

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 4th day of September, 2019 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 recovering from the aftermath of super storm Sandy.*

*Thank you, please be seated.*

**The Town Clerk called the roll:**

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

1. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**
2. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 3, ARTICLE II, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**
3. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 170, ARTICLE IV OF THE BABYLON TOWN CODE (PLUMBERS)**
4. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 141, ICE CREAM VENDING**

**RESOLUTION NO.477 SEPTEMBER 4, 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 offered by Councilwoman Gordon and seconded by Councilman McSweeney

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.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 556 SEPTEMBER 4, 2019  
ACCEPTING TOWN BOARD MINUTES**

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

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

August 7, 2019

August 28, 2019

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 557 SEPTEMBER 4 2019  
AUTHORIZING CHANGE ORDER NOS. 2 & 3 IN THE CONTRACT WITH WHM PLUMBING & HEATING CONTRACTORS, INC.  
FOR BID NO. 18G8P HISTORIC RESTORATION OF OAK BEACH COMMUNITY CENTER PLUMBING CONSTRUCTION**

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

WHEREAS, Bid No. 18G8P Historic Restoration of Oak Beach Community Center, Plumbing Construction was awarded to WHM Plumbing & Heating Contractors, Inc., pursuant to Resolution No. 411 of May 16, 2018 for a total contract amount of NINETY-THREE THOUSAND, EIGHT HUNDRED THIRTY-SEVEN (\$93,837.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 250 of March 27, 2019 increasing the total contract amount to NINETY-THREE THOUSAND NINE HUNDRED EIGHTY TOW DOLLARS AND 30/100 (\$93,982.30), and

WHEREAS, the Change Order Committee convened on August 29, 2019 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order Nos. 2 & 3, and WHEREAS, the Change Order Review Committee and Steward Preservation, recommend the approval of Change Order Nos. 2 & 3 as follows:

|   |                    |
|---|--------------------|
| Change Order No. 2 Furnish & install PVC jackets over 228 feet of Pipe insulation   | \$2,273.49         |
| Change Order No. 3 Furnish & Install (8) 6 x 24 concrete extension collars, brick up difference, supply & install cast iron manhole locking covers per Suffolk County Board of Health standards | \$7,783.20         |
| <b>TOTAL CHANGE ORDER NOS. 2 &amp; 3</b>  | <b>\$10,056.69</b> |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee and Steward Preservation, the Supervisor be and he is hereby authorized to execute Change Order Nos. 2 & 3 in the contract with WHM Plumbing & Heating Contractors, Inc. in the amount of TEN THOUSAND FIFTY SIX DOLLARS AND 69/100 (\$10,056.69), increasing the total contract amount with WHM Plumbing & Heating Contractors, Inc. to ONE HUNDRED FOUR THOUSAND, THIRTY EIGHT DOLLARS AND 99/100 (\$104,038.99).

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 558 SEPTEMBER 4, 2019**  
**AUTHORIZING CHANGE ORDER NO. 6 IN THE CONTRACT WITH G & M EARTH MOVING, INC. FOR**  
**BID NO. 18G62, CARHILL & STORMWATER RECHARGE BASIN RECONSTRUCTION**

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

WHEREAS, Bid No. 18G62, Carhill & Stormwater Recharge Basin Reconstruction was awarded to G & M Earth Moving, Inc. pursuant to Resolution No.714 of September 26, 2018 for a total contract amount TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS and,

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 295 of April 10, 2019 which resulted in no change to the contract amount, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 396 of June 12, 2019, which resulted in no change to the contract amount, and

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No. 496 of August 7, 2019, which resulted in no change to the contract amount, and

WHEREAS, Change Order Nos. 4 & 5 were approved pursuant to Resolution No. 497 of August 7, 2019 which resulted in no change to the contract amount and

WHEREAS, the Change Order Committee convened on August 29, 2019, with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 6, and WHEREAS, the Change Order Review Committee and Kosuri Engineering & Consulting, P.C. recommend the approval of Change Order No. 6 as follows:

|  |              |
|--|--------------|
| Furnish & Install additional privacy slats in fence along Edison Avenue and safety railing at the Leachate Holding Tank. | \$7,000.00   |
| Credit to Contingency  | (\$7,000.00) |
| <b>TOTAL CHANGE ORDER NO. 6</b>  | <b>0</b>     |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee and Kosuri Engineering & Consulting, P.C., the Supervisor be and he is hereby authorized to execute Change Order No.6 in the contract with G & M Earth Moving, Inc. which has resulted in no change to the contract amount TWO MILLION EIGHT HUNDRED THIRTEEN (\$2,813,000.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 559 SEPTEMBER 4, 2019**  
**AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH PREMIER MECHANICAL SERVICES, INC.**  
**FOR BID NO. 19G4M, RENOVATIONS TO TOWN HALL ANNEX, PHASE D & E, MECHANICAL CONSTRUCTION**

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

WHEREAS, Bid No. 19G4M, Renovations to Town Hall Annex, Phase D & E, Mechanical Construction was awarded to Premier Mechanical Services, Inc. pursuant to Resolution No. 212 of March 13, 2019 for a total contract amount of EIGHT HUNDRED SEVENTY-ONE THOUSAND (\$871,000.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on August 29, 2019, with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No.1, and

WHEREAS, the Change Order Review Committee and BBS Architects recommend the approval of Change Order No. 1 as follows:

|   |               |
|---|---------------|
| Fabricate, Furnish & install for ductwork for hallway and insulation work | \$14,341.83   |
| Credit to Contingency   | (\$14,341.83) |
| <b>TOTAL CHANGE ORDER NO. 1</b>   | <b>0</b>      |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee BBS Architects, the Supervisor be and he is hereby authorized to execute Change Order No.1 in the contract with Premier Mechanical Services, Inc. which has resulted in no change to the contract amount EIGHT HUNDRED SEVENTY-ONE THOUSAND (\$871,000.00) 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 | Yea     |
| Councilman Martinez  | Voting | Yea     |
| Councilman McSweeney | Voting | Yea     |
| Councilwoman Gordon  | Voting | Yea     |
| Supervisor Schaffer  | Voting | Abstain |

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 560 SEPTEMBER 4, 2019**  
**AUTHORIZING CHANGE ORDER NO. 3 IN THE CONTRACT WITH H & L CONTRACTING, LLC FOR BID NO. 17G30,**  
**REPLACEMENT OF THE AMERICAN VENICE BRIDGES AT EAST & WEST RIVIERA DRIVE**

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

WHEREAS, Bid No. 17G30, Replacement of the American Venice Bridges at East & West Riviera Drive was awarded to H & L Contracting, LLC for a total contract amount of SEVEN MILLION, TWO HUNDRED THIRTY-ONE THOUSAND, FOUR HUNDRED AND FIFTY-SIX (\$7,231,456.00) DOLLARS pursuant to Resolution No. 598 of July 31, 2017 and

WHEREAS, this project is part of the Governor's Office of Storm Recovery (GOSR) mitigation projects, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 727 of September 26, 2018, which resulted in no change to the contract amount, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 501 of August 7, 2019 decreasing the contract amount to SEVEN MILLION ONE HUNDRED THIRTY-FIVE THOUSAND, SEVEN HUNDRED FORTY-NINE (\$7,135,749.00) DOLLARS and

WHEREAS, the Change Order Committee ("Committee") convened on August 29, 2019 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 3 as follows:

|  |               |
|--|---------------|
| Furnish & install an additional 525 square feet of permanent reinforced polymer sheeting for bulkhead on the West Riviera Bridge | \$15,750.00   |
| Furnish & install an additional 3 cubic yards of Concrete for structures Class A for bulkhead on West Riviera Bridge             | \$10,800.00   |
| Furnish & install an additional 327 pounds of epoxy coated bar reinforcement for structures on West Riviera Bridge               | \$945.00      |
| Credit to Contingency  | (\$27,945.00) |
| <b>TOTAL CHANGE ORDER NO. 3</b>  | <b>0</b>      |

WHEREAS, Change Order No. 3 has been approved by the Committee, Lockwood, Kessler & Bartlett, Inc., the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, Lockwood, Kessler & Bartlett, Inc. and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 3, which has resulted in no change in the contract amount to SEVEN MILLION ONE HUNDRED THIRTY-FIVE THOUSAND, SEVEN HUNDRED FORTY-NINE (\$7,135,749.00) DOLLARS

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 561 SEPTEMBER 4, 2019**

**AUTHORIZING CHANGE ORDER NO. 1 & ACCEPTING THE CONTRACT WITH RELLE ELECTRIC, INC. FOR BID NO. 18G60, INSTALLATION OF LED LIGHTS AT ANTHONY SANCHEZ (SAWYER AVE.) PARK AS COMPLETE & ACCEPTABLE**

