

**TOWN BOARD
MEETING JANUARY 6,
2021 AGENDA**

1. ACCEPTING TOWN BOARD MINUTES
2. AUTHORIZING SALARY FOR ELECTED OFFICIAL
3. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
4. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
5. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
6. AUTHORIZING SALARY FOR TOWN BOARD COUNCIL
7. AUTHORIZING SALARY FOR ELECTED OFFICIAL
8. AUTHORIZING SALARY FOR ELECTED OFFICIAL
9. ADOPTING THE ADMINISTRATIVE SALARY PLAN
10. ADOPTING THE SALARY PLAN FOR PART-TIME, HOURLY, AND SEASONAL EMPLOYEES
11. APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES
12. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF THE ACCESSORY APARTMENT REVIEW BOARD
13. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF RENTAL BOARD
14. APPOINTING CERTAIN BOARD MEMBERS AND SETTING SALARIES OF LABOR ADVISORY BOARD
15. APPOINTING MEMBERS FOR THE INDUSTRIAL DEVELOPMENT AGENCY
16. APPOINTING MEMBERS AND SETTING SALARIES FOR THE INDUSTRIAL DEVELOPMENT COUNCIL
17. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF PLANNING BOARD
18. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF PLUMBING BOARD
19. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF ZONING BOARD OF APPEALS
20. APPOINTING MEMBERS TO THE SANITATION COMMISSION

21. APPOINTING MEMBERS TO THE CLERK'S COMMITTEE BOARD
22. APPOINTING MEMBERS TO THE ETHICS BOARD
23. APPOINTING MEMBERS TO THE INTERNAL AUDIT COMMITTEE
24. APPOINTING BOARD MEMBERS AND SETTING SALARIES OF BOARD OF ASSESSMENT REVIEW
25. APPOINTING MEMBERS TO THE WITNESS PROJECT BOARD
26. AUTHORIZING SIGNATORIES FOR PAYMENT VOUCHERS ON LETTERS OF CREDIT WITH HUD
27. APPOINTING PART-TIME PERSONNEL
28. ESTABLISHING BANKING DEPOSITORIES FOR HOUSING ASSISTANCE AGENCY, COMMUNITY DEVELOPMENT AND RELATED PROGRAMS
29. AUTHORIZATION FOR TOWN BOARD, ACTING THROUGH THE TOWN SUPERVISOR AS SOLE MEMBER OF THE TOWN OF BABYLON L.D. CORPORATION II, TO APPOINT A BOARD OF DIRECTORS TO THE TOWN OF BABYLON L.D. CORPORATION II
30. AUTHORIZING USE OF CHECK WRITER AND ELECTRONIC SIGNATURE
31. AUTHORIZING SUPERVISOR TO INVEST CAPITAL FUNDS
32. AUTHORIZING THE TOWN BOARD TO ADOPT THE TOWN OF BABYLON'S PROCUREMENT POLICY
33. ADOPTING THE TOWN OF BABYLON INVESTMENT POLICY
34. AUTHORIZING 2021 INTERFUND TRANSFER
35. AUTHORIZING 2020 BUDGET MODIFICATION
36. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 53 OF THE BABYLON TOWN CODE (Department of Receiver of Taxes)
37. 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
38. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE V, SECTION 2-10 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
39. AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTER MUNICIPAL COOPERATION AGREEMENT BETWEEN BOARD OF EDUCATION OF THE SACHEM CENTRAL SCHOOL DISTRICT AND THE TOWN OF BABYLON

**RESOLUTION NO. 1 JANUARY 6, 2021
ACCEPTING TOWN BOARD MINUTES**

The following resolution was offered by Councilman Gregory
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:

December 23, 2020

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 2 JANUARY 6, 2021
AUTHORIZING SALARY FOR ELECTED OFFICIAL**

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 following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2021:

RICHARD SCHAFFER, Supervisor	\$111,299.40
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which
resulted as follows:

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 3 JANUARY 6, 2021
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL**

The following resolution was offered by Councilman Manetta

and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary be and it is hereby established for the following named official of the Town of Babylon for the year 2021:

ANTONIO MARTINEZ, Town Board Council Member \$59,437.38

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 4 JANUARY 6, 2021
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2021:

ANTHONY N. MANETTA, Town Board Council Member \$59,437.38

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

Councilman Manetta	Voting	Abstain
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 5 JANUARY 6, 2021
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL**

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary be and it is hereby established for the following named official of the Town of Babylon for the year 2021:

TERRENCE MCSWEENEY, Town Board Council Member	\$59,437.38
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The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Abstain
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 6 JANUARY 6, 2021
AUTHORIZING SALARY FOR TOWN BOARD COUNCIL**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2021:

DUWAYNE GREGORY, Town Board Council Member \$59,437.38

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Abstain
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 7 JANUARY 6, 2021
AUTHORIZING SALARY FOR ELECTED OFFICIAL**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2021:

GERALDINE COMPITELLO, Town Clerk

\$97,509.89

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 8 JANUARY 6, 2021
AUTHORIZING SALARY FOR ELECTED OFFICIAL**

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 following salary
be and it is hereby established for the following named official of the Town of Babylon for the year
2021:

JENNIFER MONTIGLIO, Tax Receiver	\$97,509.89
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VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted

**RESOLUTION NO. 9 JANUARY 6, 2021
ADOPTING 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 all amendments to the Salary Plan shall be effective this date except the amendments for DPW positions titled Commissioner of DPW, Deputy Commissioner I of DPW, and Deputy Commissioner II of DPW, which shall be effective on January 1, 2021.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted

“SCHEDULE A”

2021 ADMINISTRATIVE SALARY PLAN

<u>TITLE</u>	<u>LEVEL</u>	<u>STEP</u>
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	18
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	I	12
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	G	10
Assistant Town Attorney III	G	12
Assistant Town Attorney	F	12
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Comprehensive Planning and Downtown Revitalization Coord	H	17a
Commissioner of DPW	J	18
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15a
Commissioner of Human Services	I	16a
Commissioner of Planning	J	16a
Commissioner of Recreation	J	15a
Community Development Project Supervisor	J	15

Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	G	6a

Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	I	5a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	D	15
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	H	14a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Env Control	E	3
Confidential Secretary to Town Council	D	15
Deputy Commissioner Environmental Control/Landfill	J	15
Deputy Commissioner General Services	J	16a
Deputy Commissioner Human Services	I	12
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	16
Deputy Commissioner I of DPW	J	18
Deputy Commissioner of Environmental	G	17a
Deputy Commissioner of Planning	I	12a
Deputy Commissioner of Planning and Development	J	10a
Deputy Commissioner Parks and Recreation	J	11a
Second Deputy Commissioner of Parks and Recreation	I	16a
Deputy Comptroller	J	15a
Deputy Director of Finance	I	10
Deputy Personnel Officer	J	5
Deputy Receiver of Taxes	J	1a
Deputy Town Attorney	I	17a
Deputy Town Clerk	J	1a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	H	7a
Director of Handicapped Services	F	11
Director of Information Technology	J	16a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	H	9a
Executive Assistant to Parks and Recreation	J	5
Executive Assistant to Comm of General Services	J	13a
Executive Assistant to Comptroller	J	15a
Executive Assistant to Deputy Supervisor	J	1a

Executive Assistant to Deputy Supervisor (second)	B	12a
Executive Assistant to DPW	I	7
Executive Assistant to Environmental Control	G	16a
Executive Assistant to Planning	H	17a
Executive Assistant to Supervisor	J	18
Executive Assistant to Town Attorney	D	14a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	15
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	1a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	I	17
Legislative Aide to Supervisor	G	17a
Nutrition Center Supervisor	F	12
Personnel Officer	J	15a
Principal Accountant	I	13
Public Information Officer/Supervisor	I	14a
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	J	10a
Secretary to Commissioner of Environmental Control	E	14
Secretary to Commissioner of General Services	J	1a
Secretary to Commissioner of Planning & Development	I	6a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	G	2
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	G	11a
Secretary to Supervisor	J	15
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	F	6
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	7
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	1a
Special Assistant to Supervisor	I	10
Town Attorney	J	18

Town Comptroller	J	18
Town Engineer	H	15
Town Historian	I	4a
Women's Resources Advisor I	G	11a

2020	Administration Plan:									
	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199

16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,940	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	138,000
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	142,000
18	51,321	56,195	62,666	69,136	76,837	89,762	102,295	114,424	130,393	147,900
a	53,887	59,004	65,799	72,593	80,679	94,250	107,409	120,145	136,912	149,324

**RESOLUTION NO. 10 JANUARY 6, 2021
ADOPTING THE SALARY PLAN FOR PART-TIME,
HOURLY, AND SEASONAL EMPLOYEES**

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

BE IT RESOLVED by the Town Board of the Town of Babylon that the following salaries for certain part-time, hourly, and seasonal positions be and the same are hereby adopted:

<u>TITLE</u>	<u>SALARY</u>
Account Clerk /Account Clerk Typist Spanish	14.00 - 16.00/hr.
Assessment Assistant	14:00/hr.
Assistant Beach & Pool Manager	14:00 - 17.00/hr.
Assistant Town Attorney	20.00 - 30.00/hr.
Bay Constable	14.00 - 22.00/hr.
Beach & Attendant	14.00 - 16.00/hr.
Beach & Pool Manager	14.00 - 20.00/hr.
Bingo Inspector, Part-time	25.00/hr.
Building Inspector I	14.00/hr.
Building Inspector II	17.00/hr.
Building Inspector III	20.00/hr.
Building Inspector IV	25.00/hr.
Certified Public Accountant	30.00/hr.
Clerical	14.00 - 17.00/hr.
Clerk Typist	14.00 - 16.00/hr.
Clerk	14.00/hr.
College Intern Analyst I	14.00/hr.
College Intern Analyst II	15.00/hr.
College Intern Analyst III	16.00/hr.
Community Pride Worker I	14.00/hr.
Community Pride Worker II	14.50/hr.
Community Pride Worker III	15.00/hr.
Community Pride Worker IV	15.50/hr.
Community Pride Worker V	16.00/hr.
Community Pride Worker VI	16.50/hr.
Community Pride Worker VII	17.00/hr.
Contract Staff-Administrative	14.00 - 30.00/hr.
Cook	14.00/hr.
Custodian	14.00 - 15.00/hr.
Data Entry Operator	14.00/hr.
Data Processing Equip. Operator	16.45/hr.
Deputy Supervisor	50,000/annual
Dispatcher	14.00 - 16.00/hr.
Dock Master	14.00 - 19.00/hr.
Document Imaging Operator I	14.00/hr.
Document Imaging Operator II	14.50/hr.
Document Imaging Operator III	15.50/hr.
Document Imaging Operator IV	17:50/hr.
Drug & Alcohol Counselor I	17.00 - 18.00/hr.

Drug & Alcohol Counselor II	20.00 - 21.00/hr.
Drug & Alcohol Counselor III	22.00 - 23.00/hr.
Drug & Alcohol Counselor IV	23.00 - 25.00/hr.
Duplicating Machine Operator	14.00 - 15.00/hr.
Electrician I	20.00 - 21.00/hr.
Electrician II	21.01 - 22.00/hr.
Electrician III	22.01 - 23.15/hr.
Electrician IV	23.16 - 24.32/hr.
Engineering Aide I	20.00/hr.
Engineering Aide II	22.50/hr.
Engineering Aide III	25.00/hr.
Environmental Analyst Part Time	20.00 - 40.00/hr.
Environmental Steward I	14.00/hr.
Environmental Steward II	14.50/hr.
Environmental Steward III	15.00hr
Environmental Steward IV	15.75/hr.
Environmental Steward V	18.75/hr.
Environmental Steward VI	21.35/hr.
Environmental Steward VII	23.35/hr.
Environmental Steward VIII	25.65/hr.
Environmental Steward IX	27.95/hr.
Environmental Steward X	30.40/hr.
Facilities Guard	13.00/hr.
Fire Marshal Call-In	50.00/hr.
Fire Marshal I	14.50 - 16.00/hr.
Fire Marshal II	16.01 - 17.00/hr.
Fire Marshal III	17.01 - 18.00/hr.
Fire Marshal IV	18.01 - 19.00/hr.
Fire Marshal V	19.01 - 20.00/hr.
Fire Marshal VI	20.01 - 25.00/hr.
Fire Marshal VII	25.01 - 30.00/hr.
GIS Technician I/II/III, part time	22.00-27.00/hr.
Government Liaison Officer	50.00/hr.
Government Liaison Officer II	375.00/meeting
Groundskeeper	14.00 - 14.50/hr.
Guard I	14.00 - 14.25/hr.
Guard II	14.30 – 15.00/hr.
Guard III (Supervisor)	15.50 - 17.70/hr.
Guard IV (LT.)	14.75 - 16.10/hr.
Historian	16.00/hr.
Kennel Attendant I	15.00/hr.
Kennel Attendant II	15.50/hr.
Kennel Attendant III	16.00/hr.
Kennel Attendant IV	16.50/hr.
Laborer I	15.00/hr.
Laborer II	15.50/hr.
Laborer III	16.00/hr.
Laborer IV	16.50/hr.
Laborer V	17.00/hr.
Laborer VI	17.50/hr.
Laborer VII	18.00/hr.
Law Clerk	16.25/hr.

