

A Regular Meeting of the Town Board, Town of Babylon, was held at the Town House, 200 East Sunrise Highway, Lindenhurst, NY on Wednesday, the 14th day of February, 2018 at 3:30 p.m. prevailing time.

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

**Supervisor Schaffer:** Please remain standing for a moment of silence and I ask that you keep in your thoughts and prayers the brave service men and women who are serving our Country here and aboard as well as those families still suffering from the aftermath of super storm Sandy.

Thank you, please be seated.

**The Town Clerk called the roll:**

Councilman Manetta	Present
Councilman Martinez	Present
Councilman McSweeney	Present
Councilwoman Gordon	Present
Supervisor Schaffer	Present

1. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 121, OF THE CODE OF THE TOWN OF BABYLON (FIREARMS)**
2. **A PUBLIC HEARING IN REFERENCE TO AMENDING ARTICLE III, CHAPTER 195, OF THE CODE OF THE TOWN OF BABYLON (TAXATION)**
3. **A PUBLIC HEARING IN REFERENCE TO AMENDING ARTICLE IV, CHAPTER 195, OF THE CODE OF THE TOWN OF BABYLON (TAXATION)**

Agenda speakers:

**John Weber - Attorney**  
393 Jericho Turnpike, Suite 208  
Mineola, NY 11501  
516-858-2620

Representative for Resolution #142. He is the attorney for the property owner Francis Zito. Addressing the board to please table this resolution and ask to set up an appointment to sit down and discuss this matter in further detail in regards to certain aspects of the unfairness and certain legal items that his client would like to hear before the voting of this resolution.

**Supervisor Schaffer**

So, you want to set up a meeting to discuss the unfairness and other legal aspects?

**John Weber**

Basically, this property has a long history, where it used to be a commercial property.

**Supervisor Schaffer**

Do you know approximately what year?

**John Weber**

In the 90's and up until about 2002 when a tenant was operating the business as a deli stopped operating the business and stopped paying his client rent. The property was then not operating commercially for longer than a year. By the time the tenant vacated, his client loss the grandfather clause changing the property zone from commercial to residential.

**Supervisor Schaffer**

Were you representing your client at the time? Do you know the attorney who was?

**John Weber**

I was not the attorney at the time, I think there was an attorney Bruce Barns?

**Supervisor Schaffer**

I think what might be helpful to the board, I will recommend that we table it for 2 weeks. But, what I ask from you is a timeline and dates of all the items and issues pertaining to this property. Time tenant occupied, no rent payments, property become vacant. But by next Wednesday (one week) have this sent over to the Town Attorney's Office and they will distribute to the members of the Board and Town Clerk and then we will be able to look at the specifics.

**John Weber**

I represented the client 10 years later to try and commence proceedings to try and get the rent that was still due.

**Supervisor Schaffer**

So, the tenant had left, and the place was vacant for 10 years?

**John Weber**

The place was vacant for much longer than 10 years, what happened was after the tenant finally vacated, his client attempted to re-rent, but there was an issue because she lost the grandfather clause.

**Supervisor Schaffer**

So, she lost the grandfather clause after the tenant vacated? You should address that in the letter that you send us, with your interpretation. We will table this for 2 weeks to the 28<sup>th</sup>.

**Councilman Manetta**

I would like to add on this issue, that it is important to the Village of Lindenhurst and local community that they be kept aware of this as well, because for many ways this is the gateway to the Village of Lindenhurst, so this is important that the Village Board is aware also.

**Supervisor Schaffer**

The Mayor has spoken to both you and I, as well as Councilman Martinez and many residents also have spoken to us about it, so we will keep them aware definitely.



**RESOLUTION NO. 116 FEBRUARY 14, 2018  
ACCEPTING TOWN BOARD MINUTES**

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

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

January 31, 2018

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 117 FEBRUARY 14, 2018**

**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING ARTICLE XLIV,  
CHAPTER 213 OF THE CODE OF THE TOWN OF BABYLON (MORTGAGE IN DEFAULT REGISTRY)**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 14<sup>th</sup> day of March 2018, at 3:30 p.m., prevailing time, to consider amending of the Town Code, as set forth in Exhibit "A" annexed hereto; and be it further

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT A**

**Article XLIV Mortgage in Default Registry**

**AMEND:**

§213-556 - Registration of real property with a mortgage-in-default.

(D) A semi-annual non-refundable registration fee in the amount of \$200.00, per property, shall accompany the Mortgage-In-Default Registration form(s). Subsequent semi-annual registrations of defaulted properties and fees in the amount of \$200.00 are due within ten (10) days of the expiration of the previous registration.

(F) Properties subject to this section shall remain under the semi-annual mortgage-in-default registration requirement, inspection, security, and maintenance standards of this section as long as they remain in default.

**RESOLUTION NO. 118 FEBRUARY 14, 2018**

**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING  
CHAPTER 213, OF THE CODE OF THE TOWN OF BABYLON (ZONING)**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 28<sup>th</sup> day of March 2018, at 3:30 p.m., prevailing time, to consider amending of the Town Code, as set forth in Exhibit "A" annexed hereto; and be it further

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT A**

**Article XXIV Senior Citizens Multiple Residence District**

Amend:

§ 213-299 Dwelling unit density.

In a Senior Citizens Multiple Residence District, no multiple-family dwelling authorized hereby shall be erected or altered to accommodate or make provision for more than 25 dwelling units total, either one or two bedroom per acre or more than a proportionate number of dwelling units on any fractional part of an acre and, for the purpose of this section, a "dwelling unit" shall be such combination of rooms with provisions for living, cooking, sanitary and sleeping facilities arranged for the use of one family.

§ 213-301 Minimum floor area per unit.

In a Senior Citizens Multiple Residence District, the minimum habitable floor area for each dwelling unit shall not be less than 500 square feet for any unit with one bedroom and not less than 650 square feet for any unit with two bedrooms.

§ 213-303 Off-street parking.

In a Senior Citizens Multiple Residence District, an off-street parking area conforming to the requirements of this chapter shall be provided for each building unit at a ratio of one and a half spaces for each one-bedroom unit and half a space for each additional bedroom. Where garages are provided, they may be substituted for such off-street parking areas and shall conform architecturally to the principle buildings. Ten percent of the required parking shall be designated as "Visitors Parking." Said parking areas must meet the requirements of § 213-289 and must be curbed, striped and have direction of travel lanes painted over the blacktop. Minimum paving specifications shall be designated by the Town of Babylon Planning Board.

