

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 3rd day of August, 2022 at 10:00 a.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 Deputy Town Clerk called the roll:

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

1. PUBLIC HEARING IN REFERENCE TO THE COASTAL EROSION HAZARD AREA VARIANCE OF SALVATORE GERVASI, 21 THE FAIRWAY, OAK BEACH, SCTM NO. 0100-243.00-01.00-150.000
2. PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 167 OF THE TOWN CODE (PEDDLERS, SOLICITORS AND CANVASSERS)
3. PUBLIC HEARING IN REFERENCE TO DESIGNATING THE PREMISES KNOWN AS 1501 STRAIGHT PATH, WYANDANCH, NY 11798, SCTM#0100-058.00-04.00-016.001 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

**RESOLUTION NO. 613 AUGUST 3, 2022
AUTHORIZING THE TOWN BOARD TO ADOPT A RULE OF ORDER ALLOWING FOR THE CONSENT AGENDA PROCESS**

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

WHEREAS, A consent agenda may be presented by the Town Board at the beginning of a meeting. Items may be removed from the consent agenda on the request of any Council member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the Town Board.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby adopt a Rule of Order allowing for the Consent Agenda process.

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

The resolution was thereupon declared duly adopted.

Consensus Agenda

No Consensus Agenda Speakers

**RESOLUTION NO. 614 AUGUST 3, 2022
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:

July 13, 2022

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 615 AUGUST 3, 2022
AMENDING RESOLUTION NO. 455 OF JUNE 8, 2022 ACCEPTING THE CONTRACT WITH LONG ISLAND ROOFING & REPAIRS SERVICE CORP.
FOR BID NO. 21G76, ROOF REPLACEMENT AT SAWYER AVE. POOL BUILDING**

WHEREAS, Bid No. 21G76, Roof Replacement at Sawyer Avenue Pool Building was awarded to Long Island Roofing & Repairs Service Corp. pursuant to Resolution No. 536 of September 1, 2021 for a total contract amount of ONE HUNDRED FORTY FIVE THOUSAND (\$145,000.00) DOLLARS plus the cost of Item Nos. 2 and 3, if necessary; and

WHEREAS, pursuant to Resolution No. 755 of December 21, 2021, the cost of Item No. 3 was amended to read FIVE DOLLARS (\$5.00) PER SQUARE FOOT for the replacement of wood decking over 800 square feet; and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 755 of December 21, 2021, which resulted in no change to the contract price; and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 455 of June 8, 2022, and amended pursuant to Resolution 550 of July 13, 2022, which resulted in a decrease of the contract amount to ONE HUNDRED TWENTY SIX THOUSAND, FIVE HUNDRED FORTY DOLLARS AND 25/100 (\$126,540.25); and

WHEREAS, the award of the project included the award of Item Nos.2 and 3, if necessary; and

WHEREAS, Item Nos. 2 and 3 were not used and not included in the final contract amount.

NOW, THEREFORE, be it

RESOLVED, that Item Nos. 2 and 3 were not used and be and is hereby not included in the final contract price of ONE HUNDRED TWENTY SIX THOUSAND, FIVE HUNDRED FORTY DOLLARS AND 25/100 (\$126,540.25).

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 616 AUGUST 3, 2022
AUTHORIZING 2022 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2022 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
	<u>General Fund</u>	
Comptroller		
Overtime		
A.1315-19	\$ 1,000	
Full Time Clerical		
A.1315-14		\$ 1,000
Traffic Control		
Professional and Technical Services		
A.3310-44	\$ 100	
Contingent Account		
Miscellaneous		
A.1990-49		\$ 100
Special Recreation Facilities		
Overtime		
A.7180-19	\$ 5,000	

Part Time Labor		
A.7180-17		\$ 5,000
Buildings		
Part Time Labor		
A.1620-17	\$ 473	
Equipment		
A.1620-20	\$ 360	
Professional and Technical Services		
A.1620-44	\$ 50	
Overtime		
A.1620-19	\$ 5,000	
Central Printing & Mailing		
Program Operations		
A.1670-47		\$ 5,883
Adult Recreation		
Overtime		
A.7620-19	\$ 350	
Program Operations		
A.7620-47		\$ 1,647
Nutrition Program		
Part Time Clerical		
A.4526-16	\$ 1,297	
Animal Control		
Part Time Labor		
A.3510-17	\$ 9,600	
Full Time Labor		
A.3510-15		\$ 9,600
Clerk		
Overtime		
A.1410-19	\$ 30,000	
Records Management		
Full Time Clerical		
A.1460-14		\$ 30,000
Tax Collector		
Overtime		
A.1330-19	\$ 1,386	
Full Time Clerical		
A.1330-14		\$ 1,386
	Highway Fund	
Permanent Improvements		
Construction Services		
DB.5112-26	\$ 535,128	
Revenues		
Consolidated Highway Aid Program		
DB.0000-3501	\$ 357,931	
Other transportation		
DB.0000-3589	\$ 177,197	
Maintenance of Streets		
Professional and Technical Services		
DB.5110-44	\$ 50	
Full Time Labor		
DB.5110-15		\$ 50
	Garbage Improvement Area	
Landfill Closure/Post Closure		
Repairs and Maintenance		
CL.8161-46	\$ 125,000	
Refuse and Garbage		
Equipment		
CL.8160-20		\$ 125,000
	Part Town Fund	
Planning		
Equipment		
B.8020-20	\$ 360	
Miscellaneous		
B.8020-49		\$ 360
Public Safety Administration		
Full Time Labor		
B.3010-15	\$ 233,000	
Part Time Labor		
B.3010-17		\$ 233,000

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 617 AUGUST 3, 2022
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.

**“SCHEDULE A”
2022 ADMINISTRATIVE SALARY PLAN**

TITLE	LEVEL	STEP
Affirmative Action Officer	I	20
Assessor	J	19a
Assistant Town Attorney	G	6
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	J	18a

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

Administration
2022 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	140,049	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

The above **Consensus Agenda Resolution** was offered by Supervisor Schaffer

and seconded by Councilman Manetta

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 618 AUGUST 3, 2022
AWARDING RFP NO. 22G54 REQUEST FOR PROPOSALS
FOR AUDITING SERVICES FOR THE TOWN OF BABYLON**

WHEREAS, the following proposals were received for RFP No. 22G54, Request for Proposals for Auditing Services for the Town of Babylon;

PROPOSER
PKF O'Connor Davies LLP
EFPR Group
Cullen & Danowski LLP
Nawrocki Smith
Bonadio Group

WHEREAS, a Review Committee ("Committee") was formed with the Comptroller, Deputy Town Comptroller, Deputy Chief of Staff and the Administrative Assistant of General Services as its members to review all proposals received; and

WHEREAS, the Committee requested PKF O'Connor Davies LLP to submit a best and final cost proposal; and

WHEREAS, after a thorough review of all the proposals, the interviews, and the best and final cost proposal from PKF O'Connor Davies, LLP dated July 26, 2022, the Committee recommends an award to at the following fees:

