

A Regular Meeting of the Town Board, Town of Babylon, was held at the Town House, 200 East Sunrise Highway, Lindenhurst, NY on Wednesday, the 25th day of September, 2019 at 7:00 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 13 OF THE BABYLON TOWN CODE (DEPARTMENT OF COMPTROLLER)**
2. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 48 OF THE BABYLON TOWN CODE (DEPARTMENT OF CIVIL SERVICE)**
3. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**
4. **A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

**RESOLUTION NO. 446 SEPTEMBER 25, 2019  
TOWN BOARD ENVIRONMENTAL DETERMINATION ON THE PLANNING BOARD JOB #17-04E OF  
GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012 IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS,  
LLC PREMISES AT SCTM NOS.: 0100-13-02-39.20 TO 39.49 AND PART OF 0100-13-02-51 AND 0100-13-02-39.1 TO 39.19, 0100-11-01-6.1  
TO 6.7 (REMAINDER OF EXISTING SUBDIVISION) AND ADOPTION OF ENVIRONMENTAL FINDINGS**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman Manetta

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

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

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

**RESOLUTION NO. 447 SEPTEMBER 25, 2019**  
**GRANTING THE REZONING APPLICATION OF GUSTAVE J. WADE, CAROL E. WADE, GUSTAVE J. WADE FAMILY 2012**  
**IRREVOCABLE TRUST AND COLONIAL SPRINGS FARMS, LLC FOR THE PREMISES LOCATED AT SCTM**  
**NOS. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, PLANNING BOARD JOB #17-04ADE;**

The following resolution was **TABLED** by Supervisor Schaffer and seconded by Councilman Martinez

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

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

WHEREAS, the Town Board of the Town of Babylon has classified the proposal as a Type I Action and a full coordinated review was conducted that included all Involved Agencies, Interested Agencies and Interested Organizations in accordance with Section 114-6B.2(a) and (3) the Town of Babylon Environmental Quality Review Act (TOBEQRA), a full environmental impact statement review was conducted pursuant to SEQRA and in accordance with that review the Town Board of the Town of Babylon has made a determination that the requirements of Chapter 114 of the Code of the Town of Babylon Town of Babylon Environmental Quality Review Act have been met and that the proposed project is consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effects disclosed in the relevant environmental impact statement. Consistent with social, economic and other essential considerations, to the maximum extent practicable, adverse environmental effects revealed in the environmental impact statement process will be minimized or avoided by incorporating as conditions to the decision those mitigative measures which were identified as practicable pursuant to the adopted Environmental Findings in Resolution No. 446 of June 15, 2019; and

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of the "Petitioner" for a change of zone of a certain property which is located at SCTM No. 0100-013.000-02.00-039.020 TO 039.049 AND PART OF LOT 039.051, further described on Schedule A attached hereto, located in the SC016 School District, from A Residence District to MR Multiple Residence District be and the same hereby is granted, and further that the Zone Map of the Town of Babylon be and the same hereby shall be amended to reflect the zone change subject to the following conditions:

1. Subject to final site plan approval from the Planning Board.
2. Subject to Zoning Board of Appeals approval for associated variances.
3. Subject to providing a plan for the sewer connection to the Wyandanch Sewer infrastructure. Provide the following details:
  - a. Description of type of system including location of pump station, force main diameter and design flow.
  - b. Service area, i.e. any other developments to be connected.
  - c. Route of system and proposed connection point at Wyandanch Sewer infrastructure.
4. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
5. Mitigation measures required in connection with the site development are as follows:
  - a. Fugitive dust generation shall be controlled by appropriate means such as watering.
  - b. Erosion control shall be utilized during construction.
  - c. A rodent control plan will be implemented prior to construction in order to remove rodent populations from the site. Additionally, the adjacent landowners will be notified prior to the commencement of construction.
  - d. Construction will be conducted between the hours of 7am and 8pm on weekdays and between the hours of 9am and 4pm on Saturdays. No exterior construction will be permitted on Sundays, only interior construction 9am and 4pm. Construction activities on the site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
  - e. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
6. Applicant/owner must obtain Energy Star Certification for each unit, as per Town Code Chapter 89, Article VI, §89-79.
7. Sewer district and water-saving plumbing fixtures must be utilized.
8. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
9. Audio/visual notifications for all alarms to be installed in all units.
10. Address number, building number or approved building identification to be placed in a position visible from the street.
11. Subject to Highway and Engineering requirements.
12. Owner to contribute to the fund for the installation and maintenance of emergency vehicle optical pre-emption equipment on traffic signals in the area. Estimated cost to be \$1,500.00.
13. All on site signage shall conform to the Manual of Uniform Traffic Control Devices for Streets and Highways (MUTCD) specifications for both highway and on-site traffic controls and must conform to the federal MUTCD and the NYS Supplement to the manual of Uniform Traffic Control Devices. All signs must be fabricated using high-intensity retro-reflective sheeting.
14. The applicant shall be required to pay a fee of \$2,245.00 for the ordinance, fabrication and installation of three (3) stop signs, two (2) "One Way, Do Not Enter" signs assemblies and four (4) "No Left Turn" symbol signs.
15. The location of all HVAC, air handlers' transformers and RPZ shall be approved by the Town of Babylon Planning Department prior to installation.
16. Subject to the proposed development connecting to the Southwest Sewer District.
17. Subject to SWPPP approval.
18. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all air-conditioning units, chillers, refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
19. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
20. The location of new transformers and water service devices shall be approved by the Town of Babylon Planning Department prior to installation and shall not be located adjacent to any roadways.
21. Subject to the requirements of Highway, Engineering, and the Fire Marshall.
22. Subject to the applicant providing funding in the amount of \$20,000 for local community benefits/improvements to be disbursed as follows: \$5,000 to the Wyandanch Fire Department; \$5,000 to the Wheatley Heights Ambulance Corps; \$5,000 to the Wheatley Heights Taxpayers Civic Association (to provide \$1,000 scholarships to 5 individuals); and \$5,000 to the Wheatley Heights Football League "The Chiefs." In the event any one or more of the groups described above no longer exist, that share of the funding amount shall be distributed evenly among the remaining groups.
23. Subject to the applicant installing lighting on the south side of Colonial Springs Road from Conklin Street to North 27<sup>th</sup> Street.
24. Subject to the applicant installing sidewalk on the south side of Colonial Springs Road from Conklin Street to North 27<sup>th</sup> Street.
25. Subject to the dedication of 10 feet of land along the east side of 28<sup>th</sup> Street and the north side of Colonial Spring Road for a distance of 40 feet in the northerly and easterly direction from the corner of North 28<sup>th</sup> Street and Colonial Springs Road.
26. Subject to the applicant, installing two Radar Driver Feedback signs and any associated thermal striping along Colonial Springs Road at locations to be determined by the Town of Babylon Planning Department, subject to approval of the Town of Babylon Division of Traffic Safety.
27. Subject to the applicant constructing a bypass lane on the project site at the southwest guard booth.
28. Subject to the applicant installing four inverted "U" bicycle racks on the project site at locations to be determined by the Town of Babylon Planning Department.
29. Subject to the applicant's submittal of and the Suffolk County Department of Health Services acceptance of a Soil Management Plan (SMP).
30. Subject to any New York State Department of Environmental Conservation permits as may be required.
31. Subject to Suffolk County Department of Health Services requirements (including those applicable for deep recharge zones) for any regulated materials storage.

