

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 10th day of July, 2019 at 10:00 a.m. prevailing time.

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

Supervisor Schaffer: Please remain standing for a moment of silence and I 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 recovering from the aftermath of super storm Sandy.

Thank you, please be seated.

The Town Clerk called the roll:

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

- 1. A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**
- 2. A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

Lisa Jadidian, Esq. – Greenfield Law Group

6111 Broken Sound Pkwy.
#350 Boca Raton, FL.
561-348-1123
oambrosimov@florida-legal.net

Speaking on: Resolution 477 - AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT 70 PEARY STREET, WEST BABYLON, NY 11704 SCTM No. 0100-077.00-01.00-041.000

As representative for the owner, requesting an adjournment in able to complete work on the property.

Peter Valles – Owner of property in question

88 Carl's Path
North Babylon, 11703
516-667-3194

Daniel Yadegar – Representing Keystone Realty

18 Kenneth Street
Plainview, NY 11803
917-805-0010

Both came to speak on: Resolution 427 - AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 88 CARLLS PATH, NORTH BABYLON 11703 SCTM NO. 0100-112.00-02.00-027.000

Mr. Yadegar could not give significant answers to Supervisor Schaffer's questions regarding what is being done with the property and his involvement.

**RESOLUTION NO. 385 JULY 10, 2019
GRANTING VARIANCE REQUEST FOR COASTAL EROSION HAZARD AREA VARIANCE APPLICATION NO. 19-04
OF KEITH AND PATRICIA HASDAY, 30 FIRE ROAD, OAK BEACH, SCTM NO. 0100-243-01-66**

The following resolution was **WITHDRAWN** by Councilwoman Gordon and seconded by Councilman McSweeney

WHEREAS, the applicant is requesting a variance from the Code of the Town of Babylon, Chapter 99, Section 12 (B)(1)(e) which permits only nonmajor additions to existing structures on primary dunes, in order to allow the construction of 1st, 2nd and 3rd story decks to an existing dwelling; and
WHEREAS, the Department of Environmental Control has reviewed the site plan prepared by Henry M. Montaverde, Registered Architect, License No. 13607, dated January 31, 2019 and has determined that the granting of the variance will not result in significant environmental impacts; and
WHEREAS, the granting of an area variance is a Type II Action under the State Environmental Quality Review Act (SEQRA); and
WHEREAS, the Town Board of the Town of Babylon has been designated as the Coastal Erosion Hazard Board of Review and has the authority to hear, approve, approve with modifications, or deny requests for variances or other forms of relief from the requirements of the Code of the Town of Babylon, Chapter 99.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon, that upon the recommendation of the Commissioner of Environmental Control, the variance request for Coastal Erosion Hazard Area Application of Keith and Patricia Hasday, 30 Fire Road, Oak Beach, SCTM NO. 0100-243-01-66, be and the same is hereby approved; and be it further

RESOLVED, that the granting of relief to Section 99-12(B)(1), in accordance with the plans and application presently on file, be and the same is hereby approved.

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

**RESOLUTION NO. 427 JULY 10, 2019
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED
AT 88 CARLLS PATH, NORTH BABYLON 11703 SCTM NO. 0100-112.00-02.00-027.000**

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

WHEREAS, a certain rear structure(s) located at 88 Carlls Path, N. Babylon, New York, bearing SCTM# 0100-112.00-02.00-027.000 has become so out of repair as to be dangerous, unsafe, unsanitary and unfit for human habitation, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure, including the deck located at 88 Carlls Path, North Babylon, New York, bearing SCTM# 0100-112.00-02.00-027.000 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 architect/professional engineer's report attached hereto; 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: 4 _____ **YEAS:** 4 _____ **NAYS:** 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 446 JULY 10, 2019

TOWN BOARD ENVIRONMENTAL DETERMINATION ON THE PLANNING BOARD JOB #17-04E OF GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC PREMISES AT SCTM NOS.: 0100-13-02-39.20 TO 39.49 AND PART OF 0100-13-02-51 AND 0100-13-02-39.1 TO 39.19, 0100-11-01-6.1 TO 6.7 (REMAINDER OF EXISTING SUBDIVISION) AND ADOPTION OF ENVIRONMENTAL FINDINGS

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

WHEREAS, Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. (the "Petitioner") has heretofore petitioned the Town Board of the Town of Babylon for a change of zone of certain property which is located on the n/e/c/o Colonial Springs Rd. & N. 28th St., Wheatley Heights; and

WHEREAS, the proposal involves a change of zone from A Residence District to Multiple Residence District (MR) and construction of 264 multiple residence rental units and a 6,475 square foot community building upon a 16.09-acre portion of the site. In addition, relief of certain covenants and restrictions imposed on the subject site proposed for development will be necessary. The northerly portion of the premises (i.e. the remaining 15.87 acres) may be developed with single family homes pursuant to a previously approved and filed subdivision map known as Willoughby Commons. A connection to the Wyandanch Sewer Infrastructure utilizing a pump station and force main is proposed for wastewater disposal. The proposal may also include a future subdivision or road abandonment; and

WHEREAS, the Town Board of the Town of Babylon has classified the proposal as a Type I Action and a full coordinated review was conducted that included all Involved Agencies, Interested Agencies and Interested Organizations in accordance with Section 114-6B.2(a) and (3) the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Town Board of the Town of Babylon declared itself Lead Agency for the proposal by Petitioners in accordance with the TOBEQRA 114-6B.2(a) and (3); and adopted a Positive Declaration to require a Draft Supplemental Environmental Impact Statement (DSEIS) on April 26, 2017; and

WHEREAS, the Town Board of the Town of Babylon accepted the DSEIS on May 17, 2017 by Town Board Resolution No. 411 and conducted a SEQRA Public Hearing on the subject application on June 14, 2017 at 6:00 PM at the Babylon Town Hall Board Room, 200 E. Sunrise Highway, Lindenhurst, NY; and

WHEREAS, the Town Board of the Town of Babylon accepted verbal and written comments at the June 14, 2017 SEQRA Public Hearing and written comments were accepted by the Lead Agency until June 26, 2017; and

WHEREAS, the Town Board of the Town of Babylon accepted the Final Supplemental Environmental Impact Statement (FSEIS) for public review on November 14, 2018 and circulated the FSEIS to all Involved and Interested Agencies and Interested Organizations to consider the document; and

WHEREAS, the proposed action was the subject of a comprehensive, exhaustive SEQRA review; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency for the proposal, has adequately addressed and considered all of the relevant public and agency comments raised on the DSEIS and FSEIS in accordance with SEQRA; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency, has determined that the environmental analysis prepared through the DSEIS and FSEIS will provide sufficient information to make a reasoned decision on the project that is consistent with the requirements of Section 617.11 State Environmental Quality Review (SEQR); and

