

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 25th day of April, 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 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES***
2. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE XXIV, OF THE CODE OF THE TOWN OF BABYLON, SENIOR MULTIPLE RESIDENCE DISTRICT***
3. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ZONING, ARTICLE XII, OF THE CODE OF THE TOWN OF BABYLON (E Business District)***
4. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ZONING, ARTICLE XIV, OF THE CODE OF THE TOWN OF BABYLON (G Industrial District)***
5. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ZONING, ARTICLE XLI, OF THE CODE OF THE TOWN OF BABYLON (Smoking)***
6. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 47, ARTICLE IV, OF THE CODE OF THE TOWN OF BABYLON (Employees outside collective bargaining unit)***
7. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE VII, OF THE CODE OF THE TOWN OF BABYLON (A RESIDENCE DISTRICTS)***
8. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE VIIA, OF THE CODE OF THE TOWN OF BABYLON (AA RESIDENCE DISTRICTS)***
9. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE VIII, OF THE CODE OF THE TOWN OF BABYLON (B RESIDENCE DISTRICTS)***
10. ***A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE IX, OF THE CODE OF THE TOWN OF BABYLON (C RESIDENCE DISTRICTS)***

**RESOLUTION NO. 142 APRIL 25, 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 there was **NO ACTION TAKEN**.

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, 2017, 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 Five Hundred and Twenty-Five Dollars (\$525.00) 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 to be **CARRIED OVER** to May 16, 2018 Meeting.

**RESOLUTION NO. 310 APRIL 25, 2018
ACCEPTING TOWN BOARD MINUTES**

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 minutes of the following Town Board Meeting be and the same are hereby accepted:

April 11, 2018

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 311 APRIL 25, 2018
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 170,
ARTICLES II, OF THE CODE OF THE TOWN OF BABYLON (PLUMBING)**

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 a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 16th day of May, 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"
Chapter 170 Plumbing
Article II General and Administrative Provisions**

**Amend:
170-17 Permit fees.**

D. The fee for a permit for plumbing, drainage or gas work, including inspection, conducted on residentially zoned property, shall be double when work has commenced prior to the issuance of the permit. The fee for a permit for plumbing, drainage or gas work, including inspection, conducted on commercially or industrially zoned property shall be triple when work has commenced prior to the issuance of the permit.

**RESOLUTION NO. 312 APRIL 25, 2018
ADOPTING AMENDMENTS TO CHAPTER 3, ARTICLE II, SECTION 3-4
OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

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 25th day of April 2018 upon the question of adopting amendments to Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances

NOW, THEREFORE, be it

RESOLVED AND ORDAINED that the amendments to the Uniform Code of Traffic Ordinances, as set forth herein as Exhibit "A", be and the same are hereby adopted effective immediately; and be it further

RESOLVED AND ORDAINED that the Director of Traffic Safety be authorized and directed to install, erect, remove or replace such signs or other traffic safety devices as may be required by these amendments or by the New York State Vehicle and Traffic Law.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"
Chapter 3, Article II, Section 3-4
[Parking, Standing, and Stopping Restrictions]**

ADD to Schedule K:

<u>Name of Street/ Side Location</u>	<u>Hamlet</u>	<u>Regulation</u>	<u>Hours/ Days</u>
Muncie Road/ West side in front of house number 28 for the property frontage from a point 432 feet +/- south of Montauk Hwy (NYS Route 27A) south for 120 feet +/-	WB	No Parking	All

**RESOLUTION NO. 313 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 6 OF 2018 AMENDING CHAPTER 213,
OF THE BABYLON TOWN CODE (ZONING)**

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 6 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 6 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. 6 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

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 one-quarter 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. 314 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 7 OF 2018 AMENDING CHAPTER 213, ZONING, ARTICLE XII,
OF THE CODE OF THE TOWN OF BABYLON (E Business District)

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 7 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 7 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. 7 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Article XII E Business District

ADD

§ 213-129.2 Smoke Shops, Vape Shops, Hookah Lounges, Vape Lounges

A. Definitions and word usage. Whenever used in this section, words in the singular include the plural and vice versa. As used in this section, the following terms shall have the meanings indicated:

HOOKAH PIPE

A single or multi-stemmed instrument used by one or more persons to smoke tobacco or another substance, which hookah pipe is also commonly referred to as a hookah, waterpipe, shisha or narghile

HOOKAH LOUNGES AND VAPE LOUNGES: Any facility or location whose business operation, and its principal use, include the on-site indoor smoking of electronic cigarettes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances. Smoking is the inhalation of the smoke/ liquid nicotine/vapors/water pipe tobacco and other substances encased in electronic cigarettes, vape pens, and pipes commonly known as "hookah", "waterpipe", "shisha", and "narghile" or any similar device.

SMOKE SHOP AND VAPE SHOPS: Any establishment which offers for sale or consideration cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances, as a substantial or significant portion of its business, merchandise and/or stock-in-trade.

SUBSTANTIAL OR SIGNIFICANT PORTION

- (1) "Substantial or significant portion" shall be determined using the following considerations:
 - (a) Amount of floor area and basement space accessible to customers and allotted to the sale or consideration of cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type, generally, or as compared to the total floor area and basement space accessible to customers; and/or
 - (b) Amount of cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances stock-in-trade of any type accessible to customers, generally, or as compared to total stock accessible to customers; and/or
 - (c) Revenues derived from cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type, generally, or as compared to total revenues; and/or
 - (d) Advertising devoted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type, generally, or as compared to total advertising; and/or
 - (e) Use of the establishment for cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type, generally, or as compared to total use thereof.
- (2) However, notwithstanding the above considerations, the following shall be conclusive in determining substantial or significant portion:
 - (a) Forty percent or more of floor area and basement space accessible to customers allotted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type; and/or
 - (b) Forty percent or more of its stock-in-trade in cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances of any type; and/or
 - (c) Forty percent or more of its gross income derived from cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances; and/or
 - (d) Forty percent or more of its advertising devoted to cigarettes, electronic cigarettes, pipes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances.

