A Regular Meeting of the Town Board, Town of Babylon, was held at the Town House, 200 East Sunrise Highway, Lindenhurst, NY on Wednesday, the 4th day of December, 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 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 AUTHORIZING THE SUPERVISOR TO ENTER INTO FIRE PROTECTION AND AMBULANCE DISTRICT CONTRACTS

2. A PUBLIC HEARING ON AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR PHILIP TERRIBLE OUTER BEACH APPLICATION NO. 130225/130226 SCTM #0300-243-1-02

3. A PUBLIC HEARING ON AMENDING CHAPTER 86 OF THE BABYLON TOWN CODE (BOATS) (See comments below)

4. A PUBLIC HEARING ON ADOPTING AMENDMENTS TO CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

Supervisor Schaffer: Reopened the tabled public hearing and resolution #722 from 11/20/2019.

Resolution #722. DESIGNATING THE PREMISES KNOWN AS 84 PACIFIC AVENUE DEER PARK, NEW YORK, SCTM#0106-042-00-03.00-019-000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

Supervisor Schaffer called council representing Mr. Rosenberg to the podium.

John Reno
1913 Deer Park Avenue
Deer Park, NY 11729

Representing Louis Rosenberg. Reviewed the matter in question, and has addressed the concerns. Tyler Rosenberg who has prompted this nuisance action has vacated the premises, who is now living with his mother in Nassau County.

Angela Montigny – Mother of Louis, Jr., Tyler & Joshua Rosenberg
2301 Lafayette Street
North Bellmore, NY 11710 - 12/15/1968 (51 yrs. old)

Has been living with her for about 1½ weeks. Has to get special permission from probation, nothing in writing, everything is pending, but they gave the permission due to the facts at hand. Supervisor Schaffer requests the information for Tyler Rosenberg’s council pertaining to the criminal matters. Natasha Bellinger’s name was given. Supervisor Schaffer requests Mr. Wilson (Town Attorney) to communicate with her because he would like to get something in writing stating that the probation has been transferred and confirming the change of legal address.

Louis Rosenberg
84 Pacific Avenue

Mr. Rosenberg confirms that Tyler is now living with his ex-wife, and that he needs to stay in Bellmore and not have any visits to the Deer Park home. Mr. Rosenberg is agreeable on signing an agreement stating that there is no reason for Tyler to visit the Deer Park residence. Supervisor Schaffer states in closing comment to Mr. Rosenberg that he apologizes for his comments directed to him (not being a good father) at the November 20, 2019 meeting and asks Mr. Rosenberg to accept his apology for the statement. Mr. Rosenberg accepts the apology.

Joshua Rosenberg
84 Pacific Avenue
Deer Park, NY 11729 – 5/30/1997 (22 yrs. old)

Lived at this address his whole life. Graduated from alternative school and got GED diploma. Recently working at Lowes overnight, trying to get into Walmart. Has skills in HVAC but never followed through. Supervisor Schaffer asks Mr. Reno that he would like to meet with Joshua and also to have Douglas Van Tassell (Lead Council/Drug & Alcohol) attend to discuss some career & life challenging counselling programs. Joshua agreed to meeting with both of them.

Louis Rosenberg, Jr.
84 Pacific Avenue
Deer Park, NY 11729

Could not be present due to work schedule.

Tyler Rosenberg
84 Pacific Avenue
Deer Park, NY 11729 – DOB: 1995 (24 yrs. old)

Supervisor Schaffer questions Tyler why he is at this meeting and the illegal actions he has been committing. Explains that he needs to get his act together. Wants to help him by getting him into a mentoring program and counseling to help him get on the right path and get a good job. Supervisor Schaffer gets Tyler to commit to meeting with him and Douglas Van Tassell (Lead Council/Drug & Alcohol) to help him get back on track with his life.

Follow up will go through Town Attorney and each of the councils for Louis & Tyler Rosenberg.

In regards to: Resolution 758
ADOPTING LOCAL LAW NO. _____ OF 2019 AMENDING CHAPTER 86 OF THE BABYLON TOWN CODE (BOATS)
Craig Bergen
16 Eastern Concourse
Amity Harbor, NY 11701
516-702-6539

Complaint about neighbor that brings in all his commercial equipment, barges and stuff like that. During the summer he couldn’t even get out of the canal because of this. Supervisor Schaffer responded with identifying that there is a weakness in the code and that is why it is being addressed.
RESOLUTION NO. 722 DECEMBER 4, 2019
DESIGNATING THE PREMISES KNOWN AS 84 PACIFIC AVENUE, DEER PARK, NEW YORK, SCTM100100-042.00-03.00-019.000
A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

The following resolution was tabled by Supervisor Schaffer and seconded by Councilman Martinez. WHEREAS, the property located at 84 Pacific Avenue, Deer Park, New York, bearing SCTM# 0100-042.00-03.00-019.000, is owned by John L. Rosenberg, Josephine A. Rosenberg, & Louis Rosenberg; and WHEREAS, an arrest of Tyler Rosenberg occurred at said premises on January 24, 2019, for possession of Cocaine and Marijuana, defined under New York State Law Article 220 - Controlled Substance Offenses. WHEREAS, in accordance with Section 165.7, John L. Rosenberg, Josephine A. Rosenberg, & Louis Rosenberg were served a Notice of Tyler Rosenberg’s arrest on January 28, 2019, warning that a second arrest may result in the board-up of the property; and WHEREAS, a second arrest of Tyler Rosenberg occurred at said premises on October 5, 2019, for Criminal Possession of Marijuana in the 3rd Degree, a violation of New York State Penal Law Article 220 - Criminal Possession of Controlled Substance and New York State Penal Law Article 221 - Criminal Possession of Marijuana; and WHEREAS, in accordance with Section 165.7, John L. Rosenberg, Josephine A. Rosenberg, & Louis Rosenberg were served a Notice of October 8, 2019; and WHEREAS, a public hearing on the matter was held on November 7, 2019, and the record was closed and reserved; and WHEREAS, the purpose of Code Chapter 165 is to create a standardized procedure for securing legal and equitable remedies and to strengthen existing laws so as to effectively deal with the problem of illegal drug use in the Town of Babylon by preventing buildings, residences, premises, and real estate within the Town of Babylon from being used in such a way as to constitute a public nuisance; and WHEREAS, in determining whether this property constitutes a public nuisance, the Town Board has considered the Commissioner of the Department of Planning and Development’s Report dated November 1, 2019, which outlines the nature of the arrests and offenses which occurred at the property, and relevant information as to the history of this property pertaining to the sale and/or consumption of drugs to prevent the premises from being used in such a way as to constitute a public nuisance; and WHEREAS, the Town Board finds that the dwelling and any structures located at 84 Pacific Avenue, Deer Park, NY 11729, presents a public nuisance and an imminent danger to the safety, health and welfare of the surrounding community residents; 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, §165-9b of the Code provides for the correction of said unsafe structure and the assessment of the costs of said correction against the property.

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Babylon hereby declares 84 Pacific Avenue, Deer Park, NY 11729 bearing SCTM 0100-042.00-03.00-019.00 a public nuisance pursuant to Chapter 165 in accordance with the Recommendations set forth in the Commissioner of the Department of Planning and Development’s Report dated November 1, 2019, which is on file in the Department of Planning and Development, and be it further RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing/board up of the public nuisance structure located on the premises at 84 Pacific Avenue, Deer Park, NY 11729 bearing SCTM 0100-042.00-03.00-019.00 pursuant to Town Code Section 165-9 to eliminate the public nuisance, to recite the above noted problems and abolish any public nuisance resulting from the illegal activities of said structure, in accordance with the Recommendations set forth in the Commissioner of the Department of Planning and Development’s Report dated November 1, 2019, which is on file in the Department of Planning and Development; and be it further RESOLVED, that the Department of Public Works shall undertake the necessary securing and board up of the structure(s) located at 84 Pacific Avenue, Deer Park, NY 11729 bearing SCTM 0100-042.00-03.00-019.00; and be it further RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §165-9b. The resolution was thereupon declared duly tabled to January 2, 2020, Meeting.

