

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 20th day of November, 2019 at 3:30 p.m. prevailing time.

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

Supervisor Schaffer: Please remain standing for a moment of silence and I ask that you keep in your thoughts and prayers the brave service men and women who are serving our Country here and aboard as well as those families still recovering from the aftermath of super storm Sandy.

Thank you, please be seated.

The Town Clerk called the roll:

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

1. **A PUBLIC HEARING ON THE PRELIMINARY BUDGET FOR THE TOWN OF BABYLON FOR THE YEAR 2020**
2. **A PUBLIC HEARING ON AMENDING CHAPTER 48 TO THE BABYLON TOWN CODE (DEPARTMENT OF CIVIL SERVICE)**
3. **A PUBLIC HEARING ON AMENDING CHAPTER 133 TO THE BABYLON TOWN CODE (LICENSING)**
4. **A PUBLIC HEARING ON AMENDING CHAPTER A217 (RECREATIONAL FEES)**
5. **A PUBLIC HEARING ON AMENDMENTS TO CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

**RESOLUTION NO. 724 NOVEMBER 20, 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.

November 7, 2019

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 725 NOVEMBER 20, 2019
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS**

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

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

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

NOW, THEREFORE, be it

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

<u>CONTRACTOR NAME</u>	<u>RESOLUTION NO.</u>	<u>AMOUNT</u>
Liro Engineering, Inc.	761 of 9/27/17	\$3,245.50

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 726 NOVEMBER 20, 2019
ACCEPTING THE CONTRACT WITH BENSIN CONTRACTING, INC. FOR BID NO. 19G44, CLEANING & MISCELLANEOUS REPAIRS TO EAST & WEST LEACHATE STORAGE TANKS AS COMPLETE AND ACCEPTABLE**

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

WHEREAS, Bid No. 19G44, Cleaning & Miscellaneous Repairs to East & West Leachate Storage Tanks was awarded to Bensin Contracting, Inc. pursuant to Resolution No. 409 of June 12, 2019 for a total contract amount of ONE MILLION FIVE HUNDRED THIRTEEN THOUSAND, TWO HUNDRED (\$1,513,200.00) DOLLARS and

WHEREAS, upon commencement of the work, it was determined by the Deputy Commissioner of Environmental Control and Bensin Contracting, Inc., it was determined that the leachate tanks could not be repaired and need to be replaced, and

WHEREAS, Bensin Contracting, Inc. incurred costs associated with obtaining a performance bond, payment material bond, insurance and mobilization costs in the amount of THIRTY-EIGHT THOUSAND, NINE HUNDRED SIXTY-SEVEN AND 20/100 (\$38,967.20) leaving an unused contract amount of ONE MILLION FOUR HUNDRED SEVENTY-FOUR THOUSAND, TWO HUNDRED THIRTY-TWO DOLLARS AND 80/10 (\$1,474,232.80), and

WHEREAS, the Commissioner of General Services and the Deputy Commissioner of Environmental Control recommend accepting the contract with Bensin Contracting, Inc. as satisfactorily complete,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Deputy Commissioner of Environmental Control, the contract with Bensin Contracting, Inc. pursuant to Bid No. 19G44, be and is hereby deemed as satisfactorily complete and acceptable at a final contract price of THIRTY EIGHT THOUSAND, NINE HUNDRED SIXTY SEVEN AND 20/100 (\$38,967.20).

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 727 NOVEMBER 20, 2019
AWARDING BID NO. 19G85 HYDRAULIC HOSE FITTING & ADAPTORS;
AEROQUIP, WEATHERHEAD CATALOGS/WEBSITES OR EQUAL**

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

WHEREAS, the following bids for Bid No. 19G85, Hydraulic Hose Fitting & Adaptors; Aeroquip, Weatherhead Catalog or Equal were received, opened and publicly read:

Item 1: Aeroquip, Weatherhead Catalog or Equal			
<u>Vendor</u>	<u>Mfg. bid</u>	<u>% off</u>	
Auster Rubber Co. Inc.	Parker	70%	
	Kurt		30%
Choice Distribution	Kimball Midwest	70%	
Deer Park Hydraulics Inc.	Aeroquip/Eaton	60%	

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G85 be and is hereby awarded to the low bidder, Auster Rubber Co. Inc.; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 728 NOVEMBER 20, 2019
AWARDING BID NO. 19G88 COLLECTION AND DISPOSAL OF SCRAP METAL**

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

WHEREAS, the following bids for Bid No. 19G88, Collection & Disposal of Scrap Metal was received, opened and publicly read:

1. Revenue to be paid to the Town for material picked-up by the successful bidder

a. Price per short ton of ferrous scrap metal (tin)	
Mid-Island Salvage Corp.	\$95.00
Gershow Recycling Corp.	\$75.75
b. Price per short ton of ferrous scrap metal (mixed steel)	
Mid-Island Salvage Corp.	\$145.00
Gershow Recycling	\$90.90
c. Price per short ton of ferrous scrap metal (structural shapes)	
Mid-Island Salvage Corp.	\$155.00
Gershow Recycling	\$110.10