B. In an E Business District, no building or premises shall be used and no building shall be hereafter erected or altered unless otherwise provided in this chapter for use as a hookah lounge and/or vape lounge, whether as its primary use or as an accessory or ancillary use, including the smoking of tobacco or other substances through one or more hookah pipes This prohibition shall include but not be limited to facilities or establishments commonly known by such various terms as hookah bars, hookah lounges, or hookah cafes. All such facilities or establishments lawfully and actually operating, and open to the public or a segment thereof or a club membership as of the date of adoption of this subsection 213-129.2, shall be permitted to continue as legal nonconforming uses, and all others are hereby declared unlawful and prohibited, effective immediately in accordance with law.

C. In an E Business District, no building or premises shall be used and no building shall be hereafter erected or altered unless otherwise provided in this chapter for use as a smoke shop or vape shop, as substantial or significant portion of its business, merchandise and/or stock-in-trade, as defined in § 213-129.2A above. All such facilities or establishments lawfully and actually operating, and open to the public or a segment thereof as of the date of adoption of this subsection 213-129.2, shall be permitted to continue as legal nonconforming uses, and all others are hereby declared unlawful and prohibited, effective immediately in

accordance with law.

RESOLUTION NO. 315 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 8 OF 2018 AMENDING CHAPTER 213, ZONING, ARTICLE XIV, OF THE CODE OF
THE TOWN OF BABYLON (G Industrial District)

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 25th day of April, 2018 upon the question of enactment of Local Law No. 8 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 8 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. 8 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Article XIV: G Industrial District

ADD:

§ 213-166 Permitted uses; exclusions.

I. The use of G Zone property as a hookah lounge, vape lounge, smoke shop, or vape shop shall be allowed as a special exception by the Zoning Board of Appeals subject to such conditions, restrictions and safeguards as may be imposed by the Zoning Board of Appeals.

§ 213-166.1 Restriction on location of hookah lounges, vape lounges, smoke shops and vape shops.

Hookah lounges, vape lounges, smoke shops, and/or vape shops as defined in § 213-192.2A are to be restricted as to location in the following manner in addition to any other requirements of this Code:

- A. Hookah lounge, vape lounge, smoke shop, or vape shop uses shall be allowable only in industrial zoned districts and subject to the regulations set forth in this article.
- B. The lot line of any property whereupon exists a Hookah lounge, vape lounge, smoke shop, or vape shop shall not be located within a one-thousand-foot radius of the lot line of any lot zoned for or used as residential use. For purposes of this subsection, cemetery property shall be deemed not zoned residential.
- C. The lot line of any property whereupon exists any of the above uses shall not be located within a five-hundred-foot radius of the lot line of another such legal hookah lounge and vape lounge use.
- D. The lot line of any property whereupon exists any of the above uses shall not be located within a two-thousand-foot radius of any school, library, church or other place of religious worship, park, playground or playing field.

RESOLUTION NO. 316 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 9 OF 2018 AMENDING CHAPTER 213, ZONING, ARTICLE XLI,
OF THE CODE OF THE TOWN OF BABYLON (Smoking)

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 9 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 9 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. 9 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Article XLI: Smoking

Amend:

§ 213-489 Definitions.

As used in this chapter the following terms phrase, words, and their derivatives shall have the meanings given:

SMOKING

To inhale or exhale the smoke of burning tobacco or tobacco substitute or electronic cigarettes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances and also to carry burning tobacco or tobacco substitute in the form of a cigarette, cigar, or any other smoke-producing product or device, including pipes.

§ 213-490 Smoking and tobacco use prohibited.

A. It shall be a violation of this chapter for any person to smoke or carry lighted cigarettes or other smoking devices, including but not limited to cigars, cigarillos, pipes, electronic cigarettes, vape pens, vapors, e-liquids, other legal marijuana derivatives or other substances and the like, in Town of Babylon parks, recreation areas, playgrounds, pools, and beaches. Such conduct is prohibited except where conspicuously designated "Smoking Permitted" or otherwise.

RESOLUTION NO. 317 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 10 OF 2018 AMENDING CHAPTER 47, ARTICLE IV,
OF THE CODE OF THE TOWN OF BABYLON (Employees outside collective bargaining unit)

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 10 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 10 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. 10 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 47.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 47

Article IV: Employees outside collective bargaining unit

§ 47-14 Funeral leave.

Administrative employees shall be entitled to funeral leave with pay, not to exceed four workdays, to be used within 3 months of death, for making arrangements, settling family affairs, bereavement, or attending the funeral or memorial service in connection with the death of a member of their immediate family, including the following persons only: current spouse, parent, child, sister, brother, grandparent, grandchild, parent-in-law, daughter and son-in-law, brother and sister-in-law, and grandparent-in-law.

Administrative employees shall be entitled to funeral leave with pay, not to exceed one workday, to be used within thirty days of death, for making arrangements, settling family affairs, bereavement, or attending the funeral or memorial service in connection with the death of a relative other than an immediate family member, including the following persons only: aunt, uncle, niece, nephew, and cousin. There shall be no funeral leave provided for former spouses or members of a former spouse's family.

All requests for funeral leave must be accompanied by the appropriate form provided by the Division of Personnel. The Town reserves the right to require documentation of the death including but not limited to death certificate, obituary, documentation from funeral home, and evidence of kinship.