RESOLUTION NO. 758 DECEMBER 4, 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

November 20, 2019

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 759 DECEMBER 4, 2019
AWARDING BID NO. 19G02 PLUMBING & HVAC SUPPLIES

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez. WHEREAS, the following bids for Bid No. 19G02, Plumbing & HVAC Supplies were received, opened and publicly read:

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Bid Price</th>
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</thead>
<tbody>
<tr>
<td>Johnstone Supply</td>
<td>Plumbing Repl.</td>
</tr>
<tr>
<td>1. Discount from Price/Catalog list price</td>
<td>25%</td>
</tr>
<tr>
<td>Catalog bid</td>
<td>58%</td>
</tr>
<tr>
<td>2. Discount from Website</td>
<td>no bid</td>
</tr>
<tr>
<td>3. Discount from in-store pricing</td>
<td>10% trade price</td>
</tr>
</tbody>
</table>

RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 19G02 be and is hereby awarded to all bidders, B & F Electric Motors, Inc. db/a Johnstone Supply, Babylon Plumbing Supply, Inc. and E.P.E Replacement Parts, Inc. db/a Island Replacement Parts & Faucets; and be it further RESOLVED, that the Supervisor be and is hereby authorized to execute one (1) year contracts with B & F Electric Motors, Inc. db/a Johnstone Supply, Babylon Plumbing Supply, Inc. and E.P.E Replacement Parts, Inc. db/a Island Replacement Parts & Faucets 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. 760 DECEMBER 4, 2019
AWARDING BID NO. 19G93 SUPPLY OF MULCH

The following resolution was offered by Councilman Martinez and seconded by Councilman McSweeney. WHEREAS, the following bids for Bid No. 19G93, Supply of Mulch was received, opened and publicly read:

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Bid Price</th>
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</thead>
<tbody>
<tr>
<td>Bider</td>
<td>Bid Price</td>
</tr>
<tr>
<td>1. Supply of Mulch, delivered per cubic yard</td>
<td>$16.95</td>
</tr>
<tr>
<td>Belli Contracting Company, Inc.</td>
<td>$10.00</td>
</tr>
<tr>
<td>Omni Landscape Garden &amp; Supply, LLC</td>
<td>$12.50</td>
</tr>
<tr>
<td>Barbato Nursery Corp.</td>
<td>$23.00</td>
</tr>
<tr>
<td>The Garden Department Corp.</td>
<td>$16.95</td>
</tr>
</tbody>
</table>

12/4/2019 Minutes
NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services and the Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 19093 be and is hereby awarded to the low bidder Betti Contracting Company, Inc.; and be it further RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Betti Contracting Company, Inc. and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further RESOLVED, that said contract may be extended for two (2) additional one (1) year periods at the discretion of the Commissioner of General Service.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 761 DECEMBER 4 2019
RESCIND AWARDED ITEMS OF BID NO. 18G112 FROM PARTSWAY INC. AND REAWARDING TO NORTHEAST EQUIPMENT INC.

The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon
WHEREAS, Item Nos. 1H1, 1H3, 1L, 1S, 1V and 1Z of Bid No. 18G112, Landscape Equipment: Parts and/or Repair of Equipment was awarded to Partsway Inc. pursuant to Resolution No. 62 of January 16, 2019, and WHEREAS, Partsway Inc. has requested to withdraw due to that they are no longer a distributor of landscape products, and WHEREAS, the Commissioner of General Services recommends accepting the withdrawal of Partsway Inc., without penalty; and WHEREAS, the Commissioner of General Services recommends re-awarding Item Nos. 1H1, 1L, 1S and 1Z of Bid No.18G112, to the second bidder, Northeast Equipment Inc.; WHEREAS, the Commissioner of General Services recommend that Item Nos. 1H1, 1L, 1N4 and 1V of Bid No. 18G112, not be awarded as no secondary bids were received for those items.

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Commissioner of General Services, that Item Nos. 1H1, 1S and 1Z awarded to Partsway Inc. for Bid No. 18G112 be rescinded due to Partsway Inc. no longer being a distributor of landscape products and be it further; RESOLVED, that based upon the recommendation of the Commissioner of General Services be and the same is hereby awarded to the second low bidder, Northeast Inc.; and be it further RESOLVED, that based upon the recommendations of the Commissioner of General Services that Item Nos. 1H1, 1L, 1N4 and 1V of Bid No 18112, be and is hereby not awarded as no secondary bids were received for those items, and be it further RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Northeast Equipment Inc. for Item Nos. 1H1, 1S and 1Z of Bid No. 18G112 and that the form and content of said contract shall be subject to the approval of the Town Attorney.
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. 762 DECEMBER 4, 2019
AUTHORIZING CHANGE ORDER NO. 7 IN THE CONTRACT WITH G & MEARTH MOVING, INC. FOR BID NO. 16G2, CARILH & STORMWATER RECHARGE BASIN RECONSTRUCTION

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney
WHEREAS, Bid No. 16G2, Carilh & Stormwater Recharge Basin Reconstruction was awarded to G & M Earth Moving, Inc. pursuant to Resolution No.714 of September 26, 2018 for a total contract amount TWO MILLION EIGHT HUNDRED THIRTEEN ($2,813,000.00) DOLLARS and,
WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 295 of April 10, 2019 which resulted in no change to the contract amount, and WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 396 of June 12, 2019, which resulted in no change to the contract amount, and WHEREAS, Change Order No. 3 was approved pursuant to Resolution No. 496 of August 7, 2019, which resulted in no change to the contract amount and WHEREAS, Change Order Nos. 4 & 5 were approved pursuant to Resolution No. 497 of August 7, 2019 which resulted in no change to the contract amount and WHEREAS, Change Order No. 6 was approved pursuant to Resolution No. 558 of 9/14/19 which resulted in change to the contract amount, and WHEREAS, the Change Order Committee convened on November 25, 2019 with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 7 and WHEREAS, the Change Order Review Committee and Kosuri Engineering & Consulting, P.C. recommend the approval of Change Order No. 7 as follows:

Furnish & Install 6” Kraken flow meter with associated electrical and control panel $36,899.55
Credit to Contingency $36,899.51
TOTAL CHANGE ORDER No. 7 $0

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Change Order Review Committee and Kosuri Engineering & Consulting, P.C., the Supervisor be and he is hereby authorized to execute Change Order No.7 in the contract with G & M Earth Moving, Inc. which results in no change to the contract amount TWO MILLION EIGHT HUNDRED THIRTEEN ($2,813,000.00) DOLLARS.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 763 DECEMBER 4, 2019
AUTHORIZING CHANGE ORDER NO. 3 IN THE CONTRACT WITH LOCKWOOD, KESSLER & BARTLETT, INC. FOR RFP NO. 15G31, FOR APPLICATION PREPARATION, ENGINEERING, DESIGN, BID PREPARATION, ETC. FOR THE CONSTRUCTION OF BRIDGES IN THE AMERICAN VENICE, COPIAUGE

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez
WHEREAS, RFP 15G31 was awarded to Lockwood, Kessler & Bartlett, Inc. for a total contract amount of EIGHT HUNDRED NINETY-SEVEN THOUSAND, EIGHT HUNDRED NINE ($879,809.00) DOLLARS; pursuant to Resolution No. 462 of June 2, 2015 and WHEREAS, this project is part of the Governor’s Office of Storm Recovery (GOSR) mitigation projects; and WHEREAS, Change Order No. 1 was approved pursuant to Resolution No 724 of September 26, 2018, increasing the total contract amount to ONE MILLION SIXTY-FIVE THOUSAND, EIGHT HUNDRED NINE ($1,065,809.00) DOLLARS, and WHEREAS, Change Order No. 2 was approved pursuant to Resolution No.650 of October 16, 2019 increasing the total contract amount to ONE MILLION ONE HUNDRED FIFTY THOUSAND, SIX HUNDRED NINE ($1,150,699.00) DOLLARS, and WHEREAS, the Change Order Committee convened on October 15, 2019 with Town Attorney, Deputy Comptroller, Commissioner of General Services Designee and the Commissioner of Planning & Development to review Change Order No. 3 as follows:

Change Order No. 3 For additional inspection services associated with the additional paving north of the bridges $15,900.00
TOTAL CHANGE ORDER No. 3 $15,900.00

WHEREAS, Change Order Request No.3 has been approved and all procurement guidelines set forth by Governor’s Office of Storm Recovery (GOSR) have been complied with.

