

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 5th day of September, 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 ON THE APPLICATION OF MITCHELL GIANNINI FOR THE REZONING OF THE PARCELS OF LAND AT SCTM NOS. 100-201-01-022, 023, 024, 025, AND A PORTION OF 41ST STREET (NOT OPEN) LOCATED ON THE NORTHEAST CORNER OF LIBERTY STREET AND 41ST STREET (NOT OPEN) IN COPIAGUE, NEW YORK**
2. **A PUBLIC HEARING ON THE ADOPTION OF AMENDMENTS TO THE ZONING MAP OF THE TOWN OF BABYLON**

**RESOLUTION NO. 618 SEPTEMBER 5, 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:

AUGUST 8, 2018
AUGUST 15, 2018

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 619 SEPTEMBER 5, 2018
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES BY ADDING CHAPTER 7**

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 26th day of September, 2018 at 7:00 p.m., prevailing time, to consider amending the Town of Babylon Uniform Code of Traffic Ordinances by adding the text as set forth in the annexed Exhibit "A"; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"
Chapter 7
Counterfeit Beach Pass**

ADD:

§ TC-7-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOTOR VEHICLE

Every vehicle operated or driven upon a public highway by any power other than muscular power. The terms "motor vehicle" shall exclude fire, police and emergency vehicles.

PARKING FIELDS

Any part of land designated by the Town to be used by the public for the purpose of parking motor vehicles.

TOWN BEACH PASS

Any daily parking pass or valid seasonal pass or permit for a motor vehicle issued by the Town Commissioner of Parks, Recreation and Cultural Affairs.

TOWN RESIDENT PARKING PERMIT

Any daily parking pass or valid Town of Babylon Resident parking permit for a motor vehicle issued by the Town.

§ TC-7-2 Penalties for counterfeiting a town beach pass or resident parking pass

Any person or entity who shall make, issue, or use any imitation or counterfeit of an official Town of Babylon Beach Pass or Town Resident Parking Permit, or to display or cause or permit to be displayed in a town parking field a fictitious permit or permit issued for another vehicle shall be guilty of an infraction and shall, upon conviction thereof, be subject to a fine of \$500.

TC 7-3 Rebuttable Presumption

It shall be presumed that the last registrant of any motor vehicle which displays a counterfeit permit allowed or permitted the display of any counterfeit permit or permit issued for another vehicle parked in a town parking field. This presumption may be rebutted by clear and convincing evidence.

**RESOLUTION NO. 620 SEPTEMBER 5, 2018
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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 26th day of September, 2018 at 7:00 p.m., prevailing time, to consider amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit "A"; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

ADD to Schedule H:

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Columbia Street at NB Governor Avenue	Stop	East/West on Columbia Street	

RESOLUTION NO. 621 SEPTEMBER 5, 2018

GRANTING REZONING APPLICATION OF MITCHELL GIANNINI, FOR THE REZONING OF THE PARCELS OF LAND AT SCTM NO. 0100-201.00-01.00-022.000, 023.000, 024.000, 025.000, AND A PORTION OF 41ST STREET (NOT OPEN) LOCATED ON THE NORTHEAST CORNER OF LIBERTY STREET AND 41ST STREET (NOT OPEN) IN COPIAGUE, NEW YORK

The following resolution was **TABLED** by Councilman Manetta and seconded by Councilwoman Gordon

WHEREAS, Mitchell Giannini, (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the n/e/c of Liberty Street and 41st Street in Copiague, comprising of the following SCTM Nos. 0100-201.00-01.00-022.000, 023.000, 024.000, 025.000, and a portion of 41st Street and further described on the annexed Schedule A, from B Residence District to SC Senior Citizens Multiple Residence District; and

WHEREAS, a public hearing was held on said petition on the 5th day of September, 2018; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves the construction of 38 units and the Board has adopted a Negative Declaration and no further action is required pursuant to SEQR; and

WHEREAS, this proposed change of zone conforms to the Town of Babylon Comprehensive Plan,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of Mitchell Giannini, for a change of zone of certain property which is located on the n/e/c of Liberty Street and 41st Street in Copiague, comprising of the following SCTM Nos. 0100-201.00-01.00-022.000, 023.000, 024.000, 025.000, and a portion of 41st Street and further described on the annexed Schedule A, from B Residence District to SC Senior Citizens Multiple Residence District, be and the same hereby is granted, and further that the Zone Map of the Town of Babylon be and the same hereby shall be amended to reflect the zone change subject to the following conditions:

Conditions:

1. Subject to Village of Lindenhurst conditions and covenants and restrictions.
2. Subject to Zoning Board of Appeals approval for associated variances.
3. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
4. Mitigation measures required in connection with the site development are as follows:
 - a. Fugitive dust generation shall be controlled by appropriate means such as watering.
 - b. Erosion control shall be utilized during construction.
 - c. A rodent control plan will be implemented prior to construction in order to remove rodent populations from the site. Additionally, the adjacent landowners will be notified prior to the commencement of construction.
 - d. Construction will be conducted between the hours of 7am and 8pm on weekdays and between the hours of 9am and 4pm on Saturdays. No exterior construction will be permitted on Sundays, only interior construction. Construction activities on the site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
 - e. During construction owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
5. Applicant/owner must comply with the NYS Energy Code.
6. Sewer district and water-saving plumbing fixtures must be utilized.
7. Fire and smoke detection system to be installed in accordance with NFPA 72.
8. Address number, building number or approved building identification to be placed in a position visible from the street.
9. Subject to Highway and Engineering requirements.
10. Owner to contribute to the fund for the installation and maintenance of emergency vehicle optical pre-emption equipment on traffic signals in the area. Estimated cost to be \$11500.00.
11. All on site signage shall conform to the Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD) specifications for both highway and on-site traffic controls and must conform to the federal MUTCD and the NYS Supplement to the manual of Uniform Traffic Control Devices. All signs must be fabricated using high intensity retro-reflective sheeting.
12. The location of all HVAC, air handlers' transformers and RPZ/water service devices shall be approved by the Town of Babylon Planning Department prior to installation.
13. Noise reducing construction to reduce noise levels by 25 db should be employed because of the location of the development on NYS Route 27. Noise specifications are to be as per the model building regulations for a minimum sound level reduction of 25db.
14. Subject to the applicant providing proof and ownership for the abandonments of 41st & Copiague Rd.
15. Subject to approval of a SWPPP.

and be it further

RESOLVED, that the aforementioned change of zone shall not be effective until there has been filed with the County Clerk of Suffolk County the following Covenants and Restrictions to run with the land, subject to the approval of the Town Attorney:

Covenants and Restrictions:

1. The development shall comply with all federal, state and local fair housing and ADA requirements.
2. Twenty percent of the units shall be designated as work force/affordable housing. Units to be scattered equally throughout the site. Affordable/workforce units shall be targeted to qualified households making 80% or less than the Suffolk County HUD income limits, which are updated annually.
3. No further development without Planning Board approval.
4. The basements are to be for utilities and storage only, subject to the approval of the Fire Marshal.
5. Storage units are for the use of the tenants only.
6. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including but not limited to handicapped ramps and handicapped parking spaces.
7. The building shall have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code.
8. All site lighting to be contained on site must conform to dark-sky lighting regulations.
9. The owner/developer is responsible for maintaining all site development improvements including, but not limited to the following: fire and smoke detection system, automatic fire sprinkler system, building, drainage, curbs, sidewalks, fencing, asphalt, landscaping, etc.
10. All buildings, structures, signs, fences and landscaping shall be maintained in accordance with all applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.
11. All units to have central air conditioning or through the wall air-conditioning units, no window units to be permitted.
12. The use of inorganic fertilizers, pesticides and herbicides shall be minimized as standard operating procedure for the landscape maintenance of the site.
13. SWPPP maintenance access shall be in accordance with Section 189-8 of the Code of the Town of Babylon. The Town of Babylon shall be provided with access to the stormwater infrastructure at reasonable times for periodic inspection by the Town of Babylon and its officers to ensure that the infrastructure is maintained in proper working condition to meet design standards and any other provisions established by Chapter 189. This agreement shall be binding on all subsequent landowners.
14. SWPPP maintenance after construction shall be in accordance with Section 189-8 of the Code of the Town of Babylon. Stormwater management practices installed in accordance with Chapter 189 shall be operated and maintained to ensure that the goals of Chapter 189 are fully achieved. Proper operation and maintenance includes, at minimum, the following:
 - a. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of Chapter 189. A written record of stormwater management system maintenance activities shall be established and maintained on site and be available for review by the Town of Babylon upon request.
 - b. Written procedures for operation and maintenance and training new maintenance personnel shall be prepared and maintained on site and will be available for review by the Town of Babylon upon request.
 - c. Discharges from the SMPs shall not exceed design criteria or contribute to water quality standard violations in accordance with § 189-8B of the Code of the Town of Babylon.
15. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of the storm water infrastructure on the site will include the following:
 - a. Monitoring of the drainage inlets (catch basins) will be completed routinely, particularly after large storm events and must be kept free from obstruction by leaves trash and other debris.

- b. Drainage grates must be kept free from obstruction by leaves, trash and other debris.
- c. Drainage structures shall be inspected annually to determine if sediment removal is necessary to ensure that the drainage structures are properly functioning and that they permit adequate conveyance throughout the system. If applicable, the manufacturer's specifications for maintenance procedures and frequency must be strictly followed.
- d. The drainage structures must be routinely monitored for the removal of surface sediment and trash.
- e. Street sweeping of the parking areas shall be conducted at least four times annually to remove sediment that may impact the drainage infrastructure and additionally, as necessary due to storm events.
- f. The grounds and parking area shall be inspected for litter monthly and any litter shall be removed as necessary.

BE IT FURTHER RESOLVED, that in case of any violation or attempted violation of any of the covenants by the owners or their lessees and failure of the owners to remedy any such violation within thirty (30) days after written notice by the Town, the Town shall have the right, on its own motion and after notice, to rescind said change of zone and the subject premises shall revert from SC Senior Citizens Multiple Residence District to B Residence District, and be it further

RESOLVED, that if the owners hereto, or any of them, their lessees, their heirs, successors, or assignees shall violate or attempt to violate any of the covenants or conditions required by the granting of this permit, it shall be lawful for the Town of Babylon to prosecute any proceedings at law or in equity, including but not limited to enforcement by way of injunctive relief; any remedies chosen by the Town Board to enforce any covenant, restriction or condition herein shall be cumulative and at the discretion of the Town Board as to how best to enforce such covenant, restriction or condition; the election of one method of enforcement shall not constitute a bar to electing any other method of enforcement permitted by law; and be it further,

RESOLVED, that the Town Clerk of the Town of Babylon be and hereby is authorized to publish a notice of said change of zone in one of the official newspapers of the Town of Babylon.

The resolution was thereupon declared duly **TABLED** to September 26, 2018 Meeting.

SCHEDULE A

All that a certain plot, piece or parcel of land, situate, lying and being in the Town of Babylon, County of Suffolk and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point being 168.28 Feet Easterly from the corner formed by the intersection of the northerly side of 41st Street (not open) and the south easterly end of a line connecting to the easterly side of New Highway;
 Running thence North 18 Degrees 16 Minutes 55 Seconds East, 100.16 feet to a point;
 Running thence South 71 Degrees 43 Minutes 05 Seconds East, 140.00 feet to a point;
 Running thence South 02 Degrees 46 Minutes 05 Seconds East, 134.11 Feet to a point on the centerline of 41st Street (not open);
 Running thence along the centerline of 41st Street (not open) North 71 Degrees 43 Minutes 05 Seconds West, 157.91 feet to a point;
 Running thence South 18 Degrees 16 Minutes 55 Seconds West, 25.00 feet to a point;
 Running thence North 71 Degrees 43 Minutes 05 Seconds West, 30.26 feet to a point;
 Running thence North 18 Degrees 16 Minutes 55 Seconds East, 50.00 feet to the point or place of BEGINNING

**RESOLUTION NO. 622 SEPTEMBER 5, 2018
 ADOPTING AMENDMENTS TO THE ZONING MAP OF THE TOWN OF BABYLON**

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 5th day of September 2018 upon the question of amendments to the zoning map of the Town of Babylon, Suffolk County, New York

NOW THEREFORE BE IT RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that the zoning map on file with the Town Clerk's Office be adopted and deemed the official zoning map of the Town of Babylon and that the Town Clerk of the Town of Babylon is directed to publish notice of the adoption in one of the official newspapers of the Town.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 623 SEPTEMBER 5, 2018
 AUTHORIZING THE TOWN BOARD TO ADOPT AMENDMENT
 TO THE TOWN OF BABYLON'S PROCUREMENT POLICY**

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, upon the recommendation of the Committee, that the Town of Babylon Procurement Policy, which is on file in the Office of the Town Clerk as Exhibit "A", is hereby adopted for the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT A
 TOWN OF BABYLON PROCUREMENT POLICY
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STATEMENT OF PROCUREMENT POLICY

I. GENERAL PROVISIONS

A. PURPOSE

The purpose of this Statement of Procurement Policy is to: provide for the fair and equitable treatment by the Town of Babylon of all persons or firms involved in providing materials, supplies, equipment, services and/or labor to the Town of Babylon; assure that materials, supplies, services, equipment, and construction are procured efficiently, effectively, and at the most fair and equitable prices available to the Town of Babylon; promote bid competition; provide safeguards for maintaining a procurement system of quality and integrity and assure that Town of Babylon procurement actions are in full compliance with applicable Federal standards, HUD regulations, and New York State and Town laws and regulations.

B. APPLICATION

This Procurement Policy Statement applies to all contracts for the procurement of supplies, equipment, materials, services, public works, and professional services contracts entered into by the Town of Babylon including all related boards, garbage districts, etc.,

after the effective date of this Statement. This policy shall apply to all expenditures of funds by the Town of Babylon for public purchasing, irrespective of the source of funds, including contracts which do not involve an obligation of funds (such as concession contracts); however, nothing in this Statement shall prevent the Town of Babylon from complying with the terms and conditions of other regulations otherwise consistent with all applicable laws. The term "procurement", as used in this Statement, includes materials, supplies, and equipment, services contracts, public works contracts and modifications to contracts. This policy will be reviewed annually and may be revised from time to time.