Law Intern I	14.00/hr.
Law Intern II	15.00/hr.
Law Intern III	16.00/hr.
Material Control Clerk	14.00/hr.
Medical Billing Agent	20.00 - 30.00/hr.
Medical Director-Drug Abuse Treatment	120.00 - 140.00/hr.
Micrographics Operator	14.00/hr.
Mini Bus Driver	14.00/hr.
Neighborhood Aide	14.00/hr.
Ordinance Enforcement Officer I	14.00/hr.
Ordinance Enforcement Officer II	14.30/hr.
Ordinance Enforcement Officer III	15.30/hr.
Ordinance Enforcement Officer IV	16.30/hr.
Ordinance Enforcement Officer V	17.30/hr.
Ordinance Inspector I	14.00/hr.
Ordinance Inspector II	14.30/hr.
Ordinance Inspector III	15.30/hr.
Ordinance Inspector IV	16.30/hr.
Paralegal Assistant	14.00 - 16.50/hr.
Paralegal Assistant II	17.00 - 22.00/hr.
Park Attendant I	14.00 - 18.00/hr.
Park Attendant II	14.00 - 20.00/hr.
Park Ranger	14.00 - 20.00/hr.
Parking Meter Officer	14.00 - 16.00/hr.
Part Time Fire Marshal Call-In	50.00/hr.
Part Time Maintenance Mechanic I	20.00- 45.00/hr.
Part Time Maintenance Mechanic II	20.00- 45.00/hr.
Part Time Maintenance Mechanic III	20.00- 45.00/hr.
Part Time Maintenance Mechanic IV	20.00- 45.00/hr.
Photo Technician	13.50 - 20.00/hr.
Planning Aide	14.00/hr.
Plumber I	14.30/hr.
Plumber II	14.45/hr.
Plumber III	15.70/hr.
Plumbing Inspector I	14.50 - 15.00/hr.
Plumbing Inspector II	15.01 - 16.00/hr.
Plumbing Inspector III	16.01 - 17.00/hr.
Plumbing Inspector IV	17.01 - 18.00/hr.
Plumbing Inspector V	18.01 - 20.00/hr.
Plumbing Inspector VI	20.01 - 25.00/hr.
Plumbing Inspector VII	25.01 - 30.00/hr.
Plumbing Inspector	15.00/hr.
Pole Inspector I	14.00/hr.
Pole Inspector II	14.25/hr.
Pole Inspector III	14.50/hr.
Program Aide I-HOURLY	14.00 - 15.00/hr.
Program Aide II-HOURLY	15.25 - 15.74/hr.
Program Aide III-HOURLY	15.75 - 21.34/hr.
Program Aide IV-HOURLY	21.35 - 23.35/hr.
Program Aide V-HOURLY	23.36 - 25.75/hr.
Program Aide VI-HOURLY	25.76 - 27.05/hr.
Program Aide VII-HOURLY	27.06 - 39.58/hr.

Recreation Aides	14.00 - 17.00/hr.
Recreation Specialist	14.00 - 30.00/hr.
Recreation Specialist-HOURLY	30.00 - 85.00/hr.
Registered Nurse	25.00/hr.
Rental/Accessory Apartment Inspector I	15.00/hr.
Rental/Accessory Apartment Inspector II	20.00/hr.
Rental/Accessory Apartment Inspector III	25.00/hr.
Sanitation Inspector I	14.00/hr.
Sanitation Inspector II	14.25/hr.
Sanitation Inspector III	14.60/hr.
Seasonal Ordinance Enforcement Officer IV	15.30/hr.
Senior Bay Constable	15.00 - 20.00/hr.
Senior Citizen Specialist	18.00/hr.
Senior Clerk I	14.00/hr.
Senior Clerk II	14.50/hr.
Senior Clerk III	14.75/hr.
Senior Clerk IV	15.00/hr.
Senior Mini Bus Driver	15.00/hr.
Senior Park Ranger	14.00 - 20.00/hr.
Sign Language Interpreter	60.00/mtg.
Solid Waste Administrator-HOURLY	50.00 - 85.00/hr.
Stenographer	14.00/hr.
Student Intern	14.00 - 14.75/hr.
Switchboard Operator I	14.00/hr.
Switchboard Operator II	14.25/hr.
Switchboard Operator III	14.50/hr.
Switchboard Operator IV	15.00/hr.
Tax Clerk I	15.00/hr.
Tax Clerk II	15.25/hr.
Tax Clerk III	15.50/hr.
Tax Clerk IV	16.00/hr.
Tax Clerk V	16.50/hr.
Tax Clerk VI	17.00/hr.
Tax Clerk VII	17.50/hr.
Tax Clerk VIII	18.00/hr.
Tax Receiver Office Guard	25.00 - 40.00/hr.
Town Investigator	14.30 - 50.00/hr.
Traffic Engineer II	25.00 - 30.00/hr.
Veterinary Technician I	18.00/hr.
Veterinary Technician II	20.00/hr.
Veterinary Technician III	22.00/hr.
Veterinary Technician IV	25.00/hr.
Youth Counselor	15.20/hr.
Zoning Inspector I	14.00/hr.
Zoning Inspector II	14.30/hr.
Zoning Inspector III	15:30/hr.
Zoning Inspector IV	16.30/hr.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 11 JANUARY 6, 2021

APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES

The following resolution was offered by Councilman Gregory

and seconded by Councilman McSweeney

BE IT RESOLVED by the Town Board of the Town of Babylon that the following employees are appointed to the additional positions listed below at the annual salaries indicated herein and that the same are hereby effective as of this date:

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Anthony Borrero	p/t Stock Clerk	5,000
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Celeste Kusmierski	Events Planning Chairperson	5,000
Dawn Carberry	Subregistrar	2,500
Denise Graziano	p/t Clerk	32,500
Donna Somma	Diversity Officer	4,500
Geraldine Compitello	Clerk Advisory Chairperson	10,000
Gilbert Hanse	Emergency Preparedness Coordinator	10,000
Jennifer Montiglio	Tax Warrant Coordinator	10,000
Jen Taus	Secretary to Town Board	6,000
Joseph Olmedo	Drug & Alcohol Coordinator	3,500
Joseph Wilson	Sanitation Commission Chairman	2,000
Katherine Lynch	p/t Purchasing Technician	30,000
Lori Lynn Hansen	Deputy Registrar	3,150
Madeline Quintyne-McConney	Special Events Coordinator	5,000
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Patrick Farrell	Task Force Director	5,000
Peter Russo	Plumbing Regulation Liaison to NYS	9,500
Rachel Scelfo	Workforce Housing Coordinator	8,500
Ronald Kluesener	Solid Waste Administrator	8,500
Stephen Greenwald	Traffic Safety Coordinator/Secretary	5,200
Stephen Greenwald	Grant Writer	5,000
Susanne Boltz	HUD Coordinator	5,000
Thomas Stay	Drainage Coordinator	2,000
Umeko Healy	Deputy Assistant to Town Board	4,000
Stephanie Brennan	Part Time Citizens Advocate	3,000
Victoria Marotta	Director of Community Development	4,000
Thomas Vetri	Assistant Solid Waste Coordinator	6,000
Edward Buturla	Solid Waste Billing Coordinator	4,500
Noreen Wood	Tax Receiver Transition Coordinator	1,500
Mary Sullivan	Tax IDA Coordinator	2,500
Linda Murphy-Puglia	Tax IT Coordinator	2,500
Kevin Bonner	COVID-19 Response Coordinator	15,000
Kelley Medwig	Demolition Coordinator	5,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 12 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND
SETTING SALARIES OF THE ACCESSORY APARTMENT REVIEW BOARD**

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 following appointments effective January 1, 2021 are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective January 1, 2021 for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth hereinbelow:

**ACCESSORY APARTMENTS
REVIEW BOARD**

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Sandy Thomas	Chairperson	10,000/ann.
Harold L. Wade	Vice Chair	9,000/ann.
Saba Mchunguzi	Member	8,000/ann.
Peter DeNegris	Member	8,000/ann.
Keith Hayward	Member	8,000/ann.
Stephanie Harris	Member	8,000/ann.
Carrie Vasiluth	Member	8,000/ann.
Lamont Wilson	Member	8,000/ann.
Carolyn Bivona	Member	8,000/ann.
Andrea McGurk	Secretary	200/mtg.
Lorraine Lundon	Alt. Secretary	200/mtg.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 13 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND SETTING SALARIES OF RENTAL BOARD**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective January 1, 2021 are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective January 1, 2021 for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth herein below:

RENTAL BOARD

NAME	TITLE	SALARY
Sal Mangano	Chairperson	\$11,000.00
Kelly Medwig	Member	\$9,000.00
Mike Murray	Member	\$9,000.00
Karla Bryant	Member	\$9,000.00
Vernon Shelton	Member	\$9,000.00
Mark Smith	Member	\$9,000.00
Mark Iodice	Member	\$9,000.00
Diana Mallia	1 st Alternate	\$350.00/mtg
Katie Reilly	Secretary	\$316.00/mtg
Jorge Rosario	Attorney	

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

Councilman Manetta	Voting	Abstain
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 14 JANUARY 6, 2021
APPOINTING CERTAIN BOARD MEMBERS AND
SETTING SALARIES OF LABOR ADVISORY BOARD**

The following resolution was offered by Councilman Martinez

and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective January 1, 2021 are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective January 1, 2021 for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth here in below:

LABOR ADVISORY BOARD

NAME	TITLE	SALARY
Benjamin Carezza	Member	200/mtg
Dominick Macchia	Member	200/mtg
Robert Nowell	Member	200/mtg

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 15 JANUARY 6, 2021
APPOINTING MEMBERS TO THE INDUSTRIAL DEVELOPMENT AGENCY

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following appointments effective this date are made to the following Municipal Board positions and administrative personnel who serve at the pleasure of the Town Board, and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board as set forth herein below:

INDUSTRIAL DEVELOPMENT AGENCY

<u>NAME</u>	<u>TITLE</u>
Tom Gaulrap	Chairperson
Justin Belkin	Vice Chair
Marcus Duffin	Member
Paulette Moses	Member
Bill Celona	Member
Rosemarie Dearing	Member
William Bogardt	Member
Linda Scordino	Alternate
Carol Quirk	Alternate

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 16 JANUARY 6, 2021
APPOINTING MEMBERS AND SETTING SALARIES FOR THE INDUSTRIAL
DEVELOPMENT COUNCIL**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following appointments effective this date are made to the following Municipal Board positions and administrative personnel who serve at the pleasure of the Town Board, and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board as set forth herein below:

INDUSTRIAL DEVELOPMENT COUNCIL

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Tom Gaulrap	Chairperson	12,000/ann.
Justin Belkin	Vice Chair	11,000/ann.
Marcus Duffin	Member	10,000/ann.
Paulette Moses	Member	10,000/ann.
Bill Celona	Member	10,000/ann.
Rosemarie Dearing	Member	10,000/ann.
William Bogardt	Member	10,000/ann.
Linda Scordino	Member	10,000/ann.
Carol Quirk	Member	10,000/ann.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 17 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND SETTING SALARIES OF PLANNING BOARD