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

WHEREAS, Bid No. 18G60, Installation of Led Lights at Anthony Sanchez (Sawyer Ave.) Park was awarded to Relle Electric, Inc. pursuant to Resolution No. 613 of August 15, 2018 for a total contract amount FIVE HUNDRED EIGHT FIVE THOUSAND, THREE HUNDRED AND TWO (\$585,302.00) DOLLARS and

WHEREAS, the Change Order Committee convened on August 29, 2019, with the Chief of Staff, Town Attorney, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No.1, and WHEREAS, the Change Order Review Committee and Cashin Associates, P.C. recommend the approval of Change Order No. 1 as follows:

|  |                      |
|--|----------------------|
| Furnish & Install all labor, materials and equipment to re-route conduit through attic space and back into the panel | \$7,820.79           |
| Credit to Contingency for Change Order and unused Contingency  | (\$25,000.00)        |
| <b>TOTAL CHANGE ORDER NO. 1</b>  | <b>(\$17,179.21)</b> |

WHEREAS, the Commissioner of General Services, the Commissioner of the Department of Public Works and Cashin Associates, P.C. have deemed all work performed by Relle Electric, Inc. pursuant to Bid No. 18G60 as satisfactorily complete and acceptable,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Cashin Associates, P.C., Change Order No. 1 for a credit amount of SEVENTEEN THOUSAND ONE HUNDRED SEVENTY NINE DOLLARS AND 21/100 (-\$17,179.21) be and is hereby accepted, reducing the total contract amount to FIVE HUNDRED SIXTY EIGHT THOUSAND, ONE HUNDRED TWENTY TWO DOLLARS AND 79/100 (\$568,122.79) and be it further

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Cashin Associates, P.C., all work performed by Relle Electric, Inc. pursuant to Bid No. 18G60 be and is hereby accepted as satisfactorily complete at a final contract price of to FIVE HUNDRED SIXTY EIGHT THOUSAND, ONE HUNDRED TWENTY TWO DOLLARS AND 79/100 (\$568,122.79).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 562 SEPTEMBER 4, 2019**

**AUTHORIZING CHANGE ORDER NO. 1, IN THE CONTRACT WITH SAVIK & MURAY, A DIV. OF DCAK-MSA, FOR RFP 17G6, REQUEST FOR PROPOSALS FOR ENGINEERING, DESIGN, & CONSTRUCTION INSPECTION & ADMINISTRATION SERVICES FOR RENOVATIONS TO THE ACE CENTER & NORTH AMITYVILLE SENIOR CENTER & SITE IMPROVEMENTS**

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

WHEREAS, RFP No. 17G6 , DCAK-MSA, For RFP 17g6, Request For Proposals For Engineering, Design, & Construction Inspection & Administration Services For Renovations To The Ace Center & North Amityville Senior Center & Site Improvements was awarded to Savik & Murray, a Div. of DCAK-MSA pursuant to Resolution No. 459 of May 17, 2017 for a total contract amount of ONE HUNDRED THIRTEEN THOUSAND (\$113,000.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on August 29, 2019, with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 1 and WHEREAS, the Change Order Review Committee recommend the approval of Change Order No. 1 as follows:

|  |                   |
|--|-------------------|
| Change Order No. 1 Investigate the exterior non-loading bearing light gauge framing to assess corrosion of the steel framing |                   |
| <b>TOTAL CHANGE ORDER NO. 1</b>  | <b>\$5,500.00</b> |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 1 in the amount of FIVE THOUSAND FIVE HUNDRED (\$5,500.00) DOLLARS in the contract with Savik & Murray, a Div. of DCAK-MSA, increasing the contract amount to ONE HUNDRED EIGHTEEN THOUSAND FIVE HUNDRED (\$118,500.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 563 SEPTEMBER 4, 2019**

**AUTHORIZING A CONSULTING CONTRACT WITH INTERNATIONAL CONNECT ASSOCIATES, INC.**

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

WHEREAS, a proposal to provide a Digital Front Desk/Visitor Management platform for the Wyandanch Resource Center was solicited from International Connect Associates, Inc. and

WHERE AS, the Professional Consultant Evaluation Committee convened on August 29, 2019 with the Chief of Staff, Deputy Supervisor, Town Attorney, Comptroller, Commissioner of General Services, Commissioner of Planning & Development and the Commissioner of the Dept. of Public Works in attendance to review the aforementioned proposal, and

WHEREAS, after a thorough review of the proposal, the Committee recommends award of a contract to International Connect Associates, Inc. at the following fees:

|  |            |
|--|------------|
| Onetime fee for Visitor intake platform/CRM API Link | \$3,750.00 |
| Annual fee for Advanced Reporting                    | \$264.00   |
| Annual fee for CRM Licensing                         | \$1,260.00 |
| Annual Fee for PRM/Intake Hosting                    | \$200.00   |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Review Committee, the Supervisor be and he is hereby authorized to execute a contract with International Connect Associates, Inc. at the aforementioned fees and that said contract shall be approved by the Town Attorney as to form and content, and be it further

RESOLVED, said contract may be extended at the discretion of the Commissioner of Planning & Development for two (2) additional one (1) periods.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 564 SEPTEMBER 4, 2019**

**AUTHORIZING A CONSULTING CONTRACT WITH DEBORAH LUPO-LYONS, DVM**

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

WHEREAS, a proposal to provide Veterinary Services for the Town of Babylon's Animal Shelter was solicited from Deborah Lupo-Lyons, DVM and

WHERE AS, the Professional Consultant Evaluation Committee convened on August 29, 2019 with the Chief of Staff, Deputy Supervisor, Town Attorney, Comptroller, Commissioner of General Services, Commissioner of Planning & Development and the Commissioner of the Dept. of Public Works in attendance to review the aforementioned proposal, and

WHEREAS, after a thorough review of the proposal, the Committee recommends award of a contract to Deborah Lupo-Lyons, DVM at an hourly rate of EIGHTY (\$80.00) DOLLARS, not to exceed TWENTY-FIVE THOUSAND (\$25,000.00) DOLLARS for the period of July 7, 2019 – December 31, 2019

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Review Committee, the Supervisor be and he is hereby authorized to execute a contract with Deborah Lupo-Lyons, DVM at an hourly rate of EIGHTY (\$80.00) DOLLARS, for a total contract amount not to exceed TWENTY FIVE THOUSAND (\$25,000.00) DOLLARS for the period of July 7, 2019 – December 31, 2019 and that said contract shall be approved by the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 565 SEPTEMBER 04, 2019  
AWARDING BID NO. 19G64 PURCHASE OF LEACHATE PUMPS**

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

WHEREAS, the following bids for Bid No. 19G64; Purchase of Leachate Pumps was received, opened and publicly read:

|  |                                 |                    |
|--|---------------------------------|--------------------|
| Item1. Ebara 80DLCMFMU67.5 Explosion Proof Submersible Pump or Equal | <b>Bensin Contracting, Inc.</b> | <b>\$11,880.00</b> |
|  | Eagle Control Corporation       | \$14,557.00        |
| Item2. Barnes 4XSHDG Explosion Proof Submersible Pump or Equal       | <b>Bensin Contracting, Inc.</b> | <b>\$12,200.00</b> |
|  | Eagle Control Corporation       | \$18,640.00        |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Deputy Commissioner of Environmental Control and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G64 be and is hereby awarded to the low bidder Bensin Contracting, Inc.; and be it further

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

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

The resolution was thereupon declared duly adopted.

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

|                      |        |     |
|----------------------|--------|-----|
| Councilman Manetta   | Voting | Yea |
| Councilman Martinez  | Voting | Yea |
| Councilman McSweeney | Voting | Yea |
| Councilwoman Gordon  | Voting | Yea |
| Supervisor Schaffer  | Voting | Yea |

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 566 SEPTEMBER 04, 2019  
AWARDING BID NO. 19G66 SPORTS, PARKS & REC. EQUIPMENT, BISON CATALOG AND/OR WEBSITES,  
BISON, WITTEK, EAGLE ONE OR EQUAL**

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

WHEREAS, the following bids for Bid No. 19G66, Sports, Parks & Recreation Equipment Catalog and/or Websites, Bison, Wittek, Eagle One or Equal were received, opened and publicly read:

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

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of Parks & Recreation and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 19G66 be and is hereby awarded to the bidders offering the highest discount per catalog and/or website; Varsity Brands Holding Co., Inc d/b/a BSN Sports LLC dba BSN Sports, Passon's Sports & UsGames, S & S Worldwide, Inc. and Young Equipment Solutions, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contracts with Varsity Brands Holding Co., Inc d/b/a BSN Sports LLC dba BSN Sports, Passon's Sports & UsGames, S & S Worldwide, Inc. and Young Equipment Solutions, 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.