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

1. No further development of the site without Planning Board approval.
2. The development shall comply with all federal, state and local fair housing and ADA requirements.
3. Twenty percent (53) units shall be designated as work force/affordable housing. Units to be scattered equally throughout the site. Affordable/workforce units shall be equally distributed throughout the site. Affordable/workforce units shall be targeted to qualified households making 80% or less than the Suffolk County HUD income limits, which are updated annually. A recognized affordable housing provider shall be engaged by the owner/applicant to oversee the affordable component. Proof of such engagement shall be provided to the Planning Department.

4. The applicant/owner shall maintain the Town of Babylon recharge basin as per the approved site plan.
5. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including but not limited to handicapped ramps and handicapped parking spaces.
6. The buildings shall have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code and as required by the Fire Marshal.
7. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
8. The owner/developer is responsible for maintaining all site development improvements including, but not limited to the following: fire and smoke detection system, automatic fire sprinkler system, building, drainage, curbs, sidewalks, fencing, asphalt, landscaping, etc.
9. All buildings, structures, signs, fences and landscaping shall be maintained in accordance with all applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.
10. All units to have central air conditioning or through the wall air-conditioning units, no window units to be permitted.
11. The use of inorganic fertilizers, pesticides and herbicides shall be minimized as standard operating procedure for the landscape maintenance of the site.
12. SWPPP maintenance access in accordance with Section 189-8 of the Code of the Town of Babylon. The Town of Babylon shall be provided with access to the stormwater infrastructure at reasonable times for periodic inspection by the Town of Babylon and its officers to ensure that the infrastructure is maintained in proper working condition to meet design standards and any other provisions established by Chapter 189. This agreement shall be binding on all subsequent landowners.
13. SWPPP maintenance after construction in accordance with Section 189-8 of the Code of the Town of Babylon. Stormwater management practices installed in accordance with Chapter 189 shall be operated and maintained to ensure that the goals of Chapter 189 are fully achieved. Proper operation and maintenance includes, at minimum, the following:
  - a. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of Chapter 189. A written record of stormwater management system maintenance activities shall be established and maintained on site and be available for review by the Town of Babylon upon request.
  - b. Written procedures for operation and maintenance and training new maintenance personnel shall be prepared and maintained on site and will be available for review by the Town of Babylon upon request.
  - c. Discharges from the SMPs shall not exceed design criteria or contribute to water quality standard violations in accordance with § 189-8B of the Code of the Town of Babylon.
14. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of the storm water infrastructure on the site will include the following:
  - a. Monitoring of the drainage inlets (catch basins) will be completed routinely, particularly after large storm events and must be kept free from obstruction by leaves trash and other debris.
  - b. Drainage grates must be kept free from obstruction by leaves, trash and other debris.
  - c. Drainage structures shall be inspected annually to determine if sediment removal is necessary to ensure that the drainage structures are properly functioning and that they permit adequate conveyance throughout the system. If applicable, the manufacturer's specifications for maintenance procedures and frequency must be strictly followed.
  - d. The drainage structures must be routinely monitored for the removal of surface sediment and trash.
  - e. Street sweeping of the parking areas shall be conducted at least four times annually to remove sediment that may impact the drainage infrastructure and additionally, as necessary due to storm events.
  - f. The grounds and parking area shall be inspected for litter monthly and any litter shall be removed as necessary
15. The proposed project would include 54 affordable units, or 20.5 percent of the total 264 units. In addition, the proposed project would set aside 10 of the 54 affordable units for post 9-11 combat veterans, subject to compliance with applicable fair housing regulations and specific program terms. The selection criteria for the 10 veterans' units shall be determined by a Town of Babylon-designated agency or individual.

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

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

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

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

#### **SCHEDULE A**

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

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

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

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

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

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

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

Running thence easterly the following four courses and distances,

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

Running thence westerly South 82° 02' 00" West 450.00 feet to a point,

Running thence southerly South 7° 58' 00" East 226.78 feet to a point

Running thence westerly, South 82° 02' 00" West 520.00 feet to the point,

Running thence southerly South 7° 58' 00" East 208.47 feet to the northerly side of Colonial Springs Road,

Running thence westerly along the northerly side of Colonial Springs Road North 71° 30'

48" West 279.24 feet to the easterly side of North 28th Street, to the point or place of BEGINNING.

Containing therein 700,969.35 Sq. Ft or 16.092 Acres

**RESOLUTION NO. 610 SEPTEMBER 25, 2019  
ACCEPTING TOWN BOARD MINUTES**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney  
BE IT RESOLVED, by the Town Board of the Town of Babylon that the minutes of the following Town Board Meeting be and the same are hereby accepted:

September 4, 2019

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

**RESOLUTION NO. 611 SEPTEMBER 25, 2019  
AWARDING BID NO. 19G71 G.E. INDUSTRIAL SOLUTIONS BUY-LOG CATALOG AND/OR ONLINE PRICING OR EQUAL**

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez  
WHEREAS, the following bids for Bid No. 19G71, G.E. Industrial Solutions Buy-Log Catalog and/or Online Pricing was received, opened and publicly read:

Item 1. GE Industrial Buy- Log Catalog

<b>BIDDER</b>	<b>PERCENTAGE OFF</b>
<b>Kelly &amp; Hayes Electrical Supply of LI., Inc.</b>	<b>57%</b>

NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of the D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G71 be and is hereby awarded to the sole bidder, Kelly & Hayes Electrical Supply of LI, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Kelly & Hayes Electrical Supply of LI, 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. 612 OF SEPTEMBER 25, 2019  
AWARDING BID NO. 19G72 ELECTRICAL SUPPLIES**

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta  
WHEREAS, the following bids for Bid No. 19G72 – Electrical Supplies was received, opened and publicly read:

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

WHEREAS, the Commissioner of General Services and the Commissioner of D.P.W. recommends that Cooper Friedman Electrical Supply, Inc. be excluded from Item No(s). 1d. – 1k., 1m. - 1z., and Item No(s)., 2a. - 2j., as they did not bid as per the specifications set forth in Bid No. 19G72; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of D.P.W. Cooper Friedman Electrical Supply Co. Inc. be and is hereby excluded from Item No(s). 1d. – 1k., 1m.- 1z., and Item No(s)., 2a. - 2j as they did not bid as per the specifications set forth in Bid No. 19G72, and be it further

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G72 be and is hereby awarded to the overall low bidder Kelly and Hayes Electrical Supply of LI, Inc. and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Kelly and Hayes Electrical Supply of LI, 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.  
VOTES: 5                      YEAS: 5                      NAYS: 0  
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 613 SEPTEMBER 25, 2019  
AUTHORIZING A CONSULTING CONTRACT WITH FIVE NINES WIRELESS**

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon  
WHEREAS, a proposal for maintenance of the Proxim and Exalt Radio Equipment and associated antennae systems at various location within the Town of Babylon was solicited from Five Nines Wireless, Inc. and

WHERE AS, the Professional Consultant Evaluation Committee convened on September 19, 2019 with the Chief of Staff, Deputy Supervisor, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review the aforementioned proposal, and

WHEREAS, after a thorough review of the proposal, the Committee recommends award of a to Five Nines Wireless, Inc. at an annual contract amount not to exceed FIVE THOUSAND EIGHT HUNDRED FIFTY (\$5,850.00) DOLLARS,

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 Five Nines Wireless, Inc., for a total contract amount not to exceed FIVE THOUSAND, EIGHT HUNDRED FIFTY (\$5,850.00) DOLLARS 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 Director of Information Technology for two (2) additional one (1) periods.

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

**RESOLUTION NO. 614 SEPTEMBER 25, 2019  
AUTHORIZING 2019 OPERATING TRANSFER**

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney  
BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller that the following 2019 Operating Transfer is hereby authorized:

	<u>Capital Project Fund</u>	<u>Increase</u>	<u>Decrease</u>
<b>H06 – Installation of computer and technology equipment</b>			
<b>Interfund Transfer</b>			
H06.0000.5031		\$ 45,976.23	
<b>Equipment &amp; Capital Outlay</b>			
H06.1997.20		\$ 45,976.23	
<b>H09 – Acquisition of Machinery and Equip</b>			
<b>Interfund Transfer</b>			
H09.0000.5031		\$ 117.42	
<b>Equipment &amp; Capital Outlay</b>			

H09.5197.20	\$ 117.42	
<b>H97 – IT Equipment</b>		
<b>Interfund Transfer</b>		
H97.9901.90	\$ 45,976.23	
<b>Equipment &amp; Capital Outlay</b>		
H97.1997.20		\$ 45,976.23
<b>H101 – Acquisition of Machinery</b>		
<b>Interfund Transfer</b>		
H101.9901.90	\$ 117.42	
<b>Equipment &amp; Capital Outlay</b>		
H101.5197.20		\$ 117.42

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 615 SEPTEMBER 25, 2019  
AMENDING THE ADMINISTRATIVE SALARY PLAN**

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

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

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

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

"SCHEDULE A"

**2019 ADMINISTRATIVE SALARY PLAN**

TITLE	LEVEL	STEP
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	15
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	G	14a
Assistant Town Attorney I	F	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	12a
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	E	5
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

**201 Administration**  
**9 Plan:**

	A	B	C	D	E	F	G	H	I	J
<b>1</b>	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
<b>a</b>	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
<b>2</b>	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
<b>a</b>	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
<b>3</b>	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
<b>a</b>	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
<b>4</b>	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
<b>a</b>	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
<b>5</b>	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
<b>a</b>	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
<b>6</b>	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
<b>a</b>	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
<b>7</b>	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
<b>a</b>	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
<b>8</b>	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
<b>a</b>	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
<b>9</b>	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877

<b>a</b>	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
<b>10</b>	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
<b>a</b>	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
<b>11</b>	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
<b>a</b>	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
<b>12</b>	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
<b>a</b>	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
<b>13</b>	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
<b>a</b>	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
<b>14</b>	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
<b>a</b>	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
<b>15</b>	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
<b>a</b>	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
<b>16</b>	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,524	125,478
<b>a</b>	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
<b>17</b>	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	147,900
<b>a</b>	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	149,324

**RESOLUTION NO. 616 SEPTEMBER 25, 2019  
AUTHORIZING 2019 BUDGET MODIFICATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2019 Budget Modification is hereby authorized:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
<b>Buildings</b>			
Overtime			
A.1620.19		\$ 3,000	
<b>Central Printing &amp; Mailing</b>			
Program operations			
A.1670.47			\$ 3,046
Overtime			
A.1670.19		\$ 46	
<b>Highway Fund</b>			
<b>Brush and Weeds</b>			
Full Time Labor			
DB.5140.15		\$ 15,000	
Overtime			
DB.5140.19		\$ 225,000	
Rent or Lease			
DB.5140.45		\$ 50,000	
Repairs and Maintenance			
DB.5140.46		\$ 10,000	
<b>Snow Removal</b>			
Full Time Labor			
DB.5142.15			\$ 75,000
Program Operations			
DB.5142.47			\$ 75,000
<b>Hospital and Medical Insurance</b>			
Employee Benefits			
DB.9060.80			\$ 150,000

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 617 SEPTEMBER 25, 2019  
ACCEPTING A DONATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following donations are accepted with gratitude:

DONOR	ITEM	VALUE	RECOMMENDED BY	USE
Scott Lockwood	Book – "Commodore David Porter, 1780-1843," by Archibald Douglas Turnbull, 1929	No value attributed as item is of historic significance	Town Historian	For History Museum/Historic Services
Al Bacchi	Map – "Property of M. Robert Guggenheim in Babylon and Islip," 1917.	No value attributed as item is of historic significance	Town Historian	For History Museum/Historic Services
Barbara Gustainis	Map – "Marconiville Heights," 1922	No value attributed as item is of historic significance	Town Historian	For History Museum/Historic Services
Hyde Park NY Historical Society	Scrapbook – 1938 Storm, Oak Beach, L.I. Photos	No value attributed as item is of historic significance	Town Historian	For History Museum/Historic Services

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 618 SEPTEMBER 25, 2019  
ACCEPTING A DONATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following donations are accepted with gratitude:

DONATOR	ITEM AND VALUE	RECOMMENDED BY	USE
BACCA – Babylon Citizens Council on the Arts	\$800.00	Town Historian	For History Museum/Historic Services
Museum Visitors	\$120.00	Town Historian	For History Museum/Historic Services

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 619 SEPTEMBER 25, 2019  
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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

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

EMPLOYEE	AMOUNT
Steven Dellavecchia	\$1,038.00 for training seminar

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.