**RESOLUTION NO. 318 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 11 OF 2018 AMENDING CHAPTER 213, ARTICLE VII,
OF THE CODE OF THE TOWN OF BABYLON (A RESIDENCE DISTRICTS)**

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 25th day of April, 2018 upon the question of enactment of Local Law No. 11 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 11 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. 11 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 213, Article VII

TO BE ADDED

§ 213-72 (A) (6) All fences and screening must be maintained in good repair and free of loose, broken and/or missing boards, pieces and/or sections. The failure to maintain a fence in compliance with this subsection shall constitute a violation punishable as set forth within § 1-15.

**RESOLUTION NO. 319 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 12 OF 2018 AMENDING CHAPTER 213, ARTICLE VIIA,
OF THE CODE OF THE TOWN OF BABYLON (AA RESIDENCE DISTRICTS)**

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 25th day of April, 2018 upon the question of enactment of Local Law No. 12 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 12 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. 12 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 213, Article VIIA

TO BE ADDED

§ 213-75.14 (A) (6) All fences and screening must be maintained in good repair and free of loose, broken and/or missing boards, pieces and/or sections. The failure to maintain a fence in compliance with this subsection shall constitute a violation punishable as set forth within § 1-15.

**RESOLUTION NO. 320 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 13 OF 2018 AMENDING CHAPTER 213,
ARTICLE VIII, OF THE CODE OF THE TOWN OF BABYLON (B RESIDENCE DISTRICTS)**

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 13 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 13 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. 13 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"
Chapter 213, Article VIII

TO BE ADDED

§ 213-87 (A) (6) All fences and screening must be maintained in good repair and free of loose, broken and/or missing boards, pieces and/or sections. The failure to maintain a fence in compliance with this subsection shall constitute a violation punishable as set forth within § 1-15.

**RESOLUTION NO. 321 APRIL 25, 2018
ADOPTING LOCAL LAW NO. 14 OF 2018 AMENDING CHAPTER 213, ARTICLE IX,
OF THE CODE OF THE TOWN OF BABYLON (C RESIDENCE DISTRICTS)**

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

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 25th day of April, 2018 upon the question of enactment of Local Law No. 14 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 213;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 14 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. 14 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 213.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"
Chapter 213, Article IX**

TO BE ADDED

§ 213-102 (A) (6) All fences and screening must be maintained in good repair and free of loose, broken and/or missing boards, pieces and/or sections. The failure to maintain a fence in compliance with this subsection shall constitute a violation punishable as set forth within § 1-15.

**RESOLUTION NO. 322 APRIL 25, 2018
AUTHORIZING SALE OF TOWN OWNED PROPERTY AT SCTM NO.: 0100-182.00-01.00-281.002**

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

WHEREAS, the Town of Babylon has declared certain town-owned property to be surplus because same is no longer needed for any town purpose; and

WHEREAS, Maria Raimondi who owns SCTM No. 0100-182.00-02.00-003.000 has indicated an interest in purchasing the property identified by SCTM No. 0100-182.00-01.00-281.002.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon convey to the aforementioned Maria Raimondi the property known as SCTM No. 0100-182.00-01.00-281.002 for a total consideration of Twenty-Five Thousand (\$25,000.00) Dollars; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute a quitclaim deed and other related documents for the aforementioned transfer; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 323 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A WALK-A-THON ON APRIL 26, 2018
IN THE TOWN OF BABYLON FOR THE WYANDANCH COMMUNITY RESOURCE CENTER**

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

WHEREAS, The Wyandanch Community Resource Center has requested permission to hold a Walk-A-Thon on Thursday, April 26, 2018, from 12:00 p.m. to 1:00 p.m. within the Town of Babylon,

INDIVIDUAL: Beverly Theodore 1585 Straight Path Wyandanch, NY 11798	ORGANIZATION: Wyandanch Community Resource Center 1585 Straight Path Wyandanch, NY 11798 (631) 643-1957
DATES & TIMES: Date(s): 4/26/2018 to: Time: 12:00 p.m. to 1:00 p.m. Rain Date: n/a	STARTING: Wyandanch Community Resource Center, Wyandanch ENDING: Wyandanch Community Resource Center, Wyandanch

ROUTE:
Leaving the Wyandanch Community Resource Center, proceed northeast on Straight Path to Station Drive and continue to the LIRR parking garage. Turnaround. Leaving the LIRR parking garage travel south to Station Drive and continue to Straight Path to the Wyandanch Community Resource Center.

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.

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 324 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON APRIL 28, 2018
IN THE TOWN OF BABYLON FOR COPIAGUE YOUTH LEAGUES**

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

WHEREAS, the North Amityville Community Festival Day Committee has requested permission to hold a parade on Saturday, June 2, 2018 within the Town of Babylon,

INDIVIDUAL: Jennifer Recine 12 N. Crescent Drive Farmingdale, NY 11735	ORGANIZATION: Copiague Youth Leagues, Inc. P.O. Box 5 Copiague, NY 11726 (631) 842-0254 (516) 806-6449
DATES & TIMES: Date(s): 4/28/18 to: Time: 1:00 p.m. to 2:30 p.m. Rain Date:	STARTING: Copiague Train Station, Copiague ENDING: Tanner Park, Copiague

ROUTE:
Leaving Copiague train station, proceed south on Great Neck Rd. to Montauk Hwy. Continuing west on Montauk Hwy. and left onto Baylawn Ave. Travel south on the Baylawn Ave. and proceed into Tanner Park to the baseball fields.

NOW, THEREFORE, be it
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.

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.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 325 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON MAY 12, 2018
IN THE TOWN OF BABYLON FOR AMITYVILLE MEMORIAL HIGH SCHOOL**

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

WHEREAS, Amityville Memorial High School has requested permission to hold a parade on Saturday, May 12, 2018 within the Town of Babylon,

INDIVIDUAL: Maria Andreotti	ORGANIZATION: Amityville Memorial High School 250 Merrick Road Amityville, NY 11701 (631) 598-6550
DATES & TIMES: Date(s): 5/12/2018 to: Time: 11:30 a.m. to 1:00 p.m. Rain Date: n/a	STARTING: Edmund W. Miles Middle School, 501 Broadway, Amityville ENDING: Amityville Memorial High School, 250 Merrick Road, Amityville

ROUTE:
Leaving Edmund W. Miles Middle School parking lot, head north on Division Street toward North Drive, proceed west on North Drive, proceed south on Route 110/Broadway to Amityville Memorial High School.