Year Ending 12/31/2022	\$205,000.00
Year Ending 12/31/2023	\$205,000.00
Year Ending 12/31/2024	\$208,000.00
Year Ending 12/31/2025	\$210,000.00
Year Ending 12/31/2026	\$215,000.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee and upon it finding the aforementioned proposals fair and reasonable, RFP No. 22G54 be and is hereby awarded to PKF O'Connor Davies LLP; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with PKF O'Connor Davies LLP at the aforementioned fees and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

RESOLVED, that said contract shall be extended for four (4) additional one (1) periods at the discretion of the Commissioner of General Services and the Comptroller.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 619 AUGUST 3, 2022
AWARDING BID NO. 22G55 SERVICE AND MAINTENANCE OF IBM MAINFRAME PERIPHERALS,
PERSONAL COMPUTERS AND NETWORK PRINTERS**

WHEREAS, the following bids for Bid No. 22G55, Service and Maintenance of IBM Mainframe Peripherals, Personal Computers and Network Printers was received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Director of Information Technology and upon their finding the aforementioned bids fair and reasonable, Bid No. 22G55 be and is hereby awarded to the low bidder NPA Computers, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with NPA Computers, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 620 AUGUST 3, 2022
AWARDING BID NO. 22G57 RADIATOR REPAIRS**

WHEREAS, the following bids for Bid No. 22G57 Radiator Repairs was received, opened and publicly read:

<u>Item</u>	<u>Acme Radiator</u>
1. Main Radiator or Equal Price List	
1a. NEW RADIATOR CORES	- 25% discount
2. NEW RADIATOR	25% Over Cost
3. PARTS (OEM or Equal)	25% Over Cost
4. Boil out & Repair Radiator Core (cars & light trucks)	\$80.00 flat rate
5. Boil out & Repair Radiator Core (heavy trucks, equip)	\$80.00 flat rate
6. Boil out & Repair External Oil Cooler (heavy equip)	\$100.00 flat rate
7. Labor rate on installations (per hour)	
Cars	\$80.00
Trucks	\$100.00
Industrial Equipment	\$100.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Deputy Commissioner of D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 22G57 be and is hereby awarded to the sole bidder Acme Auto Radiator & Glassworks, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Acme Auto Radiator & Glassworks, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 621 AUGUST 3, 2022
AWARDING BID NO. 22G58 PRINTING: 12-MONTH RECYCLING CALENDAR**

WHEREAS, the following bids for Bid No. 22G58, Printing: 12-Month Recycling Calendar was received, opened and publicly read:

BIDDER	ITEM 1. 6 PAGE (65,000 Copies)	ITEM 2. 7 PAGE (65,000 Copies)
Graphic Image, Inc.	\$31,024.00	\$33,191.00
Courier Printing Corp.	\$44,285.00	\$49,344.00
Tobay Printing Company Inc.	\$45,619.00	\$50,970.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Director of Communications and upon their finding the aforementioned bids fair and reasonable, Bid No. 22G58 be and is hereby awarded to the low bidder Graphic Image, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Graphic Image, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 622 AUGUST 3, 2022
AWARDING BID NO. 22G60 PHOTOCELLS**

WHEREAS, the following bids for Bid No.22G60 Photocells were received, opened and publicly read:

SPREADSHEET ON FILE DEPARTMENT OF GENERAL SERVICES

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 to be fair and reasonable, Bid No. 22G60 be and is hereby awarded to the overall low bidder per item, AC Lighting & Electrical Supplies LLC d/b/a Conserve Lighting & Electrical Supplies; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with AC Lighting & Electrical Supplies LLC d/b/a Conserve Lighting & Electrical Supplies 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.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 623 AUGUST 3, 2022
AWARDING BID NO. 22G61**

WHEREAS, the following bids for Bid No. 22G61 Purchase of One or More United Trailers UXT-8.5TA52 or Equal, was received, opened and publicly read:

BIDDER	TOTAL BID PRICE
Cross Country Trailer Sales, Inc.	\$18,100.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and Commissioner of Dept. of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 22G61 be and is hereby awarded to the sole bidder, Cross Country Trailer Sales, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract to Cross Country Trailer Sales, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 624 AUGUST 3, 2022
AWARDING BID NO. 22G62**

WHEREAS, the following bids for Bid No. 22G62 Purchase of One or More Massey Ferguson 5711D Four Wheel Drive Tractor or Equal, was received, opened and publicly read:

BIDDER	TOTAL BID PRICE
All Island Equipment Corp.	\$86,500.00
Trade In All Island Equipment	(\$16,000.00)

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and Commissioner of Dept. of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 22G62 be and is hereby awarded to the sole bidder, All Island Equipment Corp.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with All Island Equipment Corp. for a total contract amount EIGHTY SIX THOUSAND, FIVE HUNDRED (\$86,500.00) DOLLARS less the Trade-In amount of SIXTEEN THOUSAND (\$16,000.00) DOLLARS for a final purchase price SEVENTY THOUSAND, FIVE HUNDRED (\$70,500.00) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 625 AUGUST 3, 2022
AUTHORIZING A CONTRACT WITH FIVE NINES WIRELESS

WHEREAS, a proposal to provide support and maintenance for the following equipment was solicited from Five Nines Wireless; and

Town Hall: 1 Exalt G2 Microwave Radio, 2 Siklu Microwave Radios, 1 Ceragon Microwave Radio
Annex: 1 Exalt GS Microwave Radio, 1 Ceragon Microwave Radio
Central Garage: 2 Siklu Microwave Radio
B & G: 2 Siklu Microwave Radios
DPW: 2 Siklu Microwave Radios
Highway Office: 2 Siklu Microwave Radio
Gas Pumps: 2 Siku Micorwave Radios

WHEREAS, the Professional Consultant Evaluation Committee convened on July 20, 2022 with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, the Commissioner of the Department of Public Works and Commissioner of Planning & Development in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract Five Nines Wireless at a total cost not to exceed SIX THOUSAND, FOUR HUNDRED FIFTY (\$6,450.0) DOLLARS PER ANNUM; and

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 Five Nines Wireless. at a total contract amount not to exceed SIX THOUSAND, FOUR HUNDRED FIFTY (\$6,450.00) DOLLARS PER ANNUM and that said contract shall be subject to the approval of the Town Attorney as to form and content; and it further RESOLVED, that said contract may be extended for three (3) additional one (1) year periods at the discretion of the Director of IT.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 626 AUGUST 3, 2022
AUTHORIZING A CONTRACT WITH LINCOLN IT

WHEREAS, a proposal to upgrade the firewall at Town Hall, configure new firewall SSO AD authentication for telephone and internet service at the Town Hall Annex was solicited from Lincoln It; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 20, 2022 with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, the Commissioner of the Department of Public Works and Commissioner of Planning & Development in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract Lincoln It at a total cost not to SEVEN THOUSAND, NINE HUNDRED TWENTY(\$7,920.00) 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 Lincoln IT at a total contract amount not to exceed SEVEN THOUSAND, NINE HUNDRED TWENTY (\$7,920.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 627 AUGUST 3, 2022
AUTHORIZING A CONTRACT WITH CREDITRON

