHEREAS, the Committee convened on April 15, 2021 to review all proposals received; and

WHEREAS, the Committee interviewed Cashin Associates, P.C. on April 24, 2021; and

WHEREAS, the Committee convened again on May 5, 2021; and

WHEREAS, after a thorough review of all proposals and interviews, the Committee recommend an award to Cashin Associates, P.C., the firm with the highest amount of points; and

NOW, THEREFORE, be it

RESOLVED, that based upon the Supervisor be and he is hereby authorized to execute a contract Cashin Associates, P.C. for a total contract amount of ONE HUNDRED EIGHTY THREE THOUSAND, EIGHT HUNDRED (\$183,800.00) DOLLARS plus the cost of a topographic survey, if necessary and only requested by the Town of Babylon, subject to the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 302 MAY 12, 2021
AWARDING BID NO. 21G34 RECREATIONAL MOBILITY CHAIRS FOR DISABLED PEOPLE, VIPAMAT, HIPPOCAMPE, WATERWHEELS, ACCESSREC, CATALOG/WEBSITE OR EQUAL

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

WHEREAS, the following bids for Bid No. 21G34, Recreational; Mobility Chairs for Disabled People, Vipamat, Hippocampe, Waterwheels, Accessrec, Catalog/Website or Equal were received, opened and publicly read:

Item 1: Recreational; Mobility Chairs for Disabled People, Vipamat, Hippocampe, Waterwheels, Accessrec, Catalog/Website or Equal

<u>BIDDER</u>	<u>MANUFACTURER</u>	<u>CATALOG/WEBSITE%OFF</u>
ACCESSREC, LLC	VIPAMAT/HIPPOCAMPE	2%
	ACCESSREC/WATERWHEELS	12%

NOW THEREFORE be it;

RESOLVED, that based upon the recommendation of the Commissioner of Parks and Recreation and the Commissioner of General Services and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 21G34 be and is hereby awarded to the sole bidder Accessrec, LLC; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contract with Accessrec, LLC and that the form and content of said contract shall be subject to the approval of the Town Attorney and will commence June 1, 2021; 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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 303 MAY 12, 2021
AWARDING BID NO. 21G35 PURCHASE OF ROUND TAPERED COMPOSITE LIGHT POLES, SHAKESPEARE OR EQUAL

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

WHEREAS, the following bids for Bid No. was received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

WHEREAS, Conserve Lighting and Electrical Supplies has requested to withdraw their bid for Item No. 7; and

WHEREAS, the Commissioner of General Services recommends approving the withdrawal of Conserve Lighting and Electrical Supplies for Item No. 7; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the and upon their finding the aforementioned bids fair and reasonable, Bid No. 21G35 be and is hereby awarded to the low bidder for each item; Kelly and Hayes Electrical Supply of LI Corporation for Item Nos. 1, 4, 7, 11,12; Bell Electrical Supply Co. Inc. for Item Nos. 1a., 2, 2a.5, 8, 14b., 14c.and 14d.; Conserve Lighting and Electrical Supplies for Item Nos. 3, 6, 9, 13, and 14a.; and be it

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with and that the form and content of said contract shall be subject to the approval of the Town Attorney and will commence June 1, 2021; 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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 304 MAY 12, 2021
AWARDING BID NO. 21G36 ELECTRIC WIRE

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

WHEREAS, the following bids for Bid No. 21G36 Electric Wire were received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and Commissioner of D.P.W and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 21G36 be and is hereby awarded to the low bidder, Conserve Lighting and Electrical Services and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Conserve Lighting and Electrical Services and that the form and content of said contract shall be subject to the approval of the Town Attorney and will commence June 1, 2021 and be it further

RESOLVED, that said contracts may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 305 MAY 12, 2021
AWARDING BID NO. 21G38 HYDROSEEDING PRODUCTS

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

WHEREAS, the following bids for Bid No.21G38-HYDOSEEDING PRODUCTS, were received, opened and publicly read:

Item No.1 – Turf Fertilizer with mutech 19-25-5, Andersons or Equal

BIDDER	UNIT PRICE
Site One Landscape Supply, LLC	
d/b/a All Pro Horticulture	\$40.95 per 50 lb.

Item No. 2- Tacking Agent 3, Pro Plus or Equal

Site One Landscape Supply, LLC	
d/b/a All Pro Horticulture	\$47.95 per 8 lb.