**RESOLUTION NO. 119 FEBRUARY 14, 2018**

**ADOPTING LOCAL LAW NO. 2 OF 2018 AMENDING ARTICLE III CHAPTER 195,  
OF THE BABYLON TOWN CODE (TAXATION)**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

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, New York, on the 14<sup>th</sup> day of February 2018 upon the question of enactment of Local Law No. 2 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 195;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 2 of 2018, 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. 2 of 2018**

A Local Law amending the Code of the Town of Babylon, Chapter 195.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"**

**Article III. Exemptions for Capital Improvements  
CHAPTER 195**

**REPEAL:**

§ 195-14 Sunset provision.

This article shall cease, terminate and become of no further legal force or effect and no application shall be accepted after the eighth anniversary of the taxable status date of the Town, which shall fall in the year 2009. In the event that an exemption is filed in the eighth and final year of this article, said exemption shall extend past the eighth anniversary and shall continue and not exceed the 16th anniversary of the enactment of this article, which shall fall on the end of the taxable status date of the Town in that year.

**RESOLUTION NO. 120 FEBRUARY 14, 2018**  
**ADOPTING LOCAL LAW NO. 3 OF 2018 AMENDING CHAPTER 195,**  
**OF THE BABYLON TOWN CODE (TAXATION)**

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

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, New York, on the 14<sup>th</sup> day of February 2018 upon the question of enactment of Local Law No. 3 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 195;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 3 of 2018, 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. 3 of 2018**

A Local Law amending the Code of the Town of Babylon, Chapter 195.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"**  
**Chapter 195 "Taxation"**

**REPEAL:**

**195-15.2(B) Amount of Exemption. Limitations**  
**(3)(d)**

The exemption provided by Subsection B (1) of this subsection shall be granted for a period of 10 years. The commencement of such ten-year period shall be governed pursuant to this subsection. Where a qualified owner owns qualifying residential real property on the effective date of this section, such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least 60 days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within 60 days after the date of purchase of residential real property, such ten-year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subsection for the unexpired portion of the ten-year exemption period.

**195-15.2(C)**

Notwithstanding the foregoing provisions of this section, no later than 90 days before the taxable status date next occurring on or after the 31st of December 2007, after a public hearing, the governing body of any county, city, town, or village may adopt a local law to provide that the exemption shall be granted pursuant to this section for the purposes of taxes levied for such county, town, or village. For the purposes of a county which is not an assessing unit, the taxable status date occurring on or after December 31, 2007, shall mean the first such tax roll for which the county taxes are levied.

**RESOLUTION NO. 121 FEBRUARY 14, 2018**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 44 OF THE CODE OF THE TOWN**  
**OF BABYLON (DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS)**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 14<sup>th</sup> day of March 2018, at 3:30 p.m., prevailing time, to consider amending the Town Code, as set forth in Exhibit "A" annexed hereto; and be it further

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT A**  
**CHAPTER 44 Department of Parks, Recreation and Cultural Affairs**

**ADD:**

§44-18 – Residency Requirements.

- A. Legislative intent. The purpose and intent of this Section is to establish residency requirements for certain appointed Town officers of the Town of Babylon who are appointed to positions of Bay Constable, Harbormaster, Park Ranger and Fire Marshall. In order to employ and maintain employment of quality appointed Town officers in these positions, the Town Board of the Town of Babylon has determined that residency of such Town officers within the State of New York would provide sufficient geographical boundaries within which to secure and maintain a pool of qualified appointed Town officers available to be appointed by the Town of Babylon as the needs for such appointments occur from time to time. The Town Board further finds and determines that limiting these appointed Town officers' residency to the Town of Babylon only is unduly restrictive and burdensome on the Town of Babylon in attempting to maintain and fill appointed Town officers vacancies as they occur within the specific positions stated above. Accordingly, the Town Board of the Town of Babylon adopts this Section for the purposes of allowing the Town to employ and maintain employment of qualified appointed Town officers to the positions of Bay Constable, Harbormaster, Park Ranger and Fire Marshall to serve the Town of Babylon and its residents.
- B. Establishment of residency requirements for appointed Town officers. Notwithstanding the provisions of Subdivision 1 of § 23 of the Town Law of the State of New York, and notwithstanding the provisions of Subdivision 1 of § 3 of the Public Officers Law, and notwithstanding the provisions of Subdivision 1 of § 3-b of the Public Officers Law or Subdivision 1d of § 30 the Public Officer's Law, in the Town of Babylon, Suffolk County, New York, all persons appointed to the positions of Bay Constable, Harbormaster, Park Ranger and Fire Marshall shall reside within the State of New York.
- C. Conflict with state statutes and authority to supersede. To the extent that any provisions of this Section are in conflict or are construed as inconsistent with the provisions of the New York State Town Law or New York State Public Officers Law, this Section supersedes, amends and takes precedence over New York State Town Law and New York State Public Officers Law pursuant to the Town's Municipal Home Rule powers pursuant to Municipal Home Rule Law §§ 10, Subdivisions 1(ii)d (3) and 1(ii)a (14), and 22 to supersede any inconsistent authority. In particular, this Section supersedes any inconsistent provisions of Town Law § 23, Subdivision 1, which provides that every officer of the Town at the time of his election or appointment and throughout his term of office must be an elector of the Town. This Section further supersedes any inconsistent provisions of Public Officer's Law § 3, Subdivision 1, which sets forth the qualification for holding public office and provides that to qualify a person must, at the time chosen, be at least 18 years of age, a citizen of the United States, a resident of the state and, in the case of a local office, a resident of the political subdivision for which he or she is appointed or within which the electors choosing him reside. It is the intent of this Section to amend § 23, Subdivision 1 of the Town Law and § 3, Subdivision 1, of the Public Officer's Law to the extent herein provided.