WHEREAS, a proposal for an upgrade the ACI payments to an automated system for on-line credit card tax payments was solicited from Creditron; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 20, 2022 with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, Commissioner of Planning & Development and Commissioner of Department of Public Work in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends awarding a contract to Creditron for a total contract amount not to exceed FOURTEEN THOUSAND, TWO HUNDRED EIGHTY (\$14,280.00) 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 Creditron for a total contract amount not to exceed FOURTEEN THOUSAND, TWO HUNDRED EIGHTY (\$14,280.00) DOLLARS, and that said contract shall be subject to the approval of the Town Attorney as to form and content.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 628 AUGUST 3, 2022
AUTHORIZING A CONTRACT WITH
N + P ENGINEERING, ARCHITECTURE AND LAND SURVEYING, PLLC

WHEREAS, a proposal engineering, design, and bid phase and construction phase services was solicited from the following firms, in connection with Installation of Softball Field Lighting at Sawyer Avenue, West Babylon:

<u>PROPOSER</u>	<u>TOTAL PRICE</u>
N + P Engineering, Architecture and Land Surveying, PLLC ("N + P")	\$35,000.00
R & M Engineering	\$85,677.00
Liro Engineers	\$142,100.00

WHEREAS, the Professional Consultant Evaluation Committee convened on July 20, 2022 with the Deputy Supervisor, the Chief of Staff, Deputy Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, the Commissioner of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposals, the Committee recommends the award of a contract to "N+P" a total contract amount not to exceed THIRTY FIVE THOUSAND (\$35,000.00) 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 "N + P" at a total contract amount not to exceed THIRTY FIVE (\$35,000.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 629 AUGUST 3, 2022
AUTHORIZING A CONTRACT WITH PARADE FLOAT RENTALS**

WHEREAS, a proposal to rent parade floats in connection with Town of Babylon 105th Anniversary Parade was solicited from Parade Float Rentals; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 20, 2022 with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, the Commissioner of General Services, Commissioner of Planning & Development and Commissioner of Department of Public Work in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends awarding a contract to Parade Float Rentals at a flat rate of ONE THOUSAND TWO HUNDRED FIFTY(\$1,250.00) DOLLARS TO ONE THOUSAND, FIVE HUNDRED DOLLARS (\$1,500.00) PER FLOAT RENTAL, not to exceed a total rental amount of TWENTY (\$20,000.00) 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 at a flat rate of ONE THOUSAND TWO HUNDRED FIFTY (\$1,250.00) DOLLARS TO ONE THOUSAND, FIVE HUNDRED DOLLARS (\$1,500.00) PER FLOAT RENTAL, not to exceed a total rental amount of TWENTY (\$20,000.00) DOLLARS, and that said contract shall be subject to the approval of the Town Attorney as to form and content.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 630 AUGUST 3, 2022
AUTHORIZING PAYMENT TO BABYLON PLUMBING SUPPLY INC.**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Commissioner of the Department of Public Works, that the Comptroller is hereby authorized to issue payment to Babylon Plumbing Supply, Inc. for services rendered for the following Invoice:

INVOICE NO. /DATE	AMOUNT
343472 July 7, 2022	\$293.85

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 631 AUGUST 3, 2022
AUTHORIZING PAYMENT TO VALDE ICE CREAM CORPORATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Commissioner of the Department of Parks, Recreation & Cultural Affairs, that the Comptroller is hereby authorized to issue payment to Valde Ice Cream Corporation for services rendered for the following Invoice:

INVOICE NO. /DATE	AMOUNT
111725 OF 7/10/22	\$200.00

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 632 AUGUST 3, 2022
AUTHORIZING PAYMENT TO VR MANAGEMENT SERVICES, INC.**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Commissioner of Environmental Control, that the Comptroller is hereby authorized to issue payment to VR Management Services, Inc. for services rendered for the following Invoice:

INVOICE NO. /DATE	AMOUNT
928/5/16/2022	\$7,960.00

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 633 AUGUST 3, 2022
AUTHORIZING THE PURCHASE OF VEHICLES FROM SMITHTOWN OF CHEVROLET**

WHEREAS, the Town of Babylon entered into an agreement with Nassau County BOCES to participate in their cooperative bidding program for Bid No. 19/20-045, Passenger Cars, Vans & Trucks pursuant to Resolution No. 640 of October 13, 2021; 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 the following equipment from Chevrolet of Smithtown, pursuant to Nassau County BOCES Bid No. 19/20-045, Passenger Cars, Vans & Trucks:

EQUIPMENT DESCRIPTION/DEPARTMENT	COST
(2) 2023 – Chevrolet Silverado 2500HD, 4WD Double Cab, White, includes RW Upfits for DPW	\$58,994.00
2023 Chevrolet Silverado 2500HD 4WD Double Cab, White, includes RW upfits for DPW	\$57,494.00

WHEREAS, the Commissioner of General Services recommends issuing Purchase Orders for Chevrolet of Smithtown for the above equipment.

NOW THEREFORE be it

RESOLVED, the Town Board of the Town of Babylon authorizes the Commissioner of General Services to issue Purchase Orders to Chevrolet of Smithtown for the aforementioned equipment.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 634 AUGUST 3, 2022

AUTHORIZING THE PURCHASE OF EQUIPMENT FROM JESSCO

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 the following equipment from Jessco pursuant to New York State Award No. PC69403:

EQUIPMENT DESCRIPTION/DEPARTMENT	COST
244L Base Loader with extended warranty, block heater kit, ISO coupler kit, bucket with BOE and multi-use tire for DPW	\$125,239.79
Less Trade-In of 2012 Volvo L30B-Z/SX Compact Loader	(\$23,000.00)
TOTAL COST	\$102,239.79

WHEREAS, the Commissioner of General Services recommends issuing a Purchase Order to Jessco for the above equipment.

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 Jessco for the aforementioned equipment.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 635 AUGUST 3, 2022
AUTHORIZING REFUND OF PAYMENT**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development that the following payment be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ADDRESS	TYPE	AMOUNT
Brian Link	221 Fifth Avenue, Suite 1 Ronkonkoma, NY 11779	Plumbing Permit Fee 100-132-2-64 PP# 141944	\$245.00

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 636 AUGUST 3, 2022
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
Agatha Rice	310 Neptune Ave., North Babylon, NY 11703	Green Homes Benefit Assessment	\$1,045.06	Overpayment

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 637 AUGUST 3, 2022
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 following equipment listed below, be declared surplus and traded-in as noted below:

MAKE	SERIAL #	TRADE-IN VENDOR
2012 Volvo L30B-Z/SX compact wheel loader	1836338	Jessco as trade-in for a new 244L Base Loader
2006 Massey Ferguson MF5455	M-20341	All Island Equip., pursuant to Bid No.22G62

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 638 AUGUST 3, 2022
AUTHORIZING THE WAIVING OF PLANNING FEES FOR (LICC) LONG ISLAND CITIZENS FOR COMMUNITY VALUES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of the Planning Department Planning fees, including renewals, for (LICC) Long Island Citizens for Community Values 501(c)(3) to be waived.