2. Revenue to be paid to the Town for material delivered to the successful bidder

a. Price per short ton of ferrous scrap metal (tin)	
Mid-Island Salvage Corp.	\$100.00
Gershow Recycling	\$85.85
b. Price per short ton of ferrous scrap metal (mixed steel)	
Mid-Island Salvage Corp.	\$150.00
Gershow Recycling	\$100.90
c. Price per short ton of ferrous scrap metal (structural shapes)	
Mid-Island Salvage Corp.	\$160.00
Gershow Recycling	\$120.10

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Deputy Commissioner of Environmental Services upon their finding the aforementioned bids fair and reasonable, Bid No. 19G88 be and is hereby awarded to the high bidder, Mid-Island Salvage Corp.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contracts with Mid-Island Salvage Corp. and that the form and content of said contracts shall be subject to the approval of the Town Attorney; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 729 NOVEMBER 20, 2019
AWARDING BID NO. 19G89, CONTROLLED DEMOLITION WITH ASBESTOS
IN PLACE AT 1305 SOUTH STRONG AVENUE, COPIAGUE**

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

WHEREAS, the following bids for Bid No. 19G89, were received, opened and publicly read:

BIDDER	TOTAL BID PRICE
Unitech Services Group, Inc.	\$238,400.00
Panzner Demo & Abatement Corp.	\$248,850.00
Gramercy Group, Inc.	\$255,000.00
Watral Brothers, Inc.	\$299,995.00
Russo Development Enterprises, Inc.	\$1,457,000.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and upon his finding the aforementioned bid to be fair and reasonable, Bid No. 19G89 be and is hereby awarded to the low bidder, Unitech Services Group, Inc., and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with Unitech Services Group, Inc. for a total contract amount TWO HUNDRED THIRTY-EIGHT THOUSAND, FOUR HUNDRED (\$238,400) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 730 NOVEMBER 20, 2019
AWARDING BID NO. 19G90 TRANSMISSION SERVICE AND REPAIR**

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

WHEREAS, the following bids for Bid No. 19G90 Transmission Service and Repair was received, opened and publicly read:

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Deputy Commissioner of D.P.W. and the and upon their finding the aforementioned bids fair and reasonable, Bid No. 19G90 be and is hereby awarded to the low bidder for each item; Award Transmissions Inc. d/b/a A-1 Transmissions for Item Nos. 1a.-1c., 1f., 1g., 2c., 3c, 3d., 3f. 3g., 4a.-4f., 5a.-5f. 6a.-6c., 7a., 7c.-7e., 8d., 8e. 9a., 9b., 9d.-9h.; Transmission Technicians for Item Nos. 3b., 5h., 9l and 9m.; Johns Transmission Inc. d/b/a Ability Transmissions for Item Nos. 1d., 1e., 2a., 2b., 2d. -2g., 3a., 3e., 5g., 7b., 8a.-8c., 8f.-8h., 9c., 9i.-9k. and 9n.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Award Transmissions Inc. d/b/a A-1 Award Transmissions; Transmission Technicians and Johns Transmissions Inc. d/b/a Ability Transmissions 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. 731 NOVEMBER 20, 2019
ADOPTING ANNUAL BUDGET FOR THE TOWN OF BABYLON**

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 Preliminary Budget of the Town of Babylon for the year 2020 be and the same is hereby adopted as the Annual Budget of 2020.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 732 NOVEMBER 20, 2019
AUTHORIZING 2019 BUDGET MODIFICATION**

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 Budget Modification is hereby authorized:

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
Purchasing			
Miscellaneous			
A.1345.49		\$ 440	
Central Printing and Mailing			
Miscellaneous			
A.1670.47			\$ 440
Comptroller			
Administrative			
A.1315.13		\$ 23,500	
Contingent Account			
Miscellaneous			
A.1990.49			\$ 23,500
Parks and Recreation Administration			
Overtime			
A.7020.19		\$ 18,500	
Professional and Technical Services			
A.7020.44		\$ 8,300	
Miscellaneous			
A.7020.49		\$ 14,440	
Playground and Recreation Centers			
Program Operations			
A.7140.47			\$ 39,500
Special Recreation Facilities			
Program Operations			
A.7180.47			\$ 1,740

	<u>Part Town Fund</u>	<u>Increase</u>	<u>Decrease</u>
Safety Inspection			
Overtime			
B.3620.19		\$ 8,000	
Utilities			
B.3620.42		\$ 300	
Miscellaneous			
B.3620.49		\$ 400	
Part Time Clerical			
B.3620.16			\$ 1,000
Planning			
Part Time Clerical			
B.8020.16		\$ 1,000	
Professional and Technical Services			
B.8020.44			\$ 8,000
Utilities			
B.8020.42			\$ 300
Office Supplies			
B.8020.41			\$ 400

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 733 NOVEMBER 20, 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
Joseph Olmedo-Chamberlain	\$206.32 Drug and Alcohol program supplies
Delores Bocklet	\$12.96 for program dvd