NOW, THEREFORE, be it RESOLVED, that based upon the recommendation of the Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 3 in the contract with Lockwood, Kessler & Bartlett, Inc. in the amount of FIFTEEN THOUSAND, NINE HUNDRED ($15,900.00) DOLLARS
the increasing the total contract amount to ONE MILLION ONE HUNDRED SIXTY-SIX THOUSAND, FIVE HUNDRED NINE ($1,166,509.00) DOLLARS.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 764 DECEMBER 4, 2019

AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH PAYPRO CORPORATION FOR RFP NO. 17G15, REQUEST FOR PROPOSALS FOR PAYROLL SERVICES FOR THE TOWN OF BABYLON

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

WHEREAS, RFP No. 17G15, Request for Proposals for Payroll Services for the Town of Babylon pursuant to Resolution No.290 of March 29, 2017, and

WHEREAS, the Change Order Review Committee P.C. recommend the approval of Change Order No. 1 for the above-mentioned additional services and be it further

RESOLVED, that the setup fee shall be credited back to the Town annually for a period of three (3) years.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 765 DECEMBER 4, 2019

AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH RELLE ELECTRIC CORP. FOR BID NO. 18G6E, CONSTRUCTION OF A NEW HISTORIC RESTORATION OF OAK BEACH COMMUNITY CENTER, ELECTRIC CONSTRUCTION

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

WHEREAS, Bid No. 18G6E, Construction of a new Historic Restoration of Oak Beach Community Center, Electric Construction was awarded to Relle Electrical Corp. for a total contract amount of ONE HUNDRED THREE THOUSAND, EIGHT HUNDRED FORTY-THREE ($103,843.00) DOLLARS pursuant to Resolution No. 410 of May 16, 2018, and

WHEREAS, Resolution No.510 of August 7, 2019 reduced the total contract amount to NINETY-SIX THOUSAND, THREE HUNDRED FORTY-THREE ($96,343.00) DOLLARS; and

WHEREAS, the Change Order Committee convened on November 25, 2019, with the Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 1 and

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

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 766 DECEMBER 4, 2019

AUTHORIZING A CONTRACT WITH H2M

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

WHEREAS, proposals to assess and prepare a report of the existing condition of the plaster walls and ceilings at Old Town Hall located at 47 West Main Street, Babylon, were solicited from the following firms:

H2M $15,750 plus $200 reimbursable expenses

Liro Architects & Planners, P.C. $9,700.00

WHEREAS, the Professional Consultant Evaluation Committee convened on November 25, 2019 with the Deputy Supervisor, Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, the Commissioner of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposals; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to H2M Architects + Engineers, as they have the most comprehensive proposal for a total contract amount not to exceed FIFTEEN THOUSAND, SEVEN HUNDRED FIFTY ($15,750.00) DOLLARS plus TWO HUNDRED ($200.00) DOLLARS for reimbursable expenses, and be it further

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and is hereby authorized to execute a contract with H2M Architects + Engineers for a total contract amount not to exceed FIFTEEN THOUSAND, SEVEN HUNDRED FIFTY ($15,750.00) DOLLARS plus TWO HUNDRED ($200.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 767 DECEMBER 4, 2019

AUTHORIZING A CONTRACT WITH LINCOLN IT

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

WHEREAS, a proposal for Computer Support Services was solicited from Lincoln IT and

WHEREAS, the Professional Consultant Evaluation Committee convened on November 25, 2019 with the Deputy Supervisor, Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, the Commissioner of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Lincoln IT for a total annual contract amount not to exceed TWENTY THOUSAND, SEVEN HUNDRED TWENTY ($20,720.00) DOLLARS

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and is hereby authorized to execute a contract with Lincoln IT at a total annual contract amount not to exceed TWENTY THOUSAND, SEVEN HUNDRED TWENTY ($20,720.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content and be it further

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

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.
RESOLUTION NO. 768 DECEMBER 4, 2019
AWARDING BID NO. 19G87, FURNISH & INSTALL DECORATIVE STREET LIGHTING ON STRAIGHT PATH, WEST BABYLON

The following resolution was offered by Councilman Martinez and seconded by Councilman Manetta. WHEREAS, the following bids for Bid No. 19G87, Furnish & Install Decorative Street Lighting on Straight Path, West Babylon were received, opened and publicly read:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>TOTAL BID PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>L.E.B. Electric, Ltd.</td>
<td>$248,522.21</td>
</tr>
<tr>
<td>Eldor Traffic Signal Contracting Corp.</td>
<td>$308,963.00</td>
</tr>
<tr>
<td>Welsbach Electric Corp.</td>
<td>$314,695.00</td>
</tr>
<tr>
<td>Palace Electrical Contractors, Inc.</td>
<td>$222,950.00</td>
</tr>
</tbody>
</table>

WHEREAS, Palace Electrical Contractors, Inc. has requested to withdraw their bid due to a mathematical error. NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson & Pope Engineers, the bid submitted by Palace Electrical Contractors, Inc. be and is hereby withdrawn in its entirety and without penalty due to a mathematical error, and be it further RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson & Pope Engineers and upon their finding the aforementioned bids to be fair and reasonable, Bid No 19G87 be and is hereby awarded to the low bidder, L.E.B. Electric, Ltd., and be it further RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with L.E.B. Electric, Ltd. for a total contract amount TWO HUNDRED FORTY-EIGHT THOUSAND, FIVE HUNDRED TWENTY-TWO DOLLARS AND 21/100 ($248,522.21) 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. 769 DECEMBER 4, 2019
SETTING TOWN BOARD MEETING SCHEDULE FOR THE YEAR 2020

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 2020 Regular Meeting Schedule of the Town Board, held at Town Hall, 200 East Sunrise Highway, Lindenhurst, New York shall be as follows:

2020 Town Board Meeting Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thursday</td>
<td>3:30 PM</td>
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</tbody>
</table>

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 770 DECEMBER 4, 2019
AUTHORIZING THE TOWN ATTORNEY TO EXECUTE AN AGREEMENT WITH KATTEN MUCHIN ROSENMAN LLP

The following resolution was offered by Councilwoman Gordon and seconded by Councilman McSweeney. WHEREAS, the Town desires to retain the firm of Katten Muchin Rosenman, 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 Katten Muchin Rosenman, LLP, and be it further RESOLVED, that the Town of Babylon hereby retains the firm of Katten Muchin Rosenman, 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. 771 DECEMBER 4, 2019
AUTHORIZING 2019 BUDGET MODIFICATION

The following resolution was offered by Councilman McSweeney and seconded by Councilman Martinez. BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2019 Budget Modification is hereby authorized:

<table>
<thead>
<tr>
<th>General Fund</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Control Overtime</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>A 3310.19</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>Repairs and Maintenance</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>A 3310.46</td>
<td>$9,000</td>
<td>$9,000</td>
</tr>
<tr>
<td>Central Garage</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Repairs and Maintenance</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>A 1640.46</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

12/4/2019 Minutes
Program Operations
A 1640.47 $ 5,000

Office Supplies
A 1410.41 $ 1,000

Maintenance of Streets
Repairs and Maintenance
DB 5110.46 $ 3,000

Highway Fund

Clerk
Office Supplies
A 1460.20 $ 1,000

Records Management
Equipment
A 1410.41 $ 1,000

Machinery
Repairs and Maintenance
DB 5130.46 $ 5,000

Street Administration
Program Operations
DB 5010.47 $ 8,000

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 772 DECEMBER 4, 2019
CONFIRMING MEMBERSHIP TO THE
NORTH BABYLON VOLUNTEER FIRE COMPANY, INC.