Applicant	Address	SCTM #
(LICC) Long Island Citizens for Community Values 501(c)(3)	629 Broadway, Amityville, NY 11701	0100-165.00-02.00-001.000

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 639 AUGUST 3, 2022
AUTHORIZING THE WAIVING OF FIRE MARSHALL FEES FOR VFW 5348 OF DEER PARK**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Public Safety, that all Fire Marshall fees, including renewals, for (LICCV) Long Island Citizens for Community Values 501(c)(3) to be waived.

Applicant	Address	SCTM #
VFW 5348 of Deer Park	588 Long Island Avenue, Deer Park, NY 11729	0100-061.00-03.00-039.000

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 640 AUGUST 3, 2022
AUTHORIZING THE TOWN OF BABYLON TO ACCEPT THE
FILING OF A REAL PROPERTY TAX EXEMPTION APPLICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, pursuant to authority granted by the New York State Legislature authorizing certain real property tax exemptions, the following organizations are authorized to file real property tax exemption applications, pursuant to Real Property Tax Law §420-a:

ORGANIZATION AND SCTM#	TAX YEARS
Copiague Fire District SCTM#100-193-2-25&26	2020/2021

and be it further,

RESOLVED, that the Assessor is also authorized to grant exemption from all taxation and conveyed taxes, fines, penalties and interest remaining unpaid.

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 641 AUGUST 3, 2022
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

WHEREAS, Virginia Sherwood was a resident of West Babylon from 1952 until she passed away on June 1st 2022; and

WHEREAS, Virginia Sherwood was beloved by generations of neighbors after residing in Kellum Street for over seventy years. She raised two children and one grandchild who attended the West Babylon School District. She was active as a Class Mother at the Tooker Avenue School and as an Assistant Den Mother with the Cub Scouts; and

WHEREAS, Virginia Sherwood was a member of the St. Boniface Episcopal Church in Lindenhurst for Seventy Years. At St. Boniface, she was a member of the Episcopal Church Women and the Boniface Society of Senior Citizens. Mrs. Sherwood was involved in numerous fundraising activities for the church over the years, and in her later years she did extensive volunteer work for the John Theissen Children's Foundation; and

WHEREAS, Virginia Sherwood was a member of the "greatest generation," a daughter of immigrants, and wife of a World War II era Naval Veteran. She was a devoted and loving mother and grandmother, a caring neighbor, and a pillar of the local community. She was part of the early 1950's migration of New York City residents to the Long Island suburbs, and a proud West Babylon resident.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of Kellum Street, between Junction Street and Sheldon Street, West Babylon, to "Virginia Sherwood Street;" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "Virginia Sherwood Street"

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 642 AUGUST 3, 2022
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

WHEREAS, Pastor Brown Lee Davis was born on January 1, 1940 in Orangeburg, South Carolina, and passed away on September 15, 2021; and

WHEREAS, Pastor Brown Lee Davis was called to join Mt. Nebo Missionary Baptist Church in 1979 and was baptized the following year. Throughout his forty-two years of service at Mt. Nebo, he was a Deacon, an Adult Sunday School teacher; the Superintendent of Sunday School, Bible Study Facilitator, Chairman of the Men's Day Committee, a Minister, Assistant Pastor, and was ordained as Pastor of Mt. Nebo Missionary Baptist Church on June 25, 1996. He graciously served as Pastor for twenty-five years, counseling, teaching and preaching; and

WHEREAS, in the Farmingdale and North Amityville communities, Rev. Davis served as the President of Recipe-Y, an organization to support the youth; and

WHEREAS, He was the founder and administrator of TOT Ministry LTD, a ministry for analysis and discussion of the Holy Scriptures; and

WHEREAS, Pastor Brown Lee Davis also served as the President of Men of God, Inc., whose mission is to help people in prison, on probation, those released from prison, the homeless and the hungry.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of Glenmalure Street between Geraldine Avenue and Brandon Avenue, Amityville, to "Rev. Brown Lee Davis Memorial Street;" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "Rev. Brown Lee Davis Memorial Street"

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 643 AUGUST 3, 2022
PROCLAIMING THE FIRST SATURDAY IN AUGUST AS WYANDANCH OLD TIMERS DAY**

WHEREAS, the Wyandanch Old Timers Committee has scheduled its annual celebration to celebrate the senior citizens of Wyandanch on Saturday, August 6, 2022 in Landscape Park; and

WHEREAS, such annual celebration includes food, entertainment and general merriment for the benefit of the senior citizens of Wyandanch and their families; and

WHEREAS, the Wyandanch Old Timers Committee seeks official recognition of this annual celebration as Wyandanch Old Timers Day; NOW THEREFORE, BE IT;

RESOLVED, that the Town Board hereby proclaims that the first Saturday of every year shall be designated as Wyandanch Old Timers Day.

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

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 644 AUGUST 3, 2022
AUTHORIZING PERMISSION FOR A PARADE ON SEPTEMBER 10, 2022
IN THE TOWN OF BABYLON FOR THE SUFFOLK COUNTY CARIBBEAN AMERICAN CULTURAL ASSOCIATION**

WHEREAS, the Suffolk County Caribbean American Cultural Association has requested permission to hold a parade on Saturday, September 10, 2022 within the Town of Babylon.

INDIVIDUAL: Anthony Ahyoung 11 Stepney Lane, Brentwood, NY 11717 (631) 747-9785 Jeffrey Ingegno (631) 255-5391	ORGANIZATION: Suffolk County Caribbean American Cultural Association 11 Stepney Lane, Brentwood, NY 11717 (631) 339-0102
DATES & TIMES: Date(s): 9/10/2022 to: Time: 12:30 p.m. to 2:00 p.m. Rain Date: n/a	STARTING: Intersection of N. 10 th St. & Straight Path, Wyandanch ENDING: USDAN, 185 Colonial Springs Rd., Wyandanch (Summer Camp for the Arts)

ROUTE:
Leaving the intersection of N. 10th St. & Straight Path and heading north on N. 10th St. toward Park Dr., turn right onto Straight Path, turn left toward Main Ave., turn left onto Main Ave., continue onto Colonial Springs Rd. and make a right into the driveway at 185 Colonial Springs Rd.

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 Supervisor Schaffer and seconded by Councilman Manetta

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 645 AUGUST 3, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV,
SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at the Old Town Hall, 47 West Main Street, Babylon, NY 11702, on the 16th day of August, 2022 at 2:00 p.m., prevailing time, 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"; 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.