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

**RESOLUTION NO. 734 NOVEMBER 20, 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
Long Island Gutter 820 Grand Blvd Deer Park, New York 11729	Account #5187 Long Island Gutter 820 Grand Blvd Deer Park, New York 11729	Commercial Waste District	\$275.31	Overpayment
Long Island Gutter 820 Grand Blvd Deer Park, New York 11729	Account #5187 Long Island Gutter 820 Grand Blvd Deer Park, New York 11729	Commercial Waste District	\$97.69	Overpayment

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

**RESOLUTION NO. 735 NOVEMBER 20, 2019
AUTHORIZING REFUND OF FEES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the following fee be refunded:

NAME and ADDRESS	TYPE	AMOUNT
Thomas J. Kalish 211 S. Wellwood Avenue Lindenhurst, New York 11757	Accurate Assessment Refund 0100-69-2-18	\$50.00

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

**RESOLUTION NO. 736 NOVEMBER 7, 2019
SETTING FEES FOR PLANNING AND DEVELOPMENT**

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 Commissioner of the Department of Planning and Development, that the following fees are hereby set forth effective January 1, 2020.

	FROM	TO
Plumbing – Residential File Fee	\$75.00	\$100.00
Plumbing – Commercial File Fee	\$175.00	\$300.00
Plumbing – Residential – per fixture	\$10.00	\$15.00
Plumbing – Residential – per fixture	\$25.00	\$50.00
Plumbing – Commercial – per fixture	\$50.00	\$75.00
Plumbing – Commercial – per fixture	\$10.00	\$20.00
Solar Panels – Residential File Fee	\$200.00	\$250.00
Land Clearing Permit Fee	\$50.00	\$1,000.00

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

**RESOLUTION NO. 737 NOVEMBER 20, 2019
AUTHORIZING THE TRANSFER OF RESIDUAL EQUITY FROM A CAPITAL PROJECT TO APPROPRIATED RESERVES**

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

WHEREAS, The Town of Babylon has bonded for a capital project namely, Landfill/recycling Admin Building (the "Project") and
WHEREAS, the Project has unused funding allocated totaling \$93,198.24 against which no contract or encumbrance exists; and
WHEREAS, the Comptroller recommends to the Town Board that the unused portion be transferred to the Garbage Funds.

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Babylon, upon the recommendation of the Comptroller, does hereby order the transfer of funding in the amount of \$93,198.24 from the Capital Projects Program Fund to the Garbage Funds.

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

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

**RESOLUTION NO. 738 NOVEMBER 20, 2019
ADOPTING LOCAL LAW NO. 9 OF 2019 AMENDING CHAPTER 48
TO THE BABYLON TOWN CODE (DEPARTMENT OF CIVIL SERVICE)**

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 20th day of November 2019, upon the question of enactment of Local Law No. 9 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. 9 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. 9 of 2019

EXHIBIT "A"

Chapter 48 (Department of Civil Service)

ADD

§ 48-3 Powers and duties.

C. The Personnel Officer is empowered herein to appoint a Deputy, who shall generally act for and in her/his behalf, and who shall perform such duties as are vested in and imposed upon that office by the provisions of this chapter, by statute or by other lawful authority.

D. The Personnel Officer shall have such powers as shall be necessary for the proper administration of the department consistent with applicable provisions of law.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 739 NOVEMBER 20, 2019
ADOPTING LOCAL LAW NO. 10 OF 2019 AMENDING CHAPTER 133 TO THE BABYLON TOWN CODE (LICENSING)**

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 20th day of November 2019, upon the question of enactment of Local Law No. 10 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 133, Licensing;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 10 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. 10 of 2019

EXHIBIT "A" Chapter 133 (Licensing)

AMEND

§ 133-14 License classifications and fees.

A. A Class 1 license shall be required of all persons engaged in the collection and transportation of garbage, refuse, recyclable material (including, but not limited to, scrap metal), ashes or solid waste outside the improvement areas or for collection and transportation of recyclable material only within the commercial improvement area if properly authorized by the property owner. The annual fee for such license shall be \$1,500, plus \$550 for each truck and \$1 for each sticker for rolloffs and compactors.

C. A Class 3 license shall be required of all persons engaged in the collection and transportation of construction and demolition debris within the Town of Babylon. The annual fee shall be \$1,500. There shall be an annual per-truck fee of \$550, and a fee of \$1 for each sticker for rolloffs and compactors.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 740 NOVEMBER 20, 2019
ADOPTING LOCAL LAW NO. 11 OF 2019 AMENDING CHAPTER A217 (RECREATIONAL FEES)**

The following resolution was offered by
and seconded by:

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 20th day of November 2019, upon the question of enactment of Local Law No. 11 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter A217, Department of Civil Service;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 11 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. 11 of 2019

EXHIBIT "A"