**RESOLUTION NO. 122 FEBRUARY 14, 2018**

**PROCLAIMING MONDAY, MARCH 12, 2018 AS EAGLE SCOUT TRAVIS LEE MICHALEK DAY**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Travis Lee Michalek was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Travis Lee Michalek its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, March 12, 2018 as Eagle Scout Travis Lee Michalek Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 123 FEBRUARY 14, 2018**

**CONFIRMING MEMBERSHIP TO THE EAST FARMINGDALE VOLUNTEER FIRE COMPANY, INC.**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

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

Leonardo Bilello	553 18 <sup>th</sup> St., West Babylon, NY 11704
Joseph Kolano	358 15 <sup>th</sup> St., West Babylon, NY 11704

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 124 FEBRUARY 14, 2018**

**APPOINTING CHIEF LIFEGUARD**

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

BE IT RESOLVED, that Terrence Manning is hereby appointed as Chief Lifeguard and John Bachety is hereby appointed as First Assistant Chief Lifeguard, effective February 1, 2018 pursuant to the Lifeguard Contract.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 125 FEBRUARY 14, 2018  
AUTHORIZING 2017 BUDGET MODIFICATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2017 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
	<u>General Fund</u>	
<b>Purchasing</b>		
<b>Administrative</b>		
A.1345.13	\$ 1,981	
<b>Full Time Clerical</b>		
A.1345.14	\$ 4,035	
<b>Overtime</b>		
A.1345.19	\$ 383	
<b>Buildings</b>		
<b>Full Time Clerical</b>		
A.1620.14	\$ 651	
<b>Full Time Labor</b>		
A.1620.15	\$ 3,120	
<b>Overtime</b>		
A.1620.19	\$ 814	
<b>Utilities</b>		
A.1620.42	\$ 18,804	
<b>Central Printing and Mailing</b>		
<b>Full Time Clerical</b>		
A.1670.14	\$ 752	
<b>Overtime</b>		
A.1670.19	\$ 120	
<b>Program Operations</b>		\$ 34,075
A.1670.47		
<b>Central Data Processing</b>		
<b>Administrative</b>		
A.1680.13	\$ 3,315	
<b>Overtime</b>		
A.1680.19	\$ 100	
<b>Supervisor</b>		
<b>Part Time Clerical</b>		
A.1220.16	\$ 1,456	
<b>Professional and Technical Services</b>		
A.1220.44	\$ 2,844	
<b>Administrative</b>		\$ 4,300
A.1220.13		
<b>Comptroller</b>		
<b>Administrative</b>		

A.1315.13	\$ 23,341	
<b>Professional and Technical Services</b>		
A.1315.44	\$ 5,679	
<b>Clerk</b>		
<b>Elected Official</b>		
A.1410.10	\$ 1,407	
<b>Overtime</b>		
A.1410.19	\$ 337	
<b>Professional and Technical Services</b>		
A.1410.44	\$ 13,547	
<b>Clerk</b>		
<b>Overtime</b>		
A.1430.19	\$ 46	
<b>Workers' Compensation</b>		
<b>Employee Benefits</b>		\$ 44,357
A.9040.80		
<b>Records Management</b>		
<b>Full Time Clerical</b>		
A.1460.14	\$ 16,314	
<b>Clerk</b>		
<b>Full Time Clerical</b>		
A.1410.14	\$ 10,580	
<b>Engineer</b>		
<b>Repairs and Maintenance</b>		
A.1440.46	\$ 5,734	
<b>Purchase of Land/Right of Way</b>		
<b>Miscellaneous</b>		
A.1940.49	\$ 274,789	
<b>Unallocated Insurance</b>		
<b>Insurance</b>		\$ 245,000
A.1910.43		
<b>Other Community Environment</b>		
<b>Professional and Technical Services</b>		
A.8589.44	\$ 4,691	
<b>Social Security</b>		
<b>Employee Benefits</b>		\$ 52,638
A.9030.80		
<b>Union Welfare Benefits</b>		
<b>Employee Benefits</b>		\$ 8,386
A.9070.80		
<b>Vision Insurance</b>		
<b>Employee Benefits</b>		\$ 812
A.9075.80		
<b>State Retirement</b>		
<b>Employee Benefits</b>		\$ 96,316
A.9010.80		
<b>Advance Refunding Bonds</b>		
<b>Debt Principal</b>		\$ 2,340,000
A.9991.60		
<b>Debt Interest</b>		\$ 28,957
A.9991.70		
<b>Revenues</b>		
<b>Advance Refunding Bonds</b>		\$ 2,226,000
A.0000.5791		
<b>Contingent Account</b>		
<b>Miscellaneous</b>		\$ 142,957
A.1990.49		
<b>Public Works Administration</b>		
<b>Administrative</b>		\$ 6,289
A.1490.13		
<b>Traffic Control</b>		
<b>Full Time Labor</b>		\$ 3,740
A.3310.15		
<b>Overtime</b>		\$ 611
A.3310.19		
<b>Repairs and Maintenance</b>		\$ 3,682
A.3310.46		
<b>Miscellaneous</b>		\$ 60
A.3310.49		
<b>Parks</b>		
<b>Full Time Clerical</b>		\$ 905
A.7110.14		
<b>Overtime</b>		\$ 53,550
A.7110.19		
<b>Central Garage</b>		
<b>Program Operations</b>		\$ 68,837
A.1640.47		
<b>Parks</b>		
<b>Overtime</b>		\$ 20,942
A.7110.19		
<b>Full Time Labor</b>		\$ 20,942
A.7110.15		
		<b>Part Town Fund</b>
<b>Social Security</b>		
<b>Employee Benefits</b>		\$ 5
B.9030.80		

<b>Hospital and Medical Insurance</b>		
<b>Employee Benefits</b>		
B.9060.80	\$	31,801
<b>State Retirement</b>		
<b>Employee Benefits</b>		
B.9010.80		\$ 31,806
	<b>Highway Fund</b>	
<b>Hospital and Medical Insurance</b>		
<b>Employee Benefits</b>		
DB.9060.80	\$	73,244
<b>Vision Insurance</b>		
<b>Employee Benefits</b>		
DB.9075.80	\$	17
<b>Bond Issuance Costs</b>		
<b>Professional and Technical Services</b>		
DB.9740.44	\$	26,020
<b>State Retirement</b>		
<b>Employee Benefits</b>		
DB.9010.80		\$ 46,500
<b>Social Security</b>		
<b>Employee Benefits</b>		
DB.9030.80		\$ 30,000
<b>Workers' Compensation</b>		
<b>Employee Benefits</b>		
DB.9040.80		\$ 8,600
<b>Unemployment Insurance</b>		
<b>Employee Benefits</b>		
DB.9030.80		\$ 9,300
<b>Snow Removal</b>		
<b>Full Time Labor</b>		
DB.5142.15		\$ 4,881
<b>Advance Refunding Bonds</b>		
<b>Debt Principal</b>		
DB9991.60	\$	5,382,000
<b>Debt Interest</b>		
DB.9991.70	\$	66,601
<b>Revenues</b>		
<b>Advance Refunding Bonds</b>		
DB.0000.5791	\$	5,119,800
<b>Premium on Obligations</b>		
DB.0000.2710	\$	328,801
<b>Street Administration</b>		
<b>Administration</b>		
DB.5010.13	\$	1,669
<b>Full Time Clerical</b>		
DB.5010.14	\$	3,869
<b>Program Operations</b>		
DB.5010.47		\$ 5,538
<b>Maintenance of Streets</b>		
<b>Part Time Labor</b>		
DB.5110.17	\$	8,655
<b>Overtime</b>		
DB.5110.19	\$	49,749
<b>Full Time Labor</b>		
DB.5110.15		\$ 58,404
<b>Snow Removal</b>		
<b>Overtime</b>		
DB.5142.19	\$	1,092
<b>Part Time Labor</b>		
DB.5142.17		\$ 1,092
	<b>Street Lighting</b>	
<b>Social Security</b>		
<b>Employee Benefits</b>		
SL.9030.80	\$	7
<b>Hospital and Medical Insurance</b>		
<b>Employee Benefits</b>		
SL.9060.80	\$	4,406
<b>Bond Issuance Costs</b>		
<b>Professional and Technical Services</b>		
SL.9740.44	\$	366
<b>State Retirement</b>		
<b>Employee Benefits</b>		
SL.9010.80		\$ 4,779
<b>Street Lighting</b>		
<b>Full Time Clerical</b>		
SL.5182.14	\$	5,127
<b>Overtime</b>		
SL.5182.19	\$	10,130
<b>Professional and Technical Services</b>		
SL.5182.44	\$	125
<b>Equipment</b>		
SL.5182.20		\$ 15,382