Item No. 3-Jet Spray fiber mulch with poly fibers, Profile or Equal

Site One Landscape Supply, LLC	
d/b/a All Pro Horticulture	\$23.95 per 40lb.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 21G38 be and is hereby awarded to the sole bidder Site One Landscape Supply, LLC d/b/a All Pro Horticulture; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contract with Site One Landscape Supply, LLC d/b/a All Pro Horticulture; 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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 306 MAY 12, 2021
AUTHORIZING A CONTRACT WITH VISION LONG ISLAND**

The following resolution was offered by Councilman McSweeney

and seconded by Councilman Gregory

WHEREAS, a proposal Community Vision Planning & Technical Assistance in connection with Smarth Growth and Revitalization of the Hamlet of Deer Park was solicited from Vision Long Island, and

WHEREAS, the Professional Consultant Evaluation Committee convened on May 7, 2021 with the Chief of Staff, Town Attorney, 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, the Commissioner of Planning & Development has abstained from voting on this proposal, and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Vision Long Island at 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 Vision Long Island at a total contract amount not to exceed TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 307 MAY 12, 2021
AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE
COPIAGUE UNION FREE SCHOOL DISTRICT AND THE TOWN OF BABYLON**

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

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 Copiague Union Free School District for the installation of concrete, fencing, and gate at Great Neck Road School, Copiague; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 308 MAY 12, 2021
AUTHORIZING THE SUPERVISOR TO SIGN A MASTER LEASE PURCHASE
AGREEMENT BETWEEN BCICAPITAL, INC. AND THE TOWN OF BABYLON**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor is hereby authorized to sign a Master Lease Purchase Agreement and all related closing documents, between the Town of Babylon and BCICapital, Inc., on the Capital Lease for the LED lighting project; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 309 MAY 12, 2021
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS**

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

WHEREAS, the Town Board has awarded certain contracts for various projects throughout the Town of Babylon, and

WHEREAS, said work and/or services were never performed or services have been completed and the funding for said projects remains encumbered, and

WHEREAS, the Commissioner of General Services and the Comptroller recommend that certain contracts be deemed null and void and/or complete and any remaining funding be unencumbered

NOW, THEREFORE, be it

RESOLVED, that the contracts listed below be deemed as null and void and/or complete and all funding be released and reallocated:

<u>CONTRACTOR NAME</u>	<u>RESOLUTION NO.</u>	<u>AMOUNT</u>
Liro Engineers	12/20/17	\$5,021.41

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 310 MAY 12, 2021
WAIVING FIRE MARSHAL PUBLIC ASSEMBLY PERMIT FEES FOR
NOT-FOR-PROFIT CORPORATIONS AND HOUSES OF WORSHIP DURING THE COVID-19 PANDEMIC**

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

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

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

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

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

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

WHEREAS, the Deputy Commissioner of Parks and Recreation has recommended to the Town Board that Fire Marshal public assembly permit fees for Not-For-Profit Corporations and Houses of Worship during the COVID-19 Pandemic be waived for a period of one year and six months beginning March 13, 2020.

NOW, THEREFORE,

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Deputy Commissioner of Parks and Recreation that Fire Marshal public assembly permit fees for Not-For-Profit Corporations and Houses of Worship during the COVID-19 Pandemic shall be waived for a period of one year and six months beginning March 13, 2020, at the discretion of the Deputy Commissioner of Parks and Recreation.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 311 MAY 12, 2021
AUTHORIZING 2021 BUDGET MODIFICATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2021 Budget Modification is hereby authorized:

		<u>Increase</u>	<u>Decrease</u>
General Fund			
Buildings			
Grant			
	A.1620-30	\$ 120,000	
Revenues			
State Aid, Capital Projects			
	A.0000-3097		\$ 120,000
Commercial Garbage District			
Refuse and Garbage			
Equipment			
	SR.8160-20	\$ 155,000	
Professional and Technical Services			
	SR.8160-44		\$ 155,000

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 312 MAY 12, 2021
AMENDING THE ADMINISTRATIVE SALARY PLAN**

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

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 except the amendments for DPW positions titled Commissioner of DPW, Deputy Commissioner I of DPW, and Deputy Commissioner II of DPW, which shall be effective on March 17th, 2021.