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 567 SEPTEMBER 4, 2019  
AWARDING BID NO. 19G69 REMOVAL OF SLUDGE AND OTHER CONTAMINANTS FROM LEACHATE TANKS**

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

WHEREAS, the following bids for Bid No. 19G69, Removal of Sludge and Other Contaminants from Leachate Tanks were received, opened and publicly read:

| <b><u>BIDDER</u></b>  | <b><u>PRICE PER TANK</u></b> |
|---|------------------------------|
| <b>Item. 1.</b> Cleaning and Vacuuming a 425,000 Gallon Leachate Storage Tank including all Manpower and Equipment to Access, Clean and Vacuum Tank |                              |
| <b>Tully Environmental Inc.</b>   | <b>\$5,000.00</b>            |
| Eastern Environmental Solutions   | \$5,200.00                   |
| AB Oil Service  | \$7,400.00                   |

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and Deputy Commissioner of Environmental Services and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G69 be and is hereby awarded to the low bidder, Tully Environmental Inc.; and be it further

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

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

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 568 SEPTEMBER 4, 2019  
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS**

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

WHEREAS, the Town Board has awarded certain contracts for various projects throughout the Town of Babylon, and WHEREAS, said work and/or services were never performed or services have been completed and the funding for said projects remains encumbered, and

WHEREAS, the Commissioner of General Services and the Comptroller recommend that certain contracts be deemed null and void and/or complete and any remaining funding be unencumbered

NOW, THEREFORE, be it

RESOLVED, that the contracts listed below be deemed as null and void and/or complete and all funding be released and reallocated:

| <b><u>CONTRACTOR NAME</u></b>     | <b><u>RESOLUTION NO.</u></b> | <b><u>AMOUNT</u></b> |
|-----------------------------------|------------------------------|----------------------|
| Savik & Murray a Div. of DCAK-MSA | 292 of 3/29/17               | \$13,567.50          |
| Cashin Associates                 | 398 of 5/19/14               | \$960.00             |

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 569 SEPTEMBER 4, 2019  
ACCEPTING A DONATION**

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 donations are accepted with gratitude:

| DONOR                  | ITEM   | RECOMMENDED BY                      | USE         |
|------------------------|--|-------------------------------------|-------------|
| Steamfitters Local 638 | Park bench 4 foot long<br>Steel cast iron legs. Est dollar value \$800.00. | Commissioner of General<br>Services | Tanner Park |

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

**RESOLUTION NO. 570 SEPTEMBER 4, 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                                |
|------------------------|---------------------------------------|
| Reginald (Chris) Elton | \$104.90 Animal Shelter food/supplies |

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

**RESOLUTION NO. 571 SEPTEMBER 4, 2019  
AUTHORIZING REFUND OF FEES DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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

| Name               | Address   | Fee      | Activity   | Receipt Number  |
|--------------------|---|----------|--|---|
| Michael T. McGrath | 655 S 9 <sup>th</sup> Street<br>Lindenhurst, NY 11757 | \$30.00  | *Was charged daily launching Fee when he already had a boat docking/Launching permit. Permit purchased on 6/14/19 Entrance Fee on 7/12                           | POS Receipt<br>139411   |
| Monica Smith       | 286 44 <sup>th</sup> Street<br>Copiague, NY 11726     | \$25.00  | *Refund for entrance to Deer Park Pool – Resident did not know she could not bring guest to pool. She has been informed of Town policies for the future.         | POS Receipt<br>See Attached<br>#3923                          |
| Nicole Auer        | 52 Mill Rd.<br>Farmingdale, NY 11735                  | \$45.00  | * Purchased a beach permit – only wanted to use Tanner Park. She didn't know the beach is closed due to bacteria.  | POS Receipt<br>0729MDJDPGCTG                                  |
| Carissa Agnello    | 91 Surf Rd.<br>Lindenhurst, NY 11757                  | \$40.00  | *Wanted a beach permit – not to pay daily entrance fee to Cedar Marina.  | POS Receipt<br>469209746002502                                |
| Melissa Ruiz       | 46 Pebble Lane<br>Deer Park, NY 11729                 | \$85.00  | Adult tennis lessons refund due to location change   | POS Receipt<br>136127<br>142274                               |
| Lauren Poulsen     | 672 Sunrise Hwy<br>West Babylon, NY 11704             | \$28.00  | Refund for entrance to Phelps Pool<br>*Resident was not happy that her daughter could not use the slide – only reason she went to this pool.                     | POS Receipt<br>See Attached<br>#5722                          |
| Lyn Decarolis      | 132 E. Santa Barbara Rd.<br>Lindenhurst, NY 11757     | \$45.00  | *Charge twice for Beach Permit.<br>See Attached Bank Statement.<br>*Beach Sticker  | POS Receipt<br>See Attached Bank<br>Statement.                |
| Rebecca Stamatis   | 14 Drakeford Avenue<br>North Babylon, NY<br>11703     | \$325.00 | Refund for Day Camp<br>*Not Happy with the program.  | POS Receipt<br>136817<br>141564                               |
| Dennis Dodson      | 51 Steward Avenue<br>Amityville, NY 11701             | \$25.00  | Refund for Difference<br>*Charged resident fee - \$50.00 instead of Senior Rate of \$25.00.  | POS Receipt<br>141478   |
| Richard Shannon    | 64 Cormack Court<br>Babylon, NY 11702                 | \$99.00  | Refund for boat Reservations 7/12 – 7/15/19 – Pole missing between slip 17&18 – doesn't feel safe docking his boat.  | POS Receipt<br>140818<br>141563                               |
| Jennifer Moise     | 23 Evergreen Place<br>Deer Park, NY 11729             | \$390.00 | Refund for boating Reservations.<br>1. 6/12 - 6/24/19 – \$90.00<br>2. 8/2 – 8/5/19 - \$90.00<br>3. 8/16 – 8/23/19 - \$210.00<br>*boat is no longer in the water. | POS Receipt<br>136673<br>139588<br>136787<br>135636<br>141379 |
| Megan Hersold      | 15 West Grand Avenue<br>Lindenhurst, NY 11757         | \$100.00 | Refund for Golf<br>*Unable to attend program due to a family issue.  | POS Receipt<br>138658<br>141291                               |

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

**RESOLUTION NO. 572 SEPTEMBER 4, 2019  
AUTHORIZING REFUND OF PAYMENT**

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 Town Attorney, that the following fees be refunded:

| Name        | Address   | Fee        | Activity                       | Reason  |
|-------------|---|------------|--------------------------------|---|
| Progressive | One Corporate Drive<br>Suite 201, Bohemia, NY 11716 | \$1,514.96 | VOB<br>light pole installation | Work was done by Babylon Village within the Village. Town was paid on accident. |

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

**RESOLUTION NO. 573 SEPTEMBER 4, 2019  
AUTHORIZING RELEASE OF CHECK**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta  
BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Clerk that the following CHECK for street excavation be released:

| <u>PERMIT</u> | <u>DATE</u> | <u>NAME &amp; ADDRESS</u>  | <u>TYPE</u> | <u>AMOUNT</u> |
|---------------|-------------|--|-------------|---------------|
| 10215         | 6/28/2017   | Cabinetry by Design, Inc.<br>Cuiffo Cabinetry 95 Brook Avenue, Deer Park, NY 11729 | Check       | \$2000.00     |

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 574 SEPTEMBER 04, 2019  
AUTHORIZING THE TRANSFER OF RESIDUAL EQUITY FROM A CAPITAL PROJECT TO APPROPRIATED RESERVES**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon  
WHEREAS, The Town of Babylon has bonded for a capital project namely, Animal Shelter (the "Project") and  
WHEREAS, the Project has unused funding allocated totaling \$1,920.62 against which no contract or encumbrance exists; and  
WHEREAS, the Comptroller recommends to the Town Board that the unused portion be transferred to the General Fund.

NOW, THEREFORE, be it  
RESOLVED, that the Town Board of the Town of Babylon, upon the recommendation of the Comptroller, does hereby order the transfer of funding in the amount of \$1,920.62 from the Capital Projects Program Fund to the General Fund.

RESOLVED, that the Office of the Town Comptroller is authorized to make all necessary accounting entries and cash movements to ensure this transfer, and shall have authority to sign documents necessary to complete this transaction for the above noted amount.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 575 SEPTEMBER 04, 2019  
AUTHORIZING THE TRANSFER OF RESIDUAL EQUITY FROM A CAPITAL PROJECT TO APPROPRIATED RESERVES**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney  
WHEREAS, The Town of Babylon has bonded for a capital project namely, Resurfacing of the Gym Floor at the Wyandanch Youth Center (the "Project") and  
WHEREAS, the Project has unused funding allocated totaling \$5,528.00 against which no contract or encumbrance exists; and  
WHEREAS, the Comptroller recommends to the Town Board that the unused portion be transferred to the General Fund.