AMEND

Programs	2019 Recreation Fees:
Programs	Fee
Day Camp	85 - 150
Day Camp (full day)	325
Swimming Lessons	60
Swim Team	75
Swim Programs	30 - 400
Diving Lessons	60 - 70
Parent & Tot	75 - 90
Parent & Tot (non- resident fee)	85 - 100
Summer- Parent & Tot	40 - 50
Summer – Parent & Tot (non-resident)	50 - 60
Music Lessons	60
Guitar Camp	90
Dance Lessons	50
Dance Camp	95 - 217
Golf Lessons	75 - 120
Golf Course Fees	5 - 8
Disk Golf Fees	5 - 8
Aquacize	70
Tennis Lessons	75 - 90
Beach Parking Permits	20 - 45
Cedar weekdays/weekends	20 - 40
Cedar/ Gilgo twilight fee (after 4:00)	10
Gilgo weekday/weekends	20 - 40
Cedar Marina weekday/weekends	20 - 40
Camping /Boating Permits Residents	50
Camping /Boating Permits Seniors	25
Cedar Dock 14' & Up	33

Cedar Main Dock Under 14'	30	
Special Dock Permit	75	
Cedar Floating Dock Twilight	5	
Cedar Floating Dock weekdays	12	
Cedar Floating Dock weekends	18	
Cedar Floating Dock weekdays senior	7	
Cedar Floating Dock weekends senior	10	
Cedar Marina Camping	30	
Gilgo Marina Dock weekdays	15	
Gilgo Marina Dock weekends	20	
Gilgo Floating Dock weekdays 17' & Up	12	
Gilgo Floating Dock weekdays under 17'	5	
Gilgo Floating Dock weekends over 17'	15	
Gilgo Floating Dock weekends under 17'	10	
Gilgo Floating Dock weekdays Senior	7	
Gilgo Floating Dock weekends Senior	10	
Commercial Boat Launch Permit	250	
Boat Launch Permit	50	
Boat Launch Permit Senior	25	
Boat Launch Permit Tanner weekday/weekends	15 - 30	
Boat Launch Permit Venetian weekday/weekends	15 - 30	
Jet Ski Permit	50 - 25	
Family Pool Plan	95 - 160	
Individual Plan	60	
Senior Individual Plan		25
Senior Family Plan	40	
Geiger Spray Park Family Plan	70	
Geiger Daily Fee	5	
Geiger Daily Fee (non-resident)	10	
Phelps Lane Daily Fee	7	
Daily Fee Pools N. Amityville, N. Lindenhurst	5	
Daily Fee Sanchez & Buttitta	5	
Showmobile	175	
Showmobile (rate for Fire & Police Departments and Religious Organization applications)	100	
Park Permit	50	
Paddle Boarding	150 - 165	
Sailing	60 - 80	
Yoga	72 - 120	
Yoga (non-resident)	84 - 144	
Painting	25	
Film Making (resident)	100	
Film Making (non-resident)	115	
Athletic Fields (single use)		
Field Fee	60 - 75	
Field Fee – Light Fee	180 - 200	
Athletic Fields (weeks)	300 - 2,370	
Field with Lights (weeks)	425 - 1,395	
Tanner Floating Slips	40 per foot	
Tanner Wall Slips	50 per foot	
South Great Neck Slips	40 per foot	
Film Permit (per day)	500 - 2000	

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 741 NOVEMBER 20, 2019
ADOPTING AMENDMENTS TO CHAPTER 3, ARTICLE II, SECTION 3-4
OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

The following resolution was offered by Councilman 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 20th day of November, 2019 at 3:30 p.m. prevailing time, upon the question amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

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

ADD to Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
West 23 rd Street/ East side From Lake Avenue to Grand Boulevard	DP	Permit Required	10:00 p.m.to 7:00 a.m. ALL

**RESOLUTION NO. 742 NOVEMBER 20, 2019
SCHEDULING A PUBLIC HEARING IN REFERENCE TO THE COASTAL
EROSION HAZARD AREA, VARIANCE APPLICATION NO. 19-08 OF PHIL
TERRIBLE, 26 FIELD WALK, OAK BEACH, SCTM NO. 0100-243-01-62**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of December at 3:30 p.m., prevailing time, to consider the Coastal Erosion Hazard Area variance application of Phil Terrible for the premises located at 26 Field Walk, SCTM No. 0100-243-01-62 to allow the construction of a two (2) story dwelling and be it further

RESOLVED, that the Town Clerk of the Town of Babylon is directed to publish note 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.

RESOLUTION NO. 743 NOVEMBER 20, 2019

SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 86 OF THE BABYLON TOWN CODE (BOATS)

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 4th day of December, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 48 of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A" Chapter 86 (Boats)

ADD:

§ 86-8 Docking permit required.

C. It shall be unlawful for any person or entity, as owner, occupant, lessee or agent, or in any other capacity, to store, place, maintain, tie, moor, suffer or cause or permit to be stored, placed, maintained, tied, or moored any barge, crane, or floating equipment to any dock, bulkhead, pier, wharf, or rafted or otherwise made fast to any other vessel or anchored or otherwise secured to any real property zoned residential within the Town of Babylon unless said barge, crane, or floating equipment is maintained, used or stored in conjunction with work approved and associated with a building permit issued by the Building Inspector, and or a dredging permit issued by the Town Clerk and or New York State Department of Environmental Conservation and or United States Army Corp of Engineers permit.