WHEREAS, potential adverse environmental impacts are minimized or avoided by the proposed Action to the greatest extent practicable as determined by the Lead Agency, the Town Board of the Town of Babylon; and

WHEREAS, the Town Board of the Town of Babylon, as Lead Agency, has carefully considered the proposed action analyzed in the relevant DSEIS and FSEIS review in accordance with the requirements of SEQRA and TOBEQRA and determined the following: See Findings Exhibit "A", Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. Environmental Findings; and

WHEREAS, the Town Board of the Town of Babylon has considered the relevant environmental impacts, facts and conclusions disclosed in the DSEIS, FSEIS for the proposal; and

WHEREAS, the Town Board of the Town of Babylon has weighed and balanced relevant environmental impacts with social, economic and other considerations; and

WHEREAS, Exhibit A has further identified the rationale for the Town Board of the Town of Babylon's decision; and

WHEREAS, the Town Board of the Town of Babylon hereby certifies that the requirements of Chapter 114 of the Code of the Town of Babylon have been met;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon hereby certifies that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action by Gustave J. Wade, Carol E. Wade, Gustave J. Wade Family 2012 Irrevocable Trust and Colonial Springs Farms, LLC. is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable as required by the SEQRA AND TOBEQRA.

The resolution was thereupon declared duly **TABLED** to August 7, 2019 Meeting.

RESOLUTION NO. 447 JULY 10, 2019

GRANTING THE REZONING APPLICATION OF GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC FOR THE PREMISES LOCATED AT SCTM NOS. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, PLANNING BOARD JOB #17-04ADE;

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

WHEREAS, GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC. (collectively the "Petitioner") has heretofore petitioned this Board for a change of zone of the properties identified by SCTM Nos. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, further described on Schedule A attached hereto, located in the SC016 School District, from A Residence District to MR Multiple Residence District, in order to construct 264 rental units of which 228 will contain one (1) bedroom and 36 will contain two (2) bedrooms, a 6,475 sq. ft. community building, a 228 sq. ft. pump station, two 750 sq. ft. entrance booths and an outdoor recreation area with a 25 x 45 pool along with associated site improvements; and

WHEREAS, a public hearing was held on said petition on June 14th, 2017; and

WHEREAS, the Town Board of the Town of Babylon has classified the proposal as a Type I Action and a full coordinated review was conducted that included all Involved Agencies, Interested Agencies and Interested Organizations in accordance with Section 114-6B.2(a) and (3) the Town of Babylon Environmental Quality Review Act (TOBEQRA), a full environmental impact statement review was conducted pursuant to SEQRA and in accordance with that review the Town Board of the Town of Babylon has made a determination that the requirements of Chapter 114 of the Code of the Town of Babylon Town of Babylon Environmental Quality Review Act have been met and that the proposed project is consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effects disclosed in the relevant environmental impact statement. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable pursuant to the adopted Environmental Findings in Resolution No. 446 of June 15, 2019; 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 the "Petitioner" for a change of zone of a certain property which is located at SCTM No. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, further described on Schedule A attached hereto, located in the SC016 School District, from A Residence District to MR 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:

1. Subject to final site plan approval from the Planning Board.
2. Subject to Zoning Board of Appeals approval for associated variances.
3. Subject to providing a plan for the sewer connection to the Wyandanch Sewer infrastructure. Provide the following details:
 - a. Description of type of system including location of pump station, force main diameter and design flow.
 - b. Service area, i.e. any other developments to be connected.
 - c. Route of system and proposed connection point at Wyandanch Sewer infrastructure.
4. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
5. 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 9am and 4pm. 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.
6. Applicant/owner must obtain Energy Star Certification for each unit, as per Town Code Chapter 89, Article VI, §89-79.
7. Sewer district and water-saving plumbing fixtures must be utilized.
8. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
9. Audio/visual notifications for all alarms to be installed in all units.
10. Address number, building number or approved building identification to be placed in a position visible from the street.
11. Subject to Highway and Engineering requirements.
12. 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 \$1,500.00.
13. 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.
14. The applicant shall be required to pay a fee of \$2,245.00 for the ordinance, fabrication and installation of three (3) stop signs, two (2) "One Way, Do Not Enter" signs assemblies and four (4) "No Left Turn" symbol signs.
15. The location of all HVAC, air handlers' transformers and RPZ shall be approved by the Town of Babylon Planning Department prior to installation.
16. Subject to the proposed development connecting to the Southwest Sewer District.
17. Subject to SWPPP approval.
18. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all air-conditioning units, chillers, refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
19. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
20. The location of new transformers and water service devices shall be approved by the Town of Babylon Planning Department prior to installation and shall not be located adjacent to any roadways.
21. Subject to the requirements of Highway, Engineering, and the Fire Marshall.
22. Subject to the applicant providing funding in the amount of \$20,000 for local community benefits/improvements to be disbursed as follows: \$5,000 to the Wyandanch Fire Department; \$5,000 to the Wheatley Heights Ambulance Corps; \$5,000 to the Wheatley Heights Taxpayers Civic Association (to provide \$1,000 scholarships to 5 individuals); and \$5,000 to the Wheatley Heights Football League "The Chiefs." In the event any one or more of the groups described above no longer exist, that share of the funding amount shall be distributed evenly among the remaining groups.
23. Subject to the applicant installing lighting on the south side of Colonial Springs Road from Conklin Street to North 27th Street.
24. Subject to the applicant installing sidewalk on the south side of Colonial Springs Road from Conklin Street to North 27th Street.
25. Subject to the dedication of 10 feet of land along the east side of 28th Street and the north side of Colonial Spring Road for a distance of 40 feet in the northerly and easterly direction from the corner of North 28th Street and Colonial Springs Road.
26. Subject to the applicant, installing two Radar Driver Feedback signs and any associated thermal striping along Colonial Springs Road at locations to be determined by the Town of Babylon Planning Department, subject to approval of the Town of Babylon Division of Traffic Safety.
27. Subject to the applicant constructing a bypass lane on the project site at the southwest guard booth.
28. Subject to the applicant installing four inverted "U" bicycle racks on the project site at locations to be determined by the Town of Babylon Planning Department.
29. Subject to the applicant's submittal of and the Suffolk County Department of Health Services acceptance of a Soil Management Plan (SMP).
30. Subject to any New York State Department of Environmental Conservation permits as may be required.
31. Subject to Suffolk County Department of Health Services requirements (including those applicable for deep recharge zones) for any regulated materials storage.