NOW, THEREFORE, be it  
RESOLVED, that the Town Board of the Town of Babylon, upon the recommendation of the Comptroller, does hereby order the transfer of funding in the amount of \$5,528.00 from the Capital Projects Program Fund to the General Fund.

RESOLVED, that the Office of the Town Comptroller is authorized to make all necessary accounting entries and cash movements to ensure this transfer, and shall have authority to sign documents necessary to complete this transaction for the above noted amount.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 576 SEPTEMBER 4, 2019  
AUTHORIZING THE TRANSFER OF CERTAIN FUNDS TO THE TOWN OF BABYLON L.D. CORPORATION II**

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez  
**WHEREAS**, the Town of Babylon (the "Town") is undertaking a plan to revitalize the downtown area of the Town in Copiague; and  
**WHEREAS**, pursuant to Resolution No. 212 of March 2017, the Town Board of the Town of Babylon adopted the "Copiague Blight Study" dated February 1, 2017, ("Blight Study") for the project area located in downtown Copiague; and

**WHEREAS**, pursuant to Resolution No. 212 of March 2017, the Town Board of the Town of Babylon designated an Urban Renewal Area ("URA") in downtown Copiague, which area is specifically delineated in the map and list of parcels incorporated within the study as appropriate for urban renewal pursuant to subdivision three of Section Five Hundred Two of the New York State General Municipal Law ("GML") which is detailed in the Blight Study; and

**WHEREAS**, pursuant to Resolution No. 563 of July 19, 2018, the Town Board of the Town of Babylon created a Downtown Copiague Facade Improvement Program to rehabilitate the commercial and mixed-use zoned parcels located in the Downtown Copiague District;

**WHEREAS**, the Town of Babylon designated The Town of Babylon L.D. Corporation II a not-for-profit corporation and local development corporation (the "TOBLDCCI") duly formed and organized pursuant to Section 1411 of the Not for Profit Corporation Law of the State of New York (the "NPCL") to act as the administrator of the Downtown Copiague Facade Improvement Program; and

**WHEREAS**, the Town Board has further determined that, in furtherance of the development of the Program, any funds associated with the Downtown Copiague Facade Improvement Program should be transferred and conveyed to The Town of Babylon L.D. Corporation II.

**NOW, THEREFORE,**  
**BE IT RESOLVED**, that the Town Board hereby determines that in furtherance of the Program, any funds received for the Downtown Copiague Facade Improvement Fund should be transferred and/or conveyed to the Town of Babylon L.D. Corporation II; and

**RESOLVED**, that the Comptroller of the Town of Babylon is authorized to transfer any funds received for the Downtown Copiague Facade Improvement Fund to the Town of Babylon L.D. Corporation II.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 577 SEPTEMBER 04, 2019  
AUTHORIZING 2019 OPERATING TRANSFER**

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 2019 Operating Transfer is hereby authorized:

| <u>Capital Project Fund</u>   | <u>Increase</u> | <u>Decrease</u> |
|---|-----------------|-----------------|
| <b>H05 – Wyandanch Pedestrian Mall (road reconfiguration)</b>                   |                 |                 |
| <b>Interfund Transfer</b>   |                 |                 |
| H05.0000.5031   | \$ 2,954.00     |                 |
| <b>Equipment &amp; Capital Outlay</b>   |                 |                 |
| H05.5997.26   |                 | \$ 2,954.00     |
| <b>H129 – Road Infrastructure Improvements which include utility relocation</b> |                 |                 |
| <b>Interfund Transfer</b>   |                 |                 |
| H129.9901.90  | \$ 2,954.00     |                 |
| <b>Equipment &amp; Capital Outlay</b>   |                 |                 |
| H129.5997.26  |                 | \$ 2,954.00     |

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 578 SEPTEMBER 4, 2019  
DECLARING EQUIPMENT SURPLUS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of the Department of Public Works, that the obsolete equipment on the attached Schedule "A" be declared surplus and auctioned.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**SCHEDULE 'A'**

| VEHICLE # | MAKE                    | VEHICLE #ID         | REASON            |
|-----------|-------------------------|---------------------|-------------------|
| 921       | 1999 Ford Escort        | 1FAFP10P8XW296245   | Rotted frame      |
| 943       | 2003 Chevrolet Dump     | 1GBC4E1193F507846   | Rotted Frame      |
| 949       | 1994 Ford Subn          | 1FBHE31Y7RHB88657   | Rotted-Bad Tran.  |
| 951       | 2003 Chevrolet Pick up  | 1GCEK19VX3E320583   | Accident-Totaled  |
| 989       | 2004 Chevrolet Tahoe    | 1GNEK13T74J304719   | Rotted Frame      |
| 990       | 2004 Chevrolet Tahoe    | 1GNEK13T44J303964   | Rotted Frame      |
| 991       | 2004 Chevrolet Tahoe    | 1GNEK13T94J302423   | Frame & Tran. Rot |
| 1047      | 2006 Chevrolet Pick up  | 1GCHK23U36F155624   | Blown Motor       |
| 1057      | 2006 Jeep Cherokee      | 1J4GR48K06C340381   | Blown Motor       |
| 1058      | 2006 Jeep Cherokee      | 1J4GR48K96C332733   | Blown Motor       |
| 1162      | 2008 Chevrolet Pick Up  | 1GCHK23KX8F217702   | Blown Motor       |
| 1146      | 2008 Chevrolet Colorado | 1GCDT33E388218450   | Blown Motor       |
| 1276      | 2008 Chevrolet Suburban | 1GNDT13S482162796   | Rotted Frame      |
| 1356      | 2013 Chevrolet Cruze    | 1G1PA5SG0D7255403   | Blown Motor       |
|           | 1995 Johnson 9.9 HP     | #J10RETM 6 03301421 |                   |
| 1002      | 2004 Chevrolet Colorado | 1GCDT136348218665   | Blown Motor       |
| CM-6/1362 | Stow Cement Mixer       | 13520028903         | Blown Motor       |
| CM-8/6056 | Stow Cement Mixer       | 28904               | Blown Motor       |
| 6239      | Honda Generator         | SL-1-206            | Blown Motor       |
| 6240      | Honda Generator         | SL-2 ES3500         | Blown Motor       |
| 1358      | 2013 Chevrolet Cruze    | 1G1PA5SG7D7279052   | Blown Motor       |
| N/A       | 25' Aluminum Dock Ramp. | N/A                 | Surplus           |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 579 SEPTEMBER 4, 2019  
AUTHORIZING PAYMENT TO AMCS GROUP, INC**

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, based upon the recommendation of the Commissioner of Environmental Control, that the Comptroller is hereby authorized to issue payment to AMCS Group, Inc. for professional services.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 580 SEPTEMBER 4, 2019  
AUTHORIZING REFUND OF FEES**

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 Planning and Development, that the following fee be refunded:

| NAME and ADDRESS   | TYPE  | AMOUNT   |
|--|---|----------|
| Bryan P. Mullaney Malori A. Steihauser<br>8 Gamecock Lane, Babylon, NY 11702 | Plumbing Permit Refund<br>Receipt #2019-0005921 | \$120.00 |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 581 SEPTEMBER 4, 2019  
AUTHORIZING ACCEPTANCE OF PERFORMANCE BOND**

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 incomplete site work performance bond be accepted:

| PAYEE   | PROPERTY LOCATION   | APPLICATION/PERMIT #           | BOND AMOUNT                      |
|---|---|--------------------------------|----------------------------------|
| Bolla Market<br>1201 Sunrise Hwy.<br>Copiague, NY 11726 | s/w/c/o Sunrise Hwy.<br>& 35 <sup>th</sup> Street, Copiague | Planning Board Job # 16-10ADIN | \$11,269.50<br>Bond No. 41405083 |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 582 SEPTEMBER 4, 2019  
AUTHORIZING THE WAIVING OF ZONING, PLANNING, BUILDING, PLUMBING AND ALL ASSOCIATED FEES**

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the Zoning, Planning, Building, Plumbing and all associated fees for Habitat for Humanity be waived. Habitat for Humanity is a not-for-profit organization.

| Address  | SCTM #            |
|--|-------------------|
| 141 North 26 <sup>th</sup> Street<br>Wyandanch, New York 11798 | 0100-39-3-50 & 51 |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 583 SEPTEMBER 4, 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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

"SCHEDULE A"