RESOLUTION NO. 744 NOVEMBER 20, 2019

SCHEDULING A PUBLIC HEARING REGARDING CERTAIN FIRE PROTECTION CONTRACTS AND AN AMBULANCE DISTRICT

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

WHEREAS, present fire protection and ambulance service contracts and an ambulance district contract between the Town of Babylon and various fire companies and departments expire on December 31, 2019; and

WHEREAS, said contracts cover Venetian Shores Fire Protection District #1, North Amityville Fire Protection Districts #5 and #6, East Farmingdale Fire Protection District #12, Wyandanch Fire Protection District #13, North Babylon Fire Protection District #15, North Lindenhurst Fire Protection District #16, West Amityville Fire Protection District #23, *West Beach Fire Protection District #53, East Beach Fire Protection District #54* and Wyandanch-Wheatley Heights Ambulance District; and

WHEREAS, it is deemed in the best interests of the Town of Babylon to enter into new contracts for fire protection and ambulance service for the aforesaid districts as follows:

1. Venetian Shores Fire Protection District #1:
A contract for a period of one year with the Village of Lindenhurst, said contract having an amount not to exceed \$368,290.00 for the year 2020.
2. North Amityville Fire Protection District #5:
A contract for a period of one year with the North Amityville Fire Company, Inc., said contract having an amount not to exceed \$1,240,398.00 for the year 2020.
3. North Amityville Fire Protection District #6:
A contract for a period of one year with the North Amityville Fire Company Inc., said contract having an amount not to exceed \$1,784,962.00 for the year 2020.
4. East Farmingdale Fire Protection District #12:
A contract for a period of one year with the East Farmingdale Volunteer Fire Company, Inc., said contract having an amount not to exceed \$4,606,450 for the year 2020.
5. Wyandanch Fire Protection District #13:
A contract for a period of one year with the Wyandanch Volunteer Fire Company, Inc., said contract having an amount not to exceed \$1,322,632.00 for the year 2020.
6. North Babylon Fire Protection District #15:
A contract for a period of one year with the North Babylon Volunteer Fire Company, Inc., said contract having an amount not to exceed \$3,538,396.00 for the year 2020.
7. North Lindenhurst Fire Protection District #16:
A contract for a period of one year with the North Lindenhurst Volunteer Fire Department, Inc., said contract having an amount not to exceed \$2,014,008.00 for the year 2020.
8. West Amityville Fire Protection District #23:
A contract for a period of one year with the Village of Amityville, said contract having an amount not to exceed \$8,000.00 for the year 2020.
9. West Beach Fire Protection District #53:
A contract for a period of three years with the Village of Babylon, said contract having an amount not to exceed \$45,472.00 per year for the years 2020, 2021 and 2022.
10. East Beach Fire Protection District #54:
A contract for a period of three years with the Village of Babylon, said contract having an amount not to exceed \$90,670.00 per year for the years 2020, 2021 and 2022.
11. Wyandanch-Wheatley Heights Ambulance District:
A contract for a period of one year with the Wyandanch-Wheatley Heights Ambulance District, said contract having an amount not to exceed \$1,850,189.00 for the year 2020.

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of December, 2019 at 3:30 p.m., prevailing time, on the question of entering into the aforementioned contracts; 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.

RESOLUTION NO. 745 NOVEMBER 20, 2019

SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING

CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of December, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit "A"; and be it further

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

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

EXHIBIT "A"

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

Delete from Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Allen Boulevard/South side From a point 45 feet +/- East of Route 110 East to Baiting Place Road	EF	No Stopping	6:00 p.m.to 5:30 p.m. Monday to Friday
Allen Boulevard/South side From NYS Route 110 East for 45 feet +/-	EF	No Stopping	6:00 p.m.to 5:30 p.m. Monday to Friday
Schmitt Boulevard/Both sides From New Highway west to Broad Hollow Rd (NYS Route 110)	EF	No Stopping	6:00 p.m.to 5:30 p.m. Monday to Friday

ADD to Schedule K:

Name of Street/Side Location	Hamlet	Regulation	Hours/Days
Allen Boulevard/South side From Route 110 East to Baiting Place Road	EF	No Stopping	ALL
Schmitt Boulevard/Both sides from New Highway west to Broad Hollow Rd (NYS Route 110)	EF	No Parking within 15 feet of a driveway	ALL
Central Avenue/Both sides from New Highway east To Wellwood Avenue (County Road 3)	EF	No Parking within 15 feet of a driveway	ALL
North Delaware Avenue/Both sides from Sunrise Highway (S.R. 27) North for 108 feet +/-	NL	No Stopping	ALL
North Delaware Avenue/West side from a point 170 feet +/- North of Sunrise Highway (S.R. 27) north for 31 feet +/-	NL	No Parking	ALL
Foothill Place/Both sides from Browns Boulevard West for 42 feet +/-	WY	No Standing	ALL
Foothill Place/North side from 42 feet +/- West of Browns Boulevard West for 115 feet +/-	WY	No Parking	10:00p.m.to 5:00 a.m./ ALL
Andrea Street at Raynor Street	WB	Stop	Southbound on Andrea Street
Malcolm Street at Raynor Street	WB	Stop	Southbound on Malcolm Street
Albermarie Avenue at Raynor Street	WB	Stop	Southbound on Albermarie Avenue
Palm Place and Nevada Road	WB	Stop	Northeast on Palm Place