**"SCHEDULE A"
2021 ADMINISTRATIVE SALARY PLAN**

TITLE	LEVEL	STEP
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	18
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	I	12
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	G	10
Assistant Town Attorney III	G	12
Assistant Town Attorney	F	12
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Comprehensive Planning and Downtown Revitalization Coord	H	17a
Commissioner of DPW	J	18
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15a
Commissioner of Human Services	I	16a

Commissioner of Planning	J	16a
Commissioner of Recreation	J	15a
Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	G	6a
Confidential Community Service Aide/Supervisor	J	5
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	I	5a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	D	15
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	H	14a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Env Control	E	3
Confidential Secretary to Town Council	D	15
Deputy Commissioner Environmental Control/Landfill	J	15
Deputy Commissioner General Services	I	18a
Deputy Commissioner Human Services	I	12
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	16
Deputy Commissioner I of DPW	J	18
Deputy Commissioner of Environmental	G	17a
Deputy Commissioner of Planning	I	12a
Deputy Commissioner of Planning and Development	J	13a
Deputy Commissioner Parks and Recreation	J	11a
Second Deputy Commissioner of Parks and Recreation	I	16a
Deputy Comptroller	J	15a
Deputy Director of Finance	I	10
Deputy Personnel Officer	J	5
Deputy Receiver of Taxes	J	1a
Deputy Town Attorney	I	17a
Deputy Town Clerk	J	1a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	H	7a
Director of Handicapped Services	F	11
Director of Information Technology	I	18a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a

Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	H	9a
Executive Assistant to Parks and Recreation	J	5
Executive Assistant to Comm of General Services	J	13a
Executive Assistant to Comptroller	J	15a
Executive Assistant to Deputy Supervisor	J	1a
Executive Assistant to Deputy Supervisor (second)	B	12a
Executive Assistant to DPW	I	7
Executive Assistant to Environmental Control	G	16a
Executive Assistant to Planning	H	17a
Executive Assistant to Supervisor	J	18
Executive Assistant to Town Attorney	D	14a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	15
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	1a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	I	17
Legislative Aide to Supervisor	G	17a
Nutrition Center Supervisor	F	12
Personnel Officer	I	18
Principal Accountant	I	13
Public Information Officer/Supervisor	I	14a
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	J	10a
Secretary to Commissioner of Environmental Control	E	14
Secretary to Commissioner of General Services	J	1a
Secretary to Commissioner of Planning & Development	I	6a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	G	9a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	G	11a
Secretary to Supervisor	J	15
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	D	14a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	7

Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	1a
Special Assistant to Supervisor	I	10
Town Attorney	J	18
Town Comptroller	J	18
Town Engineer	H	15
Town Historian	I	4a
Women's Resources Advisor I	G	11a

2021	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	136,912	149,324

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 313 MAY 12, 2021
APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES**

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

BE IT RESOLVED by the Town Board of the Town of Babylon that the following employees are appointed to the additional positions listed below at the annual salaries indicated herein and that the same are hereby effective as of this date:

NAME	TITLE	SALARY
Anthony Borrero	p/t Stock Clerk	5,000
Brian Dowdell	Remote Work Station IT	1,500 (until 12/31/21)
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Celeste Kusmierski	Events Planning Chairperson	9,000
Casey Schnapp	Remote Work Station IT	1,500 (until 12/31/21)
Dawn Carberry	Subregistrar	2,500
Denise Graziano	p/t Clerk	32,500
Donna Somma	Diversity Officer	4,500
Geraldine Compitello	Clerk Advisory Chairperson	10,000
Gilbert Hanse	Emergency Preparedness Coordinator	10,000
Jennifer Montiglio	Tax Warrant Coordinator	10,000
Jen Taus	Secretary to Town Board	6,000
Jorge Rosario	Public Safety Coordinator	44,000
Joseph Coyle	Remote Work Station IT	1,500 (until 12/31/21)
Joseph Olmedo	Drug & Alcohol Coordinator	3,500
Joseph Wilson	Sanitation Commission Chairman	2,000
Katherine Lynch	p/t Purchasing Technician	32,500
Lori Lynn Hansen	Deputy Registrar	3,150
Madeline Quintyne-McConney	Special Events Coordinator	5,000
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Patrick Farrell	Task Force Director	5,000
Peter Russo	Plumbing Regulation Liaison to NYS	9,500
Rachel Scelfo	Workforce Housing Coordinator	8,500
Ronald Kluesener	Solid Waste Administrator	8,500
Stephen Greenwald	Traffic Safety Coordinator/Secretary	5,200
Stephen Greenwald	Grant Writer	5,000