EXHIBIT "A"
Chapter 2, Article IV, Section 2-8
[Traffic Regulations; Stop and Yield Intersections Designated]

DELETE from Schedule H:

<u>Intersection</u> _____	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Venetian Promenade at Clearwater Road East	CO	Stop	North/South on Venetian Promenade

ADD to Schedule H:

<u>Intersection</u> _____	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Venetian Promenade at Granada Avenue East	CO	Stop	North/South on Venetian Promenade
Venetian Promenade at Belle Terre Avenue East	CO	Stop	North/South on Venetian Promenade
County Line Road at Lindy Avenue	NA	Stop	North/South on County Line Road

ADD to Schedule H:

<u>Intersection</u> _____	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Catalpa Street at Bluebell Lane	NB	Stop	West on Catalpa Street
Dutchess Street at Governor Avenue	WB	Stop	West on Dutchess Street
Cortland Street at Governor Avenue	WB	Stop	West on Cortland Street

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 646 AUGUST 3, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE III,
SECTION 2-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at the Old Town Hall, 47 West Main Street, Babylon, NY 11702, on the 16th day of August, 2022 at 2:00 p.m., prevailing time, to consider amending Chapter 2, Article III, Section 2-4 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit "A"; 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.

EXHIBIT "A"
Chapter 2, Article III, Section 2-4
[Traffic Regulations, One-Way Streets]

ADD to Schedule D:

<u>Name of Street</u>	<u>Hamlet</u>	<u>Direction of Travel</u>	<u>Limits</u>	<u>Hours/Days</u>
Bunnell Place	WB	South	From NYS Route 27 (Sunrise Highway) South Service Road to Old Farmingdale Road	ALL

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

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

RESOLUTION NO. 647 AUGUST 3, 2022
AUTHORIZING THE SUPERVISOR TO EXECUTE A "RESIDENTIAL INNOVATIVE AND ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM GRANT" AND RELATED DOCUMENTS (SAVERIO POTENTE)

WHEREAS, the Town of Babylon is the owner of the parcel identified by SCTM No.0100- 243.00-01.00-221.000, 76 Hawser Drive, Oak Beach, NY 11702 (the "Premises"), currently leased to Saverio Potente (the "Tenants" or "Applicants"); and

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

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

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

NOW THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute the "Residential Innovative And Alternative On-Site Wastewater Treatment System Grant" and related documents on behalf of the Town of Babylon as the owner of the Premises identified by SCTM No. 0100-239.00-01.00-221.000 currently leased to Saverio Potente; 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 Supervisor Schaffer and seconded by Councilman Manetta

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

RESOLUTION NO. 648 AUGUST 3, 2022
AUTHORIZING THE USE OF AMERICAN RESCUE PLAN MONEY
FOR A THE PURCHASE OF LUCAS DEVICES BY TOWN FIRE DEPARTMENTS

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; and

WHEREAS; the Town has determined that assisting the West Babylon Fire District/West Babylon Fire Department and the North Lindenhurst Fire Department in the purchase of Lucas Devices; and

WHEREAS, the purchase of such equipment is in the public interest and consistent with the objectives of ARPA; and

WHEREAS, the Town will transfer \$19,131.72 to West Babylon Fire District/West Babylon Fire Department and \$19,131.72 to the North Lindenhurst Fire Department consistent with the Act for a total of \$38,263.44; 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 \$38,263.44 (\$19,131.72 to West Babylon Fire District/West Babylon Fire Department and \$19,131.72 to the North Lindenhurst Fire Department) 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, the applicant accepts the grant, and 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 Supervisor Schaffer and seconded by Councilman Manetta

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

RESOLUTION NO. 649 AUGUST 3, 2022
AUTHORIZING THE USE OF AMERICAN RESCUE PLAN MONEY
FOR THE CONSTRUCTION OF A NEW JETTY IN AMITY HARBOR

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; and

WHEREAS; the Town has determined that constructing a jetty in Amity Harbor is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town will pay \$51,600.00 to L.K. McLean to construct said jetty; 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 \$51,600.00 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 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 Supervisor Schaffer and seconded by Councilman Manetta

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 650 AUGUST 3, 2022
AUTHORIZING THE ADDITIONAL GRANT OF AMERICAN RESCUE PLAN MONEY
TO QUALIFIED SMALL BUSINESSES

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

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

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

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

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

WHEREAS; the Town has determined that assisting small businesses is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town Supervisor has designated seven (7) members of a Direct Support Program committee to create, review and score applications from the Town’s small businesses and appointed Viscel C. Moore as Director of such program; and

WHEREAS, that committee has reviewed the applications of the following Town small businesses and recommends the corresponding grant award:

A&R Bagel World LTD. dba Babylon Bagel	\$39,600.00
West Babylon Lions Club	\$28,500.00

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the business to do so will mean the grant money will be withheld, denied or claw-backed in the Town’s discretion; 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 \$6,000,000.00 to the businesses listed above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 651 AUGUST 3, 2022
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:

North Shore Razor Corp dba Razor Wrestling Club	\$48,000.00
Scrambling 2 Perform, Inc.	\$49,500.00

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the business to do so will mean the grant money will be withheld, denied or claw-backed in the Town’s discretion; 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 \$6,000,000.00 to the businesses listed above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 652 AUGUST 3, 2022
AUTHORIZING THE USE OF AMERICAN RESCUE PLAN MONEY
FOR CONSTRUCTION AT 1 COMMERCE BOULEVARD, AMITYVILLE

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; and

WHEREAS; the Town has determined that construction at 1 Commerce Plaza, Amityville, is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town Department of General Services advertised and distributed a Request for Proposals (RFP) in accordance with Town, state and federal guidelines to allow for competition for an exterior renovation mentioned above and that only one firm responded.

WHEREAS, the Town will pay \$108,800.00 to Nelson + Pope for costs related to the construction; 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 \$108,800.00 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 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 Supervisor Schaffer and seconded by Councilman Manetta

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 653 AUGUST 3, 2022
AUTHORIZING THE USE OF AMERICAN RESCUE PLAN MONEY
FOR ELEVATOR DESIGN AT TOWN HALL

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; and

WHEREAS; the Town has determined that costs related to the engineering, design, permitting and bid phase for an elevator at Town Hall, is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town will pay \$128,055.00 to LiRo for costs related to the engineering, design, permitting and bid phase; 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 \$128,055.00 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 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 Supervisor Schaffer and seconded by Councilman Manetta

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 654 AUGUST 3, 2022

UNENCUMBERING THE GRANT OF AMERICAN RESCUE PLAN MONEY TO QUALIFIED HOUSEHOLDS

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. 699 on November 4, 2021; and

WHEREAS, the Town unencumbers the remaining \$288,756.00 of the program and returns them to the encumbered account and that the program is hereby suspended; and
NOW, THEREFORE BE IT

RESOLVED, that the remaining \$288,756.00 authorized by Resolution No. 699 on November 4, 2021 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 Supervisor Schaffer and seconded by Councilman Manetta

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 655 AUGUST 3, 2022

AMENDING THE JUNE 8, 2022 RESOLUTION AUTHORIZING THE TRANSFER OF AMERICAN RESCUE PLAN MONEY TO THE WEST BABYLON COMMUNITY YOUTH CENTER FOR IMPROVEMENTS TO SAWYER PARK

WHEREAS, the Town of Babylon Town Board approved Resolution 447 on June 8, 2022, authorizing the transfer of American Rescue Plan Money to the West Babylon Community Youth Center For Improvements To Sawyer Park; and

WHEREAS, that resolution is incorporated and made a part hereof and is amended; and

WHEREAS, the resolution is amended so that every mention of “West Babylon Youth Center” shall be replaced by “West Babylon Community Youth Center” its proper name; and
NOW, THEREFORE BE IT

RESOLVED, that Resolution 447 is hereby amended to reflect the proper name West Babylon Community Youth Center; 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 Supervisor Schaffer and seconded by Councilman Manetta

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 656 AUGUST 3, 2022
AUTHORIZING THE TRANSFER OF AMERICAN RESCUE PLAN MONEY
TO THE WYANDANCH FIRE COMPANY, INC.