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.



**RESOLUTION NO. 126 FEBRUARY 14, 2018  
AUTHORIZING 2018 BUDGET MODIFICATION**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2018 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<b>General Fund</b>		
<b>Central Data Processing</b>		
<b>Administrative</b>		
A.1680.13	\$ 45,075	
<b>Full Time Clerical</b>		
A.1680.14		\$ 45,075
<b>Comptroller</b>		
<b>Administrative</b>		
A.1315.13	\$ 35,917	
<b>Supervisor</b>		
<b>Administrative</b>		
A.1220.13	\$ 71,000	
<b>Law</b>		
<b>Administrative</b>		
A.1420.13	\$ 35,917	
<b>Professional and Technical Services</b>		
A.1420.44	\$ 10,000	
<b>Legislative Board</b>		
<b>Administrative</b>		
A.1010.13	\$ 5,000	
<b>Workers' Compensation</b>		
<b>Employee Benefits</b>		
A.9040.80		\$ 125,984
<b>Parks and Recreation Administration</b>		
<b>Part Time Clerical</b>		
A.7020.16		\$ 31,850
<b>Serial Bonds</b>		
<b>Debt Principal</b>		
A.9710.60	\$ 405,691	
<b>Debt Interest</b>		
A.9710.70	\$ 7,522	
<b>Workers' Compensation</b>		
<b>Employee Benefits</b>		
A.9040.80		\$ 413,213
<b>Highway Fund</b>		
<b>Workers' Compensation</b>		
<b>Employee Benefits</b>		
DB.9040.80	\$ 420,000	
<b>Snow Removal</b>		
<b>Full Time Labor</b>		
DB.5142.15		\$ 160,000
<b>Hospital and Medical Insurance</b>		
<b>Employee Benefits</b>		
A.9060.80		\$ 260,000
<b>Commercial Garbage</b>		
<b>Refuse and Garbage</b>		
<b>Administrative</b>		
SR.8160.13	\$ 10,200	
<b>Professional and Technical Services</b>		
SR.8160.44		\$ 10,200

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 127 FEBRUARY 14, 2018  
AUTHORIZING 2018 OPERATING TRANSFER**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller that the following 2018 Operating Transfer is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<b>Capital Project Fund</b>		
<b>Intermodal Park Development Station Plaza</b>		
<b>Interfund Transfer</b>		
H130.9901.90		\$ 87,876.80
<b>Other Transportation, Equipment and Capital Outlay</b>		
H130.5997.26		\$ 87,876.80
<b>Wyandanch Pedestrian Mall</b>		
<b>Interfund Transfer</b>		
H70.0000.5031	\$ 87,876.80	
<b>Other Transportation, Equipment and Capital Outlay</b>		
H70.5197.26	\$ 87,876.80	

**Wyandanch Transit Study**

**Interfund Transfer**

H119.9901.90 \$ 26.97

**Other Transportation, Equipment and Capital Outlay**

H119.5997.20 \$ 26.97

**Intermodal Park Development**

**Interfund Transfer**

H130.0000.5031 \$ 26.97

**Other Transportation, Equipment and Capital Outlay**

H130.5997.26 \$ 26.97

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 128 FEBRUARY 14, 2018  
AMENDING THE ADMINISTRATIVE SALARY PLAN**

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

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 this amendment to the Salary Plan shall be effective this date unless indicated otherwise.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

"SCHEDULE A"

2018 ADMINISTRATIVE SALARY PLAN

TITLE	LEVEL	STEP
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	15
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	G	14a
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	H	6a
Assistant Town Attorney III	G	12
Assistant Town Attorney	E	12
Bureau Administrator	C	14
Chief Assistant Town Attorney	J	13
Citizens Advocate/Supervisor	H	7a
Commissioner of DPW	J	15
Commissioner of Environmental Control	J	15
Commissioner of General Services	J	15
Commissioner of Human Services	J	15
Commissioner of Planning	J	15
Commissioner of Recreation	J	15
Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	B	17a
Confidential Community Service Aide/Supervisor	D	10a
Confidential Community Service Aide/Supervisor	E	4a
Confidential Community Service Aide/Supervisor	E	3
Confidential Community Service Aide/Supervisor	F	14
Confidential Community Service Aide/Supervisor	E	14a
Confidential Community Service Aide/Supervisor	F	2a
Confidential Community Service Aide/Supervisor	G	4a
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	I	8a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Environmental Control	E	3
Confidential Secretary to Town Council	E	13a
Deputy Commissioner Environmental Control/Landfill	H	17
Deputy Commissioner General Services	J	13
Deputy Commissioner Human Services	H	6
Deputy Commissioner Human Services	J	3a