Susanne Boltz	HUD Coordinator	7,000
Thomas Stay	Drainage Coordinator	2,000
Umeko Healy	Deputy Assistant to Town Board	4,000
Stephanie Brennan	Part Time Citizens Advocate	3,000
Victoria Marotta	Director of Community Development	4,000
Thomas Vetri	Assistant Solid Waste Coordinator	6,000
Edward Buturla	Solid Waste Billing Coordinator	4,500
Noreen Wood	Tax Receiver Transition Coordinator	1,500
Mary Sullivan	Tax IDA Coordinator	5,000
Linda Murphy-Puglia	Tax IT Coordinator	2,500
Kevin Bonner	COVID-19 Response Coordinator	15,000
Kelly Medwig	Demolition Coordinator	5,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 314 MAY 12, 2021
AUTHORIZING RELEASE OF CHECKS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk that the following checks for street excavation bonds be released:

PERMIT	DATE	NAME & ADDRESS	TYPE	AMOUNT
10335	4/26/2019	Sunrise Plaza Associates, LP 45 North Station Plaza, Suite #315, Great Neck, NY 11021 Attn: Jeff Reiss 516-482-8900 ext. 225	CHECK	2,625.00
10338	5/2/2019	Sunrise Plaza Associates, LP 45 North Station Plaza, Suite #315, Great Neck, NY 11021 Attn: Jeff Reiss 516-482-8900 ext. 225	CHECK	\$875.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 315 MAY 12, 2021
AUTHORIZING REFUND OF PAYMENT FOR COMMERCIAL WASTE DISTRICT**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Environmental Control that the following payments be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON
Compass Group 6500 New Horizons Blvd Amityville, NY 11701, Attn: Director of Real Estate	Account #009317 Canteen 6500 New Horizons Blvd., Amityville, NY 11701	Commercial Waste District	\$2,772.87	Overpayment

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 316 MAY 12, 2021
AUTHORIZING REFUND OF PAYMENT FOR LONG ISLAND GREEN HOMES**

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

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
Frank A Bilich & Jeanine DiAngelo	69 Smith St. Babylon, NY 11702	Green Homes Benefit Assessment	\$76.50	Overpayment
Michael and Heidi Harsch	1006 SW 4 th Ave, Cape Coral FL 33991	Green Homes Benefit Assessment	\$262.60	Overpayment
Steve and Giselle Christopher	54 Schenectady Ave. W Babylon NY 11704	Green Homes Benefit Assessment	\$149.77	Overpayment

Clarence Westbrook and S Simpson	75 South 26 th St., Wyandanch, NY 11798	Green Homes Benefit Assessment	\$46.39	Overpayment
Lawrence and Susan Cohen	6 Glenda Dr., West Babylon, NY 11704	Green Homes Benefit Assessment	\$59.63	Overpayment

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 317 MAY 12, 2021
APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD PROGRAM
SPONSORED BY THE TOWN OF BABYLON**

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

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law (GML), the Town of Babylon established Service Award Programs for active volunteer firefighters of each of the five fire protection districts within the Town of Babylon; and,

WHEREAS, these Service Award Programs are administered and sponsored by the Town of Babylon; and

WHEREAS, Article 11-A authorizes the Town to pay disability benefits from the Service Award Program to a volunteer whose disability meets certain requirements set forth in paragraph e of Section 219 of the GML including the requirement that the volunteer's disability is certified to be a total and permanent disability by the Workers Compensation Board or the Social Security Administration or any other authority approved by the Town; and

WHEREAS, the Town has retained Penflex Actuarial Services to assist the Town to administer the Service Award Programs; and

WHEREAS, Penflex Actuarial Services recommends the award of a Total and Permanent Disability benefit from the North Lindenhurst Fire Department Service Award Program for Application No. 001;

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Babylon has received Application No. 001 from a Service Award Program participant to be paid a disability benefit from the North Lindenhurst Fire Protection District Service Award Program. Penflex Actuarial Services has certified that the participant's application for a Service Award Program disability benefit has met the requirements set forth in paragraph e of Section 219 of the GML. The authority which certified that the participant was totally and permanently disabled was the Social Security Administration. By the adoption of this resolution, the Town Board accepts that authority as an authority which may make such certification and authorizes Penflex Actuarial Services, LLC. to process the payment of the disability benefit in response to Application No. 001.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 318 MAY 12, 2021
ACCEPTING A DONATION**

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

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

DONATOR	DONATION	TO BE USED BY	RECOMMENDED BY
National Police and Veterans Foundation	2,000 3Ply KN95 Medical Masks Valued: \$25.00 per box	Town of Babylon Staff	Town Supervisor