NOW, THEREFORE, be it
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.

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.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 326 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A WALK-A-THON ON MAY 20, 2018
IN THE TOWN OF BABYLON FOR THE BEAT LIVES ON, INC.**

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

WHEREAS, The Beat Lives On, Inc. has requested permission to hold a 5K Run/Walk on Sunday, May 20, 2018, from 6:30 a.m. to 12:30 p.m. within the Town of Babylon,

INDIVIDUAL: Joy Neumann 377 N. Broadway Lindenhurst, NY 11757	ORGANIZATION: The Beat Lives On, Inc. 377 N. Broadway Lindenhurst, NY 11757 (516) 476-4666
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DATES & TIMES: Date(s): 5/20/2018 to: Time: 6:30 a.m. to 12:30 p.m. Rain Date: n/a	STARTING: Venetian Shores Park, Lindenhurst ENDING: Venetian Shores Park, Lindenhurst
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ROUTE:
Leaving Venetian Shores Park, head north on Grenada Pkwy., turning west on Harding Ave., then proceeding north on East Shore Rd., turning right on Perry Pl., turning south on Wyona Ave., heading east on Schley Ave. that turns into Elm St., heading north on Lido Pkwy., turning east on Maple Ave., heading south on West Lake Dr., proceeding south on Verona Pkwy, turning west on Oak Ave., turning south on Riviera Pkwy., turning west on Beach Pl., turning south on Venetian Blvd., then proceeding west into the Venetian Shores Park.

NOW, THEREFORE, be it
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.

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.

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

**RESOLUTION NO. 327 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON MAY 28, 2018
IN THE TOWN OF BABYLON FOR THE WYANDANCH MEMORIAL POST #361**

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

WHEREAS, the Wyandanch Memorial Post #361 has requested permission to hold a parade on Monday, May 28, 2018 within the Town of Babylon,

INDIVIDUAL: Naomi Sawyer 93 S. 29 th Street Wyandanch, NY 11798	ORGANIZATION: Wyandanch Memorial Post #361 30 William Street Wyandanch, NY 11798 (631) 643-8102
DATES & TIMES: Date(s): 5/28/2018 to: Time: 9:30 a.m. to 11:30 a.m. Rain Date: n/a	STARTING: Wyandanch Park at Mount Avenue ENDING: George Sims Veterans Memorial Plaza

ROUTE:
Leaving Wyandanch Park, travel to South 20th Street, travel east to Garden City Avenue and end at George Sims Veterans Memorial Park.

NOW, THEREFORE, be it
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.

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.

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

**RESOLUTION NO. 328 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON MAY 28, 2018 IN THE
TOWN OF BABYLON FOR THE EDWARD K. PEISKER VFW POST 5348**

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

WHEREAS, the Edward K. Peisker VFW Post 5348 has requested permission to hold a parade on Monday, May 28, 2018 within the Town of Babylon,

INDIVIDUAL: Daniel J. Ratushny 119 West 7 th Street Deer Park, NY 11729	ORGANIZATION: Edward K. Peisker VFW Post 5348 588 Long Island Avenue Deer Park, NY 11729 (631) 586-2299
DATES & TIMES: Date(s): 5/28/2018 to: Time: 9:45 a.m. to 11:00 a.m. Rain Date: n/a	STARTING: Intersection of Lake Avenue & West 22 nd Street, Deer Park ENDING: John F. Kennedy Intermediate School, 101 Lake Avenue, Deer Park

ROUTE:
Leaving the intersection of Lake Avenue & West 22nd Street, traveling east on Lake Avenue, then north onto Deer Park Avenue.

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.

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.

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

**RESOLUTION NO. 329 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON MAY 28, 2018
IN THE TOWN OF BABYLON FOR THE SGT. JOHN SARDIELLO
AMERICAN LEGION POST 1634**

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

WHEREAS, the Sgt. John Sardiello American Legion Post 1634 has requested permission to hold a parade on Monday, May 28, 2018 within the Town of Babylon,

INDIVIDUAL: Joseph A. Regina 608 Arlington Road West Babylon, NY 11704	ORGANIZATION: Sgt. John Sardiello American Legion Post 1634 10 Bruce Street West Babylon, NY 11704 (631) 669-3931
DATES & TIMES: Date(s): 5/28/2018 to: Time: 9:30 a.m. to 12:00 p.m. Rain Date: n/a	STARTING: Intersection of Karen Street & Arnold Avenue, West Babylon ENDING: Sgt. John Sardiello American Legion Post 1634, West Babylon

ROUTE:
Leaving the intersection of Karen Street & Arnold Avenue, proceeding southeast on Arnold Avenue, proceeding south on Great East Neck Road, traveling east on Bruce Street to Sgt. John Sardiello American Legion Post 1634.

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.

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 330 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON JUNE 2, 2018
IN THE TOWN OF BABYLON FOR NORTH AMITYVILLE COMMUNITY FESTIVAL DAY**

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

WHEREAS, the North Amityville Community Festival Day Committee has requested permission to hold a parade on Saturday, June 2, 2018 within the Town of Babylon,

INDIVIDUAL: Madeline A. Quintyne-McConney Commissioner of Human Services 1 Commerce Blvd. Amityville, NY 11701	ORGANIZATION: North Amityville Community Festival Day Committee P.O. Box 88 Copiague, NY 11726 (631) 789-1406 (631) 842-8514
DATES & TIMES: Date(s): 6/9/2018 to: Time: 9:00 a.m. to 1:00 p.m. Rain Date: 6/16/2018	STARTING: Intersection of Harrison Ave. & Rosewood Ave., Amityville ENDING: Booker Blvd., Amityville

ROUTE:
Leaving the intersection of Harrison Ave. & Rosewood Ave. traveling east to Albany Ave., traveling north to Great Neck Rd. and ending at Bolden Mack Park and Booker Blvd.

