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 abroad 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 217 (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.

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 authorized certain contracts for various projects throughout the Town of Babylon, and
WHEREAS, said work and/or services were never performed or service have been completed and the funding for said projects remains unencumbered, 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 null and void and/or complete and all funding be released and reallocated:

<table>
<thead>
<tr>
<th>CONTRACTOR NAME</th>
<th>RESOLUTION NO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>L.R. Engineering, Inc.</td>
<td>7811 of 9/27/17</td>
<td>$3,245.50</td>
</tr>
</tbody>
</table>

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 80/100 ($1,472,232.80), 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 put to a vote on roll call, which resulted as follows:

<table>
<thead>
<tr>
<th>Councilman Manetta</th>
<th>Voting</th>
<th>Ye</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councilman Martinez</td>
<td>Voting</td>
<td>Ye</td>
</tr>
<tr>
<td>Councilman McSweeney</td>
<td>Voting</td>
<td>Ye</td>
</tr>
<tr>
<td>Councilwoman Gordon</td>
<td>Voting</td>
<td>Ye</td>
</tr>
<tr>
<td>Supervisor Schaffer</td>
<td>Voting</td>
<td>Abstain</td>
</tr>
</tbody>
</table>

The resolution was thereupon declared duly adopted.
RESOLUTION NO. 727 NOVEMBER 20, 2019
AWARDING BID NO. 19G85 HYDRAULIC HOSE FITTING & ADAPTORs: AERQIUP, WEATHERHEAD CATALOG/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 & Adapters; Aerquip, Weatherhead Catalog or Equal were received, opened and publicly read:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Parker</th>
<th>Mfg. bid</th>
<th>% off</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auster Rubber Co. Inc.</td>
<td>Kirt</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Choice Distribution</td>
<td>Kimball Midwest</td>
<td>70%</td>
<td></td>
</tr>
<tr>
<td>Deer Park Hydraulics Inc.</td>
<td>Aerquip/Eaton</td>
<td>60%</td>
<td></td>
</tr>
</tbody>
</table>

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
      Gershon Recycling Corp.  | $75.75
   b. Price per short ton of ferrous scrap metal (mixed steel)
      Mid-Island Salvage Corp. | $145.00
      Gershon Recycling Corp.  | $90.90
   c. Price per short ton of ferrous scrap metal (structural shapes)
      Mid-Island Salvage Corp. | $155.00
      Gershon Recycling Corp.  | $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
      Gershon Recycling Corp.  | $85.85
   b. Price per short ton of ferrous scrap metal (mixed steel)
      Mid-Island Salvage Corp. | $150.00
      Gershon Recycling Corp.  | $100.90
   c. Price per short ton of ferrous scrap metal (structural shapes)
      Mid-Island Salvage Corp. | $160.00
      Gershon Recycling Corp.  | $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:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>TOTAL BID PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unitech Services Group, Inc.</td>
<td>$238,400.00</td>
</tr>
<tr>
<td>Panzner Demo &amp; Abatement Corp.</td>
<td>$248,850.00</td>
</tr>
<tr>
<td>Gramercy Group, Inc.</td>
<td>$255,000.00</td>
</tr>
<tr>
<td>Watral Brothers, Inc.</td>
<td>$299,995.00</td>
</tr>
<tr>
<td>Russo Development Enterprises, Inc.</td>
<td>$1,457,000.00</td>
</tr>
</tbody>
</table>

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:

RESOLVED, that upon the recommendations of the Commissioner of General Services and the Deputy Commissioner of D.P.W. and the

SPREADSHEET ON FILE IN DEPT. OF GENERAL SERVICES

RESOLVED, that the resolution be and is hereby adopted to execute a one (1) year contract with Award Transmissions Inc. dba A-1 Award Transmissions; Transmission Technicians and Johns Transmissions Inc. dba Ability Transmissions for Item Nos. 1d., 1e., 2a., 2b., 2d., -2g., 3a., 3c., 5g., 7b., 8a.-b., 9c., 9e., 9i., 9k. and 9u.; and be it further

RESOLVED, that the resolution was thereupon declared duly adopted.

YEAS: 5 NAYS: 0

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 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:

General Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchasing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>A.1345.49</td>
<td>$ 440</td>
</tr>
<tr>
<td>Central Printing and Mailing</td>
<td>A.1670.47</td>
<td></td>
</tr>
<tr>
<td>Administrative</td>
<td>A.1315.13</td>
<td>$ 23,500</td>
</tr>
<tr>
<td>Contingent Account</td>
<td>A.1990.49</td>
<td>$ 23,500</td>
</tr>
<tr>
<td>Parks and Recreation Administration</td>
<td>A.7020.19</td>
<td>$ 18,500</td>
</tr>
<tr>
<td>Professional and Technical Services</td>
<td>A.7020.44</td>
<td>$ 8,300</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>A.7020.49</td>
<td>$ 14,440</td>
</tr>
<tr>
<td>Playground and Recreation Centers</td>
<td>A.7140.47</td>
<td>$ 39.50</td>
</tr>
<tr>
<td>Program Operations</td>
<td>A.7180.47</td>
<td>$ 1,740</td>
</tr>
</tbody>
</table>