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 319 MAY 12, 2021
CONFIRMING MEMBERSHIP TO THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC.**

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

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

Bryan E. Purpora	16 Intervale Avenue Farmingdale, NY 11735
Mansah Rahil	17 Wall Street Farmingdale, NY 11735
Gianna Camisa	25 Cedar Avenue Farmingdale, NY 11735

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 320 MAY 12, 2021
PROCLAIMING MONDAY, MAY 17TH AS JESSE DELLAVECCHIA DAY IN THE TOWN OF BABYLON**

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

WHEREAS: The evidence of commendation and appreciation is hereby bestowed upon Jesse Dellavecchia. Jesse Dellavecchia is a graduate student at Rider University who advanced to the final round in the Division 1 NCAA Wrestling tournament coming in 2nd place; and

WHEREAS: Jesse Dellavecchia became Rider's first ever MAC Champion at 157 lbs., defeating nationally ranked wrestlers Larry Early and Jarrett Jacques; and

WHEREAS: Jesse Dellavecchia is the recipient of the Clair Bee Rider Male Athlete of the Year Award. Jesse has qualified for the NCAA Division 1 Wrestling Championships 2 years in a row; and

WHEREAS: In addition to his extraordinary accomplishments, Jesse Dellavecchia finished first place at the Keystone Classic and Princeton Open. He has been national ranked as highly as No. 13 national at 165 lbs. Before transferring to Rider University, Jesse was a student at Binghamton University with a 15-9 overall, notching four pins and one major decision; and

WHEREAS: Jesse Dellavecchia is a 2015 graduate of East Islip High School becoming the first Long Islander to reach the NCAA Division I wrestling finals since 2004. He is also a two-time New York State Finalist, three-time All-State selection and four-time NHSCA All-American for East Islip High School;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby proclaim Monday, May 17th as Jesse Dellavecchia Day in the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 321 MAY 12, 2021

PROCLAIMING THURSDAY, JUNE 10, 2021 AS GIRL SCOUT GOLD AWARD SOPHIE GILES DAY

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

WHEREAS, Girl Scouting is a movement that gives girls from all segments of American life a chance to develop their potential, make friends, and become a vital part of their community; and

WHEREAS, working in partnership with adult volunteers, Girl Scouts explore the world of science, sports, art, the environment and society in a way that develops their leadership skills, self-confidence and ability to become tomorrow's good citizens; and

WHEREAS, the Suffolk County Girl Scout Council is the largest youth serving agency in Suffolk County and one of the largest in New York State; and

WHEREAS, the Council serves one out of every six girls in Suffolk annually and is open to all girls ages 5 through 17; and

WHEREAS, the Gold Award is the highest recognition a girl can achieve in Girl Scouting, and the Suffolk County Girl Scout Council is pleased to announce that Sophie Giles has earned her Girl Scout Gold Award; and

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

WHEREAS, it is fitting that by the successful demonstration of her scouting achievement, Sophie Giles was given the Gold Award,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Sophie Giles its congratulations on her successful completion and achievement of the Gold Award and does proclaim Thursday, June 10, 2021 as Girl Scout Gold Award Sophie Giles Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 322 MAY 12, 2021

PROCLAIMING FRIDAY, JUNE 11, 2021 AS GIRL SCOUT GOLD AWARD MEGAN OSWALD DAY

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

WHEREAS, Girl Scouting is a movement that gives girls from all segments of American life a chance to develop their potential, make friends, and become a vital part of their community; and

WHEREAS, working in partnership with adult volunteers, Girl Scouts explore the world of science, sports, art, the environment and society in a way that develops their leadership skills, self-confidence and ability to become tomorrow's good citizens; and

WHEREAS, the Suffolk County Girl Scout Council is the largest youth serving agency in Suffolk County and one of the largest in New York State; and

WHEREAS, the Council serves one out of every six girls in Suffolk annually and is open to all girls ages 5 through 17; and

WHEREAS, the Gold Award is the highest recognition a girl can achieve in Girl Scouting, and the Suffolk County Girl Scout Council is pleased to announce that Megan Oswald has earned her Girl Scout Gold Award; and

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

WHEREAS, it is fitting that by the successful demonstration of her scouting achievement, Megan Oswald was given the Gold Award,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Megan Oswald its congratulations on her successful completion and achievement of the Gold Award and does proclaim Friday, June 11, 2021 as Girl Scout Gold Award Megan Oswald Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 323 MAY 12, 2021