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:

1. No further development of the site without Planning Board approval.
2. The development shall comply with all federal, state and local fair housing and ADA requirements.
3. Twenty percent (53) units shall be designated as work force/affordable housing. Units to be scattered equally throughout the site. Affordable/workforce units shall be equally distributed 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. A recognized affordable housing provider shall be engaged by the owner/applicant to oversee the affordable component. Proof of such engagement shall be provided to the Planning Department.
4. The applicant/owner shall maintain the Town of Babylon recharge basin as per the approved site plan.
5. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including but not limited to handicapped ramps and handicapped parking spaces.
6. The buildings shall have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code and as required by the Fire Marshal.
7. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
8. 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.
9. 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.
10. All units to have central air conditioning or through the wall air-conditioning units, no window units to be permitted.
11. The use of inorganic fertilizers, pesticides and herbicides shall be minimized as standard operating procedure for the landscape maintenance of the site.
12. SWPPP maintenance access 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.
13. SWPPP maintenance after construction 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.
14. 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

15. The proposed project would include 54 affordable units, or 20.5 percent of the total 264 units. In addition, the proposed project would set aside 10 of the 54 affordable units for post 9-11 combat veterans, subject to compliance with applicable fair housing regulations and specific program terms. The selection criteria for the 10 veterans' units shall be determined by a Town of Babylon-designated agency or individual.

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 MR Multiple Residence District to A 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 August 7, 2019 Meeting.
SCHEDULE A

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

BEGINNING at the corner formed by the intersection of the northerly side of Colonial Springs Rd and the easterly side of North 28th Street, and from said point or place of Beginning;

Running thence northerly along the easterly side of North 28th Street North 7° 58' 00" West 279.08 feet to the land now or formerly of the Federation of Jewish Philanthropies,

Running thence northeasterly, along said Federation of Jewish Philanthropies land North 34° 25' 37" East 538.19 feet to the land now or formerly of the Town of Babylon,

Running thence along land now or formerly of the Town of Babylon, northeasterly, easterly, northerly and easterly the following four courses and distances,

1. North 48° 59' 37" East 264.64 feet to a point,
2. North 82° 02' 00" East 385.23 feet to a point,
3. North 7° 58' 00" West 40.00 feet to a point,
4. North 82° 02' 00" East 71.48 feet to point,

Running thence southerly South 7° 58' 00" East 13.05 feet to a point,

Running thence easterly the following four courses and distances,

1. North 82° 02' 00" East 127.14 feet to a point,
2. Along the arc of a curve, bearing to the left, having a radius of 38.00 feet, a distance of 24.92 feet
3. Along the arc of a curve, bearing to the right, having a radius of 42.00 feet, a distance of 8.12 feet
4. North 82° 02' 00" East 21.39 feet to the westerly side of North 23rd Street Running thence southerly along the westerly side of North 23rd Street, South 07° 58' 00" East 549.28 feet to a point,

Running thence westerly South 82° 02' 00" West 450.00 feet to a point,
 Running thence southerly South 7° 58' 00" East 226.78 feet to a point
 Running thence westerly, South 82° 02' 00" West 520.00 feet to the point,
 Running thence southerly South 7° 58' 00" East 208.47 feet to the northerly side of Colonial Springs Road,
 Running thence westerly along the northerly side of Colonial Springs Road North 71 ° 30' 48" West 279.24 feet to the easterly side of North 28th Street, to the point or place of BEGINNING.
 Containing therein 700,969.35 Sq. Ft or 16.092 Acres

**RESOLUTION NO. 461 JULY 10, 2019
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 Special Town Board Meeting be and the same are hereby accepted:

June 25, 2019

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 462 JULY 10, 2019
ADOPTING AMENDMENT TO CHAPTER 3, ARTICLE II, SECTION 3-4
OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 10th day of July, 2019 at 10:00 a.m. prevailing time, upon the question amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances

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

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 3, Article II, Section 3-4 [Parking, Standing, and Stopping Restrictions Designated]

ADD to Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Cedar Street/East side from the corner of Ralph Avenue north for a total distance of 64 feet +/-	CO	No Parking	7 AM to 6 PM Monday To Friday
Ralph Avenue/North side from 110 feet east of Cedar Street east for a total distance of 65 feet +/-	CO	No Parking	7 AM to 6 PM Monday To Friday

DELETE from Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Cedar Street/East side from the corner of Ralph Avenue north for a total distance of 110 feet +/-	CO	No Parking	7 AM to 6 PM Monday To Friday

**RESOLUTION NO. 463 JULY 10, 2019
ADOPTING AMENDMENT TO CHAPTER 3, ARTICLE II, SECTION 3-4
OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 10th day of July, 2019 at 10:00 a.m. prevailing time, upon the question amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 3, Article II, Section 3-4
[Parking, Standing, and Stopping Restrictions Designated]

ADD to Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Arthur Avenue/ South side from Belmont Avenue West for 97 feet +/-	WB	No Standing	All
Arthur Avenue/South side from 97 +/- West of Belmont Avenue West for 140 feet +/-	WB	No Parking	All

DELETE from Schedule K

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Arthur Avenue/ South side from Belmont Avenue West for 97 feet +/-	NL	No Standing	All
Arthur Avenue/South side from 97 +/- West of Belmont Avenue, West for 140 feet +/-	NL	No Standing	All

**RESOLUTION NO. 464 JULY 10, 2019
AWARDING BID NO. 19G39, FURNISH & INSTALL SPORTS LIGHTING
AT MULTI-PURPOSE FIELD AT VENETIAN SHORES PARK**

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

WHEREAS, the following bids for Bid No. 19G39, Furnish & Install Sports Lighting at Multi-Purpose Field at Venetian Shores Park were received, opened and publicly read:

BIDDER	TOTAL BID PRICE
Roland's Electric, Inc.	\$415,793.00
Relle Electric Corp.	\$456,670.00
Eldor Contracting Corp.	\$459,300.00
Welsbach Electric Corp. of L.I.	\$492,100.00
JVR Electric, Inc.	\$497,800.00
West Babylon Electric, Inc.	\$499,000.00
L.E.B. Electric, Ltd.	\$511,980.00
Hinck Electrical Contractors Inc.	\$522,500.00
Palace Electrical Contractors, Inc.	\$592,000.00
Haugland Energy Group, LLC	\$594,700.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson & Pope and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 19G39 be and is hereby awarded to the low bidder, Roland's Electric, Inc. and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with Roland's Electric, Inc. for a total contract amount of FOUR HUNDRED FIFTEEN THOUSAND, SEVEN HUNDRED NINETY-THREE (\$415,793.00) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 465 JULY 10, 2019
AWARDING BID NO. 19G46 PURCHASE OF LIGHTPOLES, FIXTURES & BOLLARDS, MAGNIFLOOD OR EQUAL**

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

WHEREAS, the following bids for Bid No. 19G46, Purchase of Lightpoles, Fixtures & Bollards, MagniFlood or Equal were received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, therefore, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 19G46 be and is hereby awarded to the sole bidder, MagniFlood, Inc.; and be it further