C. PUBLIC ACCESS TO PROCUREMENT INFORMATION

Procurement information shall be a matter of public record to the extent provided in New York State Freedom of Information Act and shall be available to the public as provided in that statute. An exception to this rule is confidential financial information or information deemed proprietary by the submitting individual or company.

II. PROCUREMENT AUTHORITY AND ADMINISTRATION

- A. All procurement transactions shall be administered by the Commissioner of General Services (hereinafter the Commissioner/Director of Purchasing). The Commissioner/Director of Purchasing shall also establish a system of sanctions for violations of the ethical standards described in Section X below, consistent with State law.
- B. For all contract procurement actions in which the Town of Babylon is a recipient or subrecipient of a Federal award, compliance with 2 CFR 200.317-326 is mandatory.
- C. The Commissioner/Director of Purchasing or his/her designee shall ensure that:
1. Procurement requirements are subject to an annual planning and review process to assure efficient and economical purchasing;
 2. Contracts and modifications are in writing, clearly specifying the desired supplies, materials, equipment, labor, or professional services, and are supported by sufficient documentation, including, whenever practical, estimated quantities, estimated costs for public works projects, requested modifications/changes to existing specifications;
 3. (for procurements other than small purchases) public notice in at least one, but as a rule, two publications of general circulation is given of each upcoming procurement at least five business days before a solicitation is due. In instances where community development funds are involved, additional days will be allowed making a total of 21 calendar days; and notice of contract awards is made available to the public; Funding shall be in place for said purchase or public works project;
 4. Solicitation procedures/standards are conducted in full compliance with State and Federal standards, the latter only when required by Federal law;
 5. For procurements of small purchases, architect/engineer Services, or other professional services that the minimum required numbers of quotations are solicited pursuant to this policy and State law.
 6. A cost or price analysis is conducted of the responses received for all procurements;
 7. contract award is made to a responsive and responsible bidder offering the lowest price (for sealed bid contracts) or contract award is made to the offeror whose proposal offers the greatest value to the Town of Babylon, considering price, & technical expertise, and other solicitation (for contracts awarded based on competitive proposals); awards are made to the lowest overall bidder and awards can be awarded by item, group of items or categories, whichever is in the best interest of the Town; Vendors or contractors must hold their prices for a 45 day period; unsuccessful firms are notified within 45 days or as soon as award or rejection of a bid or bids has been processed;
 8. there are sufficient unencumbered funds available to cover the anticipated cost of each procurement before contract award or modification (including change orders), work is inspected and accepted before payment is authorized, and payment is made promptly for contract work performed and accepted; and
 9. If said contract is approved, the Town of Babylon shall comply with all applicable HUD review requirements (if applicable).
- D. The Commissioner of General Services shall create a statement acknowledging that the requirements as outlined in Section II B of this policy are adhered to. This statement and the accompanying resolutions and any later changes shall be submitted to the Professional Services Committee and the Town of Babylon Town Board for approval. The Board appoints and delegates procurement authority to the Commissioner of General Services who is responsible for ensuring that any procurement policies adopted are appropriate and enforced for the Town of Babylon.

The Commissioner of General Services is responsible for the day to day operation of the Department of General Services. As the Commissioner of General Services, he/she has the authority to sign purchase orders, process bid documents after approval by Town Board resolution, and can extend, pursuant to N.Y. State General Municipal Law, duly awarded non-federally funded bids if to be found in the best interest of the town. For federally funded bids, bid extensions must be based on need, issues of possible delinquency on the part of the contractor, associated costs of the proposed extension and any contribution on the part of the town to the delay.

III. PROCUREMENT METHODS

A. SELECTION METHOD

If it has been decided that the Town of Babylon will directly purchase the required items, one of the following procurement methods shall be chosen, based on the nature and anticipated dollar value of the total requirement. All dollar amounts referred to below are annual, aggregate amounts in a single calendar year.

B. SMALL PURCHASE PROCEDURES

1. **General.** Any contract not exceeding \$10,000 for materials and supplies and \$20,000 for public works projects, may be made in accordance with the small purchase procedures authorized in this section. Contract requirements shall not be artificially divided so as to constitute a small purchase under this section (except as may be reasonably necessary to comply with Section IX of this Statement). *The \$10,000 and \$20,000 limits refer to total amounts spent or intended to be spent in a calendar year on the purchase of similar products or services.*
2. **Small purchases of \$5,000 or less.** For small purchases below \$1,000, only one quotation need be solicited if the price received is considered reasonable. For purchases over \$1,000 but less than \$5,000, two or more quotations will be solicited. Such purchases should be distributed among-qualified sources. If practical, a quotation shall be solicited from other than the previous source before placing a repeat order.
3. **Small purchases over \$5,000.** For small purchases in excess of \$5,000 but not exceeding \$10,000 no less than three offerors shall be solicited to submit price quotations, which must be obtained, in writing, by fax or electronic mail, as allowed by State law. Award shall be made to the responsible offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified circumstances. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. **Quotations from one vendor or supplier shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.**
4. **Public works contracts of \$10,000 or less.** For public works contracts below \$5,000, only one quotation need be solicited if the price received is considered reasonable. For small public works contracts over \$5,000 but less than \$10,000, more than one quotation shall be solicited. Such contracts should be distributed among qualified sources. If practical, a quotation shall be solicited from other than the previous source before placing a repeat order. **Quotations from one vendor shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.**
5. **Public works contracts over \$10,000.** For public works contracts in excess of \$10,000 but not exceeding \$20,000, no less than three written quotations or quotations submitted via telefax or electronic mail to the Department of General Services will be solicited, as

allowed by State law. Award shall be made to the offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified factors. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. **Quotations from one vendor shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.**

Contractors must be qualified and be able to meet liability insurance requirements and any other reasonable requirements as set forth by the Town of Babylon.

6. **Procedure of obtaining quotes.** The procedure for obtaining written or fax quotes will be as follows. The Department of General Services will prepare a standardized quotation form and mail or fax said form to the appropriate number of vendors. The requesting department will solicit proposals for the purchase of materials/supplies or a public works contract. Vendors will return completed quotation forms to the Department of General Services. The Commissioner will select the lowest responsible vendor and notify the department. The requesting department will then complete a requisition and submit it to the Department of General Services for processing.

C. SEALED BIDS

1. **Conditions for Use** Contracts shall be awarded based on competitive sealed bidding if the following conditions are present: a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the procurement lends itself to a firm fixed price contract; the solicitation is publicly advertised consistent with Part B; and the selection of the successful bidder can be made principally on the basis of price. Sealed bidding shall be used for all construction contracts exceeding \$20,000 (\$2,000 if project is federally funded) and for all purchases whose annual aggregate amount exceeds, or expects to exceed, \$20,000 in a calendar year. For professional services contracts, sealed bidding should not be used. The Town may elect to use the Request for Proposal or Request for Qualifications process if deemed appropriate in a particular situation. **Request for Qualifications shall be used for determining qualified engineering firms, planning firms, architects, attorneys and for services associated with Information Technologies or any other services deemed necessary. All responses to a Request for Qualifications shall be kept on file in the Department of General Services for a minimum of three (3) years. After three (3) years, the Commissioner of General Services will review and procure additional Requests for Qualifications as necessary.**
2. **Solicitation and Receipt of Bids** An invitation for bids shall be issued including specifications and all contractual terms and conditions applicable to the procurement; including a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the invitation for bids. The invitation for bids shall state the time and place for both the receipt of bids and the public bid opening. All bids received shall be time-stamped but not opened and shall be stored in a secure place until bid opening. A bidder may withdraw its bid at any time prior to bid opening. Bids submitted via telefax or electronic mail will not be accepted.
3. **Bid Opening and Award Bids** shall be opened publicly and in the presence of at least one witness. Bid openings are open to the public. Bids submitted after advertised time will not be opened or considered. An abstract of bids shall be recorded and the bids shall be available for public inspection. Award shall be made as provided in the invitation for bids by written notice to the successful bidder. If equal low bids are received from responsible bidders (non-federally funded projects or purchases), award shall be made to the vendor providing the highest discount. If no discounts are offered (non-federally funded purchases or projects), or if two or more bidders remain equal (federally funded purchases or projects), or if discounts offered are equal, lots will be drawn to determine the award. For federally funded purchases and contracts, awards shall be made giving priority to firms defined in Part VIII. If only one responsive bid is received from a responsible bidder, award shall not be made unless a cost or price analysis verifies the reasonableness of the price. All unsuccessful bidders will be notified of award, once finalized. The Commissioner/Director of Purchasing shall recommend bid award to the Town Board. Formal awards of all bids shall be approved by resolution by the Town Board at a public meeting. Once awarded, the Commissioner/Director of Purchasing has the authority to process all bid documents except public works contracts over \$20,000. Contracts in excess of \$20,000 will be executed by the Supervisor after approval by the Town Board.

The Commissioner of General Services has the authority to extend bids for up to four, one-year periods if found to be in the best interest of the Town of Babylon.

4. **Mistake in Bids**
 - a. Bid Mistake; Public Work projects. (a) In all contracts where a unilateral error or mistake is discovered in a bid, such bid may be withdrawn after a showing of the following: (1) the mistake is known or made known to the Town of Babylon prior to the awarding of the contract or within three days after the opening of the bid, whichever period is shorter; and (2) the price bid was based on an error of such magnitude that enforcement would be unconscionable; and (3) the bid was submitted in good faith and the bidder submits credible evidence that the mistake was a clerical error as opposed to a judgment error; and (4) the error in the bid is actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work paper, documents, or materials used in the preparation of the bid sought to be withdrawn; and (5) it is possible to place the Town of Babylon in status quo ante.

Request for withdrawal of a bid must be submitted in writing to the Commissioner/Director of Purchasing. A written explanation and justification must be provided. Approval or withdrawal of bid shall be considered and corrections of non-clerical mistakes shall be considered.
 - b. In the absence of legal counsel and receipt of a written determination from same, unless otherwise required by law, the sole remedy for a bid mistake in accordance with this policy shall be withdrawal of that bid and the return of the bid bond or other security, if any, to the bidder. Thereafter, the Town of Babylon may, in its discretion, award the contract to the next lowest bidder or rebid the contract. Any amendment to or reformation of a bid or a contract to rectify such an error or mistake therein is strictly prohibited.
 - c. Any decisions to allow the withdrawal of a bid must be supported by a written determination signed by the Commissioner/Director of Purchasing. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Town of Babylon or fair competition shall be permitted.
 - d. The Commissioner/Director of Purchasing may waive any and all formalities except those deemed necessary or contradictory to this policy or required by law, and an integral part of the bid process.
5. **Bonds:** In addition to the other requirements of this Statement, the following requirements may apply:
 - a. For all publicly bid construction contracts, and other construction contracts, as determined by the Commissioner, other than those specified in 5b and 5c below, contractors shall be required to submit the following at the appropriate time during the contract process, unless otherwise required by State or local laws or regulations:
 - i. A bid bond or certified check from each bidder equivalent to 5% of the bid price; and
 - ii. A performance bond or certified check for 100% of the contract price; and
 - iii. A labor and materials payment bond for 100% of the contract price; and
 - iv. Appropriate insurances as outlined in the bid documents; and
 - v. Original certified payrolls for employees of contractors and subcontractors; and
 - vi. Employee daily sign-in sheets are required on all public works projects; and
 - vii. Copies of cancelled payroll checks for contractors and subcontractors; and
 - viii. A maintenance bond for 100% of contract upon acceptance of all work; and

- ix. Any other requirements as detailed by the Commissioner/Director of Purchasing; and
- b. In the case of construction of conventional development projects funded pursuant to the U.S. Housing Act of 1937, the contractor shall be required to submit the following, unless otherwise required by State or local laws or regulations:
 - i. A bid bond or certified check from each bidder equivalent to 5% of the bid price; and
 - ii. A performance bond or certified check for 100% of the contract price; and
 - iii. A labor and materials payment bond for 100% of the contract price; and
 - iv. A maintenance bond for 100% of contract upon acceptance of all work; and
 - v. Appropriate insurances as outlined in the bid documents; and
 - vi. Original certified payrolls for employees of contractors and subcontractors; and
 - vii. Cancelled payroll checks for contractors and subcontractors; and
 - viii. A maintenance bond for 100% of contract upon acceptance of all work; and
 - ix. Any other requirements as detailed by the Commissioner of General Services and the Director of Community Development.
- c. In the case of construction under the Comprehensive Improvement and Assistance Program (CIAP) funded pursuant to the U.S. Housing Act of 1937, for any contract over \$10,000, the contractor shall be required to submit the following,
 - i. A bid guarantee from each bidder equivalent to 5% of the bid price; and
 - ii. A performance and payment bond for 100% of the contract price; and
 - iii. A maintenance bond for 100% of contract upon acceptance of all work; and
 - iv. Appropriate insurances as outlined in the bid documents and New York Dept. of Labor; and
 - v. Original certified payrolls for employees of all contractors and subcontractors; and
 - vi. Any other requirements as detailed by the Commissioner/Director of Purchasing.

PREVAILING WAGES

All contractors who are involved with any public works project, which can be described as any project that involves labor, must comply with the prevailing wage requirements. This requirement applies to all contracts regardless of whether they have been publicly bid or not. Simply said if they are on Town property and performing a task that involves labor, they are required to pay prevailing wages to the employees on site. This does not apply to companies simply delivering products, supplies or equipment to the Town. The only exception to this requirement is an employer or owner who performs the work themselves or who employees an immediate family member.

Prevailing wages are an hourly pay rate that has been determined by the New York State Dept. of Labor. These rates vary from trade or title. The wage schedules shall be provided by the Dept. of General Services, prior to the commencement of any work. These wage schedules are updated from time to time by the New York State Dept. of Labor. If the project is federally funded, then the all contractors and subcontractors must comply with all federal rules and requirements, including but not limited to, the Davis-Bacon Act.

This provision will not apply to companies' delivering goods and/or equipment to the Town, but will apply to a company hired to supply and install a product or equipment.

Certified payrolls must be submitted with any and all requests for payment, bill or voucher, and comply with all the rules and regulations of the New York State Dept. of Labor.

Certified payrolls must state the name of the employee, title, hourly rate, number of hours worked during the specific payroll or during the course of the task performed for the Town pay period, all in accordance with New York State Dept. of Labor. Certified payrolls are available online or from the Dept. of General Services.