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.

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 331 APRIL 25, 2018
AUTHORIZING WEST BABYLON LIONS CLUB TO HOLD A CARNIVAL
(SAINT ANTHONY'S FEAST) FROM JUNE 8, 2018 THROUGH AND INCLUDING JUNE 10, 2018**

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

WHEREAS, the West Babylon Lions Club has applied for permission to hold a carnival for their annual St. Anthony's Feast from June 8, 2018 through and including June 10, 2018, at Little East Neck Road between 6th and 10th Streets in West Babylon, New York, subject to Schedule "A" attached hereto; and

WHEREAS, the West Babylon Lions Club has obtained sufficient insurance to protect the interests of the Town of Babylon; and

INDIVIDUAL: Thomas Lano 703 Peconic Avenue West Babylon, NY 11704	ORGANIZATION: West Babylon Lions Club 399 Little East Neck Road West Babylon, NY 11704 (631) 671-6641
DATES & TIMES: Friday, June 8, 2018 6:00 p.m. to 11:00 p.m. Saturday, June 9, 2018 4:00 p.m. to 11:00 p.m. Sunday, June 10, 2018 1:00 p.m. to 8:00 p.m.	LOCATION: Little East Neck Road, West Babylon from 6 th Street to 10 th Street

SPECIAL REQUIREMENTS: Tent(s): Yes; (1) 8x8 Sound Equipment: Yes; Type: DJ, Band Amusement Rides and/or Bouncy Rides: Yes; Quantity: 15 Toilet & Water Facilities: Porta Potties will be provided and water provided by SCWA

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.

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 332 APRIL 25, 2018
AUTHORIZING PERMISSION FOR A PARADE ON JULY 14, 2018 IN THE
TOWN OF BABYLON FOR WYANDANCH FOR CHANGE**

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

WHEREAS, Wyandanch for Change has requested permission to hold a parade on Saturday, July 14, 2018 with a rain date of July 15, 2018 within the Town of Babylon,

INDIVIDUAL: James Crawford 108 Patton Avenue Wyandanch, NY 11798	ORGANIZATION: Wyandanch for Change P.O. Box 1771 Wyandanch, NY 11798 (631) 918-2315
DATES & TIMES: Date(s): 7/14/2018 to: Time: 10:00 a.m. to 12:00 p.m. Rain Date: 7/15/2018	STARTING: Intersection of S. 18 th Street and Garden City Avenue, Wyandanch ENDING: Wyandanch Park, 81-99 Birch Street, Wyandanch

ROUTE: Leaving the intersection of S. 18 th Street and Garden City Avenue, proceeding north and turning east on Long Island Avenue, proceeding south on Straight Path, proceeding east on Mount Avenue to Wyandanch Park.
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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.

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 333 APRIL 25, 2018
PROCLAIMING MONDAY, APRIL 30, 2018 AS GIRL SCOUT GOLD AWARD PAIGE BZDYK DAY**

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Paige Bzdyk its congratulations on her successful completion and achievement of the Gold Award and does proclaim April 30, 2018 as Girl Scout Gold Award Paige Bzdyk Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 334 APRIL 25, 2018
PROCLAIMING TUESDAY, MAY 1, 2018 AS GIRL SCOUT GOLD AWARD CHLOE BZDYK DAY**

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Chloe Bzdyk its congratulations on her successful completion and achievement of the Gold Award and does proclaim May 1, 2018 as Girl Scout Gold Award Chloe Bzdyk Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 335 APRIL 25, 2018
PROCLAIMING SATURDAY, MAY 12, 2018 AS EAGLE SCOUT GREGORY MACGOWN DAY**

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

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Gregory MacGown 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 Gregory MacGown its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, May 12, 2018 as Eagle Scout Gregory MacGown Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 336 APRIL 25, 2017
APPOINTING ASSISTANT CHIEF LIFEGUARDS**

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

BE IT RESOLVED, that Daniel Bachety, Thomas Corcoran, Louis Howard, Richard Ryan are appointed Assistant Chief Lifeguards, effective April 15, 2018 pursuant to the Lifeguard Contract.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 337 APRIL 25, 2018
AUTHORIZING 2017 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 2017 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
Commercial Garbage District		
Judgements and claims		
Miscellaneous		
SR.1930.49	\$ 4,100,000	
Refuse & garbage		
Professional and technical services		
SR.8160.44		\$ 4,100,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 338 APRIL 25, 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:

Capital Project Fund

	<u>Increase</u>	<u>Decrease</u>
2014-Various Park Improvements		
Interfund Transfer		
H135.9901.90		\$410,400.00
Recreation, Equipment and Capital Outlay		
H135.7197.26		\$ 410,400.00
Van Bourgondien Park Improvements		
Interfund Transfer		
H07.0000.5031	\$ 410,400.00	
Recreation, Equipment and Capital Outlay		
H07.7197.26	\$ 410,400.00	

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 339 APRIL 25, 2018
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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 Comptroller is hereby authorized to issue reimbursement to the following employee(s):

EMPLOYEE	AMOUNT
Rich Groh	\$14.98 for Waterfowl Control supplies

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 340 APRIL 25, 2018
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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 the Comptroller is hereby authorized to issue reimbursement to the following employee(s):

EMPLOYEE	AMOUNT
Rich Schaffer	\$168.23 Superintendent's Meeting Expense

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 341 APRIL 25, 2018
AUTHORIZING REFUND OF PAYMENT**