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 466 JULY 10, 2019
AWARDING BID NO. 19G47 FERTILIZER, GRASS SEED AND SPORTS FIELD TREATMENT ITEMS**

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

WHEREAS, the following bids for Bid No. 19G47, Fertilizer, Grass Seed & Sports Field Treatment Items was received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G47 be and is hereby awarded to the low bidder for each item; Long Island Cauliflower Association for Item Nos. 1, 8, 9, 11, 12, 13, 15, 19, 20, 21,23, 24, and 25; Vigiliotti Recycling Corp. d/b/a Vigiliotti Landscape Service Center for Item Nos. 2 and 5; SiteOne Landscape Supply d/b/a All Pro Horticulture for Item Nos. 3, 4, 6, 10, 14, 16, 17, 18, and 22; SiteOne Landscape Supply for Item No. 7, and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Long Island Cauliflower Association, Vigiliotti Recycling Corp. d/b/a Vigiliotti Landscape Service Center, SiteOne Landscape Supply d/b/a All Pro Horticulture and SiteOne Landscape Supply 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.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 467 JULY 10, 2019

AWARDING BID NO. 19G49 HERBICIDES - PRODEUCE, BRUSHMASTER, LI 700, SEDGEHAMMER OR EQUALS

The following resolution was offered by Councilwoman Gordon

and seconded by Councilman McSweeney

WHEREAS, the following bids for Bid No. 19G49, Herbicides – ProDeuce, Brushmaster, Li 700, Sedgehammer or Equals was received, opened and publicly read:

BIDDER	BID PRICE	
Item 1. ProDeuce or equal		
Long Island Cauliflower Assoc.	\$31.00	
SiteOne Landscape Supply	\$37.80	
SiteOne Landscape Supply d/b/a		
All Pro Horticulture	\$32.80	
Vigiliotti Recycling Corp.		
d/b/a Vigiliotti Landscape Service Center	\$38.13	
Item 2. Brushmaster or equal		
SiteOne Landscape Supply		
d/b/a All Pro Horticulture	\$63.00	
SiteOne Landscape Supply	\$74.03	
Long Island Cauliflower Association	no bid	
Vigiliotti Recycling Corp.		
d/b/a Vigiliottis Landscape Service Center	\$74.60	
Item 3. Penetrant, acidifier deposition aid		Long Island
Cauliflower Association	\$23.75	
SiteOne Landscape Supply	\$25.51	
SiteOne Landscape Supply		
d/b/a All Pro Horticulture	\$47.50	
Vigiliotti Recycling Corp.		
d/b/a Vigiliotti Landscape Service Center	no bid	
Item 4. Turf herbicide spray Sedgehammer or equal		Long Island
Cauliflower Association	\$53.95	
SiteOne Landscape Supply	\$65.20	
SiteOne Landscape Supply		
d/b/a All Pro Horticulture	\$65.00	
Vigiliotti Recycling Corp.		
Vigiliotti Landscape Service Center	\$70.60	

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G49 be and is hereby awarded to the low bidder per item; Long Island Cauliflower Association for item Nos. 1, 3, and 4 and Site One Landscape Supply d/b/a All Pro Horticulture Inc. for Item No. 2; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Long Island Cauliflower Association and SiteOne Landscape Supply d/b/a All Pro Horticulture, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 468 JULY 10, 2019

AWARDING BID NO. 19G55 STREET LIGHTING: CARLON PRODUCTS DATA GUIDE

The following resolution was offered by Councilman McSweeney

and seconded by Councilman Manetta

WHEREAS, the following bids for Bid No. 19G55; Street Lighting: Carlon Products Data Guide was received, opened and publicly read:

Item: Percent off List Price

<u>Vendor</u>	<u>Percentage Off</u>
Aetna Electric, LLC	45%
Kelly & Hayes Elec. Supply of L.I. Inc.	35%

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G55 be and is hereby awarded to the low bidder, Aetna Electric, LLC; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Aetna Electric, 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 two (2) additional one (1) year periods at the discretion of the Commissioner of General Services.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 469 JULY 10, 2019
AWARDING BID NO. 19G59-CASUAL OUTDOOR SITE FURNISHINGS
TELESCOPE CASUAL/SEASIDE CASUAL/DUMOR FURNISHINGS CATALOG(S)/WEBSITE(S) OR EQUAL

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

WHEREAS, the following bids for Bid No. 19G59-Casual Outdoor Site Furnishings Telescope Casual/Seaside Casual/Dumor Furnishings Catalog(s)/Website(s) or Equal was 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 and the Commissioner of Parks and Recreation and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G59 be and is hereby awarded to Kaufman Allied and Site Specialists, Ltd.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contract(s) with Kaufman Allied and Site Specialists, Ltd. and that the form and content of said contract(s) shall be subject to the approval of the Town Attorney; and be it further

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

The resolution was thereupon declared duly adopted.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 470 JULY 10, 2019
AWARDING RFP NO. 19G42, REQUEST FOR PROPOSALS FOR ENGINEERING, DESIGN & BID PREPARATION FOR
WEST LIDO PROMENADE ROAD RAISING & DRAINAGE IMPROVEMENTS

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

WHEREAS, the following proposals were received for RFP No. 19G42, Request for Proposals for Engineering, Design & Bid Preparation for West Lido Promenade Road Raising & Drainage Improvements, and

PROPOSER

L.K. McLean Associates, P.C.

Cashin Associates, P.C.

Nelson & Pope Engineers

Cameron Engineering & Assoc., LLP

Greenman-Pedersen, Inc.

H2M Architects & Engineers

D & B Engineers & Architects, P.C.

Liro Engineers, Inc.

WHEREAS, a Review Committee ("Committee") was formed with the Commissioner of Department of Public Works, Chief Highway Engineer, the Administrative Assistant of General Services, the Administrative Assistant of the Department of General Services, Pavement Services, Inc. and Bay Village Consultants, Inc. as its members to review all proposals received, and

WHEREAS, after a thorough review of the proposals, the Committee recommends an award to L.K. Mclean Associates, P.C. at a fee not to exceed TWO HUNDRED FIFTY-EIGHT THOUSAND, NINE HUNDRED (\$258,900.00) DOLLARS

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Committee and upon it finding the aforementioned proposals to be fair and reasonable, RFP No. 19G42 be and is hereby awarded to L.K. McLean Associates, P.C. and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 471 JULY 10, 2019
AUTHORIZING A CONTRACT WITH HONEYWELL INTERNATIONAL, INC.