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

BE IT RESOLVED, that pursuant to Section 1402 of the Non-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Babylon Volunteer Fire Company, Inc., 20 Halé Road, North Babylon, New York:

- David Gonzalez
  667 Pecos Avenue, North Babylon NY 11703
- Asher Choudry
  41 Lenox Road, North Babylon NY 11703
- Robert Chevalier
  221 Fairham Lane, North Babylon NY 11703
- Christina Joseph
  56 Ventura Drive, North Babylon NY 11703

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 773 DECEMBER 4, 2019
AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE
TOWN OF BABYLON AND RAPID ARMORED CORPORATION

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the Supervisor be and is hereby authorized, but not mandated, to execute an Agreement between the Town of Babylon and Rapid Armored Corporation for armed courier service, and be it further
RESOLVED, that said agreement is subject to the approval of the Town Attorney as to form and content.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 774 DECEMBER 4, 2019
AUTHORIZING THE TOWN SUPERVISOR TO SIGN GOVERNMENT BANKING SUPPLEMENTAL COLLATERAL AGREEMENT WITH VALLEY BANK

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 Town of Babylon and the Valley Bank are hereby authorized to enter into Government Banking Supplemental Collateral Agreement. The agreement shall be reviewed and signed by the Town Supervisor.

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 775 DECEMBER 4, 2019
AUTHORIZING REFUND OF PAYMENT

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

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

REFUND OF PAYMENT:

| FSTS
| ACCOUNT |
|---|---|
| MOC Paint Supplies
65 Cullen Avenue
Islip, NY 11751 Attn: Diana Menos | Account #1419 |
| MCG Paint Supplies
1016 Grand Blvd #1 Deer Park, NY 11729 | Commercial Waste District |

$144.77 Overpayment

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 776 DECEMBER 4, 2019
AUTHORIZING REFUND OF FEES ANIMAL SHELTER

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 Director of the Town of Babylon Animal Shelter, that the following fees be refunded:

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Li</td>
</tr>
</tbody>
</table>
| 1658 82nd Street
Brooklyn, NY 11214 | $85.00 Dog Adoption 19-485 New 19-508 Dog was returned |
| Tiffany and Thomas Corey |
| 324 Granada Flor 
Lindenhurst, NY 11757 | $90.00 Dog Adoption and License fee 19-520 New 19-540 License #1905152 Dog was returned |

VOTES: 5  YEAS: 5  NAYS: 0

The resolution was thereupon declared duly adopted.

12/4/2019 Minutes
RESOLUTION NO. 777 DECEMBER 4, 2019
AUTHORIZING RELEASE OF BOND

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 Town Clerk that the following CHECK for street excavation be released:

<table>
<thead>
<tr>
<th>PERMIT</th>
<th>DATE</th>
<th>NAME &amp; ADDRESS</th>
<th>TYPE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>9947</td>
<td>9/11/2013</td>
<td>ASG&amp;G, Inc.</td>
<td>Check</td>
<td>$4,980.00</td>
</tr>
</tbody>
</table>

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 778 DECEMBER 4, 2019
ACCEPTING A DONATION

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

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

<table>
<thead>
<tr>
<th>DONATOR</th>
<th>ITEM AND VALUE</th>
<th>RECOMMENDED BY</th>
<th>USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Town of Babylon Local Development</td>
<td>$30,000.00 Town to purchase approx. 78,000 bulbs.</td>
<td>Director of the Town of Babylon</td>
<td>For the Town to purchase approx. 78,000 bulbs.</td>
</tr>
<tr>
<td>Corporation II</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>816 Deer Park Avenue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Babylon, NY 11703</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. 779 DECEMBER 4, 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):

<table>
<thead>
<tr>
<th>EMPLOYEE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerry Ricord</td>
<td>$77.03</td>
</tr>
<tr>
<td>program supplies</td>
<td></td>
</tr>
</tbody>
</table>

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 780 DECEMBER 4, 2019
ADOPTING THE TOWN OF BABYLON DEBT RETIREMENT POLICY

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the Town establish the Town Policy regarding outstanding debt, on the Attached Schedule “A”, I hereby adopted for the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

SCHEDULE A

Town of Babylon Debt Retirement Policy

It has been the policy of the Town to insure that the Town is retiring more debt on an annual basis that it issued. However, it recognized that this may not always be possible due to extenuating circumstances. In those instances, the Town Board through a roll call vote will take action adhering to the below guidelines:

1. Maintaining the Town’s infrastructure, could present the need for the Town to issue the same amount of debt that it is in retiring in a given year,
2. If there is a need to issue more than retiring in a given year, it shall be the lesser 15% of the retiring debt or 2,500,000, or
3. In the case of a State of Emergency as declared by resolution, the amount issued is at discretion of the Town Board.

WHEREAS, the West Babylon Fire Department has requested permission to hold a parade on Saturday, December 7, 2019 with a rain date of December 8, 2019 within the Town of Babylon.

INDIVIDUAL: Michael Vergano
745 Pioneer Pt., West Babylon, NY 11704 (631) 402-2224

ORGANIZATION: West Babylon Fire Dept.
132 Arnold Ave., West Babylon, NY 11704 (631) 402-2224

DATES & TIMES:
Date(s): 12/7/2019 to:
Time: 5:00 p.m. to 7:00 p.m.
Rain Date: 12/8/2019

STARTING: Intersection of 3rd St. & Little E. Neck Rd. West Babylon (at the Holiday Tree)
ENDING: Intersection of Vermont Ave. & Little E. Neck Rd., West Babylon

ROUTE:
Leaving the intersection of 3rd Street & Little E. Neck Road, proceeding north on Little E. Neck Rd. to Vermont Ave. and ending at the intersection of Vermont Ave. and Little E. Neck 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.

12/4/2019 Minutes
RESOLUTION NO. 782 DECEMBER 4, 2019
PROCLAMING FRIDAY, JANUARY 17, 2020 AS EAGLE SCOUT NICHOLAS LANTERI DAY

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

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and
WHEREAS, the rank of Eagle Scout is a rite in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and
WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and
WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and
WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Nicholas Lanteri was awarded the rank of Eagle Scout, NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Nicholas Lanteri its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Friday, January 17, 2020 as Eagle Scout Nicholas Lanteri Day.

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereafter declared duly adopted.

RESOLUTION NO. 783 DECEMBER 4, 2019
PROCLAMING SATURDAY, JANUARY 18, 2020 AS EAGLE SCOUT SAM CANONICA DAY

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

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and
WHEREAS, the rank of Eagle Scout is a rite in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and
WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and
WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and
WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Sam Canonica was awarded the rank of Eagle Scout, NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Sam Canonica its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, January 18, 2020 as Eagle Scout Sam Canonica Day.

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereafter declared duly adopted.

RESOLUTION NO. 784 DECEMBER 4, 2019
PROCLAMING SUNDAY, JANUARY 19, 2020 AS EAGLE SCOUT ZACHARY VILA DAY

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

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and
WHEREAS, the rank of Eagle Scout is a rite in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and
WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and
WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and
WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Zachary Vila was awarded the rank of Eagle Scout, NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Zachary Vila its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, January 19, 2020 as Eagle Scout Zachary Vila Day.

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereafter declared duly adopted.