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 Long Island Green Homes that the following payment be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ADDRESS	TYPE	AMOUNT	REASON
Christine Jordan	221 15 th Avenue, West Babylon, NY 11704	Green Homes Benefit Assessment	\$183.24	overpayment

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 342 APRIL 25, 2018
AUTHORIZING RELEASE OF FUNDS**

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 Highway Engineering Supervisor that the following funds for incomplete work that has now been completed be released:

<u>PERMIT</u>	<u>NAME & ADDRESS</u>	<u>TYPE</u>	<u>AMOUNT</u>
2018-433	Budget Estates 2137 Deer Park Ave., Suite A Deer Park, NY 11729	Check	\$6,790.00

Release to: Budget Estates
2137 Deer Park Ave., Suite A
Deer Park, NY 11729

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 343 APRIL 25, 2018
AUTHORIZING PAYMENT TO SHURIE GREEN D/B/A INTERNATIONAL TEE'S & MORE**

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 Comptroller is hereby authorized to pay Shurie Green d/b/a International Tee's & More the sum of \$914.16 for the 29th Annual Women's History Month.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 344 APRIL 25, 2018
AUTHORIZING USE OF ELECTRONIC SIGNATURE AND SIGNATURE STAMP**

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 use of check signing done via password protected accounting software in addition to a signature stamp is hereby authorized.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 345 APRIL 25, 2018
AMENDING THE TOWN OF BABYLON POLICY PROHIBITING HARASSMENT
AND DISCRIMINATION IN THE WORKPLACE**

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 the current Town policy prohibiting harassment and discrimination in the workplace shall be known as the Equal Employment Opportunity Policy and is adopted as follows:

EQUAL EMPLOYMENT OPPORTUNITY POLICY

I. PURPOSE

The Town of Babylon Equal Employment Opportunity Policy is adopted in order to ensure that all Employees are informed of the Town's policy on discrimination, harassment and retaliation, to assist Employees who complain of prohibited conduct and to maintain in each office a working environment free from discrimination.

II. DEFINITION

Employee: For the purposes of this Policy, an Employee is defined as an individual employed by the Town of Babylon, on or off duty, while on Town property or occupying a vehicle under the jurisdiction of the Town of Babylon or while being paid for services performed on behalf of the Town of Babylon.

III. ANTI-DISCRIMINATION POLICY

The Town of Babylon is an equal opportunity employer and is committed to making all employment decisions and conducting all business without regard to age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status.

IV. ANTI-HARASSMENT POLICY

It is the policy of the Town of Babylon that all Employees, applicants and anyone with whom the Town does business, should be able to enjoy a work environment free from any kind of harassment based on age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status.
Sexual Harassment:

The Equal Employment Opportunity Commission defines sexual harassment as:

Unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur in a variety of circumstances. The following is a partial list of examples of sexually harassing conduct:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Making or threatening reprisals after a negative response to sexual advances

- Visual conduct such as leering; making sexual gestures; or displaying sexually suggestive or degrading objects, pictures, cartoons, posters, or computer or television broadcasts;
- Verbal conduct such as making or using derogatory comments; sexual propositions, sexually explicit jokes or jokes concerning gender-specific traits; sexually explicit comments about an individual's body or clothing; comments about an individual's sexual desirability; sexually degrading words to describe an individual
- Physical conduct such as touching, petting, pinching, impeding or blocking movements, or assault.

It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females. Sexual harassment on the job is unlawful, whether it involves co-worker harassment, harassment by a supervisor or member of management, or harassment by persons doing business with or for the Town.

V. OTHER INDIVIDUALS

It must be noted that sexual harassment or any other form of discrimination by an on-duty Employee toward another individual not a Town of Babylon Employee, is guilty of sexual harassment or discrimination under the provisions of this policy when such conduct is made either explicitly or implicitly as a term or condition of an individual's application for a grant of approval or information, or is used as a basis for a decision affecting and individual's application for a grant or approval of information.

VI. COMPLAINT PROCEDURE

Any Employee or other individuals who believes that he or she has been the subject of harassment or of any form of discrimination should report the alleged charge immediately in accordance with the following procedures. To the extent practical and appropriate, complaints of harassment or discrimination and the subsequent investigations will be treated as discreetly as possible. All investigations will be promptly handled, and designed to protect the privacy of, and minimize suspicion toward, all parties concerned. Employee cooperation in investigations is viewed as a condition of employment. Refusal or failure to cooperate with any aspect of this policy may result in disciplinary action, up to and including termination of employment.

Step 1. Employee Complaint:

Any Employee who believes he or she has been the victim of discriminatory conduct or harassment is to report such conduct to his or her supervisor. The Employee can report the incident verbally or in written form. The supervisor will then refer the matter to the Town Attorney for investigation.

Step 1a. Other individual Complaint:

Any individual who conducts business with the Town and believe that he or she has been the victim of discriminatory conduct or harassment may report such conduct to the Town Attorney in writing.

Step 2. The Town Attorney will immediately initiate and coordinate a thorough and impartial investigation of the alleged discriminatory or harassing conduct. The Employee who is accused of the discriminatory or harassing conduct will be apprised of the allegations and will be given the opportunity to contest the same.

Step 3. If the investigation reveals that discriminatory or harassing conduct may have occurred, the facts shall be presented to the commissioner of the accused Employee with a recommendation of the appropriate disciplinary action to be imposed, if any, which may include termination of employment. False accusations made by the complaining Employee may result in appropriate disciplinary action up to and including termination of employment.

Retaliation of any kind against a complaining Employee or other individual who makes a good-faith report of harassment or discrimination or who participates truthfully in an investigation into an harassment or discrimination complaint is strictly prohibited and any Employee deemed to participate in retaliation may be subject to strict discipline.