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

WHEREAS, a proposal for an emergency communication system was solicited from Honeywell International, Inc.,

WHEREAS, the Professional Consultant Evaluation Committee convened on June 28, 2019 with the Chief of Staff, the Commissioner of General Services, the Commissioner of the Dept. of Public Works and the Commissioner of Planning & Development in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Honeywell International, Inc. at an annual fee of THIRTEEN THOUSAND, SIX HUNDRED TWENTY-SEVEN (\$13,627.00) 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 Honeywell International, Inc. for a total annual contract amount not to exceed THIRTEEN THOUSAND, SIX HUNDRED TWENTY SEVEN (\$13,627.00) DOLLARS, and that said contract shall be subject to the approval of the Town Attorney as to form and content 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 Department of Public Works and Commissioner of General Services.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 472 JULY 10, 2019
AUTHORIZING THE SUPERVISOR TO EXECUTE A "RESIDENTIAL INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM GRANT" AND RELATED DOCUMENTS (Nicole Tourt)

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

WHEREAS, the Town of Babylon is the owner of the parcel identified by SCTM No: 0100-240.00-01.00-165.000, 22 Ocean Walk West Gilgo Beach NY 11702 (the "Premises"), currently leased to Nicole Tourt (the "Tenant" or "Applicant"); and

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

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

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

NOW THEREFORE

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute the "Residential Innovative And Alternative Onsite Wastewater Treatment System Grant" and related documents on behalf of the Town of Babylon as the owner of the Premises identified by SCTM No. 0100-240.00-01.00-165.000 currently leased to Nicole Tourt; and be it further

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 473 JULY 10, 2019

AUTHORIZING THE SUPERVISOR TO EXECUTE A “RESIDENTIAL INNOVATIVE AND ALTERNATIVE ONSITE WASTEWATER TREATMENT SYSTEM GRANT” AND RELATED DOCUMENTS (William Mitchell)

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

WHEREAS, the Town of Babylon is the owner of the parcel identified by SCTM No.:0100-239.00-01.00-026.000, 25 Captree Island, Captree NY 11702 (the “Premises”), currently leased to William Mitchell (the “Tenant” or “Applicant”); and

WHEREAS, the Tenant has applied and been approved to receive a Septic Improvement Program Grant from the County of Suffolk (the “Grant”); and

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

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

NOW THEREFORE

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute the “Residential Innovative And Alternative Onsite Wastewater Treatment System Grant” and related documents on behalf of the Town of Babylon as the owner of the Premises identified by SCTM No. 0100-239.00-01.00-026.000 currently leased to William Mitchell; and be it further

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 474 JULY 10, 2019

AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR

MAT & ELIZABETH SILVERMAN OUTER BEACH APPLICATION NO. 131247 SCTM #0100-242-1-18

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

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 131247 of Mat & Elizabeth Silverman, for the premises located at 225A Oak Beach Road, Oak Beach, NY, SCTM #0100-242-1-18, to demolish an existing dwelling and construct a single-family dwelling; and

WHEREAS, the application is a Type II action under the Town of Babylon Environmental Quality Review Act and as such no determination of significance is required; and

WHEREAS, the Department of Environmental Control has reviewed the drawings and has determined that this project will not result in significant environmental impacts,

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that upon the recommendation of the Commissioner of Planning and Development, Outer Beach Application No. 131247 of Mat & Elizabeth Silverman, for the premises located at 225A Oak Beach Road, Oak Beach, NY, SCTM #0100-242-1-18, to demolish an existing dwelling and construct a single-family dwelling; and be it further

RESOLVED, that the issuance of the Building Permit, in accordance with the plans and the application presently on file, be and the same is hereby approved, subject to the terms and conditions of New York State Department of Environmental Conservation’s, Suffolk County Board of Health and/or the United States Army Corps of Engineers’ approval, where applicable.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 475 JULY 10, 2019

SCHEDULING A PUBLIC HEARING IN REFERENCE TO THE COASTAL EROSION HAZARD AREA, VARIANCE APPLICATION NO. 19-06 OF KEITH AND PATRICIA HASDAY, 30 FIRE ROAD, OAK BEACH, SCTM NO. 0100-243-01-66

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 7th day of August, 2019 at 10:00 a.m., prevailing time, to consider the Coastal Erosion Hazard Area variance application of Keith and Patricia Hasday for the premises located at 30 Fire Road, SCTM No. 0100-243-01-66 to allow the construction of a grade deck addition 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: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 476 JULY 10, 2019

AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT 18 PARKWAY BLVD., WYANDANCH, NEW YORK 11798 SCTM No. 0100-080.00-01.00-043.000

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

WHEREAS, a certain structure, located at **18 Parkway Blvd., Wyandanch, NY**, bearing Suffolk County Tax Map No. **0100-080.00-01.00-043.000** is wide open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer’s report dated **May 28, 2019**, indicates that the structure is so deteriorated or dilapidated and out of repair the demolition of the structure including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure including removal of the foundation, located at **18 Parkway Blvd., Wyandanch, NY**, A/K/A SCTM No. **0100-080.00-01.00-043.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer’s report attached hereto, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises **18 Parkway Blvd., Wyandanch, NY**, A/K/A SCTM No. **0100-080.00-01.00-043.000**, in accordance with the Conclusions and Recommendations set forth in the inspector’s report on file in the Department of Code Enforcement, and be it further

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

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 477 JULY 10, 2019

AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT 70 PEARY STREET, WEST BABYLON, NY 11704 SCTM No. 0100-077.00-01.00-041.000

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

WHEREAS, a certain structure, located at **70 Peary Street, West Babylon, NY**, bearing Suffolk County Tax Map No. **0100-077.00-01.00-041.000** is wide open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

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

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

WHEREAS, the architect/professional engineer's report dated **June 7, 2019**, indicates the detached garage has become dangerous, unsafe and unreasonable to repair therefore the demolition of the detached garage including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the detached garage including removal of the foundation, located at **70 Peary Street, West Babylon, NY, A/K/A SCTM No. 0100-077.00-01.00-041.000**, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report attached hereto, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises **70 Peary Street, West Babylon, NY, A/K/A SCTM No. 0100-077.00-01.00-041.000**, in accordance with the Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, and be it further

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

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

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

The resolution was thereupon declared duly **TABLED** to August 7, 2019 Meeting.