RESOLUTION NO. 785 DECEMBER 4, 2019
TOWN BOARD ENVIRONMENTAL DETERMINATION (SEQRA) AUTHORIZING THE SUPERVISOR TO ENTER INTO A GRANT AGREEMENT WITH SUFFOLK COUNTY AND CONSTRUCT TOWN OF BABYLON PHASE II HIGHWAY YARD MS4 UPGRADES AND STORMWATER AND WASTEWATER POLLUTION PREVENTION PROJECT AT LINDENHURST, TOWN OF BABYLON, NEW YORK

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

WHEREAS, the Town of Babylon will be submitting an application to the Suffolk County Department of Economic Development and Planning with the intention to construct the Phase II Highway Yard MS4 upgrades and a Stormwater and Wastewater Pollution Prevention Project at Lindenhurst, Town of Babylon, New York to be funded under the Suffolk County Water Quality Protection and Restoration Program (WQPRP); and
WHEREAS, pursuant to Town of Babylon Department of Environmental Control Budget Item A0809-46 identified in the amount of $165,000 for Wastewater Improvements at Town Hall Park; $165,000 will be committed for the proposed match for the current round of the Suffolk County Water Quality Protection and Restoration Program for $165,000 in matching Suffolk County funding for a total grant of $330,000 for the Phase II Highway Yard MS4 upgrades and a Stormwater and Wastewater Pollution Prevention Project; and
WHEREAS, the Town Board of the Town of Babylon classified the Phase II Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project as an Unlisted Action pursuant to the Town of Babylon Environmental Quality Review Act (TOBEQRA); and
WHEREAS, the Town Board of the Town of Babylon has determined in accordance with Section 114-7-C of TOBEQRA, Determining Significance that:

1. The proposal will not adversely impact any sensitive environmental resources.
2. The project will have beneficial impacts on the Sunapogue Creek Watershed and South Shore Estuary Reserve by reducing pollutants to surface waters associated with stormwater runoff and two on-site wastewater systems at Town Hall Park.
3. The proposal will improve the aesthetics and water quality of the Town Hall Pond. Town Hall Pond has experienced Harmful Algal Blooms (HABs) for the past two years; 2018 and 2019; causing severe water quality problems and which additionally may pose a threat to aquatic life and a concern for human health for residents that may contact the pond water during a HAB event; and
WHEREAS, the Town Board of the Town of Babylon has determined that the proposed Phase II Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project will not have a significant adverse impact on the environment.
NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon adopts a Negative Declaration for the proposed Phase II Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project in accordance with TOBEQRA and the State Environmental Quality Review Act (SEQRA)

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereafter declared duly adopted.

RESOLUTION NO. 786 DECEMBER 4, 2019
TOWN BOARD ENVIRONMENTAL DETERMINATION AUTHORIZING THE SUPERVISOR TO ENTER INTO A GRANT AGREEMENT WITH SUFFOLK COUNTY FOR THE TOWN OF BABYLON PHASE II HIGHWAY YARD MS4 UPGRADES AND STORMWATER AND WASTEWATER POLLUTION PREVENTION PROJECT AT LINDENHURST, TOWN OF BABYLON, NEW YORK

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

WHEREAS, the Town of Babylon will be submitting an application to the Suffolk County Department of Economic Development and Planning with the intention to construct Phase II of the Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project at Lindenhurst, Town of Babylon, New York to be funded under the Suffolk County Water Quality Protection and Restoration Program (WQPRP); and

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WHEREAS, pursuant to Town of Babylon Department of Environmental Control Budget Item A 8090.46 identified for 2020 in the amount of $165,000 for Wastewater Improvements at Town Hall Park; $165,000 will be committed for the proposed match for the current round of the Suffolk County Building Land Protection and Restoration Grant Program for $165,000 in matching Suffolk County funding for a total grant amount of $330,000 for the Phase II Highway Yard MS4 upgrades and a Stormwater and Wastewater Pollution Prevention Project; and

WHEREAS, the Board of the Town of Babylon classified the Phase II Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project as an Unlisted Action pursuant to the Town of Babylon Environmental Quality Review Act (TOBERQA) and adopted a Negative Declaration on December 4, 2019; and

WHEREAS, the proposed project will have significant beneficial water quality impacts to the Southampton Creek Watershed and South Shore Estuary Reserve by the reduction of pollutant inputs to surface water resources.

NOW, THEREFORE, be it

RESOLVED, that the Board of the Town of Babylon authorizes the Supervisor to enter into an inter-municipal agreement with the County of Suffolk in order for the Town of Babylon to provide for: the funding of grant funding awarded through the Suffolk County Water Quality Improvement and Restoration Program for the Phase II Highway Yard MS4 upgrades and Stormwater and Wastewater Pollution Prevention Project at Lindenhurst, New York,

AND BE IT FURTHER RESOLVED, that the Town of Babylon agrees to provide the required minimum of 50% matching funds, $165,000 to be funded from the County of Suffolk and a $165,000 match from the Town of Babylon by the Town of Babylon for a Grant total of $330,000; and

AND BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to make any amendments to the accounting entries that may be necessary to amend the budget in accordance with the terms of the Grant.

VOTES:   YEAS:  5    NAYS:  0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 787 DECEMBER 4, 2019
REVERTING THE CONVEYANCE OF A PARCEL FROM SUFFOLK COUNTY TO THE TOWN OF BABYLON, COMMUNITY DEVELOPMENT PROGRAM

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

WHEREAS, the County of Suffolk conveyed the land located at 158 West John Street, Lindenhurst, New York 11757, bearing SCTM #0103-0100.01-00.038.00 to the Town of Babylon via Resolution 916-2000; and

WHEREAS, the County of Suffolk has not used or improved the property since its conveyance; and

WHEREAS, as per Suffolk County, the Knights of Columbus Council No. 749 has presented a letter of intent detailing the organization’s desire to enter into an agreement with the County seeking to place the property into the Suffolk County Historic Trust so that the organization can restore the building for their use and including an exhibit area about the history of the World War Veterans Club of Lindenhurst that would be open to the public; and

NOW, THEREFORE, be it

RESOLVED, that the Director of the County Division of Real Estate, or his designee, is hereby authorized, empowered, and directed to transfer the property from the Town of Babylon, bearing SCTM #0103-0100.01-00.038.00, back to the County of Suffolk as permitted by the reverter clause inserted into the original quitclaim deed, pursuant to 1060-2 of the Suffolk County Code, stating that ownership of the World War Veterans Club Building located at 158 West John Street, Lindenhurst, New York 11757, shall revert back to the County of Suffolk in the event that it is not used for the described public governmental purpose:

VOTES:   YEAS:  5    NAYS:  0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 788 DECEMBER 4, 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 WYANDANCH COMMUNITY DEVELOPMENT CORPORATION PURSUANT TO SECTION 72-b, GENERAL MUNICIPAL LAW

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

WHEREAS, the County of Suffolk is the owner of a parcel of land identified as 10 Cypress Street, Wyandanch, New York, bearing SCTM #0100-083.00-01.00-106.000; 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 Wyandanch Community Development Corporation,

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 10 Cypress Street, Wyandanch, New York, bearing SCTM #0100-083.00-01.00-106.000 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 Wyandanch Community Development Corporation 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:   YEAS:  5    NAYS:  0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 789 DECEMBER 4, 2019
ACCEPTANCE OF DEED OF STREET DEDICATION FOR PORTION OF SUBURBAN AVENUE, DEER PARK, ADJACENT TO SCTM NO.100-092.00-03.00-051.000 & 037.001 FROM MARS REALTY LLC AND PR 500 BROOK AVE LLC
TO 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, upon the recommendation of the Department of Public Works, Division of Highway Engineering, that the deed of dedication for the street dedication set forth on the attached Schedule “A", be and is hereby accepted, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute any documents necessary to effectuate the dedication subject to the approval of the Town Attorney as to form.

VOTES:   YEAS:  5    NAYS:  0

Exhibit “A”

Meta & Rounds Description

All that a certain plot, piece or parcel of land situate, lying and being in the Town of Babylon, County of Suffolk and State of New York, known and designated as part of Suburban Avenue as shown on a certain map entitled “Map of Babylon Farms” filed on August 3, 1933 as Map No.1138, which part of Suburban Avenue is bounded and described as follows:

BEGINNING at a point at the corner formed by the intersection of the southerly side of Suburban Avenue with the westerly side of Brook Avenue;

RUNNING THENCE along the southerly side of Suburban Avenue, North 71 degrees 21 minutes 00 seconds West 180.00 feet;

THENCE North 18 degrees 39 minutes 00 seconds East 50.00 feet to the northerly side of Suburban Avenue;

THENCE along the northerly side of Suburban Avenue, South 71 degrees 21 minutes 00 seconds East 180.00 feet to the northerly side of Brook Avenue;

THENCE South 18 degrees 39 minutes 00 seconds West 50.00 feet along the westerly side of Brook Avenue to the point or place of BEGINNING.