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 following appointments effective January 1, 2021 are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective January 1, 2021 for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth herein below:

PLANNING BOARD

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Patrick Halpin	Chairperson	12/31/2022	16,000/ann.
Dan Truchan	Member	12/31/2026	12,000/ann.
Jerry O'Neil	Member	12/31/2023	12,000/ann.
Frank Santos	Member	12/31/2024	12,000/ann.
Julie Nolan	Member	12/31/2024	12,000/ann.
Michael Cafaro	Member	12/31/2021	12,000/ann.
Edward Wynn	Member	12/31/2026	12,000/ann.
Juan Leon	1 st Alternate		316/mtg
Denise Graziano	Secretary		350/mtg.
Sandra Brick	Alternate Secretary		350/mtg.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 18 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND SETTING SALARIES OF PLUMBING BOARD

The following resolution was offered by Councilman Manetta

and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective this date are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board.

PLUMBING BOARD

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Peter Russo	Chairperson	12/31/2023	8,500/ann.
Vincent Biondo	Member	12/31/2022	8,000/ann.
James Cummings	Member	12/31/2022	8,000/ann.
Nunzio Russo	Member	12/31/2022	8,000/ann.
Sebastian LaMonica	Member	12/31/2023	8,000/ann.
Tom Montiglio	Member	04/11/2022	8,000/ann.
Ryan Truncali	Member	12/31/2025	8,000/ann.
Desiree Norris	Secretary		5,000/ann.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 19 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND SETTING SALARIES OF
ZONING BOARD OF APPEALS**

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective January 1, 2021 are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective January 1, 2021 for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth hereinbelow:

ZONING BOARD OF APPEALS

NAME	TITLE	TERM EXP.	SALARY
Michael Kane	Chairperson	12/31/2027	19,000/ann.
John Carecia	Vice Chair	12/31/2024	16,000/ann.
Steven Dellavechia	Member	12/31/2023	15,000/ann.
John Shepard	Member	12/31/2021	15,000/ann.
Nicholas Rigney	Member	12/31/2022	15,000/ann.
Delores Quintyne	Member	12/31/2022	15,000/ann.
Charneice McCullough	Member	12/31/2024	15,000/ann.
David Bishop	1 st Alternate		316/mtg
Marco Parodi	2 nd Alternate		316/mtg
Colleen Farrell	Secretary		350/mtg.
Carolyn Bivona	Alternate Secretary		350/mtg.

VOTES: 5 **YEAS:** 5 **NAYS:** 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 20 JANUARY 6, 2021
APPOINTING MEMBERS TO THE SANITATION COMMISSION

The following resolution was offered by Councilman Manetta

and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following persons are hereby appointed to the Sanitation Commission:

Joseph Wilson, Chairperson
Ronald Kluesener, Member
John Farrell, Member
Tom Stay, Member
Victoria Marotta, Member
John Ripple, Ex-Officio
Thomas Vetri, Ex-Officio
Jerry Guarino, Counsel
Denise Graziano, Secretary

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 21 JANUARY 6, 2021
APPOINTING MEMBERS TO THE CLERK'S COMMITTEE BOARD

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that it is established a
"Clerk's Advisory Committee" and the following persons are hereby appointed to serve on it:

Town Clerk

Representative of Planning and Development

Representative of Code Enforcement

Counsel to be appointed by the Town Attorney \$250 stipend/meeting

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 22 JANUARY 6, 2021
APPOINTING MEMBERS TO THE ETHICS
BOARD**

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 following persons are hereby reappointed to the Ethics Board for a term of two years.

ETHICS BOARD

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Robert Kaufold	Chairman	12/31/22	
Erroll Williams	Member	12/31/22	
Emil Pavlik	Member	12/31/22	
Diane Caparso	Secretary		200/mtg.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 23 JANUARY 6, 2021
APPOINTING MEMBERS TO THE INTERNAL AUDIT COMMITTEE

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following persons are hereby appointed to the Internal Audit Committee:

Victoria Marotta, Chairperson
Ronald Kluesener, Member
Joseph Wilson, Member

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 24 JANUARY 6, 2021
APPOINTING BOARD MEMBERS AND
SETTING SALARIES OF BOARD OF ASSESSMENT REVIEW**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective this date are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth hereinbelow:

BOARD OF ASSESSMENT REVIEW

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Karen Crescione	Chairperson	9/30/2022	14,000/ann.
Thomas Humphrey	Member	9/30/2021	11,000/ann.
Nathan King	Member	9/30/2025	11,000/ann.
Genine Gerbino	Member	9/30/2024	11,000/ann.
Alicia Marks	Member	9/30/2023	11,000/ann.
Nancy Ciolino	Secretary		8,000/ann.
Marianne Hunt	Stenographer		8,000/ann.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 25 JANUARY 6, 2021
APPOINTING MEMBERS TO THE WITNESS PROJECT BOARD

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following
persons are hereby appointed to the Witness Project Board to serve at the pleasure of the Town
Board:

Charvon Pierce
Jason Richberg
Alicia Portwine
Leonard Davis
Marian Hester
Judy Clarke

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 26 JANUARY 6, 2021
AUTHORIZING SIGNATORIES FOR PAYMENT VOUCHERS
ON LETTERS OF CREDIT WITH HUD

The following resolution was offered by Councilman McSweeney

and seconded by Councilman Martinez

WHEREAS, the United States Department of Housing and Urban Development (HUD) requires that there be four approved signatories for Payment Vouchers on Letters of Credit issued in favor of the Town of Babylon and that two of said individuals shall be required to sign before a Payment Voucher shall be valid;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the following are authorized signatories on Payment Vouchers on the Letters of Credit issued in favor of the Town of Babylon by HUD:

ANTONIO MARTINEZ
RONALD
KLUESENER
VICTORIA MAROTTA
CATHERINE WUERTZ

and be it further

RESOLVED, that any two signatories shall be required to authorize a draw on the Letter of Credit.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 27 JANUARY 6, 2021
APPOINTING PART-TIME
PERSONNEL**

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

BE IT RESOLVED by the Town Board of the Town of Babylon that the following persons
be and they are hereby appointed and/or reappointed to the positions and departments indicated at
the salaries indicated, effective January 1, 2021.