2019 ADMINISTRATIVE SALARY PLAN

| <u>TITLE</u>   | <u>LEVEL</u> | <u>STEP</u> |
|--|--------------|-------------|
| 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            | 12          |
| 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                                | F            | 17a         |
| Deputy Commissioner of DPW                                   | G            | 17a         |
| Deputy Commissioner of Environmental                         | H            | 14a         |
| Deputy Commissioner of Planning                              | I            | 12          |
| Deputy Commissioner of Planning and Development              | J            | 9           |
| Deputy Commissioner Parks and Recreation                     | J            | 6a          |
| Second Deputy Commissioner of Parks and Recreation           | H            | 16a         |
| Deputy Comptroller   | J            | 15a         |
| 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  | H            | 7a          |
| 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) | J            | 12a         |
| 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 | H | 9a  |
| Secretary to Commissioner of Parks & Recreation     | I | 5a  |
| Secretary to Comptroller                            | J | 12a |
| Secretary to Deputy Supervisor                      | F | 3   |
| 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 |

| <b>2019 Administration Plan:</b> |        |        |        |        |        |        |        |         |         |         |
|----------------------------------|--------|--------|--------|--------|--------|--------|--------|---------|---------|---------|
|                                  | 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. 584 SEPTEMBER 4, 2019  
AUTHORIZING 2019 BUDGET MODIFICATION**

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 Town Comptroller, that the following 2019 Budget Modification is  
hereby authorized:

|   | <u>Increase</u> | <u>Decrease</u> |
|---|-----------------|-----------------|
| <b><u>General Fund</u></b>                            |                 |                 |
| <b>Supervisor</b>                                     |                 |                 |
| A.1220.49      Miscellaneous                          | \$ 4,000        |                 |
| A.1220.44      Professional and Technical Services    |                 | \$ 4,000        |
| <b>Comptroller</b>                                    |                 |                 |
| A.1315.13      Administrative                         | \$ 11,523       |                 |
| Professional and Technical Services                   |                 |                 |
| A.1315.44   |                 | \$ 8,000        |
| Full Time Clerical                                    |                 |                 |
| A.1315.14   |                 | \$ 3,523        |
| <b>Clerk</b>  |                 |                 |
| Part time clerical                                    |                 |                 |
| A.1410.16   | \$ 6,000        |                 |
| Member of a board                                     |                 |                 |
| A.1410.12   |                 | \$ 1,000        |
| Full Time Clerical                                    |                 |                 |
| A.1410.14   |                 | \$ 5,000        |
| <b>Law</b>  |                 |                 |
| Administration  |                 |                 |
| A.1420.13   | \$ 37,624       |                 |
| Full time clerical                                    |                 |                 |
| A.1420.14   |                 | \$ 37,624       |
| <b>Personnel</b>                                      |                 |                 |
| Office Supplies                                       |                 |                 |
| A.1430.41   | \$ 400          |                 |
| Full time clerical                                    |                 |                 |
| A.1430.14   |                 | \$ 400          |
| <b>Control of Animals</b>                             |                 |                 |
| Miscellaneous   |                 |                 |
| A.3510.49   | \$ 115          |                 |
| Program operations                                    |                 |                 |
| A.3510.47   |                 | \$ 115          |
| <b>Narcotics and Addiction Control</b>                |                 |                 |
| A.4220.44      Professional and Technical Services    | \$ 27,800       |                 |
| Repairs and Maintenance                               |                 |                 |
| A.4220.46   | \$ 7,200        |                 |
| Full Time Clerical                                    |                 |                 |
| A.4220.14   |                 | \$ 35,000       |
| <b>Special recreation Facilities</b>                  |                 |                 |
| A.7180.17      Part Time Labor                        | \$ 20,000       |                 |
| <b>Law</b>  |                 |                 |
| A.1420.13      Administrative                         | \$ 20,000       |                 |
| <b><u>Commercial Garbage District</u></b>             |                 |                 |
| <b>Commercial Garbage District</b>                    |                 |                 |
| Equipment   |                 |                 |
| SR.8160.20  | \$ 73,500       |                 |
| Professional and technical services                   |                 |                 |
| SR.8160.44  |                 | \$ 73,500       |
| <b><u>Oak Beach Water District</u></b>                |                 |                 |
| <b>Water Administration</b>                           |                 |                 |
| SW.8310.25      Professional and Engineering Services | \$ 30,000       |                 |
| Professional and Technical Services                   |                 |                 |
| SW.8310.44  |                 | \$ 30,000       |
| <b><u>Part Town Fund</u></b>                          |                 |                 |
| <b>Planning</b>                                       |                 |                 |
| Full Time Labor                                       |                 |                 |
| B.8020.15   | \$ 72,724       |                 |
| <b>Engineer</b>                                       |                 |                 |
| Full Time Labor                                       |                 |                 |
| B.1440.15   |                 | \$ 72,724       |

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

**RESOLUTION NO. 585 SEPTEMBER 4, 2019  
AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS  
TO ENTER INTO AGREEMENTS WITH SNOW PLOW OPERATORS**

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 Commissioner of the Department of Public Works be and he hereby is authorized to enter into agreements with snow plow operators with or without equipment at rates to be established by the Commissioner of the Department of Public Works and approved by the Town of Babylon; and be it further

RESOLVED, that said agreements are 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. 586 SEPTEMBER 4, 2019  
AUTHORIZING THE EXECUTION OF SUBRECIPIENT AGREEMENTS  
UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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

WHEREAS, the Town of Babylon approved the Fiscal Year 2019 Consolidated Housing and Community Development Plan submitted to the U.S. Department of Housing and Urban Development (HUD) for the Fiscal Year 2019 Community Development Block Grant (CDBG) and HOME Investment Partnership funds by Resolution Number 366 dated May 15, 2019; and

WHEREAS, Sub-recipient Agreements for FY 2019 must be approved by the Town Board executed with the following participants as set forth in Schedule "A" attached hereto, to enable these projects to proceed at the stated budget amount,

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves the participants as cited in Schedule "A" to be funded at the stated amounts, as be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute Sub-recipient agreements for each of the projects listed in Schedule A, subject to review by the Town Attorney as to content and form of said agreements.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**SCHEDULE "A"**

| <u>Sub-recipient</u>  | <u>Budget Amount</u> |
|---|----------------------|
| Village of Amityville   | \$40,506.80          |
| Village of Babylon  | \$44,179.70          |
| Village of Lindenhurst  | \$104,939.90         |
| The Opening Word Program<br>Literacy Program                                  | \$10,000.00          |
| Wyandanch Community Development Corporation<br>Housing Counseling             | \$16,000.00          |
| Wyandanch Homes & Property Development Corp.<br>Project Self- Sufficiency     | \$10,000.00          |
| Wyandanch Public Library<br>Adult Literacy Program                            | \$ 7,000.00          |
| Long Island Housing Services<br>Fair Housing and Outreach                     | \$10,000.00          |
| Wyandanch Community Development Corporation<br>Shiloh Youth Mind, Body & Soul | \$ 5,000.00          |
| The Interfaith Nutrition Network, Inc. (INN)<br>Mercy Inn Soup Kitchen        | \$16,000.00          |
| Family Service League<br>Home Share Long Island                               | \$ 9,000.00          |
| Starflower Experiences<br>Rangers of the Earth Wyandanch                      | \$10,000.00          |
| Long Island Cares - South Shore Service Center<br>The Henry Chapin Food Bank  | \$12,000.00          |
| Long Island Housing Partnership, Inc.<br>Housing Counseling                   | \$10,000.00          |
| Island Harvest, LTD<br>Food Collection & Distribution                         | \$ 5,000.00          |

**RESOLUTION NO. 587 SEPTEMBER 4, 2019  
AUTHORIZING THE SUPERVISOR TO EXECUTE THE FISCAL YEAR 2019 HOME INVESTMENT PARTNERSHIP AGREEMENT  
WITH WYANDANCH COMMUNITY DEVELOPMENT CORPORATION**

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

WHEREAS, the Town of Babylon has set aside Twenty-One Thousand Three Hundred One Dollars and 05/100 (\$21,301.05) of its Fiscal Year 2019 HOME Investment Partnership Program allocation to fund, part of the operating expenses of a designated Community Housing Development Organization (CHDO); and

WHEREAS, the Town has designated Wyandanch Community Development Corporation as a CHDO,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a HOME Investment Partnership Program Agreement with Wyandanch Community Development Corporation in an amount not to exceed Twenty-One Thousand Three Hundred One Dollars and 05/100 (\$21,301.05) of the Fiscal Year 2019 allocation for a term commencing with the final execution date of the agreement through and including project completion which shall not be more than two (2) years after final execution;

RESOLVED, that the aforementioned agreement is subject to 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. 588 SEPTEMBER 4, 2019  
AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN  
WEST BABYLON UNION FREE SCHOOL DISTRICT AND THE TOWN OF BABYLON**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with West Babylon UFSD to provide access to the Town's fueling station and fuel.