12/4/2019 Minutes
RESOLUTION NO. 790 DECEMBER 4, 2019
AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR PHILIP TERRIBLE OUTER BEACH APPLICATION NO. 130225/130226 SCTM #0100-243-1-62

The following resolution was offered by Councilwoman Gorden and seconded by Councilman Sweeney.

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No. 130225/130226 of Philip Terrible, for the premises located at SCTM #0100-243-1-62 (26 Field Court, Oak Beach), to construct a new two (2) story single family dwelling and boat dock with lift; and

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

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that upon the recommendation of the Commissioner of Planning and Development, Outer Beach Application No. 130225/130226 of Philip Terrible, for the premises located at SCTM #0100-243-1-62 (26 Field Court, Oak Beach), to construct a new two (2) story single family dwelling and boat dock with lift; and be it further

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

VOTE: YES 5
VOTE: NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 791 DECEMBER 4, 2019
SCHEDULING A PUBLIC HEARING ON THE REZONING APPLICATION OF BUNT DEVELOPMENT CORP. FOR THE PREMISES IDENTIFIED BY SCTX#: 0100-169-01-030, 014, 013, 009, 010 & PART OF 061 LOCATED ON THE E/S O ALBANY AVE., 170/NO STEELE PL., N. AMITYVILLE

The following resolution was offered by Councilman Sweeney 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 15th day of January, 2019 at 3:30 p.m., pursuant to an application for a change of zone of the property at SCTM No. 0100-169-01-030, 014, 013, 009, 010 & part of 061, further described on Schedule A attached hereto, from B-Residence to MR-Multiple Residence in order to construct 10 buildings for 80 one-bedroom condominium units and a separate building for maintenance with a caretaker apartment, all with access to subdivision one parcel (Lot 061) in two stages in order to remove portion of land from the property, for dedication to a neighboring property. The site totals 249,331.51sf (5.72ac). Surrounding properties are all zoned B-Residence, except for a parcel immediately to the west, which is zoned MR-Multiple Residence, and a parcel at the southeast corner of the property, zoned B-Business, and be it further

RESOLVED, that a more detailed diagram of the property which is affected by the petition is on file in the office of the Department of Planning and Development and may be examined during regular office hours by any interested person, and any interested person will be given an opportunity to be heard at the public hearing, 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.

VOTE: YES 5
VOTE: NAYS: 0

The resolution was thereupon declared duly adopted.

SCHEDULE-A
ALL THAT A CERTAIN PLOT, PIECE OF LAND, SITUATE, LYING AND BEING AT AMITYVILLE IN THE TOWN OF BABYLON, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BEING MORE PARTICULARLY BOUNDED AND DESCIBED AS FOLLOWS:
BEGINNING AT A POINT BEING 155.05 FEET NORTHERLY FROM THE INTERSECTION OF THE NORTHERLY SIDE OF STEELE PLACE AND THE WESTERLY SIDE OF ALBANY AVENUE,
RUNNING THENCE NORTH 65 DEGREES 54 MINUTES 00 SECONDS WEST, 1068.72 FEET TO A POINT;
RUNNING THENCE NORTH 21 DEGREES 12 MINUTES 50 SECONDS EAST, 405.50 FEET TO A POINT;
RUNNING THENCE SOUTH 66 DEGREES 12 MINUTES 08 SECONDS EAST, 137.60 FEET TO A POINT;
RUNNING THENCE NORTH 23 DEGREES 45 MINUTES 52 SECONDS EAST, 99.90 FEET TO A POINT ON THE SOUTHERLY SIDE OF HARRISON AVE;
RUNNING THENCE SOUTH 66 DEGREES 14 MINUTES 08 SECONDS EAST, 75.05 FEET TO A POINT;
RUNNING THENCE SOUTH 23 DEGREES 45 MINUTES 53 SECONDS WEST, 323.26 FEET TO A POINT;
RUNNING THENCE SOUTH 68 DEGREES 02 MINUTES 27 SECONDS EAST, 75.79 FEET TO A POINT;
RUNNING THENCE SOUTH 65 DEGREES 29 MINUTES 32 SECONDS EAST, 329.42 FEET TO A POINT;
RUNNING THENCE SOUTH 65 DEGREES 17 MINUTES 19 SECONDS EAST, 224.67 FEET TO A POINT;
RUNNING THENCE SOUTH 65 DEGREES 17 MINUTES 18 SECONDS EAST, 2400 FEET TO A POINT ON THE WESTERLY SIDE OF ALBANY AVENUE;
RUNNING THENCE SOUTH 19 DEGREES 49 MINUTES 52 SECONDS WEST, 12.30 FEET TO A POINT;
RUNNING THENCE SOUTH 22 DEGREES 31 MINUTES 02 SECONDS WEST, 166.31 FEET TO THE POINT OR PLACE OF BEGGINNING

RESOLUTION NO. 792 DECEMBER 4, 2019
AUTHORIZING THE SUPERVISOR TO ENTER INTO FIRE PROTECTION AND AMBULANCE DISTRICT CONTRACTS

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

WHEREAS, it has been previously determined that the Town Board of the Town of Babylon desires to enter into fire protection contracts for fire protection and ambulance service and/or an ambulance district contract to be furnished to Venetian Shores Fire Protection District #1, North Amityville Fire Protection Districts #5 and #8, 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, pursuant to the provisions of law, notice of Public Hearing on such proposed contracts was duly published; and

WHEREAS, said Public Hearing was duly held by the Town Board on December 4, 2019 at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York at such time and place said Town Board duly considered the proposed contracts and heard all persons interested therein.

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Babylon deems it to be in the best interest of the Town to enter into fire protection and ambulance service and/or ambulance district contracts on behalf of Venetian Shores Fire Protection District #1, North Amityville Fire Protection Districts #5 and #8, 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, said districts being situated in the Town of Babylon, County of Suffolk and State of New York, and said contracts being upon the following terms and conditions:

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 $366,290.00 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 #8:
   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.

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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 #25:
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 #25:
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 #25:
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 $14,580,189.00 for the year 2020.

and be it further;
RESOLVED, that the aforesaid contracts shall contain such other terms and conditions as shall be necessary and shall be approved by the Town Attorney; and be it further
RESOLVED, that the Supervisor of the Town of Babylon be and he is hereby authorized on behalf of the Town of Babylon and the aforesaid fire protection districts and ambulance district to enter into fire protection and ambulance service and/or ambulance district contracts as aforesaid; and be it further
RESOLVED, that the consideration mentioned herein for each fire protection district, and/or ambulance district, together with all expenses necessarily incurred or occasioned thereby, shall be affixed and levied upon taxable real property in the aforesaid fire protection districts and/or ambulance district in the Venetian Shores Fire Protection District #1, North Amityville Fire Protection District #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 collected in the same manner and at the same time as Town taxes are fixed and levied and the collected amounts thereof shall be paid to the Supervisor, who shall then pay to the aforesaid 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, the amount specified in said contracts.

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 793 DECEMBER 4, 2019
ADOPTING LOCAL LAW NO. 12 OF 2019 AMENDING CHAPTER 86 OF THE BABYLON TOWN CODE (BOATS)
The following resolution was offered by Councilman Manetta and seconded by Councilwoman Gordon WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day of December 2019, upon the question of enactment of Local Law No. 12 of 2019 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 86, Boats;
NOW, THEREFORE, be it
RESOLVED AND ORDAIN, that the Town Board of the Town of Babylon that Local Law No. 12 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. 12 OF 2019
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.