Companies should be notified prior to the commencement of any work or prior to obtaining any quotes that prevailing wages must be paid and that certified payrolls will be required prior to the issuance of any payment for services rendered. All firms should be advised that the New York State Dept. of Labor is responsible for monitoring the prevailing wage statute and may either audit a project while in progress or after completion. The New York State Dept. of Labor has the authority to debar or suspended any contractor from performing any work for any municipality in the State of New York.

CHANGE ORDERS

Once a contract is awarded or a purchase order is issued for any public works project, any deviation (whether an increase or decrease in cost) from the tasks agreed to, or the scope of the project, or the cost thereof, must be approved by a change order. The change order must be filed by the contractor or consultant (in case of professional services agreement). It must include reference to the original scope of work and associated cost and an explanation of changes to the scope of work. This must be accompanied by an estimate of the increase or decrease in the materials used and/or labor involved. Specific quantities must be included in the change order. No change in the scope of the work originally approved shall be granted until a change order has been approved by the granting authority, which may be the Town Board or the Commissioner, depending on the type of contract. In the event of a change order for a public works contract that is being overseen by a third-party consultant, written authorization/approval by the consultant must accompany the proposed change order. These documents are reviewed and examined by the Change Order Review Committee. Pursuant to Resolution No. 415 of the Town Board Meeting of June 8, 2016, a committee consisting of representatives from the departments of the Supervisor, Comptroller, General Services, Planning, Town Attorney and the Department who is directly involved in the project will evaluate all change orders and provide its recommendations to the Town Board.

Department heads should not authorize payment for goods or services that have not been received. Town employees are prohibited from ordering or purchasing any goods or services that are intended for personal use and have no value or relevance to the Town.

APPRENTICESHIP PROGRAM REQUIREMENTS:

The Town of Babylon hereby requires in any competitive sealed bid for any public works contract that exceeds \$100,000.00 that the bidder and all of bidder's sub-contractors, prior to entering into a construction contract with the Town of Babylon, who is a party to, or working under, a construction contract, to be a participant in good standing of a qualified apprenticeship program that is registered with and approved by the New York State Department of Labor and to have apprenticeship agreements, as evidenced by valid Certificates of Completion which are specifically identified as pertaining to the trade(s) and/or job titles(s) called for within the construction contract appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, anything in § 103 of the New York General Municipal Law to the contrary notwithstanding. The Department of General Services may waive the Apprenticeship requirement for Public Works projects exceeding \$100,000.00 in cost if the project involves a specialty trade and it has been determined that including the Apprenticeship requirement will not allow a sufficient number of companies to respond to the contract solicitation, will not foster a competitive environment amongst potential bidders and will not be in the best financial interests of the Town of Babylon.

Prior to entering into a construction agreement with the Town of Babylon for any public works contract that exceeds \$100,000.00, a contractor must submit to the Town, Certificates of Completion showing that they, or their sponsor, graduated at least one apprentice from a state approved and registered apprenticeship program, in the trade and/or job title called for within the construction contract, within a time period immediately preceding the bid date of such project, the length of said time period to be calculated by adding sixty months to the specific trade's program length as set forth in the New York State Prevailing Wage Schedule, subject to the exception found in paragraph (H) of this section. If a contractor is a signatory to a sponsor, the contractor must submit to the Town a letter from the sponsor verifying its signatory status.

It shall be a contractor's responsibility to submit the required Certificates of Completion as part of any bid submitted in connection with a construction contract and to provide to the Department of General Services the identity of apprentices who have graduated from their apprenticeship program.

In recognition of the Governor's Office of Storm Recovery and the Town of Babylon being committed to meet a 30% M/WBE goal of this project, the Town of Babylon will waive the requirement of approved apprentice program for New York State Certified M/WBE sub contractors only, in order to assist Prime Contractors to achieve this goal and facilitate compliance.

D. COMPETITIVE PROPOSALS

1. **Conditions for Use.** Competitive proposals (including turnkey proposals for development) may be used if there is an adequate method of evaluating technical proposals and where the Town of Babylon determines that conditions are not appropriate for the use of sealed bids. An adequate number of qualified sources shall be solicited after advertisement.
2. **Solicitation.** The Request for Proposals (RFP) shall clearly identify the relative importance of price and other evaluation factors and sub-factors, including the weight given to each technical factor and sub factor. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals. The proposals shall be evaluated only on the criteria stated in the request for proposals. Where appropriate, prices should be evaluated separately from other criteria.
3. **Negotiations.** Unless there is no need for negotiations with any of the offerors, negotiations shall be conducted with offerors who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the technical factors and price consideration as specified in the RFP. Such offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise offerors of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No offeror shall be provided information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other proposal. Offerors shall not be directed to reduce their proposed prices to a specific amount in order to be considered for award. A common deadline shall be established for receipt of proposals, revisions and the best and final offers.
4. **Award.** After evaluation of proposals and best and final offers, if any, the contract shall be awarded to the responsible firm whose qualifications, price and other factors considered, are the most advantageous to the Town of Babylon. Once a proposer has been chosen, final negotiations may be initiated by the town. All negotiations for either award or contract modification shall be supported by a memorandum of negotiation, listing the basis for each cost element and profit.

Architect/Engineer/Planning/Consultant Services for Federally Funded Projects. Architect/engineer/planning/consultant services for federally funded projects in the excess of the small purchase limitation may be obtained by either the competitive proposals method or qualifications-based selection procedures. Sealed bidding, however, shall not be used to obtain architect/engineer/consultant services. Under qualifications-based selection procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services except those outlined herein and in the enabling legislative resolution.

The Department of General Services will maintain a file on the qualifications of engineering and other consulting firms. Information submitted shall include background, a detailed prior projects history, and qualifications of principals and significant individuals in the firm, proposed hourly rates, and multiplier to be charged if any.

E. NON-COMPETITIVE PROPOSALS

1. **Conditions for use.** Procurements shall be conducted competitively to the maximum extent possible. Procurement by non-competitive proposals may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals, and one of the following applies;
 - a. The item is available only from a single source, based on a good faith review of available sources;
 - b. An emergency exists that seriously threatens the public health, welfare or safety, or endangers property, or would otherwise cause serious injury to the Town of Babylon, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for materials, supplies, services, or construction that the need cannot be met through any other procurement methods, and the emergency procurement shall be limited to those materials, supplies, services, or construction necessary to meet the emergency. This emergency must be declared by duly adopted resolution by the Town of Babylon Town Board in open session and with detailed justification, however, should the emergency require immediate action, the Commissioner may let the appropriate contract and shall state to the Town Board in writing, the emergency and the justification for letting the contract without Town Board approval.
 - c. HUD authorizes the use of non-competitive proposals; or
 - d. After solicitation of a number of sources, competition is determined inadequate or nonexistent.
 - e. Obvious factors, other than price only, must be considered.
 - f. The Town Board, in accordance with N.Y. State law, has adopted a resolution standardizing on a particular manufacturer and a resulting sole supplier situation exists.
2. **Justification.** Each procurement based on non- competitive proposals shall be supported by a written justification for using such procedures. The justification shall be approved in writing by the Commissioner/Director of Purchasing.
3. **Price reasonableness.** The reasonableness of the price for all procurements based on non-competitive proposals shall be determined by performing a cost analysis, as described in Section F, Paragraph 3, below.

F. PROFESSIONAL SERVICES

1. **General.** "Professional services" are occupations in the tertiary sector of the economy requiring special training in the arts or sciences. Some professional services require holding professional licenses such as architects, auditors, engineers, planning, doctors and lawyers. Other professional services involve providing specialist business support to businesses of all sizes and in all sectors; this can include tax advice, supporting a company with accounting, IT services or providing management advice.
2. **Procedure of obtaining quotes for Professional Services.** The procedure for obtaining written or fax quotes will be as follows. The requesting department will forward specifications of the professional service to the Department of General Services. The requesting department may include a list of possible vendors. All quotes must be taken off of a bid list. Any qualified and responsible firm may apply to be placed on the list. The Department of General Services will prepare a standardized quotation form and mail or fax said form to the appropriate number of vendors. Vendors will return completed quotation forms to the Department of General Services. The Commissioner will select the lowest responsible vendor and notify the department. The requesting department will then complete a requisition and submit it to the Department of General Services for processing.
3. **Professional Consultant Evaluation Committee.** A Professional Consultant Evaluation Committee consisting of the Commissioner, Commissioner of Planning & Development, Commissioner of Dept. of Public Works, and Chief of Staff, Deputy Supervisor, Comptroller and Town Attorney will meet to review the proposals of all firms and choose the firm found to be the most qualified for a particular project. The committee shall meet on the first Thursday of every month to review professional services proposals. Whenever a formal committee meeting is impractical as the result of an emergency, the committee may convene electronically to evaluate and provide recommendations to the Board, provided that the Department of General Services has reviewed the proposal and affirms that the content of the professional services proposal complies with this policy. For purposes of this subsection only, "Emergency" shall be defined as a declaration of emergency by the federal, state, county, or town government, an act of God, perils of the sea or air, landslide, earthquake, fire, explosion, flood; acts of a public enemy, war, blockade, insurrection, riot or civil disturbance, or similar occurrence; but not including reasonably anticipated weather conditions for the geographic area of the Town. The committee will then negotiate an appropriate fee for the project with the firm selected.
4. **Professional services of \$25,000 or less.** For professional services below \$25,000, only one quotation need be solicited if the price received is considered reasonable. Such services should be distributed among-qualified sources. If practical, a quotation shall be solicited from other than the previous source before arranging the services.

5. **Professional Services over \$25,000 but less than \$100,000.** For professional services in excess of \$25,000 but not exceeding \$100,000 no less than three offerors shall be solicited to submit price quotations, which must be obtained, in writing, by fax or electronic mail, as allowed by State law. Award shall be made to the responsible offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified circumstances, such as for architect-engineer, or other professional consultant service contracts. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. **Quotations from one vendor or supplier shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.**
6. **Professional Services exceeding \$100,000.** For professional services in excess of \$100,000 may be obtained by either the competitive proposals method or qualifications-based selection procedures. Sealed bidding, however, shall not be used to obtain architect/engineer/consultant services. Under qualifications-based selection procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services except those outlined herein and in the enabling legislative resolution. A Professional Consultant Evaluation Committee will review the competitive proposals or qualifications-based selections.

G. COST AND PRICE ANALYSIS

1. **General.** In general, a cost or price analysis shall be performed for all procurement actions, including contract modifications. The method of analysis shall be determined by Commissioner/Director of Purchasing. The degree of analysis shall depend on the facts surrounding each procurement and the need for said analysis.
2. **Submission of Cost or Pricing Information.** If the procurement is based on noncompetitive proposals, or when only one offer is received, or for other procurements as deemed necessary by the Town of Babylon, the offeror shall be required to submit:
 - a. A cost breakdown showing projected costs and profit;
 - b. Commercial pricing and sales information, sufficient to enable the Town of Babylon to verify the reasonableness of the proposed price as a catalog or market price of a commercial product sold in substantial quantities to the general public; or
 - c. Documentation showing that the offered price is set by law or regulation.

The Commissioner/Director of Purchasing may elect to re-bid a contract or bid if, in his/her determination, insufficient proposals are received or if the specifications are found to be insufficient or ambiguous.

3. **Cost Analysis:** Cost analysis shall be performed if an offeror/contractor is required to submit a cost breakdown as part of its proposal. When a cost breakdown is submitted: a cost analysis shall be performed of the individual cost elements; the Town of Babylon shall have a right to audit the contractor's financial records and any other records pertinent to such costs; and profit shall be analyzed separately. Costs shall be allowable only to the extent that they are consistent with applicable Federal cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation, 48 CFR Chapter 1, if federal funds are involved). In establishing profit, the Town of Babylon shall consider factors such as the complexity and risk of the work involved the contractor's investment and productivity, the amount of sub-contracting, the quality of past performance, and industry profit rates in the area for similar work.
4. **Price Analysis** a comparison of prices shall be used in all cases other than those described in Section F, Paragraph 3 above, to the extent practical.
5. **Extension of Contract Periods** Where appropriate, non-federally funded purchases or contracts only, may be extended for two additional one-year periods at the sole discretion of the Commissioner/Director of Purchasing and with consent of the vendor or contractor, providing that provisions for the extension were a part of the original solicitation.

H. CANCELLATION OF SOLICITATIONS

1. The Town of Babylon reserves the right to reject any and/or all bids.
2. An invitation for bids, request for proposals, or other solicitation may be canceled before bids are due if: (a) the Town of Babylon no longer requires the supplies, services or construction; (b) the Town of Babylon can no longer reasonably expect to fund the procurement; (c) proposed amendments to the solicitation would be of such magnitude that a new solicitation would be desirable; or (d) any other similar reasons when it is in the best interest of the Town.
3. A solicitation may be canceled and all bids or proposals that have already been received may be rejected if: (a) the supplies, services, or construction are no longer required; (b) ambiguous, erroneous or otherwise inadequate specifications were part of the solicitation; (c) the solicitation did not provide for consideration of all factors of significance to the Town of Babylon; (d) prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds; (e) there is reason to believe that bids or proposals may not have been independently arrived at in open competition, may have been collusion, or may have been submitted in bad faith; (f) for good cause of a similar nature when it is in the best interest of the Town of Babylon; or (g) if specifications are insufficient, deficient, or incorrect.
4. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request to any offeror solicited.
5. A notice of cancellation shall be sent to all offerors solicited and, if appropriate, shall explain, if applicable, that they will be given an opportunity to compete on any re-solicitation or future procurement of similar items. If bids have already been received but unopened, they may be returned to the offeror.
6. If all otherwise acceptable bids received in response to an invitation for bids are at unreasonable prices, or only one bid is received and the price is unreasonable, the Town of Babylon shall cancel the solicitation and either:
 - a. re-advertise for bids, if time permits; or
 - b. re-solicit using a request for proposal; or
 - c. complete the procurement by using the competitive proposals method, following Section D, Paragraph 3 and 4 above (when more than one otherwise acceptable bid has been received), or by using the non-competitive proposals method and following Section E Paragraph 2 above, (when only one bid is received at an unreasonable price); provided, that the Commissioner/Director of Purchasing determines in writing that such action is appropriate, all bidders are informed of the Town of Babylon's intent to negotiate, and each responsible bidder is given a reasonable opportunity to negotiate.