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

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

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

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

WHEREAS, SLRF provides the Town with a substantial infusion of resources to meet pandemic response needs to rebuild a stronger, and more equitable economy as the country recovers, the Town may use SLRF funds to address negative economic impacts caused by the public health emergency, including transferring funds to a constituent units of government pursuant to Section 603(c)(3); and

WHEREAS; the Town has determined that assisting the Wyandanch Fire Company, Inc. in the acquisition of a new fire truck is a vital issue and that such funding is a lawful and proper use of the SLRF, and in the public interest; and

WHEREAS, the Town shall enter into an agreement with the Wyandanch Fire Company, Inc. and transfer \$350,000.00 for the purchase of a fire truck; 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 \$350,000.00 to the Wyandanch Fire Company, Inc. 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 Wyandanch Fire Company, Inc. accepting the transfer, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Town Supervisor is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 657 AUGUST 3, 2022
AWARDING RFP NO. 22G32 REQUEST FOR PROPOSALS FOR ENGINEERING, ENGINEERING, DESIGN, BID PHASE AND CONSTRUCTION PHASE SERVICES FOR AN ADA COMPLIANT ELEVATOR AT TOWN HALL

WHEREAS, RFP No. 22G32 for Engineering, Design, Bid Phase And Construction Phase Services for an ADA Compliant Elevator at Town was received and opened; and

SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES

WHEREAS, a committee was formed with the Deputy Chief of Staff, Commissioner of General Services, the Administrative Assistant of General Services, the Commissioner of Dept. of Public Works and the Deputy Commissioner of Environmental Control, 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 June 1, 2022 to review all proposals received; and

WHEREAS, on June 6, 2022, the Committee interviewed Liro Engineers and requested their best and final offer; and

WHEREAS, after a thorough review of all proposals and interview the Committee recommend an award to Liro Engineers, the firm with the highest amount of points; and

WHEREAS, the project may be funded in part from funds from the American Rescue Plan Act.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee, the Supervisor be and he is hereby authorized to execute a contract with Liro Engineers for a total contract amount not to exceed TWO HUNDRED TWENTY NINE THOUSAND, FIVE HUDNRED (\$229,500.00) DOLLARS, for the engineering, design, permitting and bid phase services only, subject to the Town Attorney as to form and content.

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

VOTES: 5 YEAS: 5 NAYS: 0

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 658 AUGUST 3, 2022
AWARDING RFP NO. 22G34 REQUEST FOR PROPOSALS FOR ENGINEERING, ENGINEERING, DESIGN, BID PHASE AND CONSTRUCTION PHASE SERVICES FOR THE CONSTRUCTION OF A NEW ROCK JETTY BAY BOULEVARD WEST, AMITY HARBOR

WHEREAS, RFP No. 22G34, Request For Proposals Engineering, Design, Bid Phase And Construction Phase Services for the Construction of a New Rock Jetty Bay Boulevard West Amity Harbor was received and opened; and

SPREADSHEET ON FILE IN THE DEPT. OF GENERAL SERVICES

WHEREAS, a committee was formed with the Deputy Chief of Staff, Commissioner of General Services, the Administrative Assistant of General Services, the Commissioner of Dept. of Public Works, Chief Environmental Analyst and Waterways Supervisor 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 July 14, 2022 to review all proposals received; and

WHEREAS, the project may be funded in part from funds from the American Rescue Plan Act; and

WHEREAS, after a thorough review of all proposals received, the Committee recommends an award L.K. Mclean Associates, the firm with the highest number 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 contract with L.K McLean Associates for a total contract amount not to exceed FIFTY ONE THOUSAND, SIX HUNDRED (\$51,600.00) DOLLARS, subject to the Town Attorney as to form and content.

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

VOTES: 5 YEAS: 5 NAYS: 0

8/3/2022 Minutes

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 659 AUGUST 3, 2022
AWARDING RFP NO. 22G35 REQUEST FOR PROPOSALS FOR ENGINEERING, ENGINEERING, DESIGN, BID PHASE
AND CONSTRUCTION PHASE SERVICES FOR BUILDING ENVELOPE IMPROVEMENTS
AT 1 COMMERCE BLVD, NORTH AMITYVILLE

WHEREAS, RFP No. 22G35 for Engineering, Design, Bid Phase And Construction Phase Services For Building Envelope Improvements at 1 Commerce Blvd, North Amityville was received and opened, and

<u>PROPOSER</u>	<u>TOTAL AMOUNT</u>
N + P Engineering, Architectural And Land Surveying, PLLC d/b/a Nelson + Pope (Nelson + Pope)	\$108,800.00

WHEREAS, a committee was formed with the Commissioner of General Services, the Administrative Assistant of General Services and the Commissioner of Dept. of Public Works 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 July 22, 2022 to review the sole proposal received; and

WHEREAS, the project may be funded in part from funds from the American Rescue Plan Act, and

WHEREAS, the RFP was legally advertised to foster competition, and

WHEREAS, after a thorough review of the sole proposal, the Committee recommends an award "Nelson "Pope", as it is in the best interest of the Town; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee, the Supervisor be and he is hereby authorized to execute a contract with Nelson + Pope for a total contract amount not to exceed ONE HUNDRED EIGHT THOUSAND, EIGHT HUNDRED (\$108,800.00) DOLLARS.

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

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

The above resolution was thereupon declared duly adopted.

RESOLUTION NO. 660 AUGUST 3, 2022
AUTHORIZING ACCEPTANCE OF PERFORMANCE BOND FOR LAND CLEARING

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the following payment be accepted and deposited into the Town Trust for Land Clearing:

Payee	Property Location	Job Information	Bond Amount
Babylon Bus Lot Property, LLC c/o Ron Gambini 56 W. Church Street Spring Valley, New York 10977 (Certified Check from M&T Bank)	SCTM No: 0100-101-1-2	PB Job No. 22-23A Application No. 142049 Applicant: Educational Bus Transportation, Inc.	\$2,500.00

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

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

The above resolution was thereupon declared duly adopted.

Regular Agenda
No Agenda Speakers

RESOLUTION NO. 661 AUGUST 3, 2022
ADOPTING LOCAL LAW OF 2022 - AMENDING THE CODE OF THE
TOWN OF BABYLON, CHAPTER 167 (PEDDLERS, SOLICITORS AND CANVASSERS)

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 3rd day of August, 2022 upon the question of enactment of Local Law No. 16 of 2022 of the Town of Babylon, Suffolk County, New York, being a Local Law amending Chapter 167 of the Code of the Town of Babylon (Peddlers, Solicitors and Canvassers); and

WHEREAS, in accordance with Part 617.5(c)(26), State Environmental Quality Review (SEQR), the adoption of this Local Law is classified a Type II Action and not subject to environmental review under SEQR.