RESOLVED, that the agreement is 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. 589 SEPTEMBER 4, 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 Martinez and seconded by Councilman Manetta

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of September, 2019 at 3:30 p.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: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**EXHIBIT "A"**

Chapter 3, Article II, Section 3-4  
[Parking, Standing, and Stopping Restrictions Designated]  
**ADD to Schedule K:**

| Name of Street/Side Location   | Hamlet | Regulation      | Hours/Days                                  |
|--|--------|-----------------|---|
| Cedar Street/West side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue              | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Cedar Street/East side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue              | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Elm Street/West side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue                | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Elm Street/East side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue                | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Marconi Boulevard/North side from a point 30 feet +/- east of Columbo Avenue to a point 30 feet +/- west of Vespucci Avenue      | CO     | Permit Required | 6:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Marconi Boulevard/North side from a point 30 feet +/- east of Vespucci Avenue to a point 30 feet +/- west of Verrazano Avenue    | CO     | Permit Required | 6:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Marconi Boulevard/North side from a point 30 feet +/- east of Verrazano Avenue to a point 30 feet +/- West of Caboto Avenue      | CO     | Permit Required | 6:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Pine Street/West side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue               | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Pine Street/East side from a point 30 feet +/- north of Oak Street to a point 30 feet +/- South of Railroad Avenue               | CO     | 2 Hour Limit    | 9:00 a.m. to 5:00 p.m./<br>Monday to Friday |
| Railroad Avenue/South side from a point 30 feet +/- east of Elm Street to a point 30 feet +/- west of Cedar Street               | CO     | 5 Hour Limit    | ALL   |
| Railroad Avenue/South side from a point 30 feet +/- east of Cedar Street to a point 30 feet +/- west of Pine Street              | CO     | 5 Hour Limit    | ALL   |
| Railroad Avenue/South side from a point 30 feet +/- east of Pine Street to a point 30 feet +/- west of Copiague Commons Driveway | CO     | 5 Hour Limit    | ALL   |

**RESOLUTION NO. 590 SEPTEMBER 4, 2019  
ADOPTING LOCAL LAW NO. 5 OF 2019 AMENDING CHAPTER 170, ARTICLE IV  
OF THE BABYLON TOWN CODE (PLUMBERS)**

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 4th day of September 2019, upon the question of enactment of Local Law No. 5 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 170, Article IV (Plumbers);

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 5 of 2019, of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

**LOCAL LAW NO. 5 of 2019  
Chapter 170, Article IV (Plumbers)**

**AMEND:**

§ 170-55 Applicability of licensing provisions to partnerships or corporations.

A partnership or corporation may establish, engage in or carry on the business of plumbing under a master plumber's license or restricted plumber's license granted in accordance with the provisions of this Article to a plumber who is a significant stockholder in such business, holds an office in that business and is in financial control and responsible for the carrying on of such business in accordance with the provisions of the laws, ordinances and regulations of the state, county and Town applicable to said business.

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 591 SEPTEMBER 4, 2019**  
**CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST FIRE DEPARTMENT, INC.**

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

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   |
|--------------|---|
| Jacob Boulay | 165 Tremont Road<br>North Lindenhurst, NY 11757 |
| Joel Hurtado | 98 Cordeiro Avenue<br>Lindenhurst, NY 11757     |

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 592 SEPTEMBER 4, 2019**  
**PROCLAIMING SUNDAY, OCTOBER 12, 2019 AS EAGLE SCOUT JOHN-KRISTIAN BURNELL 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, John Kristian-Burnell 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 John Kristian-Burnell its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, October 13, 2019 as Eagle Scout John-Kristian Burnell Day.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 593 SEPTEMBER 4, 2019**  
**PROCLAIMING SUNDAY, SEPTEMBER 15, 2019 AS EAGLE SCOUT DAVID MARTIN 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, David Martin 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 David Martin its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, September 15, 2019 as Eagle Scout David Martin Day.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 594 SEPTEMBER 4, 2019**  
**PROCLAIMING THE WEEK OF OCTOBER 23, 2019 TO OCTOBER 31, 2019**  
**AS RED RIBBON WEEK IN THE TOWN OF BABYLON**

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

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, 2019 through October 31, 2019 as Red Ribbon Week in the Town of Babylon.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 595 SEPTEMBER 4, 2019**  
**AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR PICKEN, JEFFREY**  
**OUTER BEACH APPLICATION NO. 131262 SCTM #0100-238-1-40**

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

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 131262 of Jeffrey Picken, for the premises located at SCTM #0100-238-1-40 (11 Oak Island, Oak Island, NY), to construct bulkhead; 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. 131262 of Jeffrey Picken, for the premises located at SCTM #0100-238-1-40 (11 Oak Island, Oak Island, NY), to construct bulkhead; 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: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 596 SEPTEMBER 4, 2019**  
**CONSENTING TO ABANDONMENT OF A TRACT OF LAND KNOWN AS A PORTION OF**  
**LENOX ROAD, WEST BABYLON, NEW YORK, ADJACENT TO SCTM #0100-141.00-05.00-097.000, 117.000**

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

WHEREAS, Christopher Maiello, Maria Maiello, Francisco Nieves and Annmarie C. Nieves, residing at 304 Montgomery Avenue, North Babylon, New York, are the owners of the tract of land known and designated as SCTM #0100-0100-141.00-05.00-097.000, 117.000, situated in the Town of Babylon, County of Suffolk, State of New York, and known as "Map of Belmont Terrace", filed in the Office of the Clerk of Suffolk County on or about August 18, 1908 as Map No. 183 and further indicated on the attached Schedule "A"; and

WHEREAS, more than twenty (20) years has elapsed since the filing of said map; and

WHEREAS, the aforementioned owners seek the abandonment of that portion described in Schedule "A"; and

WHEREAS, the Commissioner of Department of Public Works has no objection to the proposed abandonment; and

WHEREAS, the Assessor of the Town of Babylon has proffered his endorsement of approval to this abandonment;

NOW, THEREFORE, be it

RESOLVED, that consent is given that the parties seeking the abandonment of a portion of Lenox Road, West Babylon, New York, adjacent to SCTM #0100--141.00-05.00-097.000, 117.000 shall file and cause to be recorded in the Suffolk County Clerk's Office and the Town Clerk's Office a Certificate of Abandonment containing a written description of the tract of land known as Lenox Road, West Babylon, New York, Town of Babylon, County of Suffolk and State of New York as set forth in Schedule "A" attached hereto according to Subdivision 3 of Section 335 of the Real Property Law of the State of New York; and be it further

RESOLVED, that this resolution shall be subject to a permissive referendum and the Town Clerk is hereby directed to publish a notice of adoption of this resolution.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

Schedule A

ALL that a certain piece or parcel of land, situate, lying and being at West Babylon, in the Town of Babylon, County of Suffolk, known as part of Lenox Road to be abandoned, being bounded and described as follows:

BEGINNING at a point formed by the intersection of the northeasterly side of Hubbard's Path (33 feet wide) and the westerly side of Lenox Road (not open or in use);

RUNNING THENCE along the Westerly side of Lenox Road, North 08 degrees 20 minutes 00 seconds East, 76.06 feet to the southerly side of Montgomery Avenue (40 feet wide);

THENCE along the southerly side of Montgomery Avenue (40 feet wide) South 81 degrees 40 minutes 00 seconds East, 33.00 feet;

THENCE along the easterly side of Lenox Road South 08 degrees 20 minutes 00 seconds West, 126.02 feet to the northeasterly side of Hubbard's Path;

THENCE along the northeasterly side of Hubbard's Path, North 25 degrees 07 minutes 00 seconds West, 59.87 feet to the point or place of BEGINNING.

**RESOLUTION NO. 597 SEPTEMBER 4, 2019**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 13**  
**OF THE BABYLON TOWN CODE (DEPARTMENT OF COMPTROLLER)**

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 25<sup>th</sup> day of September, 2019 at 7:00 p.m., prevailing time, to consider amending Chapter 13 of the Babylon Town Code as set forth in Exhibit "A" herein below; 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 13 (Department of Comptroller)**

**DELETE:**

§ 13-6 Organization.

Until such time as the same may be either amended or modified, the Department shall be divided in the following Divisions:

G. Personnel.

§ 13-14.1 Division of Personnel.

The Division of Personnel shall assist departments in the recruitment of new personnel when so directed by the Town Board and whenever civil service lists prepared pursuant to competitive examination are not available or applicable; it shall maintain accurate records of personnel transactions during the term of employment of all Town employees; and it shall render such related support to Town government as the Town Board may authorize.

**RESOLUTION NO. 598 SEPTEMBER 4, 2019**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 48**  
**OF THE BABYLON TOWN CODE (Department of Civil Service)**

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 25<sup>th</sup> day of September, 2019 at 7:00 p.m., prevailing time, to consider amending Chapter 48 of the Babylon Town Code as set forth in Exhibit "A" herein below; 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 48 (Department of Civil Service)**

**ADD:**

§ 48-1 Department Established; Personnel Officer to be Department Head; Division of Human Resources.