**RESOLUTION NO. 746 NOVEMBER 20, 2019
 AMENDING THE ADMINISTRATIVE SALARY PLAN**

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

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	G	10
Assistant Town Attorney III	G	12
Assistant Town Attorney	F	12
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	12a
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	15a
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	I	6a
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	B	12a
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	13a
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	D	11
Secretary to Human Services	G	11a
Secretary to Supervisor	J	12a
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	F	2a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	9
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	D	9
Special Assistant to Supervisor	I	10
Town Attorney	J	17
Town Comptroller	J	17
Town Engineer	H	15
Town Historian	G	9a
Women's Resources Advisor I	G	11a

2019 Administration Plan:

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

9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,524	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	147,900
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	149,324

**RESOLUTION NO. 747 NOVEMBER 20, 2019
AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN AGREEMENT
WITH LARUSSO, CONWAY AND BARTLING, LLP**

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

WHEREAS, the Town desires to retain the firm Larusso and Conway, LLP. to provide the Town with general advisory in pre-trial and trial litigation services, all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

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

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Larusso and Conway, LLP. effective November 15, 2019; and be it further

RESOLVED, that the Town of Babylon hereby retains the firm of Larusso and Conway, LLP. and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and be it

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 748 NOVEMBER 20, 2019
AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH CADWALADER, WICKERSHAM & TAFT LLP**

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

WHEREAS, the Town desires to retain the Cadwalader, Wickersham & Taft LLP. to provide the Town with general advisory in pre-trial and trial litigation services, all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

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

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Cadwalader, Wickersham & Taft, LLP. effective November 15, 2019; and be it further

RESOLVED, that the Town of Babylon hereby retains the firm of Cadwalader, Wickersham & Taft LLP. and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and be it

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 749 NOVEMBER 20, 2019
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
FROM DECEMBER 4, 2019 THROUGH AND INCLUDING DECEMBER 5, 2019
IN THE TOWN OF BABYLON FOR CHICK-FIL-A**

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

WHEREAS, Chick-Fil-A has requested permission to hold an outdoor public assembly for the purpose of having a family friendly 1st 100 campout grand opening event from Wednesday, December 4, 2019 through and including Thursday, December 5, 2019 between the hours of 6:00 p.m. and 6:00 a.m., within the Town of Babylon at the parking lot of 1991 Broadhollow Road, Farmingdale, N.Y. with the use of sound equipment and tents; and

INDIVIDUAL: Dawn Reed 14779 Edgemere Drive Spring Hill, Florida 34609 (352) 279-0692 (256) 590-3722	ORGANIZATION: Chick-Fil-A 1991 Broadhollow Road Farmingdale, NY 11735 (352) 279-0692
DATES & TIMES: Date(s): 12/4/2019 to: 12/5/2019 Event Time: 6:00 p.m. to 6:00 a.m.	LOCATION: Chick-Fil-A (parking lot) 1991 Broadhollow Road Farmingdale, NY 11735
SPECIAL REQUIREMENTS: Event Details: "1 st 100 Campout" Grand Opening Event Tents: Yes; (100) personal 1-person tents Amusement Rides: No Sound Equipment: Yes; DJ and Speakers – lights out at 10:00 p.m. Toilet/Water Facilities: facilities inside Chick-Fil-A Approximate # of Participants: 100 (1 st 100 participants receive a digital gift card for free meals)	

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. 750 NOVEMBER 20, 2019

AUTHORIZING LIDL SUPERMARKET TO HOLD A GRAND OPENING EVENT, USE SOUND EQUIPMENT AND ERECT TENTS FROM DECEMBER 11, 2019 THROUGH AND INCLUDING DECEMBER 15, 2019

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

WHEREAS, Lidl Supermarket has applied for permission to hold a grand opening event with sound equipment and tents from December 11, 2019 through and including December 15, 2019 at 725 Sunrise Highway, West Babylon, New York, subject to Schedule "A" attached hereto; and

WHEREAS, Lidl Supermarket has obtained sufficient insurance to protect the interests of the Town of Babylon; and