<u>NAME</u>	<u>TITLE & DEPARTMENT</u>	<u>SALARY</u>
Richard Casey	p/t Asst. Town Attorney	25,000/ann. Plus health benefits
David Bishop	p/t Asst. Town Attorney	18,000/ann.
Kevin Snover	p/t Asst. Town Attorney	20,000/ann. Plus health benefits
William Wexler	p/t Asst. Town Attorney	20,000/ann. Plus health benefits
Fred Thiele	p/t Asst. Town Attorney	30,000/ann.
Lindsay Henry	p/t Asst. Town Attorney	50,000/ann. Plus health benefits
Pamela Greene	p/t Asst. Town Attorney	35,000/ann. Plus health benefits

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 28 JANUARY 6, 2021
ESTABLISHING BANKING DEPOSITORIES FOR HOUSING ASSISTANCE
AGENCY, COMMUNITY DEVELOPMENT AND RELATED PROGRAMS

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following named banking institutions be and they are hereby designated as depositories for the funds of the Town of Babylon for Housing Assistance Agency, Community Development and related Programs for the year 2021:

BANK

TD BANK NORTH

FIRST NATIONAL BANK OF LONG ISLAND

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 29 JANUARY 6, 2021
AUTHORIZATION FOR TOWN BOARD, ACTING THROUGH THE TOWN
SUPERVISOR AS SOLE MEMBER OF THE TOWN OF BABYLON L.D.
CORPORATION II, TO APPOINT A BOARD OF DIRECTORS TO THE
TOWN OF BABYLON L.D. CORPORATION II

The following resolution was offered by Councilman Gregory
seconded by Councilman McSweeney

WHEREAS, the Town of Babylon L.D. Corporation II (hereinafter referred to as the
"Corporation") a local development corporation organized pursuant to Section 1411 of the Not-
For-Profit Corporation Law of the State of New York was created August 19, 1988; and

WHEREAS, the Town of Babylon, acting through the Town Board and the Town
Supervisor as the sole member ("the Member") of the Corporation, seeks to appoint a Board of
Directors to the Corporation.

NOW, THEREFORE, BE IT RESOLVED, that the Member appoints the following persons
to serve as Directors of the Corporation under the terms outlined in the By-laws of the Corporation:

<u>Name</u>	<u>Address</u>
Tom Gaulrap	47 West Main Street, Babylon, New York
Justin Belkin	47 West Main Street, Babylon, New York
Marcus Duffin	47 West Main Street, Babylon, New York
Paulette Moses	47 West Main Street, Babylon, New York
Bill Celona	47 West Main Street, Babylon, New York
Rosemarie Dearing	47 West Main Street, Babylon, New York
William Bogardt	47 West Main Street, Babylon, New York

and be it;

FURTHER RESOLVED, that the Member appoints the following persons to serve as
alternate Directors of the Corporation under the terms outlined in the By-laws of the Corporation:

<u>Name</u>	<u>Address</u>
Linda Scordino	47 West Main Street, Babylon, New York
Carol Quirk	47 West Main Street, Babylon, New York

and be it;

FURTHER RESOLVED, that pursuant to subdivision 2 of Section 2824 of the Public
Authorities Law (the "PAL"), all directors of the Corporation shall, if required pursuant to the
PAL, participate in New York State approved training regarding their legal, fiduciary, financial and
ethical responsibilities as directors within one (1) year of their appointment to the Board of
Directors of the Corporation; and be it

FURTHER RESOLVED, that pursuant to subdivision 2 of Section 2824 of PAL, all directors of the Corporation shall participate in such continuing training as may be required to remain informed of best practices, regulatory and statutory changes relating to the effective oversight of the management and financial activities of public authorities and to adhere to the highest standards of responsible governance; and be it

FURTHER RESOLVED, that the Member directs that the Corporation operate subject to the Open Meetings Law, the Freedom of Information Law, the State Environmental Quality Review Act, and the Public Authorities Accountability Act of 2005 as amended by Chapter 506 of the Laws of 2009 of New York State; and be it

FURTHER RESOLVED, that the Town Board and the Town Supervisor as the sole Member of the Corporation, hereby waives notice of the first meeting at which the foregoing resolutions pass; and be it

FURTHER RESOLVED, that these resolutions shall take effect immediately.

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

Councilman Manetta	Voting	Yea
Councilman Martinez	Voting	Abstain
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Yea

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 30 JANUARY 6, 2021
AUTHORIZING USE OF CHECK WRITER AND ELECTRONIC SIGNATURE

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the Supervisor be and he is hereby authorized to sign checks by a device commonly known as Check Writer in addition to check signing done via password protected accounting software.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 31 JANUARY 6, 2021
AUTHORIZING SUPERVISOR TO INVEST CAPITAL FUNDS

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to invest in Money Market Accounts the profits from the sale of Bonds, Bond Anticipation Notes, Capital Notes, Urban Renewal Notes or Budget Notes, as provided in Section 165.00 of the Local Finance Law; and be it further

RESOLVED, that all powers and duties conferred by Section 165.00 of the Local Finance Law be and the same are hereby delegated to the Supervisor.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 32 JANUARY 6, 2021
AUTHORIZING THE TOWN BOARD TO ADOPT THE TOWN OF
BABYLON'S PROCUREMENT POLICY**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the
recommendation of the Committee, that the Town of Babylon Procurement Policy, which is on
file in the Office of the Town Clerk as Exhibit "A", is hereby adopted for the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**TOWN OF BABYLON PROCUREMENT POLICY
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I. GENERAL PROVISIONS

A. PURPOSE

The purpose of this Statement of Procurement Policy is to: provide for the fair and equitable treatment by the Town of Babylon of all persons or firms involved in providing materials, supplies, equipment, services and/or labor to the Town of Babylon; assure that materials, supplies, services, equipment, and construction are procured efficiently, effectively, and at the most fair and equitable prices available to the Town of Babylon; promote bid competition; provide safeguards for maintaining a procurement system of quality and integrity and assure that Town of Babylon

procurement actions are in full compliance with applicable Federal standards, HUD regulations, and New York State and Town laws and regulations.