I. COOPERATIVE PURCHASING

The Town of Babylon may enter into agreements with municipal corporations to purchase or use common goods and services. Any city, town, county village, fire district, school district, BOCES and town or county improvement districts may enter into cooperative purchase agreements amongst themselves. The decision to use an inter-governmental agreement or conduct a direct procurement shall be based on economy and efficiency. If used, the inter-governmental agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. Properly approved and executed inter-municipal agreements must be executed by the Town and any city, town, county village, fire district, school district, BOCES and town or county improvement districts. These agreements should have a term after which such agreements should be renewed subject to mutual agreement of both parties. All laws relating to competitive bidding or competitive offering must be complied with and the cooperative agreement must be approved by each board, must be in place prior to the solicitation of bids.

The Town of Babylon may also make purchases, or may contract for services, other than services subject to Article 8 or 9 of the labor law, when available, through the county in which the political subdivision or district is located or through any county within the state subject to the rules established pursuant to subdivision two of section four hundred eight-a of the county law.

The Town of Babylon further may make such purchases, except of printed material, through the New York State Office of General Services subject to such rules as may be established from time to time pursuant to section one hundred sixty-three of the state finance law or through the general services

administration pursuant to section 1555 of the federal acquisition streamlining act of 1994, P.L. 103-355; provided that any such purchase shall exceed five hundred dollars.

The Town of Babylon is encouraged to use Federal or State excess and surplus equipment or property instead of purchasing new equipment and property whenever such use is feasible and reduces project costs.

The Town, pursuant to General Municipal law 103, Subdivision 16 authorizes political subdivisions to purchase apparatus, materials, equipment and supplies and to contractor for services related to the installation, maintenance, or repair of those items through the use of contracts let by the United States or any agency thereof, any state or any political subdivision or district therein. The contract must be let in a manner that constitutes competitive bidding "consistent with state law" and made available for use by other governmental entities.

There are three (3) prerequisites that must be met in order for a procurement of apparatus, materials, equipment and supplies, and related installation, repair and maintenance services, to fall within this exception:

1. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g. a private company, association or not-for-profit corporation is the party awarding the contract to the vendor) and by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within this exception. The phrase "any state or other political subdivision or district therein" clearly includes other states and political subdivisions. It also includes New York State political subdivisions.
2. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local governments. In general, this would occur by inclusion in the contract let by the other entity of a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within this exception.
3. The contract must have been let in a manner that constitutes competitive bidding "consistent with state law".

IV. CONTRACTOR QUALIFICATIONS AND DUTIES

A. CONTRACTOR RESPONSIBILITY

Procurements shall be conducted only with responsible contractors, i.e., those who have the technical and financial competence to perform and who have a satisfactory record of integrity. Before awarding a contract, the Town of Babylon shall review the proposed contractor's ability to perform the contract successfully, considering factors such as the contractor's integrity, compliance with public policy, compliance with applicable State, County and local regulations, record of past performance (including contacting previous clients of the contractor, such as other towns), and financial and technical resources of the firm or individual. If a prospective contractor is found by the Commissioner to be non-responsible, a written determination of non-responsibility shall be prepared and included in the contract file, and the prospective contractor shall be advised in writing of the reasons for the determination. The prospective contractor, within five (5) days of receipt of written notice, may demand an opportunity to present evidence both orally and in writing to the Commissioner or his/her designee. If a demand for an opportunity to present evidence is received, the Commissioner shall schedule a hearing at which time the prospective contractor and counsel may be present and offer evidence. Within ten (10) business days, the Commissioner shall advise the prospective contractor whether the prospective contractor is deemed a responsible bidder and shall provide a written decision if the prospective contractor is deemed irresponsible. The Commissioner shall advise the Town Board of his/her decision regarding an irresponsible bidder and the Town Board shall state, by resolution, its determination whether a prospective contractor is irresponsible and provide a reason if a prospective contractor is determined to be irresponsible.

B. SUSPENSION AND DEBARMENT

Contracts shall not be awarded to debarred, suspended or ineligible contractors as determined by the New York State Department of Labor. Contractors may be suspended, debarred, or determined ineligible by the Town of Babylon or HUD in accordance with HUD regulations (24 CFR Part 24) when necessary to protect the Town of Babylon in its business dealings. The Commissioner/Director of Purchasing may elect to hold a hearing at which time all facts concerning the matter may be discussed. The Commissioner shall be responsible to check all potential contractors to determine if they have been debarred, suspended or formally declared an irresponsible bidder.

C. QUALIFIED BIDDER'S LISTS

Interested and qualified businesses shall be given an opportunity to be included on qualified bidder's lists. Any pre-qualified lists of persons, firms, or products which are used in the procurement of supplies and services shall be kept current and shall include enough qualified sources to ensure competition. Firms shall not be precluded from qualifying during the solicitation period. Solicitation mailing lists of potential contractors shall include, but not be limited to such pre-qualified suppliers. Concurrent with the advertisement of a bid, all vendors on the appropriate bid list shall be notified by mail of availability of the bid. For the purpose of economy, the Town will delete firms from its bid list who fail to respond to solicitations to bid.

V. TYPES OF CONTRACTS, CLAUSES, AND CONTRACT ADMINISTRATION

A. CONTRACT TYPES

Any type of contract which is appropriate to the procurement and which will promote the best interests of the Town of Babylon may be used, provided that the cost-plus-a-percentage-of-cost and percentage of construction cost methods are prohibited. All procurements shall include the clauses and provisions necessary to define the rights and responsibilities of the parties. A cost reimbursement contract shall not be used unless it is likely to be less costly or it is impractical to satisfy the Town of Babylon's needs otherwise, and the proposed contractor's accounting system is adequate to allocate costs in accordance with applicable cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation (FAR), found in 48 CFR Chapter 1). A time and material contracts may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk.

B. OPTIONS

Options for additional quantities or performance periods may be included in contracts, provided that: (a) the option is contained in the solicitation; (b) the option is a unilateral right of the Town of Babylon with the concurrence of the vendor; (c) the contract states a limit on the additional quantities and the overall term of the contract; (d) the options are evaluated as part of the initial competition; (e) the contract states the period within which the options may be exercised; (f) the options may be exercised only at the price specified in or reasonably determinable from the contract; that reasonable increases may be granted if deemed to be in the best interest of the Town and in the sole discretion of the Town; (g) the options may be exercised only if determined to be more advantageous to the Town of Babylon than conducting a new procurement; and (h) the scope of the contract is not being significantly altered.

C. CONTRACT CLAUSES

In addition to other provisions required by the Federal agency or non-Federal containing a clause identifying the contract type, all contracts for federally funded programs shall include any clauses required by Federal statutes, executive orders, and their implementing regulations, as provided in 2 CFR 200 Appendix II, such as the following:

1. Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate,
2. All contracts in excess of \$10,000 must address termination for default and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement,
3. Equal Employment Opportunity,
4. Davis-Bacon Act and Copeland anti-kickback Act,
5. Contract Work Hours and Safety Standards Act,
6. Rights to inventions made under a contract or agreement,

7. Clean air act and the Federal Water Pollution Control Act,
8. Debarment and Suspension,
9. Byrd Anti-Lobbying Amendment,
10. Procurement of recovered materials.

D. The operational procedures required by section H paragraph A of this statement shall contain the text of all clauses and required certifications (such as required non-collusive affidavits) used by the Town of Babylon.

E. Price Increases: The Commissioner may grant a price increase for all or part of the goods referenced in any duly awarded contract, provided the vendor has provided the Commissioner/Director of Purchasing with written substantiation of the increase from their supplier/manufacture. The price increase cannot exceed the amount of the requested increase by the supplier to the vendor. The Commissioner may elect to deny the request for an increase and rebid the entire contract. A request for an increase cannot be submitted until four (4) months from the date of the contract awarded.

F. CONTRACT ADMINISTRATION

A contract administration system designed to ensure that contractors perform in accordance with their contracts shall be maintained. The operational procedures required by Section HA above shall contain guidelines for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters. For cost reimbursement contracts with commercial firms, costs are allowable only to the extent that they are consistent with the cost principles in FAR Subpart 31.2.

VI. SPECIFICATIONS

A. GENERAL

All specifications shall be drafted so as to promote overall economy for the purposes intended and to encourage competition in satisfying the Town of Babylon's needs. Specifications shall be reviewed prior to solicitation to ensure that they are not unduly restrictive or represent unnecessary duplicative items. Functional or performance specifications are preferred. Overly detailed product specifications shall be avoided whenever possible. Considerations shall be given to consolidating or breaking out procurements to obtain a more economical purchase (but see VIII below). For equipment purchases, a comparative analysis of a lease versus purchase analysis may be performed, whenever feasible, to determine the most economical form of procurement.

B. LIMITATIONS

The following specification limitations shall be avoided: Whenever possible geographic restrictions will not be mandated or encouraged (in accordance to applicable Federal law) (except for architect/engineer/consultant contracts, which may include geographic locations as a selection factor if adequate competition is available); unnecessary bonding or experience requirements; brand name specifications, to the extent practical, (unless a written determination is made that only the identified item will satisfy the Town of Babylon's needs); brand name or equal specifications (unless they list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use or the brand name is being utilized to set a standard, but not overly restrict the competitive bidding process). Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be scrutinized to ensure that organizational conflicts of interest do not occur (for example, having a consultant perform a study of the Town of Babylon's computer needs and then allowing that consultant to compete for the subsequent contract for the computers).

VII. PROCUREMENT WHERE CDBG/HOME FUNDS ARE USED

A. REQUESTS FOR PROPOSALS (RFP)

1. 2 CFR 200.320(d) - Procurement by competitive proposals, provides that the technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.
 - a. The competitive proposals method is the preferred method to use when procuring consulting services.
2. If this method is used the following requirements apply:
 - a. RFP will be publicized and identify all evaluation factors and their relative importance. Any response to publicized RFP shall be honored to the maximum extent practical;
 - b. Proposals will be solicited from an adequate number of qualified sources;
 - c. Grantees and sub-grantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees;
 - d. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - e. Grantees and sub-grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort
3. **RFP Implementation Process**
 - a. A RFP is prepared containing a statement of work that details the procurement requirements needed by the recipient/sub-recipient.
 - b. The RFP must clearly state selection criteria against which all responding proposals will be evaluated.
 - c. If an adequate number of professional service providers respond to the RFP, a qualified panel will review the proposals against factors for award identified in the RFP.
 - d. If discussions are held (by the panel), "best and final offers" are requested and re-scored with the best of the best selected as the winner of the competition, subject to negotiation of a fair and reasonable price.
 - e. After proposals are reviewed by the panel against the evaluation criteria (combination of price and cost factors) in the RFP, written results of the reviews must be maintained as part of the documentation of the procurement process.
 - f. If requested, the recipient/sub-recipient should debrief or notify unsuccessful offeror of the winner and the conclusion of the procurement process.

B. SMALL PURCHASES

1. 2 CFR 200.320(b)- Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies or other property that do not cost more than the simplified acquisition threshold, currently set at 150,000 for 2018. If small purchase procurements are used, price or rate quotations will be obtained from an adequate number of qualified sources.
2. **Small Purchase Implementation Process**
 - a. It is necessary to obtain price or rate quotations from an adequate number (3-5) of qualified sources.
 - b. To obtain rate and price quotations vendors can be phoned and their names, addresses and price or rate quotations should be recorded.
 - c. The vendors whose solicited information is the most responsive to the item being procured should be issued a purchase order.

C. SEALED BIDS

1. *2 CFR 200.320(c)*- Procurement by sealed bids (formal advertising) are publicly solicited and a firm-fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
 - a. The sealed bid method is the preferred method for procuring construction services.
2. Sealed Bid Implementation Process
 - a. This method of procurement must involve use of a public solicitation (issuance of an invitation for bid (“IFB”)) with specifications to be responded to that are not overly restrictive.
 - b. Award is to be made to the most responsive and responsible bidder whose bid conforms in all the material terms and conditions to the IFB and is the lowest is price.
 - c. Selection of a consultant can be principally made on the basis of a firm, fixed price (lump sum or unit price).

D. USE OF NON-COMPETITIVE PROCEDURES

1. *2 CFR 200-320(f)* - Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source.
 - a. Procurement by noncompetitive proposals may only be used when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one or more of the following circumstances applies:
 - i. The item is available only from a single source;
 - ii. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - iii. The awarding agency expressly authorizes noncompetitive proposals; or
 - iv. After solicitation of a number of sources, competition is determined inadequate.
2. Non-Competitive Implementation Process:
 - a. Examples of Non-Competitive procedures include when a contract runs out that does not contain a provision calling for work for more than one year, and the contract is renewed to the same contractor without competition on the belief that the renewal is justified because of the experience accumulated by the contractor in the subject area of work (or because of the perception that a new procurement initiative would be no more than an exercise with the current contractor being selected anyway).
 - b. If there is no provision for extending the contract, a provision that would have been made known to all parties in the solicitation document, the preponderance of odds seemingly favoring one contractor is not an adequate basis on which to justify the exclusion of potential providers of consulting service from the right to compete.

VIII. APPEALS AND REMEDIES

A. GENERAL

It is the Town of Babylon’s policy to attempt to resolve, to the extent possible, all contractual issues informally at the departmental level, without litigation. Disputes involving federally funded projects shall not be referred to HUD until all administrative remedies have been exhausted at the Town of Babylon level. When appropriate, the Town of Babylon may consider the use of informal discussions between the parties by individuals who did not participate substantially in the matter in dispute, to help resolve the differences. HUD will only review protests in cases of violations of Federal law or regulations and failure of the Town of Babylon to review a complaint or protest.

B. BID PROTESTS

Any actual or prospective contractor/vendor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitation must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to the Commissioner/Director of Purchasing or designee, who shall issue a written decision on the matter. The Commissioner/Director of Purchasing may, at his or her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented. The Commissioner/Director of Purchasing may elect to hold a hearing to investigate and gather facts regarding the bid protests. The Commissioner/Director of Purchasing will issue an evaluation of the bid protests and document in writing.

C. CONTRACT CLAIMS

All claims by a contractor/vendor relating to performance of a contract shall be submitted within fifteen (15) days of when the claim arose in writing to the Commissioner/Director of Purchasing or designee for a written decision. The contractor may request a conference on the claim.