INDIVIDUAL: Gregg Whiton Elite Marketing Group 1111 Marcus Ave. Suite: M60 Lake Success, NY 11042 (516) 325-2599 or (516) 652-8169	ORGANIZATION: Elite Marketing Group 1111 Marcus Ave. Suite: M60 Lake Success, NY 11042 (516) 325-2599 or (516) 652-8169
DATES & TIMES: Wednesday, Dec. 11, 2019 7:00 a.m. to 9:00 p.m. Thursday, Dec. 12, 2019 11:00 a.m. to 9:00 p.m. Friday, Dec. 13, 2019 11:00 a.m. to 9:00 p.m. Saturday, Dec. 14, 2019 10:00 a.m. to 9:00 p.m. Sunday, Dec. 15, 2019 10:00 a.m. to 9:00 p.m.	LOCATION: Lidl Supermarket 725 Sunrise Highway (parking lot) West Babylon, NY 11704
SPECIAL REQUIREMENTS: Tent(s): Yes; (2) 10x10 Sound Equipment: Yes; Type: Live Band Amusement Rides and/or Bouncy Rides: N/A Toilet & Water Facilities: Bathroom facilities available inside supermarket Approximate # of Participants: 250-500 expected throughout the event (per day)	

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. 751 NOVEMBER 20, 2019

AUTHORIZING PERMISSION FOR A PARADE ON NOVEMBER 30, 2019 IN THE TOWN OF BABYLON FOR THE NORTH BABYLON FIRE DEPARTMENT

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

WHEREAS, the North Babylon Fire Department has requested permission to hold a parade on Saturday, November 30, 2019 within the Town of Babylon,

INDIVIDUAL: Chief James J. Harrington III 20 Hale Rd. North Babylon, NY 11703 (631) 445-4527	ORGANIZATION: North Babylon Fire Dept. 20 Hale Rd. North Babylon, NY 11703 (631) 669-0679
DATES & TIMES: Date(s): 11/30/2019 to: Time: 6:00 p.m. to 9:00 p.m. Rain Date: n/a	STARTING: Intersection of Old Deer Park Ave. & Hale Rd., North Babylon ENDING: Intersection of Route 231/Deer Park Ave. & Commack Rd., North Babylon

ROUTE:

Leaving the intersection of Old Deer Park Ave. & Hale Rd., proceed from Hale Rd. to Old Deer Park Ave., proceed northbound to Route 231/Deer Park Ave., proceed over Southern State Parkway and continue to the intersection of Route 231/Deer Park Ave. & Commack Rd.

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. 752 NOVEMBER 20, 2019
AUTHORIZING THE LEVYING OF UNPAID COMMERCIAL AND RESIDENTIAL GARBAGE CHARGES, GREEN HOMES
CHARGES AND EAST FARMINGDALE WATER DISTRICT CHARGES

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

WHEREAS, there has been transmitted by the Town Clerk to the Babylon Town Board the statement required by Town Law Sections 198(9)(c) and (d) and 198(3), showing unpaid refuse and garbage charges and unpaid water charges as set forth in Schedule "A" on file with the Town Clerk's Office;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the Supervisor be and he is hereby authorized to transmit such statement to the Legislature of the County of Suffolk which shall levy such sums against the property liable, and shall state the amount of the tax in a separate column in the annual tax rolls of such Town under the name "refuse and garbage charges" for all unpaid refuse and garbage charges and under the name "water rents" for all unpaid water charges.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 753 NOVEMBER 20, 2019
REQUESTING THE CONVEYANCE OF A PARCEL FROM SUFFOLK COUNTY
TO THE TOWN OF BABYLON, COMMUNITY DEVELOPMENT PROGRAM FOR AFFORDABLE HOUSING AND AUTHORIZING
THE CONVEYANCE OF SAID PARCEL TO THE NEW MILLENNIUM DEVELOPMENT SERVICES INC.
PURSUANT SECTION 72-h, GENERAL MUNICIPAL LAW

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

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as 11 South 29th Street, Wyandanch, New York, SCTM #0100-079.00-02.00-004.002; and

WHEREAS, the County of Suffolk is willing to declare this parcel to be surplus County property which could be transferred to the Town of Babylon for the purpose of Affordable Rental Housing for households at or below 80% AMI, developed through New Millennium Development Services, Inc.,

NOW THEREFORE, be it

RESOLVED, that the Town of Babylon requests the County of Suffolk to execute and deliver a quitclaim deed to the Town of Babylon for said property, more particularly described and designated as 11 South 29th Street, Wyandanch, New York, SCTM #0100-079.00-02.00-004.002 pursuant to Section 72-H of the New York General Municipal Law, for the purpose of transferring the interest of Suffolk County in the above described property to the Town of Babylon for conveyance to New Millennium Development Services, Inc. for Affordable Rental Housing to benefit a household at or below 80% AMI; and be it further

RESOLVED, that said quitclaim deed issued by the Director of the County Division of Real Estate, or his deputy, pursuant to this resolution, shall contain a reverter clause to the effect that title to the said above described parcel shall revert to the County of Suffolk in the event that the property is not used for the above described public governmental purpose.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 754 NOVEMBER 20, 2019
PROCLAIMING NOVEMBER 30, 2019 AS "SMALL BUSINESS SATURDAY" IN THE TOWN OF BABYLON