**RESOLUTION NO. 478 JULY 10, 2019
AUTHORIZING SECURING, BOARD UP AND SITE CLEAN UP OF UNSAFE STRUCTURE LOCATED AT
22 LOCUST AVENUE, WHEATLEY HEIGHTS, NY 11798 SCTM No. 0100-014.00-05.00-063.000**

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

WHEREAS, a certain structure, located at **22 Locust Ave., Wheatley Heights, NY**, bearing Suffolk County Tax Map No. **0100-014.00-05.00-063.000** is open and accessible to the public and threatening the health, safety and welfare of the surrounding community residents, and WHEREAS, pursuant to Local Law No. 1 of 1981 and Local Law No. 1 of 1978 all necessary proceedings have been completed in connection with the removal/securing of the aforementioned unsafe structure, and

WHEREAS, the inspector's report dated **May 8, 2019** indicates there is a hole in the rear structure and the doors and windows are open and accessible, therefore the securing/board up of the premises is the most likely and prudent course of action,

WHEREAS, a hearing was held this day; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing/board up of the unsafe structures located on the premises at **22 Locust Ave., Wheatley Heights, NY, A/K/A SCTM No. 0100-014.00-05.00-063.000**, in accordance with the Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, and be it further

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

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 479 JULY 10, 2019
AMENDING THE ADMINISTRATIVE SALARY PLAN**

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

RESOLVED, that the amendments to the Salary Levels and Steps in the Administrative Salary Plan is hereby adopted in accordance with Schedule "A" annexed hereto; and be it further

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

"SCHEDULE A"
2019 ADMINISTRATIVE SALARY PLAN

TITLE	LEVEL	STEP
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	15
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	G	14a
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	H	6a
Assistant Town Attorney III	G	12
Assistant Town Attorney	G	6a
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Commissioner of DPW	J	16
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15
Commissioner of Human Services	J	15
Commissioner of Planning	J	15
Commissioner of Recreation	J	15
Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	B	17a
Confidential Community Service Aide/Supervisor	F	10
Confidential Community Service Aide/Supervisor	E	4a
Confidential Community Service Aide/Supervisor	F	3
Confidential Community Service Aide/Supervisor	F	14
Confidential Community Service Aide/Supervisor	E	14a
Confidential Community Service Aide/Supervisor	F	2a
Confidential Community Service Aide/Supervisor	D	10a
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	H	14a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Environmental Control	E	3
Confidential Secretary to Town Council	D	10a
Deputy Commissioner Environmental Control/Landfill	I	16a
Deputy Commissioner General Services	J	13
Deputy Commissioner Human Services	J	3
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	9a
Deputy Commissioner of DPW	G	17a
Deputy Commissioner of Environmental	H	14a
Deputy Commissioner of Planning	I	12

Deputy Commissioner of Planning and Development	H	15
Deputy Commissioner Parks and Recreation	J	6a
Second Deputy Commissioner of Parks and Recreation	H	16a
Deputy Comptroller	H	16
Deputy Director of Finance	I	10
Deputy Receiver of Taxes	E	14a
Deputy Town Attorney	I	17a
Deputy Town Clerk	E	14a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	I	11
Director of Handicapped Services	F	11
Director of Information Technology	J	16a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	I	14
Executive Assistant to Human Services	H	9a
Executive Assistant to Parks and Recreation	D	17
Executive Assistant to Commissioner of General Services	J	13a
Executive Assistant to Comptroller (effective March 4, 2019)	H	7a
Executive Assistant to Deputy Supervisor	G	4a
(Second) Executive Assistant to Deputy Supervisor	B	12a
Executive Assistant to DPW	I	7
Executive Assistant to Environmental Control	G	16
Executive Assistant to Planning	J	9
Executive Assistant to Supervisor	J	17
Executive Assistant to Town Attorney	B	12a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	10a
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	13a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	J	15
Legislative Aide to Supervisor	J	10a
Nutrition Center Supervisor	F	12
Principal Accountant	I	13
Public Information Officer/Supervisor	J	9
Secretary to Assessor	G	14a
Secretary to Commissioner of DPW	F	15
Secretary to Commissioner of Environmental Control	F	8
Secretary to Commissioner of General Services	E	10a
Secretary to Commissioner of Planning & Development	G	10a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	J	12a
Secretary to Deputy Supervisor	E	5
Secretary to Human Services	G	11a
Secretary to Supervisor	J	12a
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	F	2a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	9
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	D	9
Special Assistant to Supervisor	I	10
Town Attorney	J	17
Town Comptroller	J	17
Town Engineer	H	15
Town Historian	G	9a
Women's Resources Advisor I	G	11a

2019 Administration Plan:										
	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,524	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	147,900
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	149,324

**RESOLUTION NO. 480 JULY 10, 2019
AUTHORIZING 2019 BUDGET MODIFICATION**

The following resolution was offered by Councilman McSweeney 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 2019 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
General Fund		
Central Printing and Mailing		
Full Time Clerical		
A.1670.14	\$ 5,000	
Central Data Processing		
Administrative		
A.1680.13		\$ 5,000

VOTES: 4 YEAS: 4 NAYS: 0
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 481 JULY 10, 2019
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
Andrew Baranowski	\$25.00 for help wanted ad
Vincent Piccoli	\$89.26 for supplies for Cedar Beach Marina
Rachel Scelfo	\$134.56 refreshments
Corinne DiSomma	\$147.00 for framing of proclamation
William Wexler	\$114.72 litigation expense

VOTES: 4 YEAS: 4 NAYS: 0
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 482 JULY 10, 2019
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 that the following payments be refunded as an overpayment:

Customer name and Address	Payee	Account Number/Type	Refund Amount	Recommended By
Paradiso Deli 225 Great Neck Road Copiague, New York 11726	Hugh C Hacket Inc. 531 Bay Villas Naples, FL 34108	12681	\$84.11	Commissioner of Environmental Control
Pizza Hut#014357 27 E. Sunrise Highway Lindenhurst, New York 11757	ADF White Stone P.O. Box 780660 Wichita, KS 67278	3583	\$275.31	Commissioner of Environmental Control
K.W. Carpentry 264 Suburban Avenue, C Deer Park, NY 11729	K.W Carpentry 286 14 th Avenue West Babylon, NY 11704	Permit #8634/5	\$250.00	Deputy Commissioner of Parks & Recs
David and Katina Price 80 Broadway North Babylon, NY 11703	David and Katina Price 80 Broadway North Babylon, NY 11703	Green Homes Benefit Assessment	\$1,570.55	Long Island Green Homes
Roderick and Christina Jones 18 Caroline Ct, North Babylon, NY 11703	Roderick and Christina Jones 18 Caroline Ct, North Babylon, NY 11703	Green Homes Benefit Assessment	\$34.85	Long Island Green Homes

VOTES: 4 YEAS: 4 NAYS: 0
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 483 JULY 10, 2019
AUTHORIZING REFUND OF FEES**

The following resolution was offered by Councilman McSweeney 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
Place Services Inc. 201 Gateway Drive Canton, GA. 30115	CO Fee	\$20.00
	Building Permit Fee	\$4695.50
		Total Refund: \$4,715.50
Re: Walmart Application No. 130441 SCTM No. 0100-71-1-4.004		
James Tarantino 509 Greenlawn Terrace Copiague, New York 11726	Rental Permit Renewal	\$200.00

VOTES: 4 YEAS: 4 NAYS: 0
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 484 JULY 10, 2019
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
Sunshine Abuyen	77 Fritchie Place Valley Stream, NY. 11580	\$150.00	Refund for Day Camp *Family Moved out of the Town	POS Receipt 137271
Joseph V. Lombardo	1133 14 th Street West Babylon, NY 11704	\$25.00	Refund for Jet Ski Permit *Due to Medical Reason	POS Receipt 140090