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law No. of 2022 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

LOCAL LAW NO. 16 of 2022
AMENDING CHAPTER 167 OF THE BABYLON TOWN CODE

Section 1. **AMEND** as follows:

§ 167-3. Application for license.

A. Applicants for a license under this chapter shall file an application with the Town Clerk in the form of a sworn affidavit, in duplicate, on a form to be supplied by the Town Clerk, which application shall furnish the following information:

- (1) The name, address and telephone number of the applicant.
- (2) The applicant's place of residence for the past five years.
- (3) The applicant's business or employer for the past five years.
- (4) The applicant's age, height, weight, color of eyes, color of hair and place of birth.
- (5) Two full-face photographs of the applicant taken within 30 days of application and measuring 1 1/2 inches by 1 1/2 inches.
- (6) Whether or not the applicant has ever been convicted of a felony, misdemeanor or violation of any municipal ordinance, except traffic violations, and, if so, the date, court, ordinance and sentence of the court.
- (7) Whether the applicant has been previously licensed in any occupation and, if so, when, where and for what period and, if such previous license was ever revoked, the date of revocation and the reason therefor.
- (8) The name and address of the person, firm or corporation the applicant represents or is employed by.
- (9) The particular business, trade or occupation for which the license is requested.
- (10) The manner or means of conveyance in which said business or trade or occupation shall be conducted.

- (11) If the application is for a license to handle food in any form, the applicant shall submit a valid permit issued by the Suffolk County Health Department indicating compliance with the provisions of the Suffolk County Public Health Local Law.
 - (12) If the applicant requires the use of weighing and/or measuring devices, such application shall be accompanied by a certificate from the County Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.
 - (13) If the application involves use of a vehicle, proof of a valid New York Motor Vehicle Registration for the vehicle to be used.
 - (14) If the application involves the use of a vehicle, proof that the applicant holds a valid New York State driver's license.
 - (15) Proof that the applicant holds a New York State sales tax identification number.
 - (16) In the event that any other license or permit shall be required by any other governmental agency in connection with the applicant's business, the same shall be produced by the applicant, and the Town Clerk shall duly note the same.
 - (17) ~~Any additional information as the Town Clerk shall deem necessary for the purpose of administering the provisions of this chapter.~~
 - (18) ~~Proof of insurance for a minimum sum of \$100,000 for personal injury and property damage suffered by any person as a result of the peddler's doing business pursuant to a license issued under this chapter.~~
 - (19)
 - (17) Charitable solicitations. Any person or any employee of any organization who is required to be registered with the Attorney General of the State of New York under the provisions of Article 7-A of the Executive Law of the State of New York, relating to the solicitation and collection of funds for charitable purposes, shall exhibit evidence of such registration to the Town Clerk.
- B. Any change in circumstances with regard to the information provided in the application or on the license shall be reported to the Town Clerk within 30 days.

§ 167-4. Issuance of license.

Upon receipt of the application provided for in § 167-3 and payment of the fee hereinafter provided for, the Town Clerk, if satisfied that the applicant possesses the proper qualifications, shall issue a license to the applicant within sixty (60) days of the completed application.

§ 167-5. Record of licenses issued.

The Town Clerk shall keep a record of all licenses issued under the provisions of this chapter.

§ 167-6. License fees. [Amended 9-8-1976; 5-5-1992; 3-4-1997 by L.L. No. 2-1997]

~~The license fees payable by each peddler shall be determined by the Town Board by resolution.~~

A. The following fees shall be collected by the Town Clerk at the time applications are presented:

- (1) **For a motor vehicle: Two Hundred Fifty (\$250) Dollars.**
- (2) **For a pushcart or any other nonmotorized vehicle: One Hundred Fifty (\$150) Dollars.**
- (3) **For each and every person selling from a vehicle: Fifty (\$50) Dollars.**
- (4) **For peddling and/or soliciting from house to house: Fifty (\$50) Dollars.**
- (5) **For peddling or soliciting without a vehicle: Fifty (\$50) Dollars.**

B. Fees shall not be refunded.

C. There shall be no reduction in fees for licenses issued for a fractional part of a year

[SECTION OMITTED]

§ 167-15. Hours of operation.

It shall be unlawful for any person to enter upon private property for the purpose of peddling or soliciting except after 9:00 a.m. of any day until dusk (i.e. 30 minutes before sunset) before the hours of 9:00 a.m. of any day or after 1/2 hour before sunset of any day or after the hour of 7:00 p.m. of any date except upon the invitation of the householder or occupant.

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

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. 662 AUGUST 3, 2022
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 90 SCUDDER AVE., COPIAGUE, NY 11726 SCTM NO. 0100-196.00-01.00-014.000

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

WHEREAS, a certain structure(s) located at **90 Scudder Ave., Copiague, New York**, bearing **SCTM# 0100-196.00-01.00-014.000** the structure has become so deteriorated and/or dilapidated and become so out of repair as to be dangerous and unsafe thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, the architect/professional engineer's report dated April 21, 2022 indicates the structure has become so deteriorated, dilapidated and has become so out of repair and should be demolished including the removal of the foundation which is the most likely and prudent course of action; and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure located at **90 Scudder Ave., Copiague, New York**, bearing **SCTM# 0100-196.00-01.00-014.000** 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 architect/professional engineer's report dated April 21, 2022 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 promises from the appropriate fund; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 663 AUGUST 3, 2022
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 3423 GREAT NECK RD., N. AMITYVILLE, NY 11701 SCTM NO. 0100-171.00-02.00-005.000

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

WHEREAS, a certain structure(s) located at **3423 Great Neck Rd., N. Amityville, New York 11701**, bearing **SCTM# 0100-171.00-02.00-005.000**, 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, boarded and debris removed from the property, an 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, board up and debris removed from the premises located at **3423 Great Neck Rd., N. Amityville, New York 11701**, bearing **SCTM# 0100-171.00-02.00-005.000** 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 July 22, 2022 located in the Code Enforcement Department; and be it further

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 664 AUGUST 3, 2022
AUTHORIZING PANZNER DEMOLITION & ABATEMENT CORP. TO
PERFORM A CONTROLLED DEMOLITION WITH ABESTOS IN PLACE AT; 45 DAHLIA LANE, DEER PARK

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

WHEREAS, The Town of Brookhaven, through competitive bidding and procurement, awarded Bid No. 21021 for Demolition of Residential Structures and Asbestos Abatement to Panzner Demo & Abatement Corp.; 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 have a controlled demolition with asbestos in place at 45 Dahlia Lane, Deer Park and would like to utilize Panzner Demo & Abatement Corp. to provide all labor, equipment and materials pursuant to Town of Brookhaven Bid No. 21021 as allowed by General Municipal Law 103(16); and

WHEREAS, the Commissioner of General Services solicited a proposal from Panzner Demo & Abatement Corp. to perform a controlled demolition with asbestos in place at 45 Dahlia Lane, Deer Park for a total contract amount of FIFTY NINE THOUSAND, SEVEN HUNDRED TWENTY DOLLARS AND 00/100 (\$59,720.00).