- A. Department established. There shall be in the Town of Babylon a department designated as the Department of Civil Service. The purpose of the Department is to assist the Town Board in establishing standards for and to develop procedures thereon covering individual job performance with the objective of counseling and utilizing personnel to the best advantage, improving efficiency and effectiveness, to recommend to the Town Board standards and procedures with reference to Town personnel and to exercise such powers and perform such duties as may be conferred and imposed by or pursuant to the Civil Service Law. The establishment of the Department constitutes an election and authorization pursuant to Section §16, subdivision 1(b), of the Civil Service Law of the State of New York to withdraw the Town of Babylon from its existing form of administration of the Civil Service Law by the Suffolk County Personnel Officer and the Suffolk County Department of Civil Service.
- B. Position established. The principal executive officer and administrative head of such Department of Civil Service shall be the Personnel Officer pursuant to §15, Subdivision 1(b) of the Civil Service Law of the State of New York, who shall be appointed by the Town Supervisor with the approval of the Town Board at such salary as may from time to time be determined by the Town Board. The Personnel Officer shall be appointed upon the basis of his administrative experience and qualifications for the duties of such office and such additional standards as may be required by the Town Board.

§ 48-2 Term of office.

The term of office of the Personnel Officer shall be for six years.

§ 48-3 Powers and duties.

A. Except as provided in this chapter, the Town of Babylon Personnel Officer shall have, with reference to the Civil Service of the Town of Babylon, the powers and duties of a municipal civil service commission as provided in the Civil Service Law of this state, and shall be subject to supervision and control by the State Civil Service Commission as are municipal civil service commissions. The Personnel Officer shall further have general supervision over all the employees assigned to his/her office and, when authorized by the Town Board, to appoint all members of his/her staff and shall perform such other responsibilities as may be assigned by the Town Supervisor and/or the Town Board, including, but not limited to, the following:

- (1) Maintain accurate, centralized, updated records on all personnel employed by the Town.
- (2) Have jurisdiction over the personnel system and perform all functions necessary and pertinent to the administration of such system.
- (3) Have jurisdiction over employee classifications, employee certifications, examinations for positions of employment, employee recruitment, and employee information and training.
- (4) Have jurisdiction over employee education and affirmative action programs.
- (5) Have jurisdiction over the Employee Assistance Program.
- (6) Shall assist Town departments in the recruitment of new personnel and have responsibility for the planning, design and administration of training programs for Town employees other than departmental orientation and in-service programs.

B. There shall be a Division of Human Resources within the Department of Civil Service which shall have the following powers, duties and responsibilities:

- (1) Have jurisdiction and control over the enrollment of Town employees in unemployment insurance, tuition reimbursement plans, and such other programs as may be approved by duly enacted resolution of the Town Board.
- (2) Determine eligibility for life insurance benefits for employees.
- (3) Have jurisdiction and control over employee benefits and retirement benefits.
- (4) Have jurisdiction and control over all Occupational Safety and Health Administration (OSHA) related matters that affect the safety, health and well-being of Town employees, including all functions and programs performed by the Town Safety Officer.
- (5) Have jurisdiction and control over the Deferred Compensation Plan.
- (6) Have jurisdiction and control over the enrollment of Town employees in retirement plans, in such health insurance plans as may be approved by the Town Board and in such other employee benefit programs as may be approved by action of the Town Board.
- (7) Have jurisdiction and control over departmental orientation and in-service programs.

§ 48-4 Classified service.

All officers and employees of the Town of Babylon and of all departments, offices, institutions and agencies thereof shall be members of the classified service, except the following:

- A. Elective officers.
- B. Heads of departments, including the members of all boards and commissions, and including department heads as defined in the Suburban Town Law.
- C. Employees of the Town Board.

§ 48-5 Classification within classified service.

The offices and positions in the classified service of the Town of Babylon shall be arranged in classes and filled in the same manner as now or hereafter provided by the Civil Service Law of this state in the case of offices and positions in the classified service of suburban towns; provided that the classification of offices and positions in force on the date on which this chapter becomes effective in the Town of Babylon shall continue in force until modified by rules and regulations adopted in due course by the Town of Babylon Department Civil Service subject to the control and supervision of the State Civil Service Commission.

§ 48-5.1 Noncompetitive and labor class employees.

In addition to such provisions as may limit removal or disciplinary action with regard to employees, as set forth in the Civil Service Law of the State of New York, and the rules for the classified service of the Town of Babylon as promulgated by the Town of Babylon Department of Civil Service, no employee of the Town of Babylon in the noncompetitive class or labor class of the Civil Service who has been in the service of the Town of Babylon continuously for a period of six months from the date of his/her appointment shall be removed or otherwise subjected to any disciplinary penalty except for incompetency or misconduct shown after a hearing upon stated charges in the manner provided in Section 75 of the Civil Service Law of the State of New York, or in a manner as otherwise provided in a collective bargaining agreement. Nothing contained herein shall be deemed to limit removal of an employee at the end of or during the term of probation, except as provided by rule of the Town of Babylon Department of Civil Service.

§ 48-6 Effect on present employees.

The status of persons in the classified service of the Town of Babylon on the date on which this chapter becomes effective in the Town of Babylon, including pension rights, shall not be affected by this chapter.

§ 48-7 Enforcement.

It shall be the duty of the Town of Babylon Department of Civil Service to make investigations concerning the enforcement and effect of this chapter, and to do everything in its power to secure observance of the spirit and letter of the Civil Service Law.

§ 48-8 Effect on other laws

This chapter is adopted as a local law pursuant to Article IX of the New York State Constitution, Section 10 of the Municipal Home Rule Law, Section 16, Subdivision 1(b) and Section 15, Subdivision 1(b), of the Civil Service Law of the State of New York. Upon the establishment of the Town of Babylon Department of Civil Service, it shall be the duty of the personnel officer, upon appointment, to adopt and procure the approval of the rules, and, upon failure to do so within sixty days after appointment, the state civil service commission shall forthwith make such rules.

§ 48-9 Effective date.

This chapter shall take effect not less than one year from the time of such election.

**RESOLUTION NO. 599 SEPTEMBER 4, 2019  
 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 Councilwoman Gordon and seconded by Councilman McSweeney

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 25<sup>th</sup> day of September, 2019 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 Intersections Designated]

**ADD to Schedule H:**

| <u>Location</u>                   | <u>Hamlet</u> | <u>Sign</u> | <u>Controlling Traffic</u> |
|-----------------------------------|---------------|-------------|----------------------------|
| Frank Street at North Erie Avenue | NL            | Stop        | East/West on Frank Street  |
| North Erie Avenue at Frank Street | NL            | Stop        | North on North Erie Avenue |

**RESOLUTION NO. 600 SEPTEMBER 4, 2019  
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 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 25<sup>th</sup> day of September, 2019 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 Intersections Designated]

**DELETE from Schedule H:**

| Location                          | Hamlet | Sign | Controlling Traffic      |
|-----------------------------------|--------|------|--------------------------|
| Frank Street at Greene Avenue     | NL     | Stop | West on Frank Street     |
| Frank Street at North Delaware    | NL     | Stop | West on Frank Street     |
| Frank Street at North Erie Avenue | NL     | Stop | East/West on Frank St.   |
| North Erie Avenue at Frank Street | NL     | Stop | North on North Erie Ave. |

**ADD to Schedule H:**

| Location                            | Hamlet | Sign | Controlling Traffic  |
|-------------------------------------|--------|------|----------------------|
| Frank Street at North Fulton Avenue | NL     | Stop | West on Frank Street |
| Frank Street at North Broome Avenue | NL     | Stop | West on Frank Street |

**RESOLUTION NO. 601 SEPTEMBER 4, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON OCTOBER 5, 2019  
IN THE TOWN OF BABYLON FOR THE NORTH BABYLON HIGH SCHOOL (STUDENT COUNCIL)**

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

WHEREAS, the North Babylon High School has requested permission to hold a parade on Saturday, October 5, 2019 within the Town of Babylon,

|   |   |
|---|---|
| <b>INDIVIDUAL:</b><br>Veronica Murphy<br>19 Locust Ave.<br>Coram, NY 11727<br>(631) 767-2559            | <b>ORGANIZATION:</b><br>North Babylon High School (Student Council)<br>1 Phelps Ln.<br>North Babylon, NY 11703<br>(631) 620-7105                          |
| <b>DATES &amp; TIMES:</b><br>Date(s): 10/5/2019 to:<br>Time: 11:00 a.m. to 12:30 p.m.<br>Rain Date: n/a | <b>STARTING:</b><br>Intersection of Beebe Ct. & Garnet St., North Babylon<br><br><b>ENDING:</b><br>North Babylon High School, 1 Phelps Ln., North Babylon |

**ROUTE:**

Leaving the intersection of Beebe Ct. & Garnet St., proceed east on Garnet St. to Deer Park Ave., proceed south on Deer Park Ave. to Phelps Ln., proceed west on Phelps Ln. to the North Babylon High School west parking lot.