Deputy Commissioner II of DPW	H	9a
Deputy Commissioner of DPW	I	14
Deputy Commissioner of Environmental	H	17
Deputy Commissioner of Planning	I	12
Deputy Commissioner of Planning and Development	H	15
Deputy Commissioner Parks and Recreation	J	6a
Second Deputy Commissioner of Parks and Recreation	H	16a
Deputy Comptroller	H	16
Deputy Director of Finance	I	10
Deputy Receiver of Taxes	E	14a
Deputy Town Attorney	I	17a
Deputy Town Clerk	E	14a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	I	11
Director of Handicapped Services	F	11
Director of Information Technology	J	16a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	J	12
Executive Assistant to Human Services	H	7a
Executive Assistant to Parks and Recreation	D	17
Executive Assistant to Commissioner of General Services	G	16
Executive Assistant to Comptroller	H	14a
Executive Assistant to Deputy Supervisor	G	11a
Executive Assistant to DPW	H	6
Executive Assistant to Environmental Control	G	16
Executive Assistant to Planning	J	9
Executive Assistant to Supervisor	J	17
Executive Assistant to Town Attorney	F	4a
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	10a
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	13a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	J	15
Legislative Aide to Supervisor	I	9
Nutrition Center Supervisor	F	12
Principal Accountant	I	13
Public Information Officer/Supervisor	J	9
Secretary to Assessor	G	14a
Secretary to Commissioner of DPW	F	15
Secretary to Commissioner of Environmental Control	F	8
Secretary to Commissioner of General Services	E	10a
Secretary to Commissioner of Planning & Development	G	10a
Secretary to Commissioner of Parks & Recreation	H	2a
Secretary to Comptroller	H	14a
Secretary to Deputy Supervisor (effective 1/1/18)	E	3
Secretary to Human Services	G	11a
Secretary to Supervisor	G	17a
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	B	17a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	F	15
Senior Assistant Town Attorney II	I	12

Senior Citizens Aide	E	7a
Special Assistant to Supervisor	I	10
Town Attorney	J	17
Town Comptroller	J	17
Town Engineer	H	15
Town Historian	G	9a
Women's Resources Advisor I	G	11a

2018	Administration Plan:									
	A	B	C	D	E	F	G	H	I	J
1	18,570	22,940	25,562	28,622	30,569	36,051	43,040	46,974	53,530	57,152
a	19,452	24,030	26,777	29,981	32,020	37,760	45,084	49,206	56,071	58,868
2	20,333	25,118	27,989	31,342	33,469	39,469	47,131	51,435	58,614	60,583
a	20,796	25,688	28,625	32,050	34,243	40,367	48,197	52,613	60,320	62,399
3	21,256	26,260	29,260	32,758	35,011	41,262	49,265	53,771	62,024	64,217
a	21,884	26,694	29,758	33,259	35,636	42,015	50,080	54,582	62,524	65,510
4	22,508	27,130	30,258	33,760	36,260	42,764	50,892	55,394	63,059	66,802
a	23,134	27,345	30,759	34,261	36,886	43,515	51,708	56,208	63,898	67,733
5	23,759	27,557	31,259	34,761	37,512	44,266	52,521	57,021	64,773	68,660
a	24,757	27,786	31,822	35,636	38,264	43,340	53,334	57,708	65,976	69,934
6	25,755	28,009	32,388	36,510	39,017	45,187	54,144	58,395	67,176	71,208
a	26,036	28,822	32,950	37,355	39,765	45,303	54,958	59,426	68,101	72,189
7	26,317	28,773	33,511	38,201	40,516	46,016	55,769	60,454	69,029	73,168
a	26,475	30,198	33,950	38,218	41,326	46,829	56,393	61,177	69,778	73,964
8	26,630	30,758	34,387	38,264	42,139	47,641	57,019	61,897	70,529	74,761
a	27,071	31,134	34,822	38,637	42,954	48,454	57,644	62,963	71,277	75,553
9	27,510	31,509	35,260	39,012	43,764	49,265	58,268	64,028	72,027	76,350
a	28,820	31,887	35,636	39,762	44,326	50,017	58,957	64,715	73,341	77,741
10	28,384	32,261	36,012	40,515	44,892	50,768	59,644	65,400	74,654	79,132
a	29,698	32,637	36,388	40,890	45,455	51,518	60,334	66,090	75,967	80,523
11	29,260	33,014	36,764	41,262	46,016	52,268	61,025	66,778	77,279	81,914
a	29,636	33,451	37,263	41,639	46,391	53,083	61,836	67,784	78,167	82,859
12	30,011	33,887	37,763	42,016	46,767	53,891	62,647	68,791	79,059	83,801
a	30,385	34,323	38,263	42,389	47,142	54,706	63,462	69,781	80,797	85,643
13	30,758	34,761	38,762	42,764	47,518	55,520	64,275	70,776	82,533	87,485
a	32,220	36,411	40,604	44,793	49,776	58,157	67,328	74,138	85,838	90,336
14	33,679	38,060	42,445	46,825	52,033	60,794	70,381	77,501	89,144	94,223
a	35,871	39,869	44,461	49,050	54,503	63,683	73,964	81,182	94,052	99,694
15	38,060	41,678	46,476	51,273	56,974	66,572	77,067	84,863	98,956	103,018
a	39,869	43,659	48,686	53,711	59,680	69,732	80,726	88,891	102,684	108,038
16	41,678	45,638	50,895	56,146	62,415	72,894	84,387	91,506	108,357	111,185
a	43,659	47,805	53,310	58,813	65,356	76,359	88,396	96,480	109,084	130,005
17	45,638	49,970	55,727	61,477	68,327	79,821	92,407	102,148	114,857	145,000
a	47,919	52,469	58,512	64,553	71,743	83,811	95,513	106,838	121,748	146,396

**RESOLUTION NO. 129 FEBRUARY 14, 2018  
AUTHORIZING RELEASE OF FUNDS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk, that the following funds be released:

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

NAME	TYPE OF LICENSE	AMOUNT	DATE ISSUED	Reason
Gordon Brothers Retail Partners LLC.	Conduct "Going out of business Sale"	\$425.00	11/29/17	OSC Sports, Inc., d/b/a Olympia Sports has officially closed and ended its sale.