VOTES: 5
YEAS: 5
NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 794 DECEMBER 4, 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 Councilwoman Gordon and seconded by Councilman McSweeney WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 4th day December, 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]

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<tr>
<th>Delete from Schedule K:</th>
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<tr>
<td>Name of Street/Side Location</td>
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<tr>
<td>Allen Boulevard/South side from a point 45 feet s/-, East of Route 110</td>
</tr>
<tr>
<td>Allen Boulevard/South side from NYS Route 110 East for 45 feet s/-</td>
</tr>
<tr>
<td>Schmitt Boulevard/Both sides from New Highway west To Broad Hollow Rd (NYS Route 110)</td>
</tr>
</tbody>
</table>
ADD to Schedule K:

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<thead>
<tr>
<th>Name of Street/Side Location</th>
<th>Hamlet</th>
<th>Regulation</th>
<th>Hours/Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen Boulevard/South side from Route 110 East to Batting Place Road</td>
<td>EF</td>
<td>No Stopping</td>
<td>ALL</td>
</tr>
<tr>
<td>Schmitt Boulevard/Both sides from New Highway west to Broad Hollow Rd (NYS Route 110)</td>
<td>EF</td>
<td>No Parking within 15 feet of a driveway</td>
<td>ALL</td>
</tr>
<tr>
<td>Central Avenue/Both sides from New Highway east To Wellwood Avenue (County Road 3)</td>
<td>EF</td>
<td>No Parking within 15 feet of a driveway</td>
<td>ALL</td>
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<td>North Delaware Avenue/Both sides from Sunrise Highway (S.R. 27) North for 108 feet +/-</td>
<td>NL</td>
<td>No Stopping</td>
<td>ALL</td>
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<td>North Delaware Avenue/West side from a point 170 feet +/- North of Sunrise Highway (S.R. 27) north for 31 feet +/-</td>
<td>NL</td>
<td>No Parking</td>
<td>ALL</td>
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<td>Foothill Place/Both sides from Brown Boulevard West for 42 feet +/-</td>
<td>WY</td>
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<td>ALL</td>
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<td>Foothill Place/North side from 42 feet +/- West of Browns Boulevard West for 115 feet +/-</td>
<td>WY</td>
<td>No Parking</td>
<td>10:00 p.m. to 5:00 a.m. / ALL</td>
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ADD to Schedule H

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<td>Stop</td>
<td>Southbound on Andrea Street</td>
</tr>
<tr>
<td>Malcolm Street at Raynor Street</td>
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<td>Southbound on Malcolm Street</td>
</tr>
<tr>
<td>Albertmarie Avenue at Raynor Street</td>
<td>WB</td>
<td>Stop</td>
<td>Southbound on Albertmarie Avenue</td>
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<tr>
<td>Palm Place and Nevada Road</td>
<td>WB</td>
<td>Stop</td>
<td>Northeast on Palm Place</td>
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</tbody>
</table>

RESOLUTION NO. 795 DECEMBER 4, 2019

SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213, ARTICLE XLII OF THE BABYLON TOWN CODE

The following resolution was offered by Councilman McNee 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 18th day of December, 2019 at 3:30 p.m., prevailing time, to consider amending Chapter 213, Article XLII 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 YES, 5 NAYS.

The resolution was thereupon declared duly adopted.

EXHIBIT “A”

Chapter 213, Article XLII: Wvandacht and Straight Path Corridor Form-Based Code:

Be it enacted as follows:

1. LEGISLATIVE INTENT: The Residential Liner Building proposed to be located at the northwest corner of Block 6, Transect Zone TS is a unique building form contemplated in the Downtown Wvandacht and Straight Path Corridor Form-Based Code (the “Form-Based Code”). Its intended use is to essentially cover and “line,” a portion of the existing five-story MTA parking garage structure already developed on Block 6 from the adjacent streets, while fitting into the local context, in terms of height and form. While the Liner Building is a structure already contemplated in the Form-Based Code, the following amendments and clarifications of the Form-Based Code are necessary in order for the Liner Building to achieve its purpose.

2. AMENDMENTS: In reference to the Residential Liner Building located at the northwest corner of Block 6, the following Code amendments are hereby adopted (additions/changes to the Code are underlined):

(a) Building Height Liner Building shall be 5 stories so as to match the height of the tallest portions of the five-level parking garage structure behind and immediately adjacent to it, as well as the proposed Building E located to the west of the Liner Building across Park Drive, which is currently being constructed at 5 stories in height; accordingly, Section 213-504(E) shall be amended to including the following section:

14. Liner Building(s) shall be constructed at the same number of stories as building(s) that it is intended to line/cover, at its tallest part. If this provision is in conflict with any other section(s) of the Code, this section shall take precedence.

(b) Frontage Occupancy: Tile 4 of Section 213-503, Regulating Plan by Blocks, is amended to reflect frontage occupancy of 45.55% for the courtyard frontage along Park Drive and 66% for the minimum Frontage Occupancy for the frontage along Washington Avenue.

(c) Parking Requirements: Section 213-507(C) “Parking Requirements” is amended to include Subsection (8) to follow subsection (7) as follows:

8. In reference to the Residential Liner Building located at the northwest corner of Block 6, Transect Zone TS within the transit 5 minutes walk radius, the Minimum Parking Standards by Building Function set forth in Table 213-4 may be waived based on building’s immediate proximity to available parking at MTA parking garage, upon written confirmation of same being provided to FBCA.

3. EFFECTIVE DATE: This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION NO. 796 DECEMBER 4, 2019


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 15th day of January, 2019 at 3:30 p.m., prevailing time, on the application for a change of zone of the property at SCTR No: 0100-112-05-090, 092, 093.001, 093.002, 094, 095, 106.002, 106.004, 107.002, 108, 109 & 110, further described on Schedule A attached hereto. The applicant proposes to subdivide and consolidate thirteen (13) parcels into four (4); rezone one parcel (proposed Parcel ‘B’) from E-Business to MR Multiple Residence to maintain an existing apartment complex; rezone a portion of land from C-Residence to E-Business in order to merge into a single lot (proposed Parcel ‘C’) the existing shopping center, all in connection with proposed interior alterations to

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construct a dialysis center in a vacant tenant space, along with associated site improvements. The subject site, which consists of 13 parcels and totals approximately 366,284 sf (8.41ac), contains a shopping center, a residential house, an apartment complex, and vacant land. The applicants also own parcel lot 93, which consists of part of this application because it is not included as part of the proposed functioning site plan. This subdivision will separate the different uses onto their own distinct parcels. The site is zoned predominantly E-Business, with portions of the site zoned C-Residence. Surrounding parcels to the north, west, and south are zoned C-Residence, while parcels to the east, along NYS Rte. 231, are zoned E-Business and EA-Business.

There are two separate change of zone requests as part of this application. The first is a change of zone from E-Business to MR-Multiple Residence, in order to maintain an existing apartment complex. The subject property is located at the north end of Beebe Ct in North Babylon and is identified by Suffolk County Tax Map Nos. 0100-112-05-093.001, 0100-112-05-094, 0100-112-05-095, and a portion of 0100-112-05-090, and a portion of 0100-112-05-092. The second request is for a change of zone from C-Residence to E-Business, in order to add a portion of land to an existing shopping center, which will be located on the south side of Garton St, approximately 412 ft. E-Business, and is identified by Suffolk County Tax Map Nos. 0100-112-05-106.005 and a portion of 0100-112-05-106.004. Now, be it;

RESOLVED, that a more detailed diagram of the property which is affected by the petition is on file in the office of the Department of Planning and Development and may be examined during regular office hours by any interested person, and any interested person will be given the opportunity to be heard at the public hearing, 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
NAY: 0

THE RESOLUTION AFORESAID IS hereby adopted.