Kathy Alt	104 Grace Dr. N. Babylon, NY 11703	\$210.00	Refund for Camping Site From 6/21 – 6/28/19 *Due to medical reasons, resident is unable to keep her reservations. Site was released and sold again.	POS Receipt 134889 139643
Geronimo Tyrell	135 Nassau Ave West Babylon, NY 11704	\$25.00	*Refund for difference Purchased a resident Pass for \$45.00, wanted to buy a Veterans pass for \$20.00. Difference of \$25.00	POS Receipt See Attached Copy of Bank Statement
Kyle Baldwin	42 Smith St. Babylon, NY 11702	\$25.00	*Refund for difference Purchased a resident Pass for \$45.00, wanted to buy a Veterans pass for \$20.00. Difference of \$25.00	POS Receipt 809143018558329
Yahaira Velazquez	12 Seley Dr. N. Babylon, NY 11703	\$375.00	Refund for Day Camp *Jonathan -\$150.00 *Andrew - \$150.00 Swim Team refund *Jonathan - \$75.00 *Due to Medical Issue	POS Receipt 136595 137101 139476
Doreen Tariq	43 Coolidge Ave Amity Harbor, NY 11701	\$125.00	Refund for tennis and adaptive aquatics Jeffery was accepted into a special needs camp and will not be able to attend the programs above. *Tennis \$85.00 *Adaptive \$40.00	POS Receipt 136170 138207 139380
John Nelly	253 W. 7 th Street Deer Park, NY 11729	\$210.00	Not able to Keep Camping Reservation due to an illness in the family	POS Receipt 135509 139090
William E. Powers	18 Commack Ct. Babylon, NY 11702	\$25.00	Refund of \$25.00 Was charged \$45.00 for a senior beach permit (\$20.00)	POS Receipt 309156632081771
Joan Zangerle	148 Irving Ave N. Babylon, NY 11703	\$175.00	Show Mobile Cancellation for June 2019 Relay for Life at North Babylon High School.	POS Receipt 135545 139133
Kishan K. Bathija	180 Ecker Ave W. Babylon, NY 11704	\$20.00	Refund for Beach Permit Resident wanted to purchase the Empire Pass.	POS Receipt See Attached Broken Returned Pass
Athena Scalie	161 33 rd Street Lindenhurst, NY 11757	\$60.00	Refund for swimming lessons Childs name: Hudson *Due to medical reason Hudson cannot attend swim lessons	POS Receipt 139038

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 485 JULY 10, 2019
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 the following donations are accepted with gratitude:

DONOR	ITEM	RECOMMENDED BY	USE
Suffolk County Legislature	Hewlett Packard Compaq 8300 Elite (computer) with Keyboard, mouse and restore disk kit	Commissioner of Human Services.	Babylon Spangle Drive Senior Center
Suffolk County Department of Information Technology	Hewlett Packard Compaq 8300 Elite (computer) with keyboard and mouse	Commissioner of Human Services.	Babylon Spangle Drive Senior Center

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 486 JULY 10, 2019
DISSOLVING CLERK'S ADVISORY BOARD AND ESTABLISHING
AND APPOINTING MEMBERS TO THE CLERK'S ADVISORY COMMITTEE**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Clerk's Advisory Board is hereby dissolved; and

BE IT RESOLVED, by the Town Board of the Town of Babylon, that it is established a "Clerk's Advisory Committee" and the following
persons are hereby appointed to serve on it:

- Town Clerk
- Representative of Planning and Development
- Representative of Code Enforcement
- Counsel to be appointed by the Town Attorney \$250 stipend/meeting

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 487 JULY 10, 2018
CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST
FIRE DEPARTMENT, INC.**

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

BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Lindenhurst Fire Department, Inc., 1630 Straight Path, North Lindenhurst, New York:

Name	Address
Kyle Mesa	121 7 th Street Lindenhurst, NY 11757
Matthew Newman	91 Farmers Avenue N. Lindenhurst, NY 11757

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 488 JULY 10, 2019
RETAINING THE FIRM OF MEJIAS, MILGRIM & ALVARADO, P.C.**

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

WHEREAS, the Town desires to retain the firm Mejias, Milgrim & Alvarado, P.C. to provide the Town with general advisory in pre-trial and trial litigation services, and the firm's fees shall be at a principal rate of \$475.00 per hour, and partner rate of \$350.00 per hour, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover, and

WHEREAS, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to provide legal services to the Town of Babylon.

NOW, THEREFORE, in consideration of the above recitals, be it

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Mejias, Milgrim & Alvarado, P.C., and be it further

RESOLVED, that the Town of Babylon hereby retains the firm Mejias, Milgrim & Alvarado, P.C. and the firms attorney fees shall be at a principal rate of \$475.00 per hour, and partner rate of \$350.00 per hour, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

RESOLVED, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to assist the Town of Babylon.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 489 JULY 10, 2019
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
FROM JULY 13, 2019 THROUGH AND INCLUDING JULY 14, 2019
IN THE TOWN OF BABYLON FOR THE FAMOUS FOOD FESTIVAL "TASTE THE WORLD"**

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

WHEREAS, the Famous Food Festival has requested permission to hold an outdoor public assembly for the purpose of having their annual family friendly food experience and festival from Saturday, July 13, 2019 through and including July 14, 2019 between the hours of 10:00 a.m. and 8:00 p.m., within the Town of Babylon at the south parking lot of Tanger Outlets, 152 The Arches Circle, Deer Park, NY 11729, with the use of sound equipment and tents;

WHEREAS, the Famous Food Festival has obtained sufficient insurance to protect the interests of the Town of Babylon; subject to Schedule "A" attached hereto;

and

INDIVIDUAL: Eric Arshravan 1026 Westminster Ave. Dix Hills, NY 11746 (516) 476-4885	ORGANIZATION: Famous Food Festival 75 Oser Ave. Hauppauge, NY 11788 (516) 476-4885 (631) 387-6291
DATES & TIMES: Date(s): 07/13/2019 to: 07/14/2019 Time: 10:00 a.m. to 8:00 p.m. Rain Date: n/a	LOCATION: Tanger Outlets (south parking lot) 152 The Arches Circle Deer Park, NY 11729
SPECIAL REQUIREMENTS: Event Details: Experienced chefs who will showcase their works of culinary art to the local community Tents: Yes; (6) 20x20 & (6) 20x40 Amusement Rides: Yes; Insurance on file Sound Equipment: Yes; Front of house speakers Toilet/Water Facilities: 1-bathroom trailer, 6 flush toilets, 18 hand washing sinks, 72 stalls with hot running water	