IX. ASSISTANCE TO SMALL AND OTHER BUSINESSES

A. REQUIRED EFFORTS

1. Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, the Town of Babylon shall make efforts to ensure that small and minority-owned businesses, women’s business enterprises, and individuals or firms located in or owned in substantial part by persons residing in the area of a Town of Babylon project are used when possible and not in violation of State law or in conflict with any other section of this policy. Such efforts shall include, but shall not be limited to:
 - a. Including such firms, when qualified, on solicitation mailing lists;
 - b. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, to extent practical, and not in violation of State law, into smaller tasks or quantities to permit maximum participation by such firms;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
 - e. Using the services and assistance of the Small Business Administration, the Minority Business Development Agency of the Department of Commerce, and the New York State Department of Economic Development;
 - f. Including in contracts a clause recommending that contractors, to the greatest extent feasible, to provide opportunities for training and employment for lower income residents of the project area and to award sub-contracts for work in connection with the project to business concerns which are located in, or owned in substantial part by persons residing in the area of the project, as described in 24 CFR 135;
 - g. Recommending prime contractors, when sub-contracting is anticipated, to take the positive steps listed in (A)(1)(a) through (A)(1)(f) above.
2. Goals may be established by the Town of Babylon periodically for participation by small businesses, minority-owned businesses, women’s business enterprises, labor surplus area businesses, and business concerns which are located in, or owned in substantial part by persons residing in the area of the project, in the Town of Babylon’s prime contracts and sub-contracting opportunities. All of the above must be in full compliance with New York State General Municipal Law.

B. DEFINITIONS

1. A small business is defined as a business which is: independently owned; not dominant in its field of operation; and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 shall be used, unless the Town of Babylon determines that their use is inappropriate.

2. A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.
3. A women's business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.
4. A labor surplus area business is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the U.S. Department of Labor in 20 CFR 654, Subpart A, and in lists of labor surplus areas published by the Employment and Training Administration.
5. A business concern located in the area of the project, is defined as an individual or firm located within the relevant Section 3 covered project area, as determined pursuant to 24 CFR 135.15, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above. A business concern owned in substantial part by persons residing in the area of the project is defined as a business concern which is 51% or more owned by persons residing within the Section 3 covered project, owned by persons considered by the U.S. Small Business Administration to be socially or economically disadvantaged, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above.
6. The Town of Babylon will utilize the New York State certification process for minority owned businesses and women owned businesses as provided by State of New York. The Town will utilize listings of minority owned businesses and women owned business as published by the State of New York to enhance its current bidder's lists.

X. ETHICS IN PUBLIC CONTRACTING

A. GENERAL

The Town of Babylon shall adhere to the following code of conduct, consistent with applicable State or local law.

B. CONFLICT OF INTEREST

No employee, officer or agent of this Town of Babylon shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:

1. An employee, officer or agent involved in making the award;
2. His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister);
3. His/her partner; or,
4. An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

The Code of Ethics as specified by the Town of Babylon will be adhered to by all employees.

All offerors and bidders shall submit a statement acknowledging that there are no employees, officers or agents of the Town of Babylon participating directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved.

C. GRATUITIES, KICKBACKS AND USE OF CONFIDENTIAL INFORMATION

Town of Babylon officers, employees or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-contractors in violation of the Town Code of Ethics, and shall not knowingly use confidential information for actual or anticipated personal gain.

D. PROHIBITION AGAINST CONTINGENT FEES

Contractors shall not retain a person to solicit or secure a Town of Babylon contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

**RESOLUTION NO. 624 SEPTEMBER 5, 2018
AUTHORIZING 2018 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 2018 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
General Fund		
Programs for the Aging		
Part Time Labor		
A.6772.17	\$ 13,710	
Program Operations		
A.6772.47		\$ 13,710

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

**RESOLUTION NO. 625 SEPTEMBER 5, 2018
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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

EMPLOYEE	AMOUNT
Thomas Vetri	\$14.98 recycling liner sample

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

**RESOLUTION NO. 626 SEPTEMBER 5, 2018
AUTHORIZING REFUND OF PAYMENT**

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 Comptroller that the following payment be refunded as an overpayment:

NAME	ADDRESS	TYPE	AMOUNT	REASON
Peter J. Morris	124 Houston Street	Satisfaction Payment	150.00	Overpayment

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

**RESOLUTION NO. 627 SEPTEMBER 5, 2018
AUTHORIZING RELEASE OF CHECK FOR OFF-SITE IMPROVEMENTS**

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, upon the recommendation of the Highway Engineering Supervisor, that the following check for off-site improvements be released:

Receipt	Date	Name & Address	Type	Amount
2018-172	2/6/18	Bryan Whalen P.O. Box 3008 East Quogue, New York, 11942	Check	\$1,628.00

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

**RESOLUTION NO. 628 SEPTEMBER 5, 2018
AUTHORIZING REFUND OF FEES**

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 Commissioner of Planning and Development, that the following fee be refunded:

NAME and ADDRESS	TYPE	AMOUNT
Vincent Lupanello L&S Management, LLC. 144 Rome Street Farmingdale, New York 11735 Re: (0100-96-3-10)	Barbed Wire Permit Application Fee	\$500.00

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

**RESOLUTION NO. 629 SEPTEMBER 5, 2018
AUTHORIZING REFUND OF FEES DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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 Parks, Recreation and Cultural Affairs Department, that the following fees be refunded:

Name	Address	Fee	Activity	Receipt Number
Jeanie Orenzow	18 Sinclair Street, Farmingdale, NY 11735	\$21.00	Pool Entrance Refund	Ticket Numbers: 9297-9299

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

**RESOLUTION NO. 630 SEPTEMBER 5, 2018
ACCEPTING A DONATION**

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 upon the recommendation of the Commissioner of Human Services, the following donations are accepted with gratitude:

Adventure Park Tanger Outlets Saf-T-Swim	Park tickets \$228 Gift card \$25 Swim certificate \$100 Gift card \$25	Human Services Human Services Human Services	Hispanic Program Hispanic Program Hispanic Program
Costco Panera Bread Texas Roadhouse Slomins	Cookie gift cards \$450 Food & kids meal vouchers \$1,000 Ice cream truck & desserts	Human Services Human Services Human Services Human Services	Hispanic Program Hispanic Program Hispanic Program Hispanic Program
Long Island Cares	\$5,000 Pre-packaged breakfast meals	Human Services	Hispanic Program
Compare Foods	\$500 Water bottles & drinks \$125	Human Services	Hispanic Program
The Book Fairies	Books \$1,500	Human Services	Hispanic Program
John Theissen Children's Foundation Target Farmingdale	Toys & school supplies \$1,500 Gift card \$25 Guest passes \$200 Guest passes \$60	Human Services Human Services	Hispanic Program Hispanic Program
Sky Zone White Post Farms		Human Services Human Services	Hispanic Program Hispanic Program
Irene and Eileen Denzel	\$25.00	Human Services	Residential Repair Program
Phyllis D. Fisher	\$50.00	Human Services	Residential Repair Program
Stop 'n Shop	Gift Card \$25	Human Services	Hispanic Program
Gerald J. Ryan Outreach Center	School Notebooks \$50	Human Services	Hispanic Program
UJA Federation	School Backpacks \$400	Human Services	Hispanic Program

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

**RESOLUTION NO. 631 SEPTEMBER 5, 2018
ACCEPTING A DONATION**

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, upon the recommendation of the Commissioner of the Department of Public Works, that the donation of topsoil, with a total value of \$15,805 be accepted with gratitude from DARR Construction Equipment Corp.

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

**RESOLUTION NO. 632 SEPTEMBER 5, 2018
AMENDING THE SALARY PLAN FOR PART-TIME, HOURLY, AND SEASONAL POSITIONS**

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 salaries for certain part-time, hourly, and seasonal positions be and the same are hereby adopted as of June 28, 2018:

TITLE SALARY

Account Clerk Typist/Account Clerk Typist Spanish	13.00 - 15.00/hr.
Account Clerk	11.00 - 13.00/hr.
Assessment Assistant	13.00/hr.
Assistant Beach & Pool Manager	11.00 - 17.00/hr.
Assistant Recreation Leader (HOURLY)	30.00 - 85.00/hr.
Assistant Town Attorney	20.00 - 30.00/hr.
Bay Constable	12.00 - 20.00/hr.
Beach & Attendant	11.00 - 16.00/hr.
Beach & Pool Manager	11.00 - 17.00/hr.
Bingo Inspector, Part-time	25.00/hr.
Building Inspector I	14.00/hr.
Building Inspector II	17.00/hr.
Building Inspector III	20.00/hr.
Building Inspector IV	25.00/hr.
Certified Public Accountant	30.00/hr.
Clerical	11.00 - 15.00/hr.
Clerk Typist	11.00 - 15.00/hr.
Clerk	11.00/hr.
College Intern Analyst I	12.00/hr.
College Intern Analyst II	14.00/hr.
College Intern Analyst III	16.00/hr.
Community Pride Worker I	11.00/hr.

Community Pride Worker II	11.50/hr.
Community Pride Worker III	12.00/hr.
Community Pride Worker IV	12.50/hr.
Community Pride Worker V	13.00/hr.
Community Pride Worker VI	13.50/hr.
Community Pride Worker VII	14.00/hr.
Contract Staff-Administrative	11.00 - 30.00/hr.
Cook	11.00/hr.
Custodian	11.00 - 12.00/hr.
Data Entry Operator	11.00/hr.
Data Processing Equip. Operator	15.45/hr.
Deputy Supervisor	50,000/annual
Dispatcher	11.00 - 15.00/hr.
Dock Master	11.00 - 16.00/hr.
Document Imaging Operator I	11.00/hr.
Document Imaging Operator II	11.50/hr.
Document Imaging Operator III	12.50/hr.
Document Imaging Operator IV	14.50/hr.
Drug & Alcohol Counselor I	15.00 - 18.00/hr.
Drug & Alcohol Counselor II	18.00 - 20.00/hr.
Drug & Alcohol Counselor III	20.00 - 22.00/hr.
Drug & Alcohol Counselor IV	22.00 - 25.00/hr.
Duplicating Machine Operator	10.00 - 11.00/hr.
Electrician I	20.00 - 21.00/hr.
Electrician II	21.01 - 22.00/hr.
Electrician III	22.01 - 23.15/hr.
Electrician IV	23.16 - 24.32/hr.
Engineering Aide I	20.00/hr.
Engineering Aide II	22.50/hr.
Engineering Aide III	25.00/hr.
Environmental Analyst Part Time	20.00 - 40.00/hr.
Environmental Steward I	11.00/hr.
Environmental Steward II	11.50/hr.
Environmental Steward III	12.00hr
Environmental Steward IV	13.75/hr.
Environmental Steward V	18.75/hr.
Environmental Steward VI	21.35/hr.
Environmental Steward VII	23.35/hr.
Environmental Steward VIII	25.65/hr.
Environmental Steward IX	27.95/hr.
Environmental Steward X	30.40/hr.
Facilities Guard	11.00/hr.
Fire Marshal Call-In	50.00/hr.
Fire Marshal I	11.50 - 15.00/hr.
Fire Marshal II	15.01 - 16.00/hr.
Fire Marshal III	16.01 - 17.00/hr.
Fire Marshal IV	17.01 - 18.00/hr.
Fire Marshal V	18.01 - 20.00/hr.
Fire Marshal VI	20.01 - 25.00/hr.
Fire Marshal VII	25.01 - 30.00/hr.
Government Liaison Officer	50.00/hr.
Government Liaison Officer II	375.00/meeting
Groundskeeper	11.00 - 12.50/hr.
Guard I	11.00 - 11.25/hr.
Guard II	11.30 - 12.00/hr.
Guard III (Supervisor)	12.50 - 12.70/hr.
Guard IV (LT.)	12.75 - 14.10/hr.
Historian	15.00/hr.
Kennel Attendant I	11.00/hr.
Kennel Attendant II	11.50/hr.
Kennel Attendant III	12.00/hr.
Kennel Attendant IV	12.50/hr.
Laborer I	11.00/hr.
Laborer II	11.50/hr.
Laborer III	12.00/hr.
Laborer IV	12.50/hr.
Laborer V	13.00/hr.
Laborer VI	13.50/hr.
Laborer VII	14.00/hr.
Law Clerk	13.25/hr.
Law Intern I	11.00/hr.
Law Intern II	12.00/hr.
Law Intern III	15.00/hr.
Material Control Clerk	11.00/hr.
Medical Billing Agent	20.00 - 30.00/hr.
Medical Director-Drug Abuse Treatment	120.00 - 140.00/hr.
Micrographics Operator	11.00/hr.
Mini Bus Driver	11.00/hr.
Neighborhood Aide	11.00/hr.
Ordinance Enforcement Officer I	11.00/hr.
Ordinance Enforcement Officer II	11.30/hr.
Ordinance Enforcement Officer III	12.30/hr.
Ordinance Enforcement Officer IV	13.30/hr.
Ordinance Enforcement Officer V	15.30/hr.
Ordinance Inspector I	11.00/hr.
Ordinance Inspector II	11.30/hr.
Ordinance Inspector III	12.30/hr.
Ordinance Inspector IV	13.30/hr.
Paralegal Assistant	12.00 - 16.50/hr.
Paralegal Assistant II	17.00 - 22.00/hr.
Park Attendant I	11.00 - 16.00/hr.
Park Attendant II	11.00 - 17.50/hr.
Park Ranger	12.00 - 20.00/hr.