SCHEDULE

PROPOSED PARCEL B
LOT 93.1, 94 & 95 AND A FORMER PART OF LOT 90, BLOCK 5, SECTION 112
NORTH BABYLON, TOWN OF BABYLON
SUFFOLK COUNTY, STATE OF NEW YORK

ALL THAT A CERTAIN PLOT, PIECE OF LAND, SITUATE, LYING AND BEING AT AMITYVILLE IN THE TOWN OF BABYLON, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING at THE TERMINUS OF THE FOLLOWING COURSE AND DISTANCE:

1. COMMENCING at a POINT FORMED by the INTERSECTION OF the NORTHERLY LINE OF GARNET STREET (A K.A. CENTRAL AVENUE, 50 FEET WIDE RIGHT-OF-WAY), WITH THE EASTERNLY LINE OF BEEBE COURT (40 FEET WIDE RIGHT-OF-WAY), RUNNING THENCE ALONG the EASTERNLY LINE of BEEBE COURT, NORTH 50 DEGREES 11 MINUTES 30 SECONDS WEST, a DISTANCE OF 208.56 FEET to THE POINT AND PLACE OF BEGINNING, THENCE;

2. ALONG THE DIVIDING LINE BETWEEN LOT 93.2 (NOW FORMERLY LANDS ON C&H 1350 ASSOCIATES, LLC.) AND LOT 93.1 (NOW FORMERLY LANDS OF NOB HILL APARTMENTS, INC., with the NORTH FORMERLY BEEBE COURT, LOT 105 (NOW OR FORMERLY LANDS of GEORGE & MARINA A. KATCHE), LOT 103 (NOW OR FORMERLY LANDS OF MICHAEL J. TESORO), LOT 102 (NOW OR FORMERLY LANDS of BUZZETTA,) and LOT 101 (NOW OR FORMERLY LANDS of MEREDEITH FIRMES & JOHN JR. BERRY), SOUTH 74 DEGREES 21 MINUTES 50 SECONDS WEST, a DISTANCE of 297.09 FEET to A POINT, THENCE;

3. ALONG THE DIVIDING LINE BETWEEN LOT 93.1, LOT 94, AND LOT 95 (NOW OR FORMERLY LANDS of NOB HILL APARTMENTS, INC., WITH the EXISTING zoned C-RESIDENCE.), TO LOT 95 WITH LOT 101, LOT 99 (NOW OR FORMERLY LANDS of JOHN & CANDICE ESTEVEZ), LOT 98 (NOW OR FORMERLY LANDS of RICHARD P. NICHOLLE COSTENIO), LOT 97 (NOW OR FORMERLY LANDS of ARMANDO AQUINO & LADY JOSE AQUINO) BLOCK 5, SECTION 112, NORTH 05 DEGREES 39 MINUTES 20 SECONDS WEST, a DISTANCE of 187.60 FEET to A POINT, THENCE;

4. ALONG THE DIVIDING LINE, THE PORTION OF LOT 90 (NOW OR FORMERLY LANDS of SUNNYHOME, LLC.) TO BE ADDED TO PARCEL B, AND THE REMINDER OF LOT 90, BLOCK 5, SECTION 112, NORTH 74 DEGREES 21 MINUTES 50 SECONDS EAST, a DISTANCE of 239.99 FEET to A POINT, THENCE;

5. SOUTH 15 DEGREES 38 MINUTES 10 SECONDS EAST, a DISTANCE of 20.00 FEET to A POINT, THENCE;

6. SOUTH 76 DEGREES 24 MINUTES 59 SECONDS EAST, a DISTANCE of 85.86 FEET to A POINT, THENCE;

7. SOUTH 08 DEGREES 27 MINUTES 11 SECONDS EAST, a DISTANCE of 64, 28 FEET to A POINT, THENCE;

8. ALONG THE DIVIDING LINE BETWEEN LOT 106.4 ANF 105.2 (NOW OR FORMERLY LANDS of NOB HILL APARTMENTS, INC.), AND LOT 93.2 (NOW OR FORMERLY LANDS of C&H 1350 ASSOCIATES, LLC.), BLOCK 5, SECTION 112 94 FEET to THE POINT AND PLACE OF BEGINNING

DESCRIPTION

PROPOSED ZONING CHANGE PARCEL
PART OF LOR 106.4 AND LOT 106.5, BLOCK 5, SECTION 112
NORTH BABYLON, TOWN OF BABYLON
SUFFOLK COUNTY, STATE OF NEW YORK

ALL THAT A CERTAIN PLOT, PIECE OF LAND, SITUATE, LYING AND BEING in THE TOWN OF BABYLON, COUNTY of SUFFOLK AND STATE OF NEW YORK, BOUNDED AND DESCRIBED as follows, BEGINNING AT A POINT on TH NORTHERLY HIGHWAY BOUNDARY LINE OF GARNET STREET (50 FOOT WIDE RIGHT-OF-WAY), SAID POINT being MEASURED 138.25 FEET ON a COURSE of NORTH 86 DEGREES – 48 MINUTES – 10 SECONDS EAST FROM the POINT FORMED by the INTERSECTION of the NORTHERLY HIGHWAY BOUNDARY LINE OF GARNET STREET with the EASTERNLY HIGHWAY BOUNDARY LINE of BEEBE COURT (40 FOOT WIDE RIGHT-OF-WAY), AND FROM SAID BEGINNING POINT, THENCE:

1. THROUGH the LANDS of LOT 106.4 (NOW OR FORMERLY LANDS of NOB HILL APARTMENTS, INC.), BLOCK 5, SECTION 112, SOUTH 03 DEGREES 11 SECONDS 05 MINUTES 23.99 FEET to a POINT, SAID POINT being on the DIVIDING LINE BETWEEN LOT 106.4 and LOT 93.2 (NOW OR FORMERLY LANDS of C&H 1350 ASSOCIATES, LLC.), THENCE:

2. Re: running the DIVIDING LINE BETWEEN LOT 106.4 and LOT 106.5 (NOW OR FORMERLY LANDS of C&H 1350 ASSOCIATES, LLC. with LOT 93.2, BLOCK 5, SECTION 112, NORTH 74 DEGREES 21 MINUTES 50 SECONDS EAST, a DISTANCE of 83.72 FEET to a POINT, THENCE:

3. ALONG the DIVIDING LINE BETWEEN LOT 106.5 and LOT 107.2 (NOW OR FORMERLY LANDS of C&H 1350 ASSOCIATES, LLC.), BLOCK 5, SECTION 112, SOUTH 03 DEGREES 11 MINUTES 50 SECONDS EAST, a DISTANCE of 257.09 FEET to a POINT, SAID POINT being the INTERSECTION of the NORTHERLY HIGHWAY BOUNDARY LINE of GARNET STREET and the DIVIDING LINE BETWEEN LOT 106.5 and LOT 107.2, THENCE;

4. WESTERLY ALONG the NORTHERLY HIGHWAY BOUNDARY LINE of GARNET STREET, SOUTH 86 DEGREES 48 MINUTES 10 SECONDS, a DISTANCE of 81.75 FEET to the POINT and PLACE of BEGINNING.
RESOLUTION NO. 797 DECEMBER 4, 2019
AUTHORIZING PERMISSION FOR A PARADE ON DECEMBER 15, 2019
IN THE TOWN OF BABYLON FOR THE LINDENHURST UFSD

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

WHEREAS, the Lindenhurst UFSD has requested permission to hold a parade on Sunday, December 15, 2019 within the Town of Babylon.

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<th>INDIVIDUAL</th>
<th>ORGANIZATION</th>
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<tr>
<td>Daniel E. Giordano</td>
<td>Lindenhurst UFSD</td>
</tr>
<tr>
<td>350 Daniel St., Lindenhurst, NY 11757 (516) 903-8466</td>
<td>350 Daniel St., Lindenhurst, NY 11757 (516) 903-8466</td>
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<th>DATES &amp; TIMES</th>
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<tbody>
<tr>
<td>Date(s): 12/15/2019</td>
<td>Town of Babylon Town Hall, 200 E. Sunrise Hwy., Lindenhurst</td>
</tr>
<tr>
<td>Time: 1:00 p.m. to 2:00 p.m.</td>
<td>ENDING: Lindenhurst Middle School, 350 Wellwood Ave., Lindenhurst</td>
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<tr>
<td>Rain Date: n/a</td>
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</tbody>
</table>

ROUTE:
Leaving the Town of Babylon side parking lot and proceeding northwest towards N. Indiana Ave., turn right onto N. Indiana Ave., turn left onto Spiegelhagen St., turn left onto N. Wellwood Ave. and proceed left to Lindenhurst Middle School.

NOW, THEREFORE, be it
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon: Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW.
RESOLVED, that the Town Board of the Town of Babylon does hereby order this resolution as stated and will act as acknowledgement and used as said permit, subject to the rules and regulations of the Commissioner of Parks, Recreation and Cultural Affairs and the Suffolk County Police Department.

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

Being no further business before the Board, the meeting adjourned at 4:05 pm on the motion of Councilwoman Gordon, seconded by Councilman Martinez.

Geraldo Compitello, Town Clerk

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