Part Town Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety Inspection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overtime</td>
<td>B.3620.19</td>
<td>$ 8,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>B.3620.42</td>
<td>$ 300</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>B.3620.49</td>
<td>$ 400</td>
</tr>
<tr>
<td>Part Time Clerical</td>
<td>B.3620.16</td>
<td>$ 1,000</td>
</tr>
<tr>
<td>Planning</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part Time Clerical</td>
<td>B.8020.16</td>
<td>$ 1,000</td>
</tr>
<tr>
<td>Professional and Technical Services</td>
<td>B.8020.44</td>
<td>$ 8,000</td>
</tr>
<tr>
<td>Utilities</td>
<td>B.8020.42</td>
<td>$ 300</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>B.8020.41</td>
<td>$ 400</td>
</tr>
</tbody>
</table>

THE VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

11/20/2019 Minutes
RESOLUTION NO. 733 NOVEMBER 20, 2019
AUTHORIZING EMPLOYER 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):

<table>
<thead>
<tr>
<th>EMPLOYEE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joseph Olmedo-Chamberlain</td>
<td>$206.32 Drug and Alcohol program supplies</td>
</tr>
<tr>
<td>Delores Bocklet</td>
<td>$12.96 for program dvd</td>
</tr>
</tbody>
</table>

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 McSweeney and seconded by Councilman Manetta. BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Environmental Control that the following payment be refunded as an overpayment:

<table>
<thead>
<tr>
<th>REFUND OF PAYMENT:</th>
<th>ACCOUNT</th>
<th>TYPE</th>
<th>AMOUNT</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long Island Gutter</td>
<td>Account #5187</td>
<td>Commercial Waste District</td>
<td>$275.31</td>
<td>Overpayment</td>
</tr>
<tr>
<td>820 Grand Blvd Deer Park, New York 11729</td>
<td>820 Grand Blvd Deer Park, New York 11729</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Long Island Gutter</td>
<td>Account #5187</td>
<td>Commercial Waste District</td>
<td>$97.69</td>
<td>Overpayment</td>
</tr>
<tr>
<td>820 Grand Blvd Deer Park, New York 11729</td>
<td>820 Grand Blvd Deer Park, New York 11729</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>NAME and ADDRESS</th>
<th>TYPE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas J. Kilah</td>
<td>Accurate Assessment Refund</td>
<td>$50.00</td>
</tr>
<tr>
<td>211 S. Wellewood Avenue Lindenhurst, New York 11757</td>
<td>01/09-02-18</td>
<td></td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>FEES</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plumbing – Residential File Fee</td>
<td>$75.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Plumbing – Commercial File Fee</td>
<td>$75.00</td>
<td>$100.00</td>
</tr>
<tr>
<td>Plumbing – Residential – per fixture</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td>Plumbing – Residential – per fixture</td>
<td>$25.00</td>
<td>$50.00</td>
</tr>
<tr>
<td>Plumbing – Commercial – per fixture</td>
<td>$50.00</td>
<td>$75.00</td>
</tr>
<tr>
<td>Plumbing – Commercial – per fixture</td>
<td>$10.00</td>
<td>$20.00</td>
</tr>
<tr>
<td>Solar Panels – Residential File Fee</td>
<td>$200.00</td>
<td>$250.00</td>
</tr>
<tr>
<td>Land Clearing Permit Fee</td>
<td>$50.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

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 the following funds 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 Class 3 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 $3,500, plus $550 for each truck and $1 for each sticker for rolloffs and compactors.

B 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

2019 Recreation Fees:

<table>
<thead>
<tr>
<th>Programs</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day Camp</td>
<td>85 - 150</td>
</tr>
<tr>
<td>Day Camp (full day)</td>
<td>325</td>
</tr>
<tr>
<td>Swimming Lessons</td>
<td>60</td>
</tr>
<tr>
<td>Swim Team</td>
<td>75</td>
</tr>
<tr>
<td>Swim Programs</td>
<td>30 - 400</td>
</tr>
<tr>
<td>Diving Lessons</td>
<td>60 - 70</td>
</tr>
<tr>
<td>Parent &amp; Tot</td>
<td>75 - 90</td>
</tr>
<tr>
<td>Parent &amp; Tot (non-resident fee)</td>
<td>85 - 100</td>
</tr>
<tr>
<td>Summer, Parent &amp; Tot</td>
<td>40 - 50</td>
</tr>
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<td>Music Lessons</td>
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<td>Golf Lessons</td>
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<td>Tennis Lessons</td>
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<td>Gilgo weekday/weekends</td>
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<tr>
<td>Cedar Marina weekday/weekends</td>
<td>20 - 40</td>
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<td>Camping/Boating Permits Residents</td>
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<td>Camping/Boating Permits Seniors</td>
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<td>Cedar Dock 14 &amp; Up</td>
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11/20/2019 Minutes
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.