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: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

F A I R S - SCHEDULE "A"

Pursuant to Section 79-2 of the Code of the Town of Babylon, you are hereby advised that the Town Board of the Town of Babylon, pursuant to the powers contained in the aforesaid Section 79-2, will impose the following requirements upon any permit granted pursuant to this article:

1. Opening and Closing Times. All amusements provided pursuant to a permit issued under this article shall not have an opening time prior to 6:00 p.m. during the days of Monday through Friday and 1:00 p.m. on Saturdays and Sundays, and shall close not later than 11:00 p.m. on any day.
2. No portable or movable living accommodations shall be allowed on the site of the amusement or elsewhere within the Town in connection with said amusement, unless allowed pursuant to the Building Zone Ordinance of the Town of Babylon.
3. No games shall be permitted which will violate State Law.
4. Any person or organization seeking permission to conduct any game of chance shall file the proper application with the Town Clerk and shall comply with all provisions of Chapter 130 of the Code of the Town of Babylon.
5. Adequate sanitary facilities shall be provided, based upon the size and scope of the event.
6. Any person employed by any organization working in connection with the Amusement found to be undesirable by the Town Board, the Commissioner of Planning and Development or the Suffolk County Police Department, shall be summarily dismissed.
7. Proper liability insurance shall be provided, at time of application.
8. All rides or other amusements which may require it, shall have proper State safety certification prior to any use thereof.
9. All necessary permits required by the Suffolk County Department of Health for the sale of food and other consumables shall be obtained prior to the commencement of operations.
10. Any violation of the above conditions shall result in the summary revocation of the permit issued hereunder. For purposes of this provision, the Commissioner of Planning and Development, or the Suffolk County Police Department, as well as the Town Board, may summarily revoke a permit.
11. Live animal acts or exhibitions are prohibited.

All requirements hereunder must be met prior to the opening of any event required to be licensed pursuant to this article.

**RESOLUTION NO. 490 JULY 10, 2019
AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

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

WHEREAS, Paramedic Tina Nee was resident of West Babylon for 42 years; and
WHEREAS, Tina Lee earned her degree as Medical Technologist from Nassau County Medical Center in 1973. She became Captain of the Rescue team in the West Babylon Fire Department and also first female officer in the Department. She served as a member for over 27 years, and received several Life Saver awards. She was also recipient of awards and nominations in fire departments outside of West Babylon.; and

WHEREAS, Tina Lee taught CPR classes and EMT classes for Suffolk County. She taught at the EMS office in Yaphank, West Babylon Fire Department, North Babylon Fire Company, North Amityville Fire Company, Wyandanch-Wheatley Heights Ambulance Corp, and numerous other hamlets throughout the county. She was a valuable and highly respected instructor, and her name and reputation for excellence was known throughout the EMS community.

WHEREAS, Tina was a devoted wife and mother of four children. She had the passionate will to help her friends and community at all costs regardless of race, creed, ethnicity or beliefs.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of 11th Street, between 13th Avenue and 14th Avenue in West Babylon as "Paramedic Tina Lee Memorial Way" and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating "Paramedic Tina Lee Memorial Way".

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 491 JULY 10, 2019
PROCLAIMING JULY 2, 2019 AS "MICHAEL BENDER" IN THE TOWN OF BABYLON**

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

WHEREAS, Michael Bender is a middle school student, son of Karen Bender and resident of Babylon Village; and
WHEREAS, during boat incident in June 23rd, 2019, Michael was able to alert rescue operations by staying calm, wearing a life jacket, and locating a flare.

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Babylon does hereby proclaim July 2, 2019 as "Michael Bender" in the Town of Babylon.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 492 JULY 10, 2019
PROCLAIMING JULY 1ST-JULY 7TH, 2019 AS
"POOL SAFELY WEEK" IN THE TOWN OF BABYLON**

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

WHEREAS, Pool Safely is a campaign launched by the U.S. Consumer Product Safety Commission (CPSC); and
WHEREAS, the campaign is a call-to-action for consumers and industry to adopt proven water safety steps and join a national conversation about pool and spa safety by sharing best practices and other life-saving information.; and

WHEREAS, Pool Safely carries out the provisions of the Virginia Graeme Baker Pool & Spa Safety Act (P&SS Act), a federal legislation mandating new requirements for public pools and spas, including a public information campaign since 2008, and was designed to prevent the tragic and hidden hazard of drain entrapments and eviscerations in pools and spas.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon does hereby proclaim July 1st-July 7th, 2019 as "Pool Safely Week" in the Town of Babylon.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 493 JULY 10, 2019
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 7th day of August, 2019 at 10:00 a.m., prevailing time, to consider amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit "A"; and be it further

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 3, Article II, Section 3-4
[Parking, Standing, and Stopping Restrictions Designated]

ADD to Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Hickory Street/South side from a point 95 feet +/- West of Tiber Avenue/Skidmore Road west to Fillmore Avenue	DP	No Parking	8:00 a.m. to 6:00 p.m. Monday to Friday
Hickory Street/North side from Tiber Avenue / Skidmore Road west to Fillmore Avenue	DP	No Parking	8:00 a.m. to 6:00 p.m. Monday to Friday

Open portion:

Karin Capellan
225 17th Street
West Babylon, NY 11704
631-835-1601
karincapellan@yahoo.com

Chuck Gostine
1485 5th Street
West Babylon, NY 11704
631-321-0422

Both came to continue the discussion on backyard chickens and submitted more petitions. Asking about the progress of changing the Town of Babylon code. Both are in support of backyard chickens and the ability to being able to share the eggs that are produced by their chickens with their neighbors.

Sent on July 23, 2019 by email to Councilman Martinez

Mrs. O'Bryen
North Babylon
alioopla4513@aol.com

Dear Mr. Martinez,

I implore you, please **do not loosen restrictions** on the confinement of "backyard chickens" and other fowl. Currently, only households located more than 100 feet from a neighboring property are allowed to keep birds in their yards is sufficient and protects against cases of neglect and inhumane confinement.

Because local animal shelters don't accept birds, when elderly hens stop laying eggs or an "adorable hatchling" given as a gift at Easter, or used in a school project, grows up to be an unwelcome obligation, irresponsible residents will dump these animals on the streets, where they'll be at the mercy of wildlife, extreme weather, traffic, and even cruel people. Yes, things could get far worse for local animal rescuers, who already have their hands full corralling the abandoned fowl who have been flooding communities in New York for years.

We have a moral responsibility to protect all animals. We seem to be failing miserably and by loosening the current restrictions, it will likely add to our overwhelming problem of protecting our domestic and wild animals.

Being no further business before the Board, the meeting adjourned at 10:24 am on the motion of Councilwoman Gordon, seconded by Councilman McSweeney.

Geraldine Compitello, Town Clerk

/jt