**RESOLUTION NO. 620 SEPTEMBER 25, 2019  
AUTHORIZING REFUND OF PAYMENT**

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 Environmental Control that the following payment be refunded as an overpayment:

**REFUND OF PAYMENT:**

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON
Copiague Commons 1000 University Ave Suite 500 Rochester, NY 14607	Account #15617 Copiague Commons 54 Railroad Avenue Copiague, NY 11726	Commercial Waste District	\$5,894.57	Overpayment
BNS Company Inc. 4700 5 <sup>th</sup> Street Highway suite 25 Temple, PA 19560	Account #15740 BNS Company Inc. 1016 Grand Blvd #6 Deer Park, NY 11729	Commercial Waste District	\$36.49	Overpayment

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

**RESOLUTION NO. 621 SEPTEMBER 25, 2019  
AUTHORIZING REFUND OF FEES  
DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Parks, Recreation and Cultural Affairs Department, that the following fees be refunded:

Name	Address	Fee	Activity	Receipt Number
Daniel Masterson	869 South 6 <sup>th</sup> Street Lindenhurst, NY 11757	\$210.00	*Refund for Boat Reservation For the rest of the week of 8/30 – 9/6/19 *Medical Reason	POS Receipt 135296 142804
Mary Gargagliano	997 Montauk Hwy Copiague, NY 11726	\$210.00	Refund for camp site reservation for the week of 8/16 – 8/23/19 *Camper no longer works	POS Receipt 135100 142650
Joseph Roach	164 Peninsula Dr. Babylon, NY 11702	\$231.00	Refund for Boating Reservations for the week of 8/30 – 9/6/19 *Medical Reason	POS Receipt 142765 142799
Patrick Henn	1040 N. Fulton Avenue Lindenhurst, NY 11757	\$231.00	Refund for Boat Reservations the week of 8/30 – 9/6/19 *Medical Reason	POS Receipt 135260 142706
Mary Gabrell	185 2 <sup>nd</sup> Avenue West Babylon, NY 11704	\$210.00	Refund for camp site Reservations the week of 9/27 – 10/4/19 *Medical Reason	POS Receipt 138677 142725
Christopher Rudis	28 Cumberland Street West Babylon, NY 11704	\$330.00	Refund for reservation for boating *8/2 - 8/5/19 *8/16 – 8/23/19 **As per Celeste – Resident banned from facility	POS Receipt 136182 135178 142502
Felice Holder	121 Travis Street Lindenhurst, NY 11757	\$50.00	Event Cancelled – Pastor of the church passed away.	POS Receipt 142364, 142663
Nubia Perez	2 East Gate Street Babylon, NY 11702	\$60.00	Refund for kayaking *Unable to attend due to family issue	POS Receipt 141470
Durkens Loremil	12 Bruno Lane Dix Hills, NY 11746	\$150.00	Refund for Day Camp *Joshua cannot attend camp due to a medical issue.	POS Receipt 137002 141202
Mary E. Mirando	92 Midwood Road West Babylon, NY 11704	\$70.00	Refund for Aquatics *Mary is not able to attend the program due to medical reason.	POS Receipt 138051 141201
Kathryn E. Zembenski	201 Cedar Court Copiague, NY 11726	\$20.00	Purchased a senior beach permit – due to a car accident, she no longer has a car and is unable to go to the beach this summer.	POS Receipt See attached Senior pass permit.

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

**RESOLUTION NO. 622 SEPTEMBER 25, 2019  
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS**

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

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:

<u>CONTRACTOR NAME</u>	<u>RESOLUTION NO.</u>	<u>AMOUNT</u>
Nelson & Pope	859 of 12/5/18	\$1,236.00

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

**RESOLUTION NO. 623 SEPTEMBER 25, 2019  
CONFIRMING MEMBERSHIP TO THE NORTH BABYLON  
VOLUNTEER FIRE COMPANY, INC.**

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

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 Babylon Volunteer Fire Company, Inc., 20 Hale Road, North Babylon, New York:

Brendan Walshe	79 Kane Place North Babylon, NY 11703
Nanyamka Elliston	207 Cooper Road, North Babylon, NY 11703

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

**RESOLUTION NO. 624 SEPTEMBER 25, 2019  
CONFIRMING MEMBERSHIP TO THE EAST FARMINGDALE  
VOLUNTEER FIRE COMPANY, INC.**

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

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

Michael Walter	538 17 <sup>th</sup> Street West Babylon, NY 11704
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VOTES: 5                      YEAS: 5                      NAYS: 0  
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 625 SEPTEMBER 25, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON OCTOBER 13, 2019  
IN THE TOWN OF BABYLON FOR KIDS STOP THE BULLYING MOVEMENT**

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

WHEREAS, the Kids Stop the Bullying Movement Committee has requested permission to hold a parade on Sunday, October 13, 2019 within the Town of Babylon,

<b>INDIVIDUAL:</b> Renee Mathis 7 Hatcher Ct., Amityville, NY 11701 (631) 464-8443	<b>ORGANIZATION:</b> Kids Stop the Bullying Movement Committee 7 Hatcher Ct., Amityville, NY 11701 (516) 209-7208
<b>DATES &amp; TIMES:</b> Date(s): 10/13/2019 to: Time: 1:15 p.m. to 2:00 p.m. Rain Date: n/a	<b>STARTING:</b> Intersection of Harrison Ave. & Rosewood Ave., Amityville <b>ENDING:</b> Bolden Mack Park, Amityville

**ROUTE:**

Leaving the intersection of Harrison Ave. & Rosewood Ave. traveling east to Albany Ave., traveling north to Great Neck Rd. and ending at Bolden Mack Park. Concert to follow at Bolden Mack Park in Amityville.