PROCLAIMING SATURDAY, JUNE 12, 2021 AS GIRL SCOUT GOLD AWARD MOLLY BATTAGLIA DAY

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

WHEREAS, Girl Scouting is a movement that gives girls from all segments of American life a chance to develop their potential, make friends, and become a vital part of their community; and

WHEREAS, working in partnership with adult volunteers, Girl Scouts explore the world of science, sports, art, the environment and society in a way that develops their leadership skills, self-confidence and ability to become tomorrow's good citizens; and

WHEREAS, the Suffolk County Girl Scout Council is the largest youth serving agency in Suffolk County and one of the largest in New York State; and

WHEREAS, the Council serves one out of every six girls in Suffolk annually and is open to all girls ages 5 through 17; and

WHEREAS, the Gold Award is the highest recognition a girl can achieve in Girl Scouting, and the Suffolk County Girl Scout Council is pleased to announce that Molly Battaglia has earned her Girl Scout Gold Award; and

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

WHEREAS, it is fitting that by the successful demonstration of her scouting achievement, Molly Battaglia was given the Gold Award,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Molly Battaglia its congratulations on her successful completion and achievement of the Gold Award and does proclaim Saturday, June 12, 2021 as Girl Scout Gold Award Molly Battaglia Day.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 324 MAY 12, 2021

PROCLAIMING SUNDAY, JUNE 13, 2021 AS GIRL SCOUT GOLD AWARD JULIANNA GRENCI DAY

The following resolution was offered by Councilman McSweeney

and seconded by Councilman Gregory

WHEREAS, Girl Scouting is a movement that gives girls from all segments of American life a chance to develop their potential, make friends, and become a vital part of their community; and

WHEREAS, working in partnership with adult volunteers, Girl Scouts explore the world of science, sports, art, the environment and society in a way that develops their leadership skills, self-confidence and ability to become tomorrow's good citizens; and

WHEREAS, the Suffolk County Girl Scout Council is the largest youth serving agency in Suffolk County and one of the largest in New York State; and

WHEREAS, the Council serves one out of every six girls in Suffolk annually and is open to all girls ages 5 through 17; and

WHEREAS, the Gold Award is the highest recognition a girl can achieve in Girl Scouting, and the Suffolk County Girl Scout Council is pleased to announce that Julianna Greci has earned her Girl Scout Gold Award; and

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

WHEREAS, it is fitting that by the successful demonstration of her scouting achievement, Julianna Greci was given the Gold Award,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Julianna Greci its congratulations on her successful completion and achievement of the Gold Award and does proclaim Sunday, June 13, 2021 as Girl Scout Gold Award Julianna Greci Day.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 325 MAY 12, 2021

PROCLAIMING SUNDAY MAY 23, 2021 AS EAGLE SCOUT THOMAS GEORGE BRUGGEMANN DAY

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

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, Thomas George Bruggemann 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 Thomas George Bruggemann its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, May 23, 2021 as Eagle Scout Thomas George Bruggemann Day.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 326 MAY 12, 2021
PROCLAIMING MONDAY, MAY 24, 2021 AS EAGLE SCOUT ANTHONY CHIARELLI DAY**

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

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, Anthony Chiarelli 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 Anthony Chiarelli its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, May 24, 2021 as Eagle Scout Anthony Chiarelli Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 327 MAY 12, 2021
PROCLAIMING SATURDAY, JUNE 5, 2021 AS EAGLE SCOUT CHARLES LOUIS DEGENNARO DAY**

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

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, Charles Louis DeGennaro 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 Charles Louis DeGennaro its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, June 5, 2021 as Eagle Scout Charles Louis DeGennaro Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 328 MAY 12, 2021
SCHEDULING A PUBLIC HEARING ON THE APPLICATION OF ENEYET K. CHAUDHURY
FOR THE REZONING OF THE PARCELS OF LAND AT SCTM# 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045
LOCATED ON THE N/W/C/O BAYSHORE RD. & COMMACK RD., DEER PARK**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 9th day of June, 2021 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the "Open Meetings Law", authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the "How Do I..." link, and then "Participate in a Public Hearing" to order to participate), on the application for a change of zone of the property at SCTM No. 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045, further described on Schedule A attached hereto, located in the SC005 School District, from B-Residence District to E-Business District, to construct two construct a 7,931sf (footprint), two-story commercial building, with a 5,946sf super market with a 4,756.5sf second floor office/storage area, and two (2) retail stores, along with associated site improvements; 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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