Parking Meter Officer	11.00 - 16.00/hr.
Part Time Fire Marshal Call-In	50.00/hr.
Photo Technician	13.50 - 20.00/hr.
Planning Aide	14.00/hr.
Plumber I	11.30/hr.
Plumber II	12.45/hr.
Plumber III	13.70/hr.
Plumbing Inspector I	11.50 - 15.00/hr.
Plumbing Inspector II	15.01 - 16.00/hr.
Plumbing Inspector III	16.01 - 17.00/hr.
Plumbing Inspector IV	17.01 - 18.00/hr.
Plumbing Inspector V	18.01 - 20.00/hr.
Plumbing Inspector VI	20.01 - 25.00/hr.
Plumbing Inspector VII	25.01 - 30.00/hr.
Plumbing Inspector	15.00/hr.
Pole Inspector I	11.00/hr.
Pole Inspector II	11.25/hr.
Pole Inspector III	11.50/hr.
Program Aide I-HOURLY	11.00 - 12.00/hr.
Program Aide II-HOURLY	12.25 - 13.74/hr.
Program Aide III-HOURLY	13.75 - 21.34/hr.
Program Aide IV-HOURLY	21.35 - 23.35/hr.
Program Aide V-HOURLY	23.36 - 25.75/hr.
Program Aide VI-HOURLY	25.76 - 27.05/hr.
Program Aide VII-HOURLY	27.06 - 39.58/hr.
Recreation Aides	11.00 - 17.00/hr.
Recreation Specialist	11.00 - 30.00/hr.
Registered Nurse	25.00/hr.
Rental/Accessory Apartment Inspector I	14.00/hr.
Rental/Accessory Apartment Inspector II	20.00/hr.
Rental/Accessory Apartment Inspector III	25.00/hr.
Sanitation Inspector I	11.00/hr.
Sanitation Inspector II	11.25/hr.
Sanitation Inspector III	11.60/hr.
Seasonal Ordinance Enforcement Officer IV	13.30/hr.
Senior Bay Constable	14.00 - 20.00/hr.
Senior Citizen Specialist	18.00/hr.
Senior Clerk I	11.00/hr.
Senior Clerk II	11.50/hr.
Senior Clerk III	11.75/hr.
Senior Clerk IV	12.00/hr.
Senior Mini Bus Driver	11.00/hr.
Senior Park Ranger	14.00 - 20.00/hr.
Sign Language Interpreter	60.00/mtg.
Solid Waste Administrator-HOURLY	50.00 - 85.00/hr.
Stenographer	11.00/hr.
Student Intern	11.00 - 13.75/hr.
Switchboard Operator I	11.00/hr.
Switchboard Operator II	11.25/hr.
Switchboard Operator III	11.30/hr.
Switchboard Operator IV	12.70/hr.
Tax Clerk I	11.00/hr.
Tax Clerk II	11.25/hr.
Tax Clerk III	11.50/hr.
Tax Clerk IV	12.00/hr.
Tax Clerk V	12.50/hr.
Tax Clerk VI	13.00/hr.
Tax Clerk VII	13.50/hr.
Tax Clerk VIII	14.00/hr.
Town Investigator	12.30 - 50.00/hr.
Traffic Engineer II	25.00 - 30.00/hr.
Veterinary Technician I	18.00/hr.
Veterinary Technician II	20.00/hr.
Veterinary Technician III	22.00/hr.
Veterinary Technician IV	25.00/hr.
Youth Counselor	13.20/hr.
Zoning Inspector I	11.00/hr.
Zoning Inspector II	11.30/hr.
Zoning Inspector III	12.30/hr.
Zoning Inspector IV	13.30/hr.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 633 SEPTEMBER 5, 2018
PROCLAIMING SEPTEMBER 21, 2018 AS "CAR FREE DAY" IN THE TOWN OF BABYLON**

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

WHEREAS, World Car Free Day is observed each year on September 21st in over 2,500 cities in 50 countries; and
WHEREAS, the Long Island region began observance of Car Free Day Long Island in 2013; and
WHEREAS, Car Free Day Long Island invites Long Island residents and workers to try alternative forms of transportation such as taking transit,
bicycling and walking, and "car-lite" methods such as carpooling and vanpooling, or telework; and
WHEREAS, Car Free Day Long Island Benefits the Long Island region through improved air quality, reduction of greenhouse gas emissions,
reduced traffic congestion and parking demands, and the conservation of energy,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon does hereby proclaim September 21, 2018 as "Car Free Day" in the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 634 SEPTEMBER 5, 2018
PROCLAIMING SATURDAY, SEPTEMBER 15, 2018 AS EAGLE SCOUT KEVIN WAYNE AUSTIN NEUMANN DAY**

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

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, Kevin Wayne Austin Neumann 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 Kevin Wayne Austin Neumann its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, September 15, 2018 as Eagle Scout Kevin Wayne Austin Neumann Day.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 635 SEPTEMBER 5, 2018
PROCLAIMING MONDAY, SEPTEMBER 17, 2018 AS EAGLE SCOUT STEVEN NYMAN 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, Steven Nyman 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 Steven Nyman its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, September 17, 2018 as Eagle Scout Steven Nyman Day.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 636 SEPTEMBER 5, 2018
PROCLAIMING SUNDAY, SEPTEMBER 30, 2018 AS EAGLE SCOUT ANDREW GARDINER GROH DAY**

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

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Andrew Gardiner Groh 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 Andrew Gardiner Groh its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, September 30, 2018 as Eagle Scout Andrew Gardiner Groh Day.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 637 SEPTEMBER 5, 2018
PROCLAIMING SATURDAY, OCTOBER 27, 2018 AS EAGLE SCOUT ROBERT TRETOLA 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, Robert Tretola 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 Robert Tretola its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, October 27, 2018 as Eagle Scout Robert Tretola Day.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 638 SEPTEMBER 5, 2018
AUTHORIZING PERMISSION FOR A PARADE ON SEPTEMBER 8, 2018
IN THE TOWN OF BABYLON FOR THE NORTH BABYLON ATHLETIC CLUB**

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

WHEREAS, the North Babylon Athletic Club has requested permission to hold a parade on Saturday, September 8, 2018 within the Town of

Babylon,

<p>INDIVIDUAL: Anthony Rosino 427 Marcy Street, North Babylon, NY 11703 (631) 620-1439</p>	<p>ORGANIZATION: North Babylon Athletic Club 151 Phelps Lane, North Babylon, NY 11703 (631) 620-1439</p>
<p>DATES & TIMES: Date(s): 9/8/2018 to: Time: 9:00 a.m. to 11:00 a.m. Rain Date: n/a</p>	<p>STARTING: North Gym Parking Lot @ North Babylon High School, 1 Phelps Lane, North Babylon</p> <p>ENDING: Town of Babylon Parks & Recreation, 151 Phelps Lane, North Babylon</p>

ROUTE:

Leaving the north gym parking lot of the North Babylon High School, proceed south on Deer Park Avenue/Route 231 to Phelps Lane West and continuing down Phelps Lane to the 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. 639 SEPTEMBER 5, 2018
PROCLAIMING THE WEEK OF OCTOBER 23, 2018 TO OCTOBER 31, 2018
AS RED RIBBON WEEK IN THE TOWN OF BABYLON**

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

WHEREAS, Red Ribbon Week is the Nation’s oldest and largest drug prevention program; and WHEREAS, Red Ribbon week educates individuals, families and communities on the destructive effects of alcohol and drugs and encourages the adoption of healthy lifestyle choices; and

WHEREAS, this campaign is a unified way for communities to take a stand against drugs and show intolerance for illicit drug use and the consequences to all Americans;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon does hereby proclaim October 23, 2018 through October 31, 2018 as Red Ribbon Week in the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 640 SEPTEMBER 5, 2018
AUTHORIZING A PUBLIC CONGREGATION PERMIT FOR NOVAK MOTORS/FUSION AUTO FINANCE
IN THE TOWN OF BABYLON FOR A CAR SHOW**

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

WHEREAS, Novak Motors/Fusion Auto Finance has requested permission to hold a public congregation for the purpose of having a car show on Sunday, September 23, 2018 between the hours of 9:00 a.m. and 3:00 p.m., with a rain date of Sunday, September 30, 2018 within the Town of Babylon at the parking lot of 215 Daniel Street, Farmingdale, N.Y. with the use of sound equipment and tents; and

INDIVIDUAL: Nicole Capolongo 215 Daniel Street Farmingdale, NY 11735 (631) 787-7400 x-231	ORGANIZATION: Novak Motors/Fusion Auto Finance 215 Daniel Street Farmingdale, NY 11735 (631) 445-1845
DATES & TIMES: Date(s): 9/23/2018 to: Time: 9:00 a.m. to 3:00 p.m. Rain Date: 9/30/2018	LOCATION: Novak Motors/Fusion Auto Finance 215 Daniel Street Farmingdale, NY 11735

SPECIAL REQUIREMENTS:

Event Details: Classic Car Show with Vendors, Music and Food
Tents: Yes; (15) 10x10
Amusement Rides: Yes; Quantity: 1
Sound Equipment: Yes; DJ & Band
Toilet/Water Facilities: Indoor Bathroom Facilities at Novak Motors/Fusion Auto Finance
Approximate # of Participants: 75-100

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. 641 SEPTEMBER 5, 2018
GRANTING UP TO A TWELVE (12) WEEKS CONTINUOUS LEAVE UNDER THE FAMILY MEDICAL LEAVE ACT**

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

NAME	TITLE	DEPARTMENT	START DATE	END DATE
Gregory Kern	Custodial Worker I	General Services	08/13/18	TBD

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 642 SEPTEMBER 5, 2018
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

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

WHEREAS, Mr. James A. Schiavone, Jr. was a NYPD Detective and 9-11 First Responder for the 105th Precinct, Queens. He was dedicated to ensuring the constitutional rights of all while preserving a safe environment and protecting lives; and

WHEREAS, Mr. James A. Schiavone, Jr. was born and raised in Lindenhurst, where he devotedly raised a family of five and coached in the Lindenhurst Little League Association and Baseball Haven; and

WHEREAS, the Town of Babylon would like to honor Mr. James A. Schiavone, Jr. by ceremoniously renaming 49th Street, between Copiague Road and Wellwood Avenue in Lindenhurst “NYPD Detective James A. Schiavone, Jr. Memorial Way”.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of 49th Street, between Copiague Road and Wellwood Avenue in Lindenhurst “NYPD Detective James A. Schiavone, Jr. Memorial Way”; and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs in the vicinity of the current street signs stating “NYPD Detective James A. Schiavone, Jr. Memorial Way”.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 643 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
18 E. PIAVE TERRACE, LINDENHURST, NEW YORK SCTM NO. 0100-188.00-01.00-013.001

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

WHEREAS, a certain structure(s) located at 18 E. Piave Terrace, Lindenhurst, New York, bearing SCTM# 0100-188.00-01.00-013.001 has no running water as per a communication with the Suffolk County Water Authority and the property 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, the architect/professional engineer's report dated August 11, 2018, indicates the securing of the property with a snow fence is the most likely and prudent course of action.

WHEREAS, it appears that, unless said structure is immediately secured with a snow fence it presents 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 of the premises with a snow fence, located at 18 E. Piave Terrace, Lindenhurst, New York, bearing SCTM# 0100-188.00-01.00-013.001 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated August 11, 2018 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, 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. 644 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
19 PARK PLACE, N. AMITYVILLE, NEW YORK SCTM NO. 0100-167.00-03.00-017.000

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

WHEREAS, a certain structure(s) located at 19 Park Place, N. Amityville NY, SCTM NO. 0100-167.00-03.00-017.000 has no running water as per a communication with the Suffolk County Water Authority, wherein the windows are open and accessible and there is an accumulation of debris on the property 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 ratify the order for securing and board up of the premises located 19 Park Place, N. Amityville, NY, SCTM NO. 0100-167.00-03.00-017.000 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 of August 21, 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. 645 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
23 S. 35TH STREET, WYANDANCH, N.Y. SCTM NO. 0100-054.00-01.00-027.000

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

WHEREAS, a certain structure(s) located at 23 S. 35th Street, Wyandanch, NY, SCTM NO. 0100-054.00-01.00-027.000 is open and accessible wherein the and windows and doors are open and accessible, the cesspool collapsed, raw sewage was coming out of the dwelling, and the water was turned off from the street, 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 ratify the order for securing and board up of the premises located 23 S. 35th Street, Wyandanch, NY, SCTM NO. 0100-054.00-01.00-027.000 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 of August 21, 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. 646 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
34 MAPLEWOOD ROAD, WEST BABYLON, N.Y. SCTM NO. 0100-218.00-02.00-021.000

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

WHEREAS, a certain structure(s) located at 34 Maplewood Rd., West Babylon, New York, bearing SCTM# 0100-218.00-02.00-021.000 property 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 the structure is immediately secured and boarded and said property is immediately secured with a snow fence it presents 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 34 Maplewood Road, West Babylon, New York, bearing SCTM# 0100-218.00-02.00-021.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated August 21, 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. 647 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
75 E. HOLLYWOOD AVE., LINDENHURST, N.Y. SCTM NO. 0100-190.00-05.00-045.000

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

WHEREAS, a certain structure(s) located at 75 E. Hollywood Ave., Lindenhurst, New York, bearing SCTM# 0100-190.00-05.00-045.000 has no running water as per a communication with the Suffolk County Water Authority, and 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 75 E. Hollywood Ave., Lindenhurst, New York, bearing SCTM# 0100-190.00-05.00-045.000 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 August 24, 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. 648 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
227 WEST. LIDO PROMENADE, LINDENHURST, N.Y. SCTM NO. 0100-186.00-01.00-097.000

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

WHEREAS, a certain structure(s) located at 227 West Lido Promenade, Lindenhurst., New York, bearing SCTM# 0100-186.00-01.00-097.000 due to damage which occurred during Hurricane Sandy, dwelling is still under construction leaving the property 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, the architect/professional engineer's report dated August 11, 2018, indicates the securing of the property with a snow fence is the most likely and prudent course of action.