**RESOLUTION NO. 130 FEBRUARY 14, 2018  
AUTHORIZING REFUND OF FEES**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

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 fee be refunded:

NAME and ADDRESS	TYPE	AMOUNT
Caj LI Realty Associates, LLC. 12 Barbera Road Commack, New York 11725	Applicant overpaid at the time of renewal of a rental permit.	\$250.00

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 131 FEBRUARY 14, 2018  
AUTHORIZING EMPLOYEE REIMBURSEMENT**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Comptroller is hereby authorized to issue reimbursement to the following employee(s):

EMPLOYEE	AMOUNT
Victoria Marotta	\$74.95 1099 Tax form envelopes

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 132 FEBRUARY 14, 2018  
AUTHORIZING THE SUPERVISOR TO ENTER INTO A SECOND AMENDMENT  
TO THE WASTE COLLECTION SERVICE AGREEMENT (COMMERCIAL GARBAGE DISTRICT NO. 2)**

The following resolution was offered by Supervisor Schaffer and seconded by Councilwoman Gordon

WHEREAS, by Resolution No. 701 of November 17, 2010, Winters Brothers Recycling Corp. ("Winters"), was awarded the Waste Collection Service Agreement from the Town of Babylon Solid Waste Commercial District No. 2 (the "Agreement"), and

WHEREAS, by Resolution No. 150 of February 18, 2014, the Town Board authorized the First Amendment to the Agreement to reflect a change in name and corporate structure from Winters Bros. Recycling Corp. to Progressive Waste Solutions TS of LI, Inc.; and

WHEREAS, WHEREAS, pursuant to Article 20.1 of the Agreement, the Agreement may be extended for two additional, successive five (5) year periods by majority vote of the Town Board pursuant to the recommendation of the Solid Waste Administrator; and

WHEREAS, based upon Winters record of service, the Solid Waste Administrator has recommended the extension of the Agreement; and

NOW, THEREFORE, be it RESOLVED, by the Town Board of the Town of Babylon that the Waste Collection Service Agreement is hereby extended an additional five (5) years effective January 1, 2021 through and including December 31, 2030; and be it further

RESOLVED, that the Supervisor is authorized to execute a document effectuating the extension subject to the approval of the Town Attorney.

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

Councilman Manetta	Voting	Abstain
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilwoman Gordon	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 133 FEBRUARY 14, 2018  
APPROVING THE 2017 SERVICE AWARD LIST FOR THE  
WYANDANCH WHEATLEY HEIGHTS AMBULANCE DISTRICT**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

BE IT RESOLVED, that based upon the certification and recommendation by the officers of the Wyandanch Wheatley Heights Ambulance District, and the review and recommendation by the Comptroller, the 2017 Service Award List on file in the Office of the Town Comptroller for the Wyandanch Wheatley Heights Ambulance District be and is hereby approved.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 134 FEBRUARY 14, 2018  
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT  
13 ADRIAN COURT, AMITYVILLE, NEW YORK SCTM No. 0100-163.00-01.00-040.000**

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

WHEREAS, a certain structure, located at **13 Adrian Ct., Amityville, NY**, bearing Suffolk County Tax Map No. **0100-163.00-01.00-040.000** is open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer's report dated **November 18, 2017**, indicates the propane tanks and debris should be removed, the roof has failed, the fascia's and soffits are in poor condition, therefore the demolition of the structure including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure including removal of the foundation, located at **13 Adrian Ct., Amityville, NY, A/K/A SCTM No. 0100-163.00-01.00-040.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises **13 Adrian Ct., Amityville, NY, A/K/A SCTM No. 0100-163.00-01.00-040.000**, in accordance with the

Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of One Hundred and Fifty Dollars (\$150.00) for said premises from the appropriate fund, and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 135 FEBRUARY 14, 2018**

**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 144 ERLANGER BLVD., NORTH BABYLON, NEW YORK, SCTM NO. 0100-111.00-03.00-002.000**

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

WHEREAS, a certain structure(s) located at 144 Erlanger Blvd., N. Babylon, New York, bearing SCTM# 0100-111.00-03.00-002.00 has no running water as per a communication with the Suffolk County Water Authority, the glass on the side door is broken, allowing the door to be unlocked which allows the dwelling to be open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 144 Erlanger Blvd., N. Babylon, New York, bearing SCTM# 0100-111.00-03.00-002.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated February 1, 2018 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 136 FEBRUARY 14, 2018**

**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 1429 DEER PARK AVE., N. BABYLON, NEW YORK, SCTM NO. 0100-112.00-02.00-050.000**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, a certain structure(s) located at 1429 Deer Park Ave., N. Babylon, New York, bearing SCTM# 0100-112.00-02.00-050.000 has no running water as per a communication with the Suffolk County Water Authority, dwelling is open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 1429 Deer Park Ave., N. Babylon, New York, bearing SCTM# 0100-112.00-02.00-050.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated February 2, 2018 on file in the Department of Code Enforcement; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 137 FEBRUARY 14, 2018**

**AWARDING BID NO. 18G12 PRINTING: LETTERHEAD, ENVELOPES, RECEIPTS, ETC.**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, the following bids for Bid No. 18G12 Printing: Letterhead, Envelopes, Receipts, etc. were received, opened and publicly read:

**SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES**

RESOLVED, that based upon the recommendation of the Commissioner of General Services and upon her finding the aforementioned bids to be fair and reasonable, Bid No. 18G12 be and is hereby awarded to the overall low bidder, Phoenix Business Products, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Phoenix Business Products, 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 contracts may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 138 FEBRUARY 14, 2018**

**ACCEPTING THE CONTRACT WITH BOYLE 18, INC. FOR BID NO. 17G86, ASBESTOS REMEDIATION AT; 1571 STRAIGHT PATH, WYANDANCH; 1573 STRAIGHT PATH, WYANDANCH; 1575 STRAIGHT PATH, WYANDANCH; 1577 STRAIGHT PATH, WYANDANCH**

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

WHEREAS, Bid No.17G86, Asbestos Remediation at 1571 Straight Path, 1573 Straight Path, 1575 Straight Path and 1577 Straight Path, Wyandanch was awarded to Boyle 18, Inc., pursuant to Resolution No. 868 of November 16, 2017, in the amount of TWENTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY (\$27,850.00) DOLLARS and

WHEREAS, the Commissioner of General Services recommends that all work performed by Boye18, Inc., pursuant to Bid No. 17G86, Asbestos Remediation at 1571 Straight Path, 1573 Straight Path, 1575 Straight Path and 1577 Straight Path, Wyandanch be deemed as satisfactorily completed

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services, all work performed by Boyle 18, Inc. at 1571 Straight Path, 1573 Straight Path, 1575 Straight Path, and 1577 Straight Path, Wyandanch pursuant to Bid No. 17G86 be and is hereby deemed satisfactorily complete at a final contract price of TWENTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY (\$27,850.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 139 FEBRUARY 14, 2018**

**AWARDING BID NO. 18G7 INSTALLATION OF LED LIGHTS AT BIRCHWOOD PARK SOCCER FIELD**

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

WHEREAS, the following bids for Bid No. 18G7 Installation of LED Lights at Birchwood Park Soccer Field were received, opened and publicly read:

<b>BIDDER</b>	<b>TOTAL BID PRICE</b>
<b>West Babylon Electric</b>	<b>\$499,410.00</b>
Roland's Electric, Inc.	\$532,000.00
Relle Electric Corp.	\$555,202.00
Welsbach Electric Corp. of L.I.	\$562,400.00
Anker's Electric Service, Inc.	\$573,000.00
Hinck Electrical Contractor, Inc.	\$593,750.00
L.E.B. Electric Ltd.	\$617,364.00
Palace Electric al Cont. Inc.	\$624,000.00
Eldor Contracting Corp.	\$634,000.00
Baltray Enterprises d/b/a Bancker Electric	\$688,000.00
JVR Electric, Inc.	\$710,518.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Cashin Associates, P.C. and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 18G7 be and is hereby awarded to the low bidder, West Babylon Electric and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with West Babylon Electric., for a total contract amount of FOUR HUNDRED NINETY-NINE THOUSAND, FOUR HUNDRED TEN (\$\$499,410.00) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 140 FEBRUARY 14, 2018**

**AWARDING BID NO. 18G11, REQUIREMENTS CONTRACT FOR THE INSTALLATION, MAINTENANCE & REPAIR OF TURF FIELDS**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, the following bids for Bid No. 18G11, Requirements Contract for The Installation, Maintenance & Repair of Turf Fields were received, opened and publicly read:

**SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES**

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, and the Commissioner of the Department of Public Works and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 18G11 be and is hereby awarded to the low bidder. The Landtek Group and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with The Landtek Group and that the form and content of said contract shall be subject to the approval of the Town Attorney, and be further it

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 141 FEBRUARY 14, 2018**

**ADOPTING AMENDMENT TO THE TOWN OF BABYLON INVESTMENT POLICY**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that an amendment to the Town of Babylon Investment Policy, available for review at the Office of the Town Clerk as Schedule "A", is hereby adopted.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.



**Town of Babylon Investment Policy**

**I. INTRODUCTION**

Pursuant to Section 39 of the General Municipal Law, each local government, including counties, cities, towns, villages, school district, boards of cooperative education services, district corporations as defined by Section 36 of the General Construction law, and any other governmental subdivisions, are required to adopt by resolution a comprehensive investment policy detailing the local government's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the local government.

The purpose of this legislation is to formalize policies and procedures and enable local Governments to:

- Establish a prudent set of basic procedures to meet individual investment objectives,
- Assure that investment assets are adequately safeguarded or collateralized,
- Establish and maintain a system of internal controls including adequate accounts and records which accurately reflect in reasonable detail, all investment transactions, and
- Provide accurate reporting and evaluation of investment results in conformance with GAAP (generally accepted accounting principles).

The legislation requires that the adopted policy address the following areas:

- A list of authorized investments,
  - Procedures to ensure the local government's financial interest in investments,
  - Standards for written agreements consistent with Legal requirements,
  - Procedures for monitoring, control, deposit and retention of investments and collateral,
  - Standards for collateral agreements, and
  - Standards for qualification of investment agents which transact business with local governments.
- II. SCOPE  
This investment policy applies to all moneys and other financial resources available to the Town of Babylon for deposit and/or investment on its own behalf or on behalf of any other entity or individual.
- III. OBJECTIVES  
The primary objectives of the investment activities of the Town of Babylon, in the county of Suffolk, state of New York (the "Town"), are in priority order,
1. To conform with all applicable federal, state and other legal requirements;
  2. To adequately safeguard principal;
  3. To provide sufficient liquidity to meet all operating requirements; and
  4. To obtain a reasonable rate of return.
- IV. DELEGATION OF AUTHORITY  
The responsibility of the Town Board for administration of the investment program is delegated to the Town Comptroller and/or the Deputy Comptroller and Town Attorney who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure adequate to provide a satisfactory level of accountability, maintaining records incorporating descriptions and amounts of investments, transaction dates and other relevant information and to supervise and regulate the activities of subordinate employees.
- V. PRUDENCE  
All participants in the cash management and investment process shall act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town.  
Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.  
All participants in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.
- VI. DIVERSIFICATION  
It is the policy of the Town to diversify its deposits and investments by financial institution, by investment instruments and by maturing scheduling.
- VII. INTERNAL CONTROLS  
It is the policy of the Town for all money collected by any officer or employee of the Town to transfer those funds to the Town Comptroller as soon as is practicable, or within the time period specified by law.  
The Town Comptroller and/or Deputy Comptroller are responsible for establishing and maintaining internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and that deposits and investments are managed prudently and in compliance with applicable laws and regulations.
- VIII. DESIGNATION OF DEPOSITORIES  
The banks and trust companies authorized for deposit of money are as follows:  
  - JP Morgan Chase
  - Bank of America
  - Capital One Bank
  - Citibank
  - Valley National Bank
  - TD Bank
  - Wachovia
  - M&T Bank
  - HSBC
  - Wells Fargo
  - The Bank of New York Mellon
  - US Bank
  - First National Bank of Long Island
  - Bridgehampton National Bank
  - Flushing Bank
  - People's United Bank
  - New York Community Bancorp
The Town shall review and approve and/or change this list at least annually via Town Board Resolution.
- IX. SECURING DEPOSITS AND INVESTMENTS  
In accordance with the provisions of Section 10 of the General Municipal Law, all deposits of the Town, including all demand deposits, certificates of deposits and special time deposits, in excess of amount insured under the provisions of the Federal Deposit Insurance Act, including pursuant to a Deposit Placement Program in accordance with law, shall be secured by one or more of the following methods:
1. By a pledge of eligible securities or a pro rata portion of eligible securities having in the aggregate a market value at least equal to the aggregate amount of public deposits within the state at such bank or trust company together with a security agreement from the bank or trust company.
  2. By an irrevocable letter of credit issued in favor of the Town by a federal home loan bank whose commercial paper and other unsecured short-term debt obligations are rated in the highest rating category by at least one nationally recognized statistical rating organization, accept such letter of credit payable to the Town as security for the payment of 11% of the aggregate amount of public deposits from such officers and the agreed upon interest, if any. Such irrevocable letter of credit to be issued for a term not to exceed 90 days.
  3. By an eligible surety bond payable to the Town for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims – paying ability is rated the highest rating category by at least two nationally recognized statistical rating organizations.
- X. SAFEKEEPING AND COLLATERALIZATION  
Eligible securities used for collateralizing deposits shall be held by the depository and/or third-party bank or trust company subject to security and custodial agreements and as directed by the Town Comptroller and/or Deputy Comptroller and Town Attorney.  
The security agreement and custodial agreement referred to below may be the same agreement when the bank or trust company holding the bank deposits holds the collateral for the Town.