VII. DISCIPLINARY ACTION

Conduct which is found to violate this policy will be regarded as a serious breach of Town Policy which will result in immediate disciplinary action up and including termination of employment.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 346 APRIL 25, 2018
AUTHORIZING INTERMUNICIPAL AGREEMENTS WITH THE VILLAGE OF BABYLON
AND THE VILLAGE OF LINDENHURST FOR STREET LIGHTING**

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

WHEREAS, the Town has previously entered into intermunicipal agreements with the Villages of Babylon and Lindenhurst for Street Lighting maintenance that have expired and each of the parties are desirous of entering into another agreement to provide for street lighting maintenance.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the Supervisor hereby is authorized to execute intermunicipal agreements with the:

1. Village of Babylon for Street Lighting maintenance at an annual fee of \$16,181.35 and
2. Village of Lindenhurst for Street Lighting maintenance at an annual fee of \$25,909.08; and be it further

RESOLVED, that the term of these agreements shall be from June 1, 2018 to May 31, 2019 and

RESOLVED that the aforementioned intermunicipal agreements are subject to the approval of the Town Attorney.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 347 APRIL 25, 2018
AMENDING RESOLUTION NO. 518 OF JUNE 14, 2017, WHICH AUTHORIZED
A CONTRACT WITH THE LAND USE LAW CENTER**

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

WHEREAS, Resolution No. 518 of June 14, 2017 authorized a contract with the Land Use Law Center to develop zoning provisions in connection with the Town of Babylon's Better Main Streets Program; and

WHEREAS, the Land Use Law Center is a division of Pace University, and the Town Board would like to amend Resolution No. 518 of June 14, 2017 to authorize a contract with Pace University.

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 518 of June 14, 2017 is hereby amended to authorize a contract with Pace University.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 348 APRIL 25, 2018
GRANTING UP TO A TWELVE (12) WEEKS CONTINUOUS LEAVE UNDER THE FAMILY MEDICAL LEAVE ACT**

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 the following employee is hereby granted a Twelve (12) week Continuous Absence under the Family Medical Leave Act:

NAME	TITLE	DEPARTMENT	START DATE	END DATE
Brenda McDonald	Chief Cook	Human Services	04/16/18	TBD

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 349 APRIL 25, 2018
ADDING EAST END INSEPCION AGENCY TO THE FIRE UNDERWRITERS LIST OF INSEPCATORS**

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 East End Inspection Agency and they hereby are added to Planning and Development's Fire Underwriter's List of Inspectors to perform electrical inspections.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 350 APRIL 25, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 28 THORMAN LANE, NORTH BABYLON, NEW YORK, SCTM NO. 0100-086.00-03.00-043.000**

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

WHEREAS, a certain structure(s) located at 28 Thorman Ave., North Babylon, New York, bearing SCTM# 0100-086.00-03.00-043.000 has no running water as per a communication with the Suffolk County Water Authority, all 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, has an overflowing cesspool 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, the cesspool pumped and repaired, 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, the cesspool pumped and repaired located at 28 Thorman Lane, North Babylon, New York, bearing SCTM# 0100-086.00-03.00-043.00 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated April 10, 2018 and the Department of Environmental Control Report dated March 20, 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. 351 APRIL 25, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 133 BAY SHORE ROAD, DEER PARK, NEW YORK, SCTM NO. 0100-089.00-02.00-082.000**

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

WHEREAS, a certain structure(s) located at 133 Bay Shore Road, Deer Park, New York, bearing SCTM# 0100-089.00-02.00-082.000 has no running water as per a communication with the Suffolk County Water Authority, all doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 133 Bay Shore Road, Deer Park, New York, bearing SCTM# 0100-089.00-02.00-082.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated April 5, 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. 352 APRIL 25, 2018
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT
64 MUNCY AVE., WEST BABYLON, NY 11704 SCTM No. 0100-217.00-01.00-026.000

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

WHEREAS, a certain structure, located at **64 Muncy Ave., W. Babylon, NY**, bearing Suffolk County Tax Map No. **0100-217.00-01.00-026.000** is wide open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer's report dated **March 19, 2018**, indicates the rear of the structure has a large opening, the interior is in very poor condition and the rear roof has a hole, 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 **64 Muncy Ave., W. Babylon, NY**, A/K/A SCTM No. **0100-217.00-01.000-025.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report attached hereto, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located on the premises **64 Muncy Ave., W. Babylon, NY**, A/K/A SCTM No. **0100-217.00-01.00-026.000**, 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. 353 APRIL 25, 2018
AWARDING RFP NO. 18G33, REQUEST FOR PROPOSALS FOR ARCHITECTURAL, ENGINEERING, DESIGN, BID
PHASE SERVICES, CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR OAK BEACH
SHORELINE STABILIZATION & ROADWAY IMPROVEMENTS

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

WHEREAS, the following proposals for RFP No. 18G33, Request for Proposals For Architectural, Engineering, Design, Bid Phase Services, Construction Administration and Inspection Services for Oak Beach Shoreline Stabilization & Roadway Improvements were received, opened and publicly read:

WHEREAS, a Review Committee ("Committee") was formed with the Comptroller, the Administrative Assistant of the Department of General Services, Coastal Flood Plain Manager, Bay Village Consults, Inc. as its members, to review all proposals received, and

WHEREAS, proposals were received from the following firms:

Nelson & Pope Engineers & Surveyors
Cashin Associates, P.C.
D & B Engineers & Architects, P.C.
Savik & Murray, a div. of DCAK-MSA
Greeman Pedersen, Inc.