WHEREAS, it appears that, unless said structure is immediately secured with a snow fence it presents 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 of the premises with a snow fence, located at 227 West Lido Promenade, Lindenhurst, New York, bearing SCTM# 0100-186.00-01.00-097.00 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 August 11, 2018 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, 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. 649 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
1110 LITTLE EAST NECK RD., W. BABYLON, NY SCTM NO. 0100-137.00-01.00-045.001

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

WHEREAS, a certain structure(s) located at 1110 Little East Neck Road., West Babylon, New York, bearing SCTM# 0100-137.00-01.00-045.001 has no running water as per a communication with the Suffolk County Water Authority, and doors and windows are 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 1110 Little East Neck Road, West Babylon, New York, bearing SCTM# 0100-137.00-01.00-045.001 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated August 10, 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. 650 SEPTEMBER 5, 2018
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
91 GORDON AVENUE, W. BABYLON, N.Y. SCTM NO. 0100-103.00-01.00-062.000

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

WHEREAS, a certain structure(s) located at 91 Gordon Avenue, W. Babylon, New York, bearing SCTM# 0100-103.00-01.00-062.000 has no running water as per a communication with the Suffolk County Water Authority, and 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 91 Gordon Avenue, W. Babylon, New York, bearing SCTM# 0100-103.00-01.00-062.000 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 August 27, 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. 651 SEPTEMBER 5, 2018

AWARDING BID NO. BID NO. 18G74, SUPPLY ONLY OF LED POST TOP STREET LIGHTING FIXTURES

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

WHEREAS, the following bids for Bid No. 18G74, Supply Only of LED Post Top Street Lighting Fixtures

BIDDER	UNIT PRICE
Item No. 1 25W LED Decorative Post Top Luminaire	
ZIO Enterprises, Inc. d/b/a Best LED Group	\$268.00
City Energy Services	\$290.00
Kelly & Hayes Electrical Supply	\$293.75
Magniflood, Inc.	\$475.00
Item No. 2 50W LED Retrofit Kit for "Montauk Post Top Fixture	
ZIO Enterprises, Inc. d/b/a Best LED Group	\$229.00
City Energy Services	\$347.00
Kelly & Hayes Electrical Supply	\$326.25
Magniflood, Inc.	\$245.00
Item No. 3 50W LED Retrofit Kit for "Parklite Post Top Fixture	
ZIO Enterprises, Inc. d/b/a Best LED Group	\$229.00
City Energy Services	\$347.00
Kelly & Hayes Electrical Supply	\$326.25
Magniflood, Inc.	\$235.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services or his/her designee, Commissioner of Department of Public Works and Nelson & Pope Engineers, and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 18G74 be and is hereby awarded to the low bidder, ZIO Enterprises, Inc. d/b/a Best LED Group and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with ZIO Enterprises, Inc. d/b/a Best LED Group 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 or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 652 SEPTEMBER 5, 2018

AWARDING BID NO. 18G75 PAPER TOWELS & OTHER PAPER ITEMS

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

WHEREAS, the following bids for Bid No. 18G75, Paper Towels & Other Paper Items 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 or his/her designee and upon his/her finding the aforementioned bids fair and reasonable, Bid No. 18G75 be and is hereby awarded to the low bidders per item, United Sales USA Corporation for items Item Nos. 1a, 1b and 4d; Imperial Bag & Paper Co. LLC d/b/a Imperial Dade for Item Nos. 1c, 2a, 3a, 3b, 3c, 5 and 6; Central Poly Corporation for Item No. 2b; Amity Vacuum Inc. for Item Nos. 2c, 2d, 4a, 4b and 4c and Appco Paper and Plastics Corporation for Item No. 3d; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with United Sales USA Corporation, Imperial Bag & Paper Co. LLC d/b/a Imperial Dade, Central Poly Corporation, Amity Vacuum Inc. and Appco Paper and Plastics Corporation 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 or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 653 SEPTEMBER 5, 2018

AWARDING BID NO. 18G78 POOL SUPPLIES AND LIFEGUARD EQUIPMENT CATALOGS AND OR WEBSITES: BEL AQUA, MARINE RESCUE PRODUCTS OR EQUAL

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

WHEREAS, the following bids for Bid No. 18G78 Pool Supplies and Lifeguard Equipment Catalogs and or Websites; Bel Aqua, Marine Rescue Products or Equal were received, opened and publicly read:

SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services or his/her designee and the Commissioner of D.P.W. and upon his/her finding the aforementioned bids to be fair and reasonable, Bid No. 18G78 be and is hereby awarded to Bel Aqua and Marine Rescue Products, Inc. or Equal.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contracts with Bel Aqua Pool Supply Inc. and Marine Rescue Products, Inc. and that the form and content of said contracts 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 or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 654 SEPTEMBER 5, 2018

AWARDING RFP NO. 18G80 REQUESTS FOR PROPOSALS FOR AN INDEPENDENT FINANCIAL ADVISOR

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

WHEREAS, the following proposals for RFP No. 18G80, Request for Proposals for an Independent Financial Advisor was received, and opened:

PROPOSER

Capital Markets Advisors, LLC

Munistat Services, Inc., and

WHEREAS, pursuant to RFP 18G80 a Review Committee (the Committee) was formed with the Commissioner of General Services or his/her designee, Comptroller and Deputy Comptroller as the members and

WHEREAS, the Committee convened on August 20, 2018 to review all proposals received, and

WHEREAS, the Committee recommends awarding RFP 18G80 to Capital Markets Advisors, LLC, at the fees attached as Schedule A,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee and upon their finding the aforementioned proposals to be fair and reasonable, RFP No. 18G80 be and is hereby awarded to Capital Markets Advisors, LLC at the fees attached as Schedule A; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Capital Market Advisors, LLC 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 four (4) additional one (1) year periods at the discretion of the Commissioner of General Services or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

SCHEDULE A

RFP 18G80 FEE SCHEDULE
CAPITAL MARKET ADVISORS, LLC

A fee of \$9,500 for bond issues with a par amount up to \$3 million plus \$0.50 per \$1,000 of bonds issued in excess of \$3 million
A fee of \$4,500 for BAN, RAN and TAN issues with a par amount up to \$3 million plus \$0.25 per \$1,000 of notes issued in excess of \$3 million
An annual fee of \$2,500 for Continuing Disclosure Services as required by the SEC including all Material Event Notices
Additional services, requested by the Town that are unrelated to a Town financing will be billed at \$195 per hour
No charge for incidental expenses, such as meals or travel

RESOLUTION NO. 655 SEPTEMBER 5, 2018
AWARDING BID NO. 18G82 IRRIGATION SUPPLIES

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

WHEREAS, the following bids for Bid No. 18G82 Irrigation Supplies, were received opened and publicly read:

SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services or his/her designee and the Commissioner of D.P.W. and upon his/her finding the aforementioned bids fair and reasonable, Bid No. 18G82 be and is hereby awarded to the low bidder per item: Site One Landscape Supply for Item Nos. 1-6, 8, 11, 13-19, 21-27, 29, 31, 33-36, 39-42, 44-56, 58-63, and 65-69 and Ewing Irrigation Products, Inc. for Item Nos. 7, 9, 10, 12, 20, 28, 30, 32, 37, 38, 43, 57, 70-86 and 88; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with SiteOne Landscape Supply and Ewing Irrigation 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 contract may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Services or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 656 SEPTEMBER 5, 2018
AWARDING BID NO. 18G83 TRUCK PARTS & LABOR, INTERNATIONAL OR EQUAL

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

WHEREAS, the following bids for Bid No. 18G83, Truck Parts & Labor, International or Equal was received, opened and publicly read:

BIDDER	BID PRICE
Item 1: Mfg.'s current price list – discount offered Syosset Truck Sales, Inc.	16%
Option1: Labor for equip repair mechanic per hr./per man Syosset Truck Sales, Inc.	\$115.00
helper per hr./per man Syosset Truck Sales, Inc.	no bid

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services or his/her designee and the Commissioner of the Department of D.P.W. and upon his/her finding the aforementioned bids fair and reasonable, Bid No. 18G83 be and is hereby awarded to the sole bidder Syosset Truck Sales, Inc; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Syosset Truck Sales, 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 or his/her designee.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 657 SEPTEMBER 5, 2018
AUTHORIZING A CONSULTING CONTRACT WITH BARRETT, BONACCI & VAN WEELE, PC

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

WHEREAS, a proposal for Professional Surveying Services in connection with the Grand Boulevard, Wyandanch, SCTM 100-57-1-1,3.1,4,5,6,8,9,10 was solicited from Barrett, Bonacci & Van Weele, P.C., and

WHEREAS, the Professional Consultant Evaluation Committee convened on August 31, 2018 with the Deputy Supervisor, the Deputy Comptroller, the Commissioner of General Services Designee, the Commissioner of the Department of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposals, the Committee recommends the award of a contract to Barrett, Bonacci & Van Weele, P.C. for a contract amount not to exceed EIGHT THOUSAND, FIVE HUNDRED (\$8,500.00) DOLLARS

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Barrett, Bonacci & Van Weele, P.C. for a total contract amount not to exceed EIGHT THOUSAND, FIVE HUNDRED (\$8,500.00) DOLLARS, and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 658 SEPTEMBER 5, 2018
AUTHORIZING AUSTIN DRYWALL CORP. TO PERFORM CONSTRUCTION SERVICES

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

WHEREAS, the County of Suffolk, through competitive bidding and procurement, awarded Contract No. GCS-080917 for General Contracting Services, to Austin Drywall Corp., and

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

WHEREAS, the Town of Babylon is desirous to renovate 100 Grand Boulevard, Deer Park and would like to utilize Austin Drywall Corp. pursuant to Suffolk County Contract No. GCS-080917 as allowed by General Municipal Law 103(16), and

WHEREAS, the Commissioner of General Services and his/her designee solicited a proposal to renovate the 100 Grand Boulevard, Deer Park for a total contract amount not to exceed ONE HUNDRED SEVENTY THOUSAND, FOUR THOUSAND, THREE HUNDRED DOLLARS AND 45/100 (\$170,403.45)

NOW THEREFORE be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services his/her designee, Austin Drywall Corp. be and is hereby authorized to perform the work to renovate 100 Grand Boulevard, Deer Park for a total contract amount not to exceed ONE HUNDRED SEVENTY THOUSAND, FOUR THOUSAND, THREE HUNDRED DOLLARS AND 45/100 (\$170,403.45)

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 659 SEPTEMBER 5 2018
ACCEPTING THE CONTRACT WITH WOODSTOCK CONSTRUCTION GROUP, LTD. FOR BID NO. 17G10
GEIGER PARK SOUTH BRIDGE REPLACEMENT AS COMPLETE AND ACCEPTABLE**

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

WHEREAS, Bid No. 17G10. Geiger Park South Bridge Replacement was awarded to Woodstock Construction Group, Ltd. pursuant to Resolution No. 460 of May 17, 2017 for a total contract amount of NINETY-TWO THOUSAND, EIGHT HUNDRED FIFTY (\$92,850.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 305 of April 11, 2018 which resulted in no change in the contract amount and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 486 of June 13, 2018 which resulted in no change to the contract amount, and

WHEREAS, the Commissioner of General Services or his/her designee, the Commissioner of Department of Public Works and Liro Engineering recommend that all work performed by Woodstock Construction Group, Ltd. pursuant to Bid No. 17G10 be accepted as satisfactorily complete

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services or his/her designee, the Commissioner of Department of Public Works and Liro Engineering all work performed by Woodstock Construction Ltd, pursuant to Bid No. 17G10 be and is hereby accepted as satisfactorily complete at a final contract price of NINETY-TWO THOUSAND, EIGHT HUNDRED FIFTY (\$92,850.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 660 SEPTEMBER 5, 2018

AMENDING RESOLUTION NO. 614 OF AUGUST 15, 2018 AWARDED A CONTRACT TO WELSBACH ELECTRIC CORP. OF L.I.

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

WHEREAS, a Bid No. 18G76, Town Wide LED Street Lighting Conversion Project was awarded to Welsbach Electric Corp. of L.I. pursuant to Resolution No. 614 of August 15, 2018, and

WHEREAS, the bid documents included a provision to extend the bid for two (2) additional one (1) year periods to enable other political subdivisions to utilize the contract, at the discretion of the Commissioner of General Services or his/her designee and the Commissioner of the Department of Public Works, and

WHEREAS, the Commissioner of General Services or his/her designee and the Commissioner of the Department of Public Works would like to exercise the aforementioned provision

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 614 of August 15, 2018, be and is hereby amended to include the provision to extend the bid contract for a two (2) additional one (1) year periods for two (2) additional one (1) year periods to enable other political subdivisions to utilize the contract, at the discretion of the Commissioner of General Services or his/her designee and the Commissioner of the Department of Public Works.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 661 SEPTEMBER 5, 2018

AUTHORIZING A CREDIT AND ACCEPTING THE CONTRACT IN THE CONTRACT WITH MORE CONSULTING CORP. FOR BID NO. 16G3 RENOVATIONS TO THE CEDAR COLUMNS AT BABYLON TOWN HALL AS COMPLETE AND ACCEPTABLE

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

WHEREAS, Bid No. 16G3, Renovations to the Cedar Columns at Babylon Town Hall was awarded to for a total contract amount of FIFTY-FOUR THOUSAND, EIGHT HUNDRED (\$54,800.00) DOLLARS pursuant to Resolution No. 314 of April 20, 2016, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No.528 of June 14, 2017, which resulted in no change to the contract amount and

WHEREAS, the following credits are due from More Consulting Corp.

Credit for Unused Contingency	(\$1,640.00)
Credit for Town providing Labor & Materials to paint columns	(\$4, 648.15)
TOTAL CREDITS	(\$6,288.15)

WHEREAS, the Commissioner of the Department of Public Works, the Deputy Commissioner of the Department of Public Works, and the Commissioner of General Services or his/her designee, all work performed by More Consulting Corp. pursuant to Bid No. 16G3 as complete and acceptable

NOW, THEREFORE, be it

RESOLVED, that credits in the amount of SIX THOUSAND TWO HUNDRED EIGHTY-EIGHT DOLLARS AND 15/100 (\$6,288.15) be and are hereby accepted, decreasing the total contract amount to FORTY-EIGHT THOUSAND, FIVE HUNDRED ELEVEN DOLLARS AND 85/100 (\$48,511.85), and be it further

RESOLVED, based upon the recommendations of the Commissioner of the Department of Public Works, the Deputy Commissioner of the Department of Public Works, and the Commissioner of General Services or his/her designee, all work performed by More Consulting Corp. pursuant to Bid No. 16G3, be and is hereby deemed satisfactorily complete at a final contract amount of FORTY-EIGHT THOUSAND, FIVE HUNDRED ELEVEN DOLLARS AND 85/100 (\$48,511.85).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 662 SEPTEMBER 5, 2018

AUTHORIZING A REDUCTION IN THE AMOUNT OF CONTINGENCY IN THE CONTRACT WITH PREMIER MECHANICAL SERVICES, INC. FOR BID NO. 16G5M, CONSTRUCTION OF A NEW ANIMAL SHELTER, MECHANICAL CONSTRUCTION

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

WHEREAS, Bid No. 16G5M, Construction of a new Animal Shelter, Mechanical Construction was awarded to Premier Mechanical Services, Inc for a total contract amount of EIGHT HUNDRED EIGHTY-SEVEN THOUSAND, (\$887,000.00) DOLLARS pursuant to Resolution No. 410 of May 18, 2016, and

WHEREAS, the total contract amount included a contingency amount of ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS for unforeseen conditions, and

WHEREAS, the amount of contingency was reduced to FIFTY THOUSAND (\$50,000.00) pursuant to Resolution No.857 of November 9, 2017, decreasing the total contract amount to EIGHT HUNDRED THIRTY-SEVEN THOUSAND (\$837,000.00) DOLLARS, and

WHEREAS, the amount of contingency was reduced to TEN THOUSAND (\$10,000.00) DOLLARS pursuant to Resolution No.110 of January 31, 2018, decreasing the total contract amount to SEVEN HUNDRED NINETY-SEVEN THOUSAND (\$797,000.00) DOLLARS, and

WHEREAS, the amount of contingency was reduced to SIX THOUSAND, (\$6,000.00) DOLLARS pursuant to Resolution No. 300 of April 11, 2018, decreasing the contract amount to SEVEN HUNDRED NINETY-THREE THOUSAND (\$793,000.00) DOLLARS, and

WHEREAS, Commissioner of General Services or his/her designee and LiRo Engineers, Inc. recommend crediting the remaining contingency amount of SIX THOUSAND, (\$6,000.00) as it will not be used, thereby decreasing Premier Mechanical Services, Inc. contract to SEVEN HUNDRED EIGHTY-SEVEN THOUSAND (\$787,000.00) DOLLARS,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services or his/her designee and LiRo Engineers, Inc., the contingency amount in Bid No. 16G5M be and is hereby reduced by the remaining amount of SIX THOUSAND (\$6,000.00) DOLLARS, decreasing the total contract amount with Premier Mechanical Services, Inc. to SEVEN HUNDRED EIGHTY-SEVEN THOUSAND (\$787,000.00) DOLLARS.