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. 626 SEPTEMBER 25, 2019  
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT  
FROM OCTOBER 12, 2019 THROUGH AND INCLUDING OCTOBER 13, 2019  
IN THE TOWN OF BABYLON FOR THE FAMOUS FOOD FESTIVAL "TASTE THE WORLD"**

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

WHEREAS, the Famous Food Festival has requested permission to hold an outdoor public assembly for the purpose of having their annual family friendly food experience and festival from Saturday, October 12, 2019 through and including Sunday, October 13, 2019 between the hours of 10:00 a.m. and 8:00 p.m., within the Town of Babylon at the south parking lot of Tanger Outlets, 152 The Arches Circle, Deer Park, NY 11729, with the use of sound equipment and tents;

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

<b>INDIVIDUAL:</b> Eric Arshravan 1026 Westminster Ave., Dix Hills, NY 11746 (516) 476-4885	<b>ORGANIZATION:</b> Famous Food Festival 75 Oser Ave., Hauppauge, NY 11788 (516) 476-4885   (631) 387-6291
<b>DATES &amp; TIMES:</b> Date(s): 10/12/2019 to: 10/13/2019 Time: 10:00 a.m. to 8:00 p.m. Rain Date: 10/19/2019 to: 10/20/2019	<b>LOCATION:</b> Tanger Outlets (south parking lot) 152 The Arches Circle Deer Park, NY 11729
<b>SPECIAL REQUIREMENTS:</b> Event Details: Experienced chefs who will showcase their works of culinary art to the local community Tents: Yes; (6) 20x20 & (6) 20x40, Amusement Rides: Yes; Insurance on file Sound Equipment: Yes; Front of house speakers Toilet/Water Facilities: 1-bathroom trailer, 6 flush toilets, 18 hand washing sinks, 72 stalls with hot running water	

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

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

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

F A I R S - SCHEDULE "A"

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

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

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

**RESOLUTION NO. 627 SEPTEMBER 25, 2019**  
**AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR RICHARD FORD**  
**OUTER BEACH APPLICATION NO. 132382 SCTM #0100-240-1-77**

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

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 132382 of Richard Ford, for the premises located at 12 Cottage Walk, Gilgo Beach, SCTM #0100-240-1-77, to construct a 2-story one family dwelling; and

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

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that upon the recommendation of the Commissioner of Planning and Development, Outer Beach Application No. 132382 of Richard Ford, for the premises located at 12 Cottage Walk, Gilgo Beach, SCTM #0100-240-1-77, to construct a 2-story one family dwelling; and be it further

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 628 SEPTEMBER 25, 2019**  
**AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR MARCO FEJOO**  
**OUTER BEACH APPLICATION NO. 131952 SCTM #0100-243-1-108**

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

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 131952 of Marco Fejoo, for the premises located at 76 Savannah Walk, Oak Beach, NY, SCTM #0100-243-1-108, to replace a 4' x 144' wood pier with 3 mooring piles; 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. 131952 of

Marco Fejoo, for the premises located at 76 Savannah Walk, Oak Beach, NY, SCTM #0100-243-1-108, to replace a 4' x 144' wood pier with 3 mooring piles; 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. 629 SEPTEMBER 25, 2019**  
**ADOPTING LOCAL LAW NO. 7 OF 2019 ADDING CHAPTER 13 TO THE BABYLON TOWN CODE**  
**(DEPARTMENT OF COMPTROLLER)**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 25th day of September 2019, upon the question of enactment of Local Law No. 7 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 13, Department of Comptroller;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 7 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. 7 of 2019**  
**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.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 630 SEPTEMBER 25, 2019**  
**ADOPTING LOCAL LAW NO. 8 OF 2019 ADDING CHAPTER 48 TO THE BABYLON TOWN CODE**  
**(DEPARTMENT OF CIVIL SERVICE)**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 25th day of September 2019, upon the question of enactment of Local Law No. 8 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 48, Department of Civil Service;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 8 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. 8 of 2019**

**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.

VOTES: 5                      YEAS: 5                      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 631 SEPTEMBER 25, 2019  
ADOPTING AMENDMENTS TO 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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 25th day of September, 2019 at 7:00 p.m. prevailing time, upon the question amending Chapter 2, Article IV, Section 2-8 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 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. 632 SEPTEMBER 25, 2019  
ADOPTING AMENDMENTS TO CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON  
UNIFORM CODE OF TRAFFIC ORDINANCES**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 25th day of September, 2019 at 7:00 p.m. prevailing time, upon the question amending Chapter 2, Article IV, Section 2-8 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 2, Article IV, Section 2-8  
[Traffic Regulations; Stop and Yield Intersections Designated]

**DELETE from Schedule H:**

<u>Location</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
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:**

<u>Location</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
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. 633 SEPTEMBER 25, 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 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 16<sup>th</sup> day of October, 2019 at 3:30 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>
South Great Neck Road at Nicole Court	CO	Stop	North/South on South Great Neck Road
Nicole Court at South Great Neck Road	CO	Stop	West on Nicole Court

**RESOLUTION NO. 634 SEPTEMBER 25, 2019  
AUTHORIZING PERMISSION FOR A PARADE ON OCTOBER 5, 2019 IN THE TOWN OF BABYLON  
FOR WYANDANCH MEMORIAL HIGH SCHOOL**

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

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

<b>INDIVIDUAL:</b> Tanisha Crawford 108 Patton Ave. Wyandanch, NY 11798 (631) 523-2425 (631) 870-0464	<b>ORGANIZATION:</b> Wyandanch Memorial High School – Homecoming Parade 54 South 32 <sup>nd</sup> St. Wyandanch, NY 11798
<b>DATES &amp; TIMES:</b> Date(s): 10/5/2019 to: Time: 12:30 p.m. to 1:30 p.m. Rain Date: n/a	<b>STARTING:</b> Intersection of Long Island Ave. & South 18 <sup>th</sup> St., Wyandanch (Parking lot)  <b>ENDING:</b> 54 South 32 <sup>nd</sup> St., Wyandanch (Wyandanch Memorial High School)

**ROUTE:**  
Leaving the intersection of Long Island Ave. & South 18<sup>th</sup> St., proceed east on Long Island Ave. toward Straight path, make a sharp right and proceed south on Straight Path, turn right and proceed west on Jamaica Ave., turn right and proceed south on South 32<sup>nd</sup> St. and ending at Wyandanch Memorial High School.

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

RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

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

**RESOLUTION NO. 635 SEPTEMBER 25, 2019  
AUTHORIZING CHANGE ORDER NO. 5 IN THE CONTRACT WITH ATLANTIC COAST DOCK CONSTRUCTION CORP.  
FOR BID NO. 17G1, AMITYVILLE WATERFRONT RESILIENCY PROJECT**

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

WHEREAS, Bid No. 17G1, Amityville Waterfront Resiliency Project was awarded to Atlantic Coast Dock Construction Corp. for Groups A & C for a total contract amount of NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED TWENTY-SEVEN (\$995,127.50) DOLLARS pursuant to Resolution No. 65 of January 17, 2018 and amended pursuant to Resolution No. 498 of June 13, 2018, 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. 427 of May 16, 2018 which resulted in no change to the total contract of NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED TWENTY-SEVEN (\$995,127.50) DOLLARS AND 50/100, and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 548 of July 11, 2018 which resulted in no change to the total contract amount of NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED TWENTY-SEVEN (\$995,127.50) DOLLARS AND 50/100,

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No. 769 of October 17, 2018 which resulted in no change to the total contract amount of NINE HUNDRED NINETY-FIVE THOUSAND, ONE HUNDRED TWENTY-SEVEN (\$995,127.50) DOLLARS AND 50/100,

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No. 339 of May 15, 2019, decreasing the total contract amount to NINE HUNDRED EIGHTY-TWO THOUSAND, ONE HUNDRED FORTY-ONE (\$982,141.37) DOLLARS AND 37/100.