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. 602 SEPTEMBER 4, 2019  
AUTHORIZING PERMISSION FOR A HOMECOMING PARADE ON OCTOBER 26, 2019  
IN THE TOWN OF BABYLON FOR THE WEST BABYLON HIGH SCHOOL**

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

WHEREAS, the West Babylon High School has requested permission to hold a homecoming parade on Saturday, October 26, 2019 within the Town of Babylon,

|   |   |
|---|---|
| <b>INDIVIDUAL:</b><br>Philip Armato<br>160 Ecker Avenue<br>West Babylon, NY 11704 (631) 495-4112        | <b>ORGANIZATION:</b><br>West Babylon High School (Homecoming Parade)<br>500 Great E. Neck Road<br>West Babylon, NY 11704 (631) 376-7100   |
| <b>DATES &amp; TIMES:</b><br>Date(s): 10/26/2019 to:<br>Time: 12:15 p.m. to 2:30 p.m.<br>Rain Date: n/a | <b>STARTING:</b><br>Intersection of Little E. Neck Road & Chelsea Avenue, West Babylon<br>(parking lot adjacent to Joe's Italian Food Market)<br><b>ENDING:</b><br>West Babylon Jr. High School, 200 Old Farmingdale Road, West Babylon |

**ROUTE:**

Leaving the intersection of Little E. Neck Road & Chelsea Avenue, proceed southeast on Little E. Neck Road and make a right into the West Babylon Jr. High School parking lot to the football 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. 603 SEPTEMBER 4, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON SEPTEMBER 21, 2019  
IN THE TOWN OF BABYLON FOR DEER PARK BOOSTER CLUB**

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

WHEREAS, the Deer Park Booster Club has requested permission to hold a parade on Saturday, September 21, 2019 within the Town of Babylon,

|  |   |
|--|---|
| <b>INDIVIDUAL:</b><br>Frances Theiss<br>411 Nicolls Rd., Deer Park, NY 11729 (516) 770-4372            | <b>ORGANIZATION:</b><br>Deer Park Booster Club<br>1 Falcon Pl., Deer Park, NY 11729 (631) 274-4180  |
| <b>DATES &amp; TIMES:</b><br>Date(s): 9/21/2019 to:<br>Time: 10:00 a.m. to 1:30 p.m.<br>Rain Date: n/a | <b>STARTING:</b><br>John F. Kennedy Intermediate School, 101 Lake Avenue, Deer Park<br><b>ENDING:</b><br>Deer Park High School, 1 Falcon Pl., Deer Park |

**ROUTE:**

Leaving the JFK School, proceed west on Lake Ave., make a right and travel north onto Deer Park Ave. Make a left and travel west onto Nicolls Rd. Make a left and travel south onto N. 1<sup>st</sup> St. and make a right into the Deer Park High School football field.

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. 604 SEPTEMBER 4, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON SEPTEMBER 21, 2019  
IN THE TOWN OF BABYLON FOR THE WEST BABYLON (PAL) FOOTBALL**

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

WHEREAS, the West Babylon (PAL) Football has requested permission to hold a parade on Saturday, September 21, 2019 within the Town of Babylon,

|   |  |
|---|--|
| <b>INDIVIDUAL:</b><br>Joseph Dispigno<br>169 Plymouth St., West Babylon, NY 11704 (631) 806-3190      | <b>ORGANIZATION:</b><br>West Babylon (PAL) Football<br>169 Plymouth St., West Babylon, NY 11704 (631) 806-3190   |
| <b>DATES &amp; TIMES:</b><br>Date(s): 9/21/2019 to:<br>Time: 4:00 p.m. to 6:00 p.m.<br>Rain Date: n/a | <b>STARTING:</b><br>Sawyer Avenue Pool, West Babylon<br>(Intersection of Sawyer Avenue & Berkshire Road)<br><b>ENDING:</b><br>Pape Field, 220-234 Old Farmingdale Road, West Babylon |

**ROUTE:**

Leaving the Sawyer Avenue Pool, proceed North onto Berkshire Road and make a left onto Old Farmingdale Road and proceed west to the football fields at Pape Field.

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. 605 SEPTEMBER 4, 2019  
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT  
16 BERRY STREET, N. LINDENHURST, NY 11757 SCTM NO. 0100-127.00-01.00-042.000**

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

WHEREAS, a certain structure(s) located at 16 Berry Street, N. Lindenhurst, New York, bearing SCTM# 0100-127.00-01.00-042.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

WHEREAS, it appears that, unless said structure is immediately secured 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 16 Berry Street, N. Lindenhurst, New York, bearing SCTM# 0100-127.00-01.00-042.000 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 15, 2019 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. 606 SEPTEMBER 4, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT**  
**205 CLEARWATER RD., E. LINDENHURST, NY 11757 SCTM NO. 0100-189.00-03.00-068.000**

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

WHEREAS, a certain structure(s) located at 205 Clearwater Rd., E. Lindenhurst, New York, bearing SCTM# 0100-189.00-03.00-068.000, is open and accessible to the public and threatening the health, safety and welfare of the surrounding community residents; and

WHEREAS, said property is improperly secured and constitutes an attractive nuisance to the children of the surrounding residents and the general public will exist; and

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

WHEREAS, the inspector's report, indicates windows and doors are open and accessible, the condition of the home is unsanitary and the owner of the dwelling was found deceased inside of the house by the Suffolk County Police Department, therefore the emergency securing/board up of the premises is the most like and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing/board up of unsafe structures located on the premises at 205 Clearwater Rd., E. Lindenhurst, New York, bearing SCTM# 0100-189.00-03.00-068.000 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 20, 2019 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. 607 SEPTEMBER 4, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT**  
**448 42<sup>ND</sup> STREET, COPIAGUE, NEW YORK 11726 SCTM NO. 0100-201.00-01.00-019.000**

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

WHEREAS, a certain structure(s) located at 448 42<sup>nd</sup> Street, Copiague, New York bearing SCTM# 0100-201.00-01.00-019.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

WHEREAS, it appears that, unless said structure is immediately secured 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 448 42<sup>nd</sup> Street, Copiague, New York, bearing SCTM# 0100-201.00-01.00-019.000 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 1, 2019 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. 608 SEPTEMBER 4, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT**  
**540 HERZEL BLVD., WEST BABYLON, NY 11704 SCTM NO. 0100-129.00-02.00-090.000**

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

WHEREAS, a certain structure(s) located at 540 Herzel Blvd., West Babylon, New York, bearing SCTM# 0100-129.00-02.00-090.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

WHEREAS, it appears that, unless said structure is immediately secured 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 540 Herzel Blvd., West Babylon, New York, bearing SCTM# 0100-129.00-02.00-090.000 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 15, 2019 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. 609 SEPTEMBER 4, 2019**  
**ADOPTING LOCAL LAW NO. 6 OF 2019 AMENDING CHAPTER 141, ICE CREAM VENDING**

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 4th day of September 2019, upon the question of enactment of Local Law No. 6 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 141;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 6 of 2019, of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

**LOCAL LAW NO. 6 of 2019**  
**Chapter 141, Ice Cream Vending**

**AMEND:**

§ 141-4 Vending regulations

- A. A person shall not vend on streets where the speed limit exceeds 30 miles per hour.
- B. The driver of an ice cream truck shall not drive in reverse in order to make or attempt a sale.
- C. It shall be unlawful to vend between the hours of 10:00 p.m. and 11:00 a.m.
- D. It shall be unlawful to vend in an A, B, C or D Residential Zone after 9:00 p.m. or after sunset, whichever is earlier.
- E. Every vehicle which stops on the roadways or the shoulders of the roadways for the purpose of selling food items such as ice cream to the public within the Town of Babylon shall disclose to the consumer the item price of each food item, whether solid, liquid or mixed, such as ice cream, offered for sale. The item prices must be posted in a manner and location so the price of food items is readily observable by patrons.

VOTES: 5 \_\_\_\_\_ YEAS: 5 \_\_\_\_\_ NAYS: 0 \_\_\_\_\_

The resolution was thereupon declared duly adopted.

Open portion:

**Robert Frampton**  
72 Edel Avenue  
West Babylon, NY 11704  
631-707-2208  
[rframpton35@aol.com](mailto:rframpton35@aol.com)

Following up on the progress for the change of code for backyard chickens.

Being no further business before the Board, the meeting adjourned at 3:39 pm on the motion of Councilwoman Gordon, seconded by Councilman Martinez.



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Geraldine Compitello, Town Clerk

/jt