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	Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 663 SEPTEMBER 5, 2018

AUTHORIZING CHANGE ORDER NO. 5 IN THE CONTRACT WITH W.H. M. PLUMBING & HEATING CONTRACTORS, INC. FOR BID 16G5P CONSTRUCTION OF NEW ANIMAL SHELTER, PLUMBING CONSTRUCTION

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

WHEREAS, Bid No. 16G5P, Construction of New Animal Shelter, Plumbing Construction was awarded to W.H. M. Plumbing & Heating Contractors, Inc. pursuant to Resolution No. 239 of May 18, 2016 for a total contract amount of NINE HUNDRED FORTY-TWO THOUSAND, EIGHT HUNDRED SEVENTY-ONE (\$942,871.00) DOLLARS, and

WHEREAS, Change Order No.1 was approved pursuant to Resolution No. 38 of January 4, 2017, which resulted in no change to the contract amount and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 197 of February 15, 2017, decreasing the contract amount to NINE HUNDRED THIRTEEN THOUSAND, SEVEN HUNDRED FORTY-SEVEN DOLLARS AND 75/100 (\$913,747.75) and

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No.408 of April 25,6, 2018, increasing the total contract amount to NINE HUNDRED EIGHTEEN THOUSAND, THREE HUNDRED FORTY-EIGHT DOLLARS AND 78/100 (\$918,348.78) and

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No. 302 of April 11, 2018 increasing the total contract amount to NINE HUNDRED THIRTY-TWO THOUSAND, ONE HUNDRED FORTY-FOUR DOLLARS AND 74/100 (\$932,144.74), and

WHEREAS, the Change Order Review Committee convened on August 31, 2018 with the Town Attorney, the Deputy Comptroller, the Commissioner of General Services Designee and the Commissioner of Planning & Development in attendance to review Change Order No. 5, and

WHEREAS, the Change Order Review Committee and LiRo Engineers, Inc. recommend the approval of Change Order No. 5 as follows:

Furnish & install additional commercial washer & dryer	\$8,611.88
Furnish & Install 1 ½ double check valve, stolen from site	\$1,610.16
Furnish & install additional irrigation piping, fittings, & heads to make system complete	\$2,346.00
Supply 460/480 Volt Hobart Dishwasher in lieu of 280 volt and supply additional racks for dishwasher	\$1,863.00
Drain sprinkler system and furnish & install dry head walk-in box and sidewall head above walk in box	\$3,075.68
Total Change Order No. 5	\$17,506.72

NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Change Order Review Committee and LiRo Engineers, Inc. the Supervisor be and he is hereby authorized to execute Change Order No. 5 in the amount of SEVENTEEN THOUSAND, FIVE HUNDRED SIX DOLLARS AND 72/100 (17,506.72), increasing the total contract amount to for increasing the total contract amount to NINE HUNDRED FORTY-NINE THOUSAND, SIX HUNDRED FIFTY-ONE DOLLARS AND 46/100 (949,651.46).

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	Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 664 SEPTEMBER 5, 2018

AUTHORIZING CHANGE ORDER NO. 6 IN THE CONTRACT WITH J.P. DALY & SONS, INC. FOR BID NO. 16G5E, CONSTRUCTION OF ANIMAL SHELTER, ELECTRICAL CONSTRUCTION

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

WHEREAS, Bid No. 16G5E, Construction of Animal Shelter, Electrical Construction was awarded to J.P. Daly & Sons, Inc. pursuant to Resolution No. 244 of May 18, 2016 for a total contract amount of SEVEN HUNDRED THIRTY-ONE THOUSAND, NINE HUNDRED (\$731,900.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 360 of April 12, 2017, which resulted in no change to the contract amount of SEVEN HUNDRED THIRTY-ONE THOUSAND, NINE HUNDRED (\$731,900.00) DOLLARS, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 760 of September 27, 2017, which resulted in no change to the contract amount of SEVEN HUNDRED THIRTY-ONE THOUSAND, NINE HUNDRED (\$731,900.00) DOLLARS, and

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No. 974 of December 20 27, 2017, increasing the total the contract amount to SEVEN HUNDRED FORTY-SEVEN THOUSAND, FIVE HUNDRED NINETY-THREE DOLLARS AND 17/100 (\$747,593.17) and

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No. 304 April 11, 2018, increasing the total the contract amount SEVEN HUNDRED FIFTY-THREE THOUSAND, NINE HUNDRED THIRTY DOLLARS AND 80/100 (\$753,930.80), and

WHEREAS, Change Order No. 5 was approved pursuant to Resolution No. 425 of May 16, 2018, increasing the contract to SEVEN HUNDRED FIFTY-FOUR THOUSAND, FIVE HUNDRED EIGHTY-FOUR DOLLARS AND 42/100(\$754,584.42)

WHEREAS, the Change Order Committee convened on August 31, 2018 with the Town Attorney, Deputy Comptroller, Commissioner of General Services Designee, and the Commissioner of Planning & Development in attendance to review Change Order No. 6, and

WHEREAS, the Change Order Review Committee and LiRo Engineers, Inc. recommend the approval of Change Order No. 6 as follows:

Supply & Install Humidstat for Exhaust fan in bathing area	\$763.64
Furnish & install wiring for under cabinet refrigerator	\$921.85
Furnish & Install Sprinkler Bell Wiring	\$977.98
Furnish & Install exterior horn strobe wiring	\$812.67
Total Change Order No. 6	\$3,476.14

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of Liro Engineers, Inc. and the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 6, for a total amount of THREE THOUSAND, FOUR HUNDRED SEVENTY-SIX DOLLARS AND 14/100 (\$3,476.14) increasing the total the contract amount to SEVEN HUNDRED FIFTY-EIGHT THOUSAND, SIXTY DOLLARS AND 56/100 (\$758,060.56).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 665 SEPTEMBER 5, 2018

REALLOCATING AN ALLOWNACE & AUTHORIZING CHANGE ORDER NO. 2 IN THE CONTRACT WITH PIONEER CONSTRUCTION COMPANY OF NORTHPORT, INC. FOR BID NO. 18G8G, HISTORIC RESTORATION OF THE OAK BEACH COMMUNITY CENTER, GENERAL CONSTRUCTION

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

WHEREAS, Bid No18G8G, Historic Restoration of the Oak Beach Community Center, General Construction was awarded to Pioneer Construction Company of Northport, Inc. pursuant to Resolution No.250 of March 28, 2018 for a total contract amount of NINE HUNDRED TWENTY THOUSAND, FIVE HUNDRED (\$929,500.00) DOLLARS

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 551 of July 11, 2018, which resulted in no change to the contract amount of NINE HUNDRED TWENTY THOUSAND, FIVE HUNDRED (\$929,500.00) DOLLARS, and

WHEREAS, the contract amount includes an allowance of TEN THOUSAND (\$10,000) for Lead Testing which will not be used, and

WHEREAS, the Commissioner of General Services or his/her designee, the Deputy Commissioner of Department of Public Works and Steward Preservations Services recommend the aforementioned Lead Testing Allowance in the amount of TEN THOUSAND (\$10,000) be reallocated to the contingency line to offset the cost of change orders, and

WHEREAS, the Change Order Committee convened on June 29, 2018, with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 2 as follows:

Furnish & install hex bottom cedar shingles on south upper & lower gable walls, install solid crown and back molding around 2 nd floor windows, install copper drip cap above gable windows	\$5,100.00
Purchase of ¾ inch tongue & groove clear yellow pine	\$7,739.94
Additional lead abatement	\$30,000.00
Credit to Contingency	(\$28,191.00)
Total Change Order No. 2	\$14,648.94

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services or his/her designee, the Deputy Commissioner of Department of Public Works and Steward Preservations Services the Lead Testing Allowance in the amount of TEN THOUSAND (\$10,000) be and is hereby reallocated to the contingency line to offset the cost of change orders, and be it further

RESOLVED, that based upon the recommendations of the Change Order Review Committee and Steward Preservation Services, the Supervisor be and he is hereby authorized to execute CHANGE ORDER NO. 2 in the amount of FOURTEEN THOUSAND, SIX HUNDRED FORTY-EIGHT DOLLARS AND 94/100 (\$14,648.94), increasing the total contract amount to f NINE HUNDRED FORTY-FOUR THOUSAND, ONE HUNDRED FORTY-EIGHT DOLLARS AND 94/100 (\$944,148.04).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 666 SEPTEMBER 5, 2018
REALLOCATING INSPECTION ALLOWANCE & AUTHORIZING CHANGE ORDER NO. 9, IN THE CONTRACT WITH
CONSTRUCTION CONSULTANTS OF L/I, INC. FOR BID 16G5G, CONSTRUCTION OF
NEW ANIMAL SHELTER, GENERAL CONSTRUCTION**

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

WHEREAS, Bid No. 16G5G, Construction of New Animal Shelter, General Construction was awarded to Construction Consultants Of L/I, Inc. pursuant to Resolution No. 243 of May 18, 2016 for a total contract amount of SIX MILLION THREE HUNDRED NINETY-EIGHT THOUSAND (\$6,398,000.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 786 of November 10, 2016 decreasing the total contract amount to SIX MILLION, THREE HUNDRED THIRTY-ONE THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,331,119.58), and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 35 of January 4, 2017, which resulted in no change to the contract amount, and

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No.407 of April, 26, 2017 which resulted in no change in the contract amount and

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No. 531 of June 14, 2017 which resulted in no change in the contract amount and

WHEREAS, Change Order No. 5 was approved pursuant to Resolution No. 548 of June 23, 2017 which resulted in a decrease of the contract amount to SIX MILLION, THREE HUNDRED THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,300,119.58), and

WHEREAS, Change Order No. 6 was approved pursuant to Resolution No. 854 of November 9, 2017, which resulted in no change to the contract amount of SIX MILLION, THREE HUNDRED THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,300,119.58), and

WHEREAS, Change Order No. 7 was approved pursuant to Resolution No. 975 of December 20, 2017, which resulted in no change to the contract amount of SIX MILLION, THREE HUNDRED THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,300,119.58), and

Whereas, the Contingency amount was reduced pursuant to Resolution No. 109 of January 3, 2018 decreasing the contract amount to SIX MILLION, TWO HUNDRED EIGHTY THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,280,119.58),

WHEREAS, Change Order No. 8 and a reduction in contingency was approved pursuant to Resolution No. 303 of April 11, 2018, decreasing the contract amount to SIX MILLION, TWO HUNDRED SIXTY-TWO THOUSAND, ONE HUNDRED NINETEEN DOLLARS AND 58/100 (\$6,262,119.58), and

WHEREAS, the Commissioner of General Services or his/her designee and Liro Engineers, Inc. recommend reallocation the remaining Special Allowance in the amount of TWENTY THOUSAND, THREE HUNDRED SIXTY-FOUR DOLLARS AND 10/100 (\$20,364.10) into Contingency to offset the cost of Change Order No. 9,

WHEREAS, the Change Order Review Committee convened on August 30, 2018 with the Chief of Staff, Comptroller, Commissioner of General Services or his/her designee and Commissioner of Planning & Development to review Change Order No. 9,

Furnish & Install Automatic Slide Gate Operator	\$14,375.46
Change Roof parapet to metal from coping type and provide additional mobilization and roof patching for penetrations not shown	\$2,866.38
Furnish & Install 1/4" Aluminum letters with a clear anodized finish	\$10,186.90
Credit to Contingency	(\$27,428.74)
Credit of Remaining Contingency	(\$5,217.10)
TOTAL CHANGE ORDER NO. 9	(\$5,217.10)

NOW, THEREFORE, be it

RESOLVED, that based upon the Commissioner of General Services or his/her designee and Liro Engineers, Inc., the remaining inspection allowance be and is hereby reallocated into contingency to offset the cost of Change Order No. 9 and any remaining contingency shall be credited, thereby reducing the total contract amount and be it further,

RESOLVED, that based upon the recommendations of Change Order Committee and LiRo Engineers, Inc., the Supervisor be and he is hereby authorized to execute Change Order No. 9 for a credit amount of FIVE THOUSAND, TWO HUNDRED SEVENTEEN DOLLARS AND 10/100 decreasing the total contract amount to SIX MILLION, TWO HUNDRED FIFTY-SIX THOUSAND, NINE HUNDRED TWO DOLLARS AND 48/100 (\$6,256,902.48).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

Being no further business before the Board, the meeting adjourned at 3:40 pm on the motion of Councilwoman Gordon, seconded by Councilman McSweeney.

Geraldine Compitello, Town Clerk

/jt