The security agreement shall provide that such eligible securities or pro rata portion of a pool of eligible securities are being pledged by the bank or trust company as security for the deposits, together with agreed upon interest, if any, any costs or expenses arising out of the collection of such deposit upon a default. It shall also provide for the conditions under which the securities or pro rata portion of a pool of eligible securities held may be sold, presented for payment, substituted or released and the events of default will enable the Town to exercise its rights against the pledged securities. Such agreement shall include all provisions deemed necessary and sufficient to secure in a satisfactory matter the Town's interest in collateral.

The custodial agreement shall provide that the pledged securities or pro rata portion of a pool of eligible securities will be held by the custodial bank or trust company as agent of, and custodian for, the Town, and will be kept separate and apart from the general assets of the custodial bank or trust company and shall also provide for the manner in which the custodial bank or trust company shall confirm the receipt, substitution or release of the collateral. Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to the eligible securities in Appendix A. The agreement shall provide that the custodian will exercise the Town's rights to the security or as instructed by the Town. Such agreement shall include all provisions necessary to provide the Town with a perfected interest in the securities.

XI. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Section 11, the Town authorizes the Comptroller and/or Deputy Comptroller or other officer having custody of the moneys may temporarily invest moneys not required for immediate expenditure, except moneys the investment of which is otherwise provided for by law, for terms not to exceed its projected cash flow needs in the following types of investments:

- Special Time Deposits;
- Certificates of deposit issued by a bank or trust company located and authorized to do business in the State of New York;
- Through a Deposit Placement Program in one or more banking institutions, as defined in Banking Law Section 9-r;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payments of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to Sections 24.00 or 25.00 of the Local Finance Law with approval of the State Comptroller by any municipality, school district or district corporation other than the Town;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments;
- Certificates of Participation (COPs) issued pursuant to Section 109-b of the General Municipal Law to the extent that the enabling authority is in effect; and
- Obligations of this Town, but only with any moneys in a reserve fund established pursuant to Sections 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m or 6-n of the General Municipal Law.

Such Obligations shall be payable or redeemable at the option of the Town within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event, at the option of the Town, within two (2) years of the date of purchase.

XII. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town shall maintain a list of financial institutions and dealers approved for investment purposes. All financial institutions with which the Town conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers with the New York Federal Reserve Bank, as primary dealers. The Town Comptroller and/or Deputy Comptroller or other officer having custody of money are responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians with the Town Comptroller having the supervisory responsibility. Such listing shall be evaluated at least annually.

XIII. PURCHASE OF INVESTMENTS

The Town Comptroller and/or Deputy Comptroller, or other officers so designated, having custody of money authorized by the Town Board, is authorized to contract for the purchase of investments:

1. By Participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the Town Board.
2. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the Town Comptroller and/or Deputy Comptroller or other officers so designated, who are authorized to make the investment. All such transactions shall be confirmed in writing to the Town to the attention of the Town Comptroller and/or Deputy Comptroller by the bank or trust company. Any obligation held in custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in Section 10 of the General Municipal Law and shall be subject to the provisions of paragraph IX of this policy.

The custodial agreement shall provide that the pledged securities or pro rata portion of a pool of eligible securities will be held by the custodial bank or trust company, as agent of, and custodian for, the Town, and will be kept separate and apart from the general assets of the custodial bank or trust company and it shall also provide for the manner in which the custodial bank or trust company shall confirm receipt, substitution or release of the collateral. Such agreement shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and the substitution of collateral when a change in the rating of a security causes ineligibility pursuant to eligible securities described in Appendix A. Such agreement shall include all provisions deemed necessary and sufficient in a satisfactory manner the Town's interest in the collateral. Such agreement may also contain such other provisions as the Town Board may deem necessary.

**APPENDIX A**

**Schedule of Eligible Securities**

The following list is subject to the securities being "eligible securities" as defined by Section 10 of the General Municipal Law for the collateralization of deposits referenced in Section IX (1).

"Eligible Securities" shall mean any of the following:

- Obligations issued by the United States of America, an agency thereof or a United States government sponsored corporation or obligations fully insured or guaranteed as to the payment of principal and interest by the United States of America, an agency thereof or a United States government sponsored corporation.
- Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

- Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
- Obligations issued or fully insured or guaranteed by this state, obligations issued by a municipal corporation, school district or district corporation of this state or obligations of any public benefit corporation which under specific state statute may be accepted as security for deposit of public monies.
- Obligations issued by states (other than this state) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of counties, cities and other governmental entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by federal bank regulatory agencies.
- Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of not longer than sixty days from the date they are pledged.
- Zero-coupon obligations of the United States government marketed as "Treasury STRIPS".

**RESOLUTION NO. 142 FEBRUARY 14, 2018**

**AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT 519 N. WELLWOOD AVENUE, N. LINDENHURST, NY 11757 SCTM No. 0100-206.00-02.00-030.000**

The following resolution was **TABLED** by Supervisor Schaffer

and seconded by Councilwoman Gordon

WHEREAS, a certain structure, located at **519 N. Wellwood Ave., N. Lindenhurst, NY**, bearing Suffolk County Tax Map No. **0100-206.00-02.00-030.000** presents a danger of structural collapse, has accumulation of debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer's report dated October 11, 2017 and February 13, 2018 and the Inspector's report dated June 12, 2018, and on file in the Office of Code Enforcement, indicates, among other things that, the main structure is in very poor condition, rot was noted throughout the building, columns along the front elevation have failed, therefore the demolition of the structure including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure including removal of the foundation, located at **519 N. Wellwood Ave., N. Lindenhurst, NY**, A/K/A SCTM No. **0100-206.00-02.00-030.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises **519 N. Wellwood Ave., N. Lindenhurst, NY**, A/K/A SCTM No. **0100-206.00-02.00-030.000**, in accordance with the Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of One Hundred and Fifty Dollars (\$150.00) for said premises from the appropriate fund, and be it further

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

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

The resolution was thereupon declared duly **TABLED** to February 28, 2018 Meeting.

Being no further business before the Board, the meeting adjourned at 3:38 pm on the motion of Councilman McSweeney, seconded by Councilwoman Gordon.

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Geraldine Compitello, Town Clerk

/jt