SCHEDULE A

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE COUNTY OF SUFFOLK AT DEER PARK IN THE TOWN OF BABYLON IN THE STATE OF NEW YORK ALSO KNOWN AS LOTS 2-8 & 95-107 IN BLOCK 3 MAP OF SHEET 3 LONG ISLAND LOT COMPANY SAID MAP FILED IN THE OFFICE OF THE COUNTY CLERK ON 9-19-1874 AS MAP #568 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF BAY SHORE ROAD AND THE MOST EASTERLY SIDE OF FRANKLIN AVE
RUNNING THENCE NORTH 22 DEGREES 53 MINUTES 45 SECONDS WEST 28.03 FEET
RUNNING THENCE NORTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 125.00 FEET
RUNNING THENCE SOUTH 68 DEGREES 55 MINUTES 50 SECONDS EAST 100.00 FEET
RUNNING THENCE NORTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 150.00 FEET
RUNNING THENCE SOUTH 68 DEGREES 55 MINUTES 50 SECONDS EAST 100.00 FEET
RUNNING THENCE SOUTH 21 DEGREES 04 MINUTES 10 SECONDS WEST 292.53 FEET
RUNNING THENCE SOUTH 72 DEGREES 37 MINUTES 25 SECONDS WEST 54.14 FEET
RUNNING THENCE NORTH 56 DEGREES 16 MINUTES 35 SECONDS WEST 141.58 FEET
TO THE POINT OR PLACE OF BEGINNING
OVERALL PARCEL

RESOLUTION NO. 329 MAY 12, 2021

DESIGNATING THE PREMISES KNOWN AS 163 W 18TH STREET, DEER PARK, NY 11729, SCTM#0100-059.00-03.00-155.000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

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

WHEREAS, the property located at 163 W 18th Street, Deer Park, NY 11729 bearing SCTM#0100-059.00-03.00-155.000, is owned by Anthony J Darnenio; and

WHEREAS, one arrest occurred at said premises on November 17th, 2020, as follows:

- Jacqueline Boros AKA Jacqueline Johnson (1984), arrested and charged with Criminal Sale of a Controlled Substance 5th.

WHEREAS, in accordance with Section 165-7, on February 26th, 2021 Anthony J Darnenio was served a notice of Jacqueline Boros AKA Jacqueline Johnson's arrest on November 17th, 2020. Warning was given that a second arrest may result in the board-up of the property; and

WHEREAS, one arrest at said premises occurred on November 20th, 2020, as follows:

- Jacqueline Boros AKA Jacqueline Johnson (1984), arrested for Criminal Possession of Marijuana 3rd.

WHEREAS, in accordance with Section 165-7, on March 5th, 2021, Anthony J Darnenio was served with a Nuisance Notice for Jacqueline Boros AKA Jacqueline Johnson's arrest on November 20th, 2020; and

WHEREAS, a public hearing on the matter was held on March 31st, 2021, and the record was closed and reserved; and

WHEREAS, the purpose of Town Code Chapter 165 is to create a standardized procedure for securing legal and equitable remedies and to strengthen existing laws so as to effectively deal with the problem of illegal drugs in the Town of Babylon by preventing buildings, residences, premises and real estate within the Town of Babylon from being used in such a way as to constitute a public nuisance; and

WHEREAS, in determining whether this property constitutes a public nuisance, the Town Board has considered the Commissioner of the Department of Planning and Development's Report, which outlines the nature of the arrests and offenses which occurred at the property, and relevant information as to the history of this property pertaining to the sale and/or consumption of drugs to prevent the premises from being used in such a way as to constitute a public nuisance; and

WHEREAS, the Town Board finds that the dwelling and any structures located at W 18th Street, Deer Park, NY 11729 bearing SCTM#0100-059.00-03.00-155.000, presents a public nuisance and an imminent danger to the safety, health and welfare of the surrounding community residents; 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, §165-9B 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 hereby declares W 18th Street, Deer Park, NY 11729 bearing SCTM#0100-059.00-03.00-155.000, a public nuisance pursuant to Chapter 165 in accordance with the Recommendations set forth in the Commissioner of the Department of Planning and Development's Report, which is on file in the Department of Planning and Development; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing/board up of the public nuisance structure located on the premises W 18th Street, Deer Park, NY 11729 bearing SCTM#0100-059.00-03.00-155.000 pursuant to Town Code Section 165-9 to eliminate the public nuisance, in order to rectify the above noted problems and abolish any public nuisance resulting from the illegal activities of said structure, in accordance with the Recommendations set forth in the Commissioner of the Department of Planning and Development's Report, which is on file in the Department of Planning and Development; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing and board up of the structure(s) located W 18th Street, Deer Park, NY 11729 bearing SCTM#0100-059.00-03.00-155.000; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §165-9B.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 330 MAY 12, 2021