B. APPLICATION

This Procurement Policy Statement applies to all contracts for the procurement of supplies, equipment, materials, services, public works, and professional services contracts entered into by the Town of Babylon including all related boards, garbage districts, etc., after the effective date of this Statement. This policy shall apply to all expenditures of funds by the Town of Babylon for public purchasing, irrespective of the source of funds, including contracts which do not involve an obligation of funds (such as concession contracts); however, nothing in this Statement shall prevent the Town of Babylon from complying with the terms and conditions of other regulations otherwise consistent with all applicable laws. The term “procurement”, as used in this Statement, includes materials, supplies, and equipment, services contracts, public works contracts and modifications to contracts. This policy will be reviewed annually and may be revised from time to time.

C. PUBLIC ACCESS TO PROCUREMENT INFORMATION

Procurement information shall be a matter of public record to the extent provided in New York State Freedom of Information Act and shall be available to the public as provided in that statute. An exception to this rule is confidential financial information or information deemed proprietary by the submitting individual or company.

II. PROCUREMENT AUTHORITY AND ADMINISTRATION

- A.** All procurement transactions shall be administered by the Commissioner of General Services (hereinafter the Commissioner/Director of Purchasing). The Commissioner/Director of Purchasing shall also establish a system of sanctions for violations of the ethical standards described in Section X below, consistent with State law.
- B.** For all contract procurement actions in which the Town of Babylon is a recipient or subrecipient of a Federal award, compliance with 2 CFR 200.317-326 is mandatory.
- C.** The Commissioner/Director of Purchasing or his/her designee shall ensure that:
 - 1. Procurement requirements are subject to an annual planning and review process to assure efficient and economical purchasing;
 - 2. Contracts and modifications are in writing, clearly specifying the desired supplies, materials, equipment, labor, or professional services, and are supported by sufficient documentation, including, whenever practical, estimated quantities, estimated costs for public works projects, requested modifications/changes to existing specifications;
 - 3. (for procurements other than small purchases) public notice in at least one, but as a rule, two publications of general circulation is given of each upcoming procurement at least five business days before a solicitation is due. In instances where community development funds are involved, additional days will be allowed making a total of 21 calendar days; and notice of contract awards is made available to the public; Funding shall be in place for said purchase or public works project;
 - 4. Solicitation procedures/standards are conducted in full compliance with State and Federal standards, the latter only when required by Federal law;
 - 5. For procurements of small purchases, architect/engineer Services, or other professional services that the minimum required numbers of quotations are solicited pursuant to this policy and State law.
 - 6. A cost or price analysis is conducted of the responses received for all procurements;
 - 7. contract award is made to a responsive and responsible bidder offering the lowest price (for sealed bid contracts) or contract award is made to the offeror whose proposal offers the greatest value to the Town of Babylon, considering price, & technical expertise, and other solicitation (for contracts awarded based on competitive proposals); awards are made to the lowest overall bidder and awards can be awarded by item, group of items or categories, whichever is in the best interest of the Town; Vendors or contractors must hold their prices for a 45 day period;

unsuccessful firms are notified within 45 days or as soon as award or rejection of a bid or bids has been processed;

8. there are sufficient unencumbered funds available to cover the anticipated cost of each procurement before contract award or modification (including change orders), work is inspected and accepted before payment is authorized, and payment is made promptly for contract work performed and accepted; and
9. If said contract is approved, the Town of Babylon shall comply with all applicable HUD review requirements (if applicable).

- D.** The Commissioner of General Services shall create a statement acknowledging that the requirements as outlined in Section II B of this policy are adhered to. This statement and the accompanying resolutions and any later changes shall be submitted to the Professional Services Committee and the Town of Babylon Town Board for approval. The Board appoints and delegates procurement authority to the Commissioner of General Services who is responsible for ensuring that any procurement policies adopted are appropriate and enforced for the Town of Babylon.

The Commissioner of General Services is responsible for the day to day operation of the Department of General Services. As the Commissioner of General Services, he/she has the authority to sign purchase orders, process bid documents after approval by Town Board resolution, and can extend, pursuant to N.Y. State General Municipal Law, duly awarded non-federally funded bids if to be found in the best interest of the town. For federally funded bids, bid extensions must be based on need, issues of possible delinquency on the part of the contractor, associated costs of the proposed extension and any contribution on the part of the town to the delay.

III. PROCUREMENT METHODS

A. SELECTION METHOD

If it has been decided that the Town of Babylon will directly purchase the required items, one of the following procurement methods shall be chosen, based on the nature and anticipated dollar value of the total requirement. All dollar amounts referred to below are annual, aggregate amounts in a single calendar year.

B. SMALL PURCHASE PROCEDURES

1. General. Any contract not exceeding \$20,000 for materials and supplies and \$30,000 for public works projects, may be made in accordance with the small purchase procedures authorized in this section. Contract requirements shall not be artificially divided so as to constitute a small purchase under this section (except as may be reasonably necessary to comply with Section IX of this Statement). *The \$20,000 and \$30,000 limits refer to total amounts spent or intended to be spent in a calendar year on the purchase of similar products or services.*
2. Small purchases of \$10,000 or less. For small purchases below \$5,000, only one quotation need be solicited if the price received is considered reasonable. For purchases over \$5,000 but less than \$10,000, two or more quotations will be solicited. Such purchases should be distributed among-qualified sources. If practical, a quotation shall be solicited from other than the previous source before placing a repeat order.
3. Small purchases over \$10,000 but not exceeding \$20,000. For small purchases in excess of \$10,000 but not exceeding \$20,000 no less than three offerors shall be solicited to submit price quotations, which must be obtained, in writing, by fax or electronic mail, as allowed by State law. Award shall be made to the responsible offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified circumstances. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. Quotations from one vendor or supplier shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.
4. Public works contracts of \$20,000 or less. For public works contracts below \$10,000, only one quotation need be solicited if the price received is considered reasonable. For small public works contracts over \$10,000 but less than \$20,000, more than one quotation shall be solicited. Such contracts should be distributed among qualified sources. If practical, a quotation shall be solicited from other than the

previous source before placing a repeat order. Quotations from one vendor shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.