NOW THEREFORE be it

RESOLVED, hat based upon the recommendation of the Commissioner of General Services: Panzner Demo & Abatement Corp. be and is hereby authorized to perform the work of a controlled demolition with asbestos in place at 45 Dahlia Road, Deer Park for a total contract amount not to exceed FIFTY NINE THOUSAND, SEVEN HUNDRED TWENTY DOLLARS AND 00/100 (\$59,720.00).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 665 AUGUST 3, 2022
DENYING REQUEST FOR COASTAL EROSION HAZARD AREA VARIANCE BY DONALD
GELESTINO, 117 SAVANNAH WALK, OAK BEACH, SCTM NO. 0100-243.00-01.00-100.000

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

WHEREAS, applicant Donald Gelestino applied for a permit to construct a 4-foot wide by 110-foot long recreational pier at the premises located at 117 Savannah Walk, Oak Beach, SCTM No. 0100-243-01-100 ("subject premises");

WHEREAS, the application was initially denied for failure to comply with Chapter 99 (Coastal Erosion Hazard Areas) §§ 99-10(3) and 99-11(4) of the Babylon Town Code which regulations prohibit development in nearshore areas and on beaches absent the grant of a variance; and

WHEREAS, the applicant applied for a variance of such Coastal Erosion Hazard Area regulations on November 23, 2021 ("variance application"); and

WHEREAS, pursuant to Town Code § 99-22, the Babylon Town Board has been designated as the Coastal Erosion Hazard Board of Review and, as such, has the authority to hear, approve, approve with modifications or deny the variance application, and

WHEREAS, the Town Board reviewed various submissions supporting and opposing the variance application; and

WHEREAS, the Town Board held a public hearing on the variance application on May 11, 2022; and

WHEREAS, the standards for review of the variance application are set forth in Town Code § 99-18, which provides that a Coastal Erosion Hazard Area variance may be granted where the "strict application of the standards and restrictions of this chapter may cause practical difficulty or unnecessary hardship," provided that five specified criteria are met; and

WHEREAS, the applicant made no showing of practical difficulty or unnecessary hardship in support of the application: when asked for a summary statement of the practical difficulty or unnecessary hardship created or existing, the applicant did not respond to the question but claimed instead that "we do not believe that the existing zoning regulations are applied to this property" as there are neighboring properties with docks; and

WHEREAS, notwithstanding the foregoing and based on the entire record before it, the Town Board determined that the strict application of Town Code §§ 99-10(3) and 99-11(4) to the subject premises does not cause practical difficulty or unnecessary hardship insofar as the reasonable use of the subject premises as a one-family house does not require a dock; and

WHEREAS, the Town Board further determined that even assuming that practical difficulty or unnecessary hardship had been established, the variance application does not satisfy the additional criteria for the grant of a variance pursuant Town Code § 99-18; and

WHEREAS, in that regard, the Town Board determined that the proposed pier will have an adverse impact on “natural systems and their functions” because no vessel can safely be moored against the proposed pier without disturbing the submerged aquatic vegetation and other native species along the ocean floor, an impact that will not be mitigated as required by Town Code § 99-18(B);

NOW THEREFORE, be it

RESOLVED by the Town Board of the Town of Babylon that the Coastal Erosion Hazard Area variance application of Donald Gelestino for 117 Savannah Walk, Oak Beach, SCTM No. 0100-243-01-100, be and the same is hereby denied.

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

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

The resolution was thereupon declared duly adopted.

Tabled Agenda **Agenda Speakers**

Supervisor Schaffer – Explains that resolution 604 will be withdrawn, as the town is very pleased with the work, the homeowner has been working with the town on cleaning up the property.

Victoria Youngaitis – 871 Catskill Avenue, Lindenhurst, NY 11757 – 631-742-8343

Reso. 604 - Home owner of property at 871 Catskill Avenue, North Lindenhurst. She thanks Chris Elton and Ronnie from Code Enforcement her inspection was passed. She is concerned about her birds that were sent to two separated rescue groups, she wants to get them back to send them to Florida.

RESOLUTION NO. 604 JULY 13, 2022

AUTHORIZING SECURING, BOARD UP AND SITE CLEAN UP OF UNSAFE STRUCTURE LOCATED AT 871 CATSKILL AVE., N. LINDENHURST, NY 11757 SCTM No. 0100-207.00-01.00-054.000

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

WHEREAS, a certain structure, located at **871 Catskill Ave., N. Lindenhurst, NY**, bearing Suffolk County Tax Map No. **0100-077.00-01.00-041.000** is wide open and accessible to the public and threatening the health, safety 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, the inspector’s report dated **May 13, 2022**, indicates there is a boat on the front yard, debris and overgrowth and that securing/board up of the premises is the most likely and prudent course of action; and

WHEREAS, a hearing was held this day; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing/board up of the unsafe structures located on the premises at **871 Catskill Ave., N. Lindenhurst, NY, A/K/A SCTM No. 0100-207.00-01.00-054.000**, 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 department of Public Works shall undertake the necessary securing and cleanup; and be it further

RESOLVED, that the Town shall notify all utility companies to shut off utility service at this location and the same may not be reinstated without Town approval; 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 and repairing.

The resolution was thereupon declared duly **WITHDRAWN**.

Open Portion

Cindy Wood – 352 Silver Street, North Babylon, NY 11703 – 631-836-6722 – cynthia@optonline.net

Complaint about signs posted on her curb stating “No Standing here to corner” on either side of her property initiated by a Girl Scout project. She feels there is no need for these signs and it is right in her view when looking out her window. Pictures are on file in the Town Clerk’s Vault as permanent record.

Donald Martin – 394 Silver Street, West Babylon, NY 11704 – 516-807-2369 – dmartin493@aol.com

Also complaining about the same signs as stated above. Also requests a stop sign at Cheltenham Road and Silver Street. Pictures are on file in the Town Clerk’s Vault as permanent record.

Jim & Karen Kilcullen – 1347 August Road, North Babylon, NY 11703 – 631-586-4075

Complaint about house at #1341 August Road, they are advertising it as an Air BNB (documents submitted and are on file in the Town Clerk’s Vault as permanent record) There are parties going on every weekend. Also a permit is being applied for an upstairs apartment (owner unoccupied). Code Enforcement has issued summons, court date 8/26/2022. Supervisor Schaffer has asked her to call/text him at whatever time these parties are happening and he will get authorities over there to control the situation.

Joanie Zangerle – Poet Civic - 148 Irving Avenue, North Babylon, NY 11703 – 631-860-4874 – joani8ezang@gmail.com

Question in regards to TOB Code #213-267 - Swimming pools and their surrounding enclosures, should be addressed and updated as it is unclear and vague.

Being no further business before the Board, the meeting adjourned at 10:33 am on the motion of Councilman Gregory, seconded by Councilman McSweeney.



Stephen Greenwald, Deputy Town Clerk

/jt