AUTHORIZING THE EMERGENCY, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 1135 STRAIGHT PATH, WEST BABYLON, NY 11704 SCTM NO. 0100-102.00-02.00-003.000

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

WHEREAS, a certain rear structure(s) located at 1135 Straight Path, West Babylon, New York, bearing SCTM# 0100-102.00-02.00-003.000 has no running water as per communication with Suffolk County Water Authority, and the doors and windows 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

WHWHEREAS, 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 rear 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 securing and board up of the premises located at 1135 Straight Path, West Babylon New York, bearing, SCTM# 0100-102.00-02.00-003.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated April 29, 2021 on file in the Department of Code Enforcement; 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. 331 MAY 12, 2021

**AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT
2 MANCHESTER BLVD., WHEATLEY HEIGHTS, NEW YORK 11798 SCTM No. 0100-015.00-04.00-021.000**

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

WHEREAS, a certain structure, located at 2 Manchester Blvd, Wheatley Heights, NY, bearing Suffolk County Tax Map No. 0100-015.00-04.00-021.000 is open and accessible to the public 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 April 6, 2021 on file in the Department of Code Enforcement, indicates that the rear yard second story deck has failed and has pulled away from the structure

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the rear yard deck and the doorway leading to the deck to be properly secured, located at 2 Manchester Blvd, Wheatley Heights, NY 11798 A/K/A SCTM # 0100-015.00-04.00-021.000 accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report on file in the Department of Code Enforcement; and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of Three Hundred Dollars (\$300.00) for said premises from the appropriate fund, and be it further

RESOLVED, 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.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 332 MAY 12, 2021

**AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT
1243 AUGUST RD., NORTH BABYLON, NY 11703 SCTM NO. 0100-114.00-04.00-030.000**

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

WHEREAS, a certain structure, located at 1243 August Rd., N. Babylon, NY, bearing Suffolk County Tax Map No. 0100-114.00-04.00-030.000 is wide open and accessible to the public 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 March 19, 2021, indicates the dwelling is dilapidated and so deteriorated and has become out of repair as to be dangerous, unsafe, unsanitary and is unfit for human habitation and that demolition of the structure 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 structure including removal of the foundation, located at 1243 August Rd., N. Babylon, NY, A/K/A SCTM No. 0100-114.00-04.00-030.000, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report on file in the Department of Code Enforcement; and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises 1243 August Rd., N. Babylon, NY, A/K/A SCTM No. 0100-114.00-04.00-030.000, 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 June 9, 2021 Meeting.

RESOLUTION NO. 333 MAY 12, 2021
AUTHORIZING THE EMERGENCY, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
10 HERITAGE LANE, WHEATLEY HEIGHTS, NY SCTM NO. 0100-015.00-07.00-021.000

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

WHEREAS, a certain rear structure(s) located at 10 Heritage Lane, Wheatley Heights, New York, bearing SCTM# 0100-015.00-07.00-021.000 has no running water as per communication with Suffolk County Water Authority, there is no electricity and the side door is open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

WHWHEREAS, 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 rear 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 securing and board up of the premises located at 10 Heritage Lane, Wheatley Heights, New York, bearing, SCTM# 0100-015.00-07.00-021.000 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 May 7, 2021 on file in the Department of Code Enforcement; 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. 334 MAY 12, 2021
AUTHORIZING THE EMERGENCY, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
603 MARCONI BLVD., COPIAGUE, NY 11726 SCTM NO. 0100-197.00-01.00-005.001

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

WHEREAS, a certain rear structure(s) located at 603 Marconi Blvd., Copiague, New York, bearing SCTM# 0100-197.00-01.00-005.001 has no running water as per communication with Suffolk County Water Authority, and the garage window and the door on the main building 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

WHWHEREAS, 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 rear 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 securing and board up of the premises located at 603 Marconi Blvd., Copiague, New York, bearing, SCTM# 0100-197.00-01.00-005.001 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 May 6, 2021 on file in the Department of Code Enforcement; 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.

Being no further business before the Board, the meeting adjourned at 3:53 pm on the motion of Councilman Manetta, seconded by Councilman Gregory



Stephen Greenwald, Deputy Town Clerk