WHEREAS, the Change Order Committee (“Committee”) convened on September 19, 2019 with the Chief of Staff, Comptroller, Town Attorney, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 5 as follows:

Remove and Replace 65’ x 4’4”, 3,500 PI Concrete Sidewalk at South Bay Avenue	\$4,862.00
Reconciliation of actual quantities at various locations	\$18,739.10
<b>TOTAL CHANGE ORDER NO. 5</b>	<b>\$23,601.10</b>

WHEREAS, Change Order Request No. 5 has been approved by the Committee, Savik & Murray, a div. of DCAK MSA, 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, Savik & Murray, a div. of DCAK MSA and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No. 5, for a total amount of TWENTY THREE THOUSAND, SIX HUNDRED ONE DOLLARS AND 10/100 (\$23,601.10), increasing the total contract amount to ONE MILLION, FIVE THOUSAND, SEVEN HUNDRED FORTY TWO DOLLARS AND 47/100 (\$1,005,742.47) DOLLARS.

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

**RESOLUTION NO. 636 SEPTEMBER 25, 2019  
AUTHORIZING CHANGE ORDER NO. 1 & ACCEPTING THE CONTRACT WITH WELSBACH ELECTRIC CORP. OF L.I.  
FOR BID NO. 18G76, TOWN WIDE LED STREET LIGHTING CONVERSION PROJECT AS COMPLETE & ACCEPTABLE**

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

WHEREAS, Bid No. 18G76, Town Wide LED Street Lighting Conversion Project was awarded to Welsbach Electric Corp. of L.I. pursuant to Resolution No. 613 of August 15, 2018 for a total contract amount NINE HUNDRED TWENTY-NINE THOUSAND, THREE HUNDRED FIFTEEN (\$929,315.00) DOLLARS

WHEREAS, the Change Order Committee convened on September 19, 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 Nelson & Pope recommend the approval of Change Order No. 1 as follows:

Remove & Install additional 158 Overhead Luminaires	\$6,312.10
Credit for 5 Post Top Luminaire	(\$199.75)
Credit for 74 LED Decorative Retrofit Kits	(\$2,956.30)
Credit for 52 Street Light Circuite Modifications at Service Entrance	(\$70,752.00)
Credit for 5 Street Light Pole	(\$1,500.00)
Credit for unused Contingency	(\$160,000.00)
<b>TOTAL CHANGE ORDER NO. 1</b>	<b>(\$229,095.95)</b>

WHEREAS, the Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson & Pope have deemed all work performed by Welsbach Electric Corp. of L.I. pursuant to Bid No. 18G76 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 Nelson & Pope, Change Order No. 1 for a credit amount of TWO HUNDRED TWENTY NINE THOUSAND, NINETY FIVE DOLLARS AND 95/100 (\$229,095.95) be and is hereby accepted, reducing the total contract amount to SEVEN HUNDRED THOUSAND, TWO HUNDRED NINETEEN DOLLARS AND 05/100 (\$700,219.05) 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 Nelson & Pope, all work performed by Welsbach Electric Corp. of L.I. pursuant to Bid No. 18G76 be and is hereby accepted as satisfactorily complete at a final contract amount of SEVEN HUNDRED THOUSAND, TWO HUNDRED NINETEEN DOLLARS AND 05/100 (\$700,219.05).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 637 SEPTEMBER 25, 2019  
ACCEPTING CREDITS AND AWARDING ALTERNATE NOS. 1 & 2 IN THE CONTRACT  
AND WITH CHESTERFIELD ASSOCIATES, INC. FOR  
BID NO. 19G18, LITTLE EAST NECK ROAD SHORELINE STABILIZATION**

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

WHEREAS, Chesterfield Associates, Inc. was awarded the base bid only for Bid No. 19G18, Little East Neck Road Shoreline Stabilization pursuant to Resolution No. of May 15, 2019 in the amount of TWO HUNDRED SEVENTY-EIGHT THOUSAND, SEVEN HUNDRED FORTY (\$278,740.00), and DOLLARS

WHEREAS, the Commissioner of General Services and L.K. McLean Assoc., P.C. recommend the approval of the following credits:

Credit to remove & reset existing guardrail	(\$2,085.50)
Credit for unused contingency	(\$45,000.00)
<b>TOTAL CREDITS</b>	<b>(\$47,085.50)</b>

WHEREAS, Resolution No. 515 of May 15, 2019 allowed for the award of Alternate Nos 1 and Alternate 2 at a later time, and

WHEREAS, the Commissioner of General Services and L.K. Mclean Assoc., P.C. recommend awarding Alternate Nos. 1 & 2 as follows:

Alternate No. 1 Furnish & Install Timber Guiderail	A\$7,955.00
Alternate No. 2Furnish & Install Asphalt Concrete	\$26,380.00
<b>TOTAL Alternate Nos. 1 &amp; 2</b>	<b>\$34,335.00</b>

WHEREAS, all procurement guidelines set forth by Governor's Office of Storm Recovery (GOSR), Community Development Block Grants – Disaster Recovery ("CDB-DR) and the Town of Babylon were complied with, and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and L.K. Mclean Associates, P.C., credits in the amount of FORTY-SEVEN THOUSAND, EIGHTY-FIVE DOLLARS AND 50/100

(-\$47,085.50) be and are hereby approved, and be it further

RESOLVED, that the Alternate Nos. 1 & 2 for a total amount of THIRTY-FOUR THOUSAND, ONE HUNDRED FIFTEEN THOUSAND (\$34,335.00) be and are hereby awarded, and be it further

RESOLVED, that the contract amount with Chesterfield Associates Inc. be and is hereby reduced to TWO HUNDRED SIXTY-FIVE THOUSAND, NINE HUNDRED EIGHTY-NINE DOLLARS AND 50/100 (\$265,989.50), and be it further

RESOLVED, that the award of Alternate Nos. 1 & 2 are contingent upon compliance with all the rules and regulations set forth by GOSR, CDBG-DR and the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 638 SEPTEMBER 25, 2018  
AWARDING RFP 19G68 REQUEST FOR PROPOSALS FOR PARKING TICKET MANAGEMENT PACKAGE**

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

WHEREAS, the following proposals for RFP No. 19G68, Request for Proposal for Parking Ticket Management Package were received and opened, and