WHEREAS, all procurement guidelines set forth by Governor's Office of Storm Recovery (GOSR) were complied with, and

WHEREAS, after a review of all proposals for compliance and in accordance with the guidelines set forth in the RFP, the Committee reviewed the cost proposals of three (3) firms, Nelson & Pope, Cashin Associates, P.C. D & B Engineers & Architects and

WHEREAS, after a thorough review of the technical and cost proposals, the Committee recommends an award to Nelson & Pope Engineers & Surveyors

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee and upon it finding the aforementioned proposal to be fair and reasonable, RFP No. 18G33 be and is hereby awarded Nelson & Pope Engineers & Surveyors at a total cost not to exceed ONE HUNDRED NINETY-SEVEN THOUSAND, FIVE HUNDRED EIGHT THREE (\$197,583.00) DOLLARS

Supervisor be and he is hereby authorized to execute a contract with Nelson & Pope Engineers & Surveyors and that the form and content of said contract shall be subject to the approval of the Town Attorney and GOSR, and be it further

RESOLVED, that Nelson & Pope Engineers & Surveyors shall comply with all the rules and regulations set forth by GOSR and CDBG-DR

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. 354 APRIL 25, 2018
AWARDING RFP NO. 18G38, REQUEST FOR PROPOSALS FOR
ARCHITECTURAL, ENGINEERING, DESIGN, BID PHASE SERVICES, CONSTRUCTION ADMINISTRATION AND
INSPECTION SERVICES FOR BABYLON VILLAGE/WEST BABYLON COASTAL OUTFALLS

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

WHEREAS, the following proposals for RFP No. 18G38, Request for Proposals For Architectural, Engineering, Design, Bid Phase Services, Construction Administration and Inspection Services for Babylon Village/West Babylon Coastal Outfalls were received, opened and publicly read:

WHEREAS, a Review Committee ("Committee") was formed with the Comptroller, the Administrative Assistant of the Department of General Services, Coastal Flood Plain Manager, Bay Village Consults, Inc. as its members, to review all proposals received, and

WHEREAS, proposals were received from the following firms:

Nelson & Pope Engineers & Surveyors
D & B Engineers & Architect, P.C.
Savik & Murray, a div. of DCAK-MSA

WHEREAS, all procurement guidelines set forth by Governor’s Office of Storm Recovery (GOSR) were complied with, and

WHEREAS, after a review of all proposals for compliance and in accordance with the guidelines set forth in the RFP, the Committee reviewed the cost proposals of all three (3) firms, Nelson & Pope, D & B Engineers & Architects and Savik & Murray, a div. of DCAK- and

WHEREAS, after a thorough review of the technical and cost proposals, the Committee recommends an award to Nelson & Pope Engineers & Surveyors

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee and upon it finding the aforementioned proposal to be fair and reasonable, RFP No. 18G38 be and is hereby awarded Nelson & Pope Engineers & Surveyors at a total cost not to exceed TWO HUNDRED TWELVE THOUSAND, ONE HUNDRED FORTY-EIGHT (\$212,148.00) DOLLARS

Supervisor be and he is hereby authorized to execute a contract with Nelson & Pope Engineers & Surveyors and that the form and content of said contract shall be subject to the approval of the Town Attorney and GOSR, and be it further

RESOLVED, that Nelson & Pope Engineers & Surveyors shall comply with all the rules and regulations set forth by GOSR and CDBG-DR

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. 355 APRIL 25, 2018

AWARDING BID NO. 18G34 ABATEMENT OF ASBESTOS CONTAINING FLOOR TILES AND/OR WINDOW CAULKING AT VARIOUS LOCATIONS IN THE TOWN OF BABYLON

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

WHEREAS, the following bids for Bid No.18G34, Abatement of Asbestos Containing Floor Tiles and/or Window Caulking at Various Locations in the Town of Babylon were received, opened and publicly read:

Item 1. Removal of Asbestos Containing Floor Tiles (square foot price)	
Boyle 18, Inc.	\$ 4.38
Microtech Contracting Corp.	\$ 5.45 plus \$3,800.00 mobilization fee
Allstate Enterprises, Inc.	\$ 8.75
Unitech Services Group, Inc.	\$12.00
Item 2. Removal of Asbestos Containing Caulking Around Windows (linear foot price)	
Allstate Enterprises, Inc.	\$ 5.00
Boyle 18, Inc.	\$ 7.48
Microtech Contracting Corp.	\$22.45 plus \$3,800.00 mobilization fee
Unitech Services Group, Inc.	\$24.00

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Deputy Commissioner of D.P.W. and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 18G34 be and is hereby awarded to the low bidder for each item; Boyle 18, Inc. for Item No. 1 and Allstate Enterprises, Inc. for Item No. 2; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Boyle 18, Inc. and Allstate Enterprises, 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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 356 OF APRIL 25, 2018

BID NO. 18G42-INSTALLATION OF NEW ASPHALT CONCRETE PARKING AREA & NEW POURED IN PLACE CONCRETE PAD AT THE RUFUS TAYLOR BUILDING, 57 FIELD STREET, WEST BABYLON

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

WHEREAS, the following bids for Bid No.18G42- Installation of a New Asphalt Concrete Parking Area & New Poured in Place Concrete Pad at the Rufus Taylor Building, 57 Field Street, West Babylon were received, opened and publicly read:

BIDDER	TOTAL BID PRICE
G & M Earth Moving, Inc.	\$138,000.00
Suffolk Asphalt Corp.	\$145,000.00
Rosemar Contracting	\$156,500.00
Laser Industries Inc.	\$169,500.00
The Land Tek Group, Inc.	\$173,500.00
Pioneer Landscaping Asphalt Paving Inc.	\$218,500.00

NOW THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the deputy Commissioner of Environmental and upon their finding the aforementioned bids fair and reasonable, Bid No. 18G42 be and is hereby awarded to the low bidder, G & M Earth Moving, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with G & M Earth Moving, Inc., 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.

Being no further business before the Board, the meeting adjourned at 3:45 pm on the motion of Councilman McSweeney, seconded by Councilwoman Gordon.