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

WHEREAS, the Town of Babylon, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 30.7 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 64.9 percent of net new jobs created from 2000 to 2018, and;

and WHEREAS, small businesses employ 47.3 percent of the employees in the private sector in the United States; and

WHEREAS, 94 percent of consumers in the United States value the contributions small businesses make in their community; and

WHEREAS, 96 percent of all consumers who plan to shop on Small Business Saturday said the day inspires them to go to small, independently-owned retailers' restaurants that they have not been to before, or would not have otherwise tried; and

WHEREAS, 92 percent of companies planning promotions on Small Business Saturday said the day helps their business stand out during the busy holiday shopping season; and

WHEREAS, the Town of Babylon supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and

WHEREAS, advocacy groups as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Babylon does hereby proclaim November 30, 2019, as "Small Business Saturday" in the Town of Babylon, and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 755 NOVEMBER 20, 2019
AUTHORIZATION FOR TOWN BOARD TO URGE CONGRESS TO TAKE ACTION TO OPPOSE THE REAUTHORIZATION OF
THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP), KNOWN AS H.R. 3167, AND INSTEAD SEEK MEANINGFUL
AFFORDABILITY PROTECTIONS IN THE REAUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM

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

WHEREAS, floods are one of the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

WHEREAS, NFIP is a program created by Congress to mitigate future flood losses across the United States and to further provide access to affordable flood insurance protection for property owners; and

WHEREAS, New York State has over 175,000 NFIP policies in-force and is 7th in the number of NFIP policies in-force by state; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New York Property Owners;

and WHEREAS, the NFIP is was set to expire on September 30, 2019 and a stopgap measure was signed into law extending the NFIP through November 21, 2019; and

WHEREAS, on June 12 the House Financial Services Committee unanimously passed legislation to reauthorize and reform the NFIP, known as H.R. 3167; and

WHEREAS, H.R. 3167 does not sufficiently protect affordability for all Town of Babylon's NFIP policy holders; and

WHEREAS, the proposed reauthorization provides for the following unacceptable terms: the increase of rates to primary homeowners up to 18% annually until they reach their actuary rates (every 4 years premiums may double); the increase of rates to secondary homeowners up to 25% annually until they reach their actuary rate (every 3 years premiums may double); the increase to risk/premiums for communities that have high construction/ replacement costs; the implementation of Risk Rating 2.0 mapping which results in higher premiums the closer you live to water; and an increase to the cost of compliance limits that is still insufficient to meet actual numbers; and

WHEREAS, Risk Rating 2.0 will dramatically change the way FEMA prices NFIP policies by accounting for (1) a structures distance to the water, (2) exposure to different types of flood risk (storm, surge, intense rainfall, etc.) and (3) the cost to rebuild-all factors that will inevitably subject high costs, coastal communities like the Town of Babylon to higher premiums; and

WHEREAS, the Town Board believes that the caps on current annual increases (18% on primary residences and 25% on rental properties, commercial properties, and second homes) are unsustainable and that a lower cap providing a more gradual path of increase, provides greater economic stability and fairness; and

WHEREAS, the Town Board believes it is imperative that Congress include in any reauthorization legislation a significantly lower cap on annual percentage increases for all NFIP premiums.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board desires:

1. That the National Flood Insurance program be reauthorized but that the current proposed reform of the NFIP contained in H.R. 3167 is unacceptable in its current format to the Town of Babylon.
2. That the House Financial Services Committee rescind the reform and further implores legislators that any reauthorization of the National Flood Insurance Program must include meaningful balance and affordability protections for all policy holders.

RESOLVED, the Town Clerk is hereby directed to send a certified copy of this resolution to the House Financial Services Committee and the Town's representatives in Congress.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 756 NOVEMBER 20, 2019

AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH TATE GROSSMAN KELLY & IACCARINO, LLP

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

WHEREAS, the Town desires to retain the Tate Grossman Kelly & Iaccarino, LLP to provide the Town with general advisory in pre-trial and trial litigation services.

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Tate Grossman Kelly & Iaccarino, LLP; and be it further

RESOLVED, that the Town of Babylon hereby retains the firm of Tate Grossman Kelly & Iaccarino, LLP.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 757 NOVEMBER 20, 2019

**AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
6 BUCHANAN AVE., AMITYVILLE, NY 11701 SCTM NO. 0100-181.00-02.00-005.000**

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

WHEREAS, a certain structure(s) located at 6 Buchanan Avenue, Amityville, New York, bearing SCTM# 0100-181.00-02.00-005.000 has no running water as per a communication with the Suffolk County Water Authority and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 6 Buchanan Ave., Amityville, New York, bearing SCTM# 0100-181.00-02.00-005.000 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 November 19, 2019 on file in the Department of Code Enforcement; and be it further

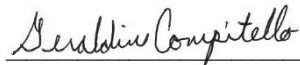
RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

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.

Being no further business before the Board, the meeting adjourned at 3:36 pm on the motion of Councilwoman Gordon, seconded by Councilman Martinez.



Geraldine Compitello, Town Clerk

/jt