WHEREAS, the following firms submitted proposals and all proposals are on file in the Department of General Services:

- Complus Data Innovations, Inc.**
- United Public Safety
- SureSpot
- Fundamental Business Services, Inc.
- Dacra Tech, LLC

WHEREAS, a committee was formed with the Town Attorney, Commissioner of General Services, Administrative Assistant/Purchasing Technician of General Services and Bay Village Consultants, Inc. as its members("Committee"), to review all proposals received, and

WHEREAS, a point system was included in the Request for Proposals to rate each proposal submitted, and

WHEREAS, after a thorough review of all proposals received, the Committee recommends awarding RFP No. 19G68 Complus Data Innovations, Inc., the proposer receiving the highest total number of points, pursuant to the rating system set forth in the Request for Proposals, and

NOW, THEREFORE, be it

RESOLVED, based on the recommendation of the Committee, RFP No. 19G68 be and is hereby awarded to Complus Data Innovations, Inc., at the following fees:

- 6% of parking ticket revenue
- 29% of secondary revenue collected, and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute a one (1) year contract with Complus Data Innovations, Inc., subject to approval of the Town Attorney as to form and content and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 639 SEPTEMBER 25, 2019  
AWARDING RFP 19G56 REQUEST FOR PROPOSALS FOR TECHNICAL ASSISTANCE TO ADMINISTER THE TOWN OF BABYLON'S  
SUBSIDY LAYERING ANALYSIS & MARKETING ANALYSIS**

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

WHEREAS, the following proposal for RFP No. 19G56, Request for Technical Assistance to Administer the Town of Babylon's Subsidy Layering Analysis & Marketing Analysis were received and opened, and

WHEREAS, the following firms submitted proposals and all proposals are on file in the Department of General Services:

**PROPOSER:**

**National Council for Community Development, Inc.**

**HOURLY RATES:**

- \$300.00 Senior Directors**
- \$225.00/Director**
- \$225.00/Director**
- \$150.00/Assistant Director**

WHEREAS, a committee was formed with the Director of Community Development and Administrative Assistant/Purchasing Technician of General Services review all proposals received, and

WHEREAS, after a thorough review of all proposals received, the Committee recommends awarding RFP No. 19G56, to the sole proposer, National Council for Community Development, Inc.,

NOW, THEREFORE, be it

RESOLVED, based on the recommendation of the Committee, RFP No. 19G56 be and is hereby awarded to National Council for Community Development, Inc., at the aforementioned hourly rates and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute a one (1) year contract with National Council for Community Development, Inc., subject to approval of the Town Attorney as to form and content and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.



**RESOLUTION NO. 640 SEPTEMBER 25, 2019  
AMENDING RESOLUTIONS**

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

NOW, THERE BE IT RESOLVED, that the following resolutions be amended due to a scrivener's error:

ORIGINAL RESOLUTION	DATE ADOPTED	ORIGINAL TEXT	AMENDED TEXT
387, Authorizing a contract with Control Solutions Group.	June 12, 2019	Emergency Calls & Other Work \$150.00/hour Systems Engineer	Emergency Calls & Other Work \$152.00/hour Systems Engineer
391, Authoring a contract with Level G Associates	June 12, 2019	June 6Evaluation, 2019 with the the	June 6, 2019 with the

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

**RESOLUTION NO. 641 SEPTEMBER 25, 2019  
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT  
840 COUNTY LINE RD., N. AMITYVILLE, NY 11701 - SCTM No. 0100-164.00-01.00-065.000**

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

WHEREAS, a certain structure, located at **840 County Line Rd., N. Amityville, NY**, bearing Suffolk County Tax Map No. **0100-164.00-01.00-065.000** 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 **July 14, 2019**, indicates that demolition of the structure including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure including removal of the foundation, located at **840 County Line Rd., N. Amityville, NY**, A/K/A SCTM No. **0100-164.00-01.00-065.000**, 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 **840 County Line Rd., N. Amityville, NY**, A/K/A SCTM No. **0100-164.00-01.00-065.000**, 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. 642 SEPTEMBER 25, 2019  
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT  
34 W. 15<sup>th</sup> STREET, DEER PARK, NY 11729 - SCTM NO. 0100-060.00-03.00-099.000**

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

WHEREAS, a certain structure(s) located at 34 W. 15<sup>th</sup> Street, Deer Park, New York, bearing SCTM# 0100-060.00-03.00-099.000, 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 the children of the surrounding residents and the general public will exist; 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: an

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,

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 34 W. 15<sup>th</sup> Street, Deer Park, New York, bearing SCTM# 0100-060.00-03.00-099.000 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 September 16, 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. 643 SEPTEMBER 25, 2019  
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT  
84 PATTON AVE., WYANDANCH, NY 11798 - SCTM NO. 0100-079.00-03.00-017.000**

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

WHEREAS, a certain structure(s) located at 84 Patton Ave., Wyandanch, New York, bearing SCTM# 0100-079.00-03.00-017.000, 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 the children of the surrounding residents and the general public will exist; 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: an

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,

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 84 Patton Ave., Wyandanch, New York, bearing SCTM# 0100-079.00-03.00-017.000 to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated September 16, 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. 643 SEPTEMBER 25, 2019**

**AMENDING RESOLUTION NO. 441 OF JUNE 12, 2019 AND FURTHER REQUESTING SUFFOLK COUNTY TO ACQUIRE CERTAIN PROPERTY IN THE HAMLET OF LINDENHURST, IDENTIFIED BY SCTM NO. 0100-189.00-03.00-098.00 AND 001.000 PURSUANT TO THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, AND AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF BABYLON AND COUNTY OF SUFFOLK FOR THE MAINTENANCE BY THE TOWN OF BABYLON OF THE SAME**

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

WHEREAS, the County of Suffolk, by Local Law No. 24-2007 authorized the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) — Hamlet Greens/Active Recreation/Historic and/or Cultural Park Component; and

WHEREAS, the Town of Babylon desires that the County of Suffolk purchase parcels of land under the New Suffolk County Drinking Water Protection Program, which is described on the Suffolk County Tax Map as District 0100, Section 189.00, Block 02.00. Lots 098.000 and 001.000; and

WHEREAS, the Town of Babylon desires to amend Resolution No. 441 of the June 12, 2019 meeting of the Town Board amending all references of a municipal parking lot to a passive park/open space; and