The resolution was thereupon declared duly adopted.

VOTES: 5
YEAS: 5
NAYS: 0

EXHIBIT "A"
Chapter 3, Article II, Section 3-4

ADD to Schedule K:

<table>
<thead>
<tr>
<th>Name of Street/Side Location</th>
<th>Hours/Days</th>
<th>Permit Required</th>
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</thead>
<tbody>
<tr>
<td>West 23rd Street/ East side</td>
<td>DP</td>
<td>10:00 p.m. to 7:00 a.m.</td>
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<tr>
<td>From Lake Avenue to</td>
<td></td>
<td>ALL</td>
</tr>
<tr>
<td>Grand Boulevard</td>
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RESOLUTION NO. 742 NOVEMBER 20, 2019
SCHEDULING A PUBLIC HEARING IN REFERENCE TO THE COASTAL EROSION HAZARD AREA, VARIANCE APPLICATION NO. 19-68 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 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.

11/20/2019 Minutes
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: 4:36-8 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 McGovern.

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 Shares 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 Shares 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 $96,670.00 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 McGovern 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.

11/20/2019 Minutes
The resolution was thereupon declared duly adopted.

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

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

ADD to 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 Parking | ALL
Schmitt Boulevard/Both sides from New Highway west to Broad Hollow Rd (NYS Route 110) | EF | No Parking | ALL
Central Avenue/Both sides from New Highway east To Wellwood Avenue (County Road 3) | EF | No Parking | ALL
North Delaware Avenue/Both sides from Sunrise Highway (S.R. 27) North for 108 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 | 10:00 a.m. to 5:00 p.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

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<td>Affirmative Action Officer</td>
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<tr>
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<tr>
<td>Assessor</td>
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<tr>
<td>Assistant Community Development Project Supervisor</td>
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<td>Assistant Town Attorney II</td>
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<td>Assistant Town Attorney III</td>
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<tr>
<td>Bureau Administrator</td>
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<tr>
<td>Chief Assistant Town Attorney</td>
<td>T</td>
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<td>Citizens Advocate/Supervisor</td>
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<td>Commissioner of DPW</td>
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<td>Community Development Project Supervisor</td>
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**2019 Administration Plan:**

11/20/2019 Minutes
RESOLUTION NO. 747 NOVEMBER 20, 2019
AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH LARUSSO, CONWAY AND BARTINGL, 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

RESOLVED, the Town of Babylon hereby retains the firm of Larusso and Conway, LLP. and that all costs and disbursements in addition to their fees 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

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

RESOLVED, 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

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 assemble 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) 279-6962 (256) 594-3722

ORGANIZATION:
Chick-Fil-A
1991 Broadhollow Road
Farmingdale, NY 11735
(631) 279-6962

LOCATION:
Chick-Fil-A (parking lot)
1991 Broadhollow Road
Farmingdale, NY 11735

SPECIAL REQUIREMENTS: Event Details: “1st 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 (+ 100 participants receive a digital gift card for free meals)

NOW, THEREFORE, be it

RESOLVED, that the Town Clerk hereby is 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

The resolution was thereupon declared duly adopted.

INDIVIDUAL: Gregg Whiton Elite Marketing Group
1111 Marcus Ave. | Suite #60 Lake Success, NY 11042
(516) 325-2599 or (516) 652-8169

ORGANIZATION: Elite Marketing Group
1111 Marcus Ave. | Suite #60 Lake Success, NY 11042
(516) 325-2599 or (516) 652-8169

DATES & TIMES:

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 Rules and/or Bounty Rules: 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.

The resolution was thereupon declared duly adopted.

FA 1 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 no 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 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. Adequate sanitary facilities shall be provided, based upon the size and scope of the event.

7. Proper liability insurance shall be provided, at the time of application.

8. All rules 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 heretofore. 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 PERMIT 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,

The resolution was thereupon declared duly adopted.

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. & Connnack 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. & Connmac 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.

The resolution was thereupon declared duly adopted.

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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 tax 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 #0100.070.00.02.00.0004.002; 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% AML, 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 #0100.070.00.02.00.0004.002 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% AML 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 30, 2019
PROCLAIMING NOVEMBER 30, 2019 AS “SMALL BUSINESS SATURDAY” IN THE TOWN OF BABYLON
The following resolution was offered by Councilman Maranetta 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
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 consumers believe small businesses give back to their communities; 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 Maranetta and seconded by Councilman Martinez 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 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 only enough to meet actuarial loss cost; 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
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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: 
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: 
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 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: 
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 Comptello, Town Clerk

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