WHEREAS, the Town of Babylon shall improve and maintain the property as a passive park/open space as further described in the concept plan (the “Concept Plan”) on file in the Office of the Town Clerk and also available for viewing at the Office of Planning and Development;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Babylon that the Town of Babylon hereby requests that the following parcel of land be purchased by Suffolk County as part of the New Suffolk County Drinking Water Protection Program — Hamlet Greens/Active Recreation/Historic and/or Cultural Park Component to wit: Suffolk County Tax Map as District 0100, Section 189.00, Block 02.00, Lot 098.000 and 001.000; and

BE IT FURTHER RESOLVED that the Town of Babylon is willing to partner with the County of Suffolk for 50% of the cost of the acquisition and any associated soft costs including appraisals, title searches and environmental site assessment reports, etc.; and

BE IT FURTHER RESOLVED that the Town of Babylon acknowledges that the County of Suffolk acquires property for passive recreational uses that have clear title including non-delinquent on property taxes and have satisfied any environmental conditions/issues identified in any environmental site assessment report or any federal, state or local government actions relating to such property; and

BE IT FURTHER RESOLVED that the Town Board hereby amends Resolution No. 441 of the June 12, 2019 meeting of the Town Board and amends all references of a municipal parking lot to a passive park/open space; and

BE IT FURTHER RESOLVED that the Town of Babylon hereby makes a commitment to improve and maintain the property in perpetuity as a passive park/open space as described in the Concept Plan, with public access to all Suffolk County residents; and

BE IT FURTHER RESOLVED that the Town of Babylon may enter into agreements with civic groups to be approved by the County of Suffolk to maintain the passive park/open space; and

BE IT FURTHER RESOLVED that the Supervisor of the Town of Babylon is authorized to execute any necessary agreements and documents with the County of Suffolk to effectuate the maintenance of the properties by the Town of Babylon as a passive park/open space.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 644 SEPTEMBER 25, 2019**

**AMENDING RESOLUTION NO. 441 OF JUNE 12, 2019 AND FURTHER REQUESTING SUFFOLK COUNTY TO ACQUIRE CERTAIN PROPERTY IN THE HAMLET OF LINDENHURST, IDENTIFIED BY SCTM NO. 0100-189.00-03.00-098.00 AND 001.000 PURSUANT TO THE NEW SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM, AS AMENDED BY LOCAL LAW NO. 24-2007, AND AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE TOWN OF BABYLON AND COUNTY OF SUFFOLK FOR THE MAINTENANCE BY THE TOWN OF BABYLON OF THE SAME**

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

WHEREAS, the County of Suffolk, by Local Law No. 24-2007 authorized the acquisition of land under the New Suffolk County Drinking Water Protection Program (effective December 1, 2007) — Hamlet Greens/Active Recreation/Historic and/or Cultural Park Component; and

WHEREAS, the Town of Babylon desires that the County of Suffolk purchase parcels of land under the New Suffolk County Drinking Water Protection Program, which is described on the Suffolk County Tax Map as District 0100, Section 189.00, Block 02.00. Lots 098.000 and 001.000; and

WHEREAS, the Town of Babylon desires to amend Resolution No. 441 of the June 12, 2019 meeting of the Town Board amending all references of a municipal parking lot to a passive park/open space; and

WHEREAS, the Town of Babylon shall improve and maintain the property as a passive park/open space as further described in the concept plan (the “Concept Plan”) on file in the Office of the Town Clerk and also available for viewing at the Office of Planning and Development;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Babylon that the Town of Babylon hereby requests that the following parcel of land be purchased by Suffolk County as part of the New Suffolk County Drinking Water Protection Program — Hamlet Greens/Active Recreation/Historic and/or Cultural Park Component to wit: Suffolk County Tax Map as District 0100, Section 189.00, Block 02.00, Lot 098.000 and 001.000; and

BE IT FURTHER RESOLVED that the Town of Babylon is willing to partner with the County of Suffolk for 50% of the cost of the acquisition and any associated soft costs including appraisals, title searches and environmental site assessment reports, etc.; and

BE IT FURTHER RESOLVED that the Town of Babylon acknowledges that the County of Suffolk acquires property for passive recreational uses that have clear title including non-delinquent on property taxes and have satisfied any environmental conditions/issues identified in any environmental site assessment report or any federal, state or local government actions relating to such property; and

BE IT FURTHER RESOLVED that the Town Board hereby amends Resolution No. 441 of the June 12, 2019 meeting of the Town Board and amends all references of a municipal parking lot to a passive park/open space; and

BE IT FURTHER RESOLVED that the Town of Babylon hereby makes a commitment to improve and maintain the property in perpetuity as a passive park/open space as described in the Concept Plan, with public access to all Suffolk County residents; and

BE IT FURTHER RESOLVED that the Town of Babylon may enter into agreements with civic groups to be approved by the County of Suffolk to maintain the passive park/open space; and

BE IT FURTHER RESOLVED that the Supervisor of the Town of Babylon is authorized to execute any necessary agreements and documents with the County of Suffolk to effectuate the maintenance of the properties by the Town of Babylon as a passive park/open space.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 645 SEPTEMBER 25, 2019**

**AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 9 HAAB AVE., WEST BABYLON NY 11704 - SCTM NO. 0100-212.00-03.00-033.000**

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

WHEREAS, a certain rear structure(s) located at 9 Haab Avenue, West Babylon, New York, bearing SCTM# 0100-212.00-03.00-033.000 is so deteriorated and or dilapidated, it has become so out of repair as to be dangerous, unsafe, unsanitary and unfit for human habitation, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure located at 9 Haab Avenue, West Babylon, New York, bearing SCTM# 0100-212.00-03.00-033.000 to eliminate safety hazard, in order to rectify the above noted

problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report attached hereto; and be it further

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

RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further  
RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 646 SEPTEMBER 25, 2019**  
**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT**  
**1200 MERRICK ROAD, COPIAGUE, NY 11726 - SCTM NO. 0100-192.00-02.00-016.000**

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

WHEREAS, a certain structure(s) located at 1200 Merrick Road, Copiague, New York, bearing SCTM# 0100-192.00-02.00-016.000, has no running water and no electric. 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 the children of the surrounding residents and the general public will exist; 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; an

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,

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 1200 Merrick Rd., Copiague, New York, bearing SCTM# 0100-192.00-02.00-016.000 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 September 24, 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

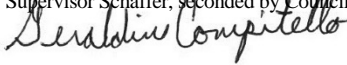
The resolution was thereupon declared duly adopted.

Open portion:

**Lisa Johnson**  
36 South Park Place  
Amityville, NY 11701  
631-842-7231  
Lisa1960@yahoo.com

Complaint about Nissan car dealership. Her contact information was given to Ron Kluesener.

Being no further business before the Board, the meeting adjourned at 7:19 pm on the motion of Supervisor Schaffer, seconded by Councilman Manetta.



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Geraldine Compitello, Town Clerk

/jt