5. Public works contracts over \$20,000 but not exceeding \$30,000. For public works contracts in excess of \$20,000 but not exceeding \$30,000, no less than three written quotations or quotations submitted via telefax or electronic mail to the Department of General Services will be solicited, as allowed by State law. Award shall be made to the offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified factors. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. Quotations from one vendor shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.

Contractors must be qualified and be able to meet liability insurance requirements and any other reasonable requirements as set forth by the Town of Babylon.

6. Procedure of obtaining quotes. The procedure for obtaining written or fax quotes will be as follows. The Department of General Services will prepare a standardized quotation form and mail or fax said form to the appropriate number of vendors. The requesting department will solicit proposals for the purchase of materials/supplies or a public works contract. Vendors will return completed quotation forms to the Department of General Services. The Commissioner will select the lowest responsible vendor and notify the department. The requesting department will then complete a requisition and submit it to the Department of General Services for processing.

C. SEALED BIDS

1. Conditions for Use Contracts shall be awarded based on competitive sealed bidding if the following conditions are present: a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively for the work; the procurement lends itself to a firm fixed price contract; the solicitation is publicly advertised consistent with Part B; and the selection of the successful bidder can be made principally on the basis of price. Sealed bidding shall be used for all construction contracts exceeding \$30,000 (\$2,000 if project is federally funded) and for all purchases whose annual aggregate amount exceeds, or expects to exceed, \$30,000 in a calendar year. For professional services contracts, sealed bidding should not be used. The Town may elect to use the Request for Proposal or Request for Qualifications process if deemed appropriate in a particular situation. Request for Qualifications shall be used for determining qualified engineering firms, planning firms, architects, attorneys and for services associated with Information Technologies or any other services deemed necessary. All responses to a Request for Qualifications shall be kept on file in the Department of General Services for a minimum of three (3) years. After three (3) years, the Commissioner of General Services will review and procure additional Requests for Qualifications as necessary.
2. Solicitation and Receipt of Bids An invitation for bids shall be issued including specifications and all contractual terms and conditions applicable to the procurement; including a statement that award will be made to the lowest responsible and responsive bidder whose bid meets the requirements of the invitation for bids. The invitation for bids shall state the time and place for both the receipt of bids and the public bid opening. All bids received shall be time-stamped but not opened and shall be stored in a secure place until bid opening. A bidder may withdraw its bid at any time prior to bid opening. Bids submitted via telefax or electronic mail will not be accepted.
3. Bid Opening and Award Bids shall be opened publicly and in the presence of at least one witness. Bid openings are open to the public. Bids submitted after advertised time will not be opened or considered. An abstract of bids shall be recorded and the bids shall be available for public inspection. Award shall be made as provided in the invitation for bids by written notice to the successful bidder. If equal low bids are received from responsible bidders (non-federally funded projects or purchases), award shall be made to the vendor providing the highest discount. If no discounts are offered (non-federally funded purchases or projects), or if two or more bidders remain equal (federally funded purchases or projects), or if discounts offered are equal, lots will be drawn to determine the award. For federally funded purchases and contracts, awards shall be made giving priority to firms defined in Part VIII. If only one responsive bid is received from a responsible bidder, award shall not be made unless a cost or price analysis verifies the reasonableness of the price. All unsuccessful bidders will be notified of award,

once finalized. The Commissioner/Director of Purchasing shall recommend bid award to the Town Board. Formal awards of all bids shall be approved by resolution by the Town Board at a public meeting. Once awarded, the Commissioner/Director of Purchasing has the authority to process all bid documents except public works contracts over \$20,000. Contracts in excess of \$20,000 will be executed by the Supervisor after approval by the Town Board.

The Commissioner of General Services has the authority to extend bids for up to four, one-year periods if found to be in the best interest of the Town of Babylon.

4. Mistake in Bids

- a. Bid Mistake; Public Work projects. (a) In all contracts where a unilateral error or mistake is discovered in a bid, such bid may be withdrawn after a showing of the following: (1) the mistake is known or made known to the Town of Babylon prior to the awarding of the contract or within three days after the opening of the bid, whichever period is shorter; and (2) the price bid was based on an error of such magnitude that enforcement would be unconscionable; and (3) the bid was submitted in good faith and the bidder submits credible evidence that the mistake was a clerical error as opposed to a judgment error; and (4) the error in the bid is actually due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid, which unintentional arithmetic error or unintentional omission can be clearly shown by objective evidence drawn from inspection of the original work paper, documents, or materials used in the preparation of the bid sought to be withdrawn; and (5) it is possible to place the Town of Babylon in status quo ante.

Request for withdrawal of a bid must be submitted in writing to the Commissioner/Director of Purchasing. A written explanation and justification must be provided. Approval or withdrawal of bid shall be considered and corrections of non-clerical mistakes shall be considered.

- b. In the absence of legal counsel and receipt of a written determination from same, unless otherwise required by law, the sole remedy for a bid mistake in accordance with this policy shall be withdrawal of that bid and the return of the bid bond or other security, if any, to the bidder. Thereafter, the Town of Babylon may, in its discretion, award the contract to the next lowest bidder or rebid the contract. Any amendment to or reformation of a bid or a contract to rectify such an error or mistake therein is strictly prohibited.
- c. Any decisions to allow the withdrawal of a bid must be supported by a written determination signed by the Commissioner/Director of Purchasing. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the Town of Babylon or fair competition shall be permitted.
- d. The Commissioner/Director of Purchasing may waive any and all formalities except those deemed necessary or contradictory to this policy or required by law, and an integral part of the bid process.
5. Bonds: In addition to the other requirements of this Statement, the following requirements may apply:
- a. For all publicly bid construction contracts, and other construction contracts, as determined by the Commissioner, other than those specified in 5b and 5c below, contractors shall be required to submit the following at the appropriate time during the contract process, unless otherwise required by State or local laws or regulations;
- i. A bid bond or certified check from each bidder equivalent to 5% of the bid price; and
 - ii. A performance bond or certified check for 100% of the contract price; and

- iii. A labor and materials payment bond for 100% of the contract price; and
 - iv. Appropriate insurances as outlined in the bid documents; and
 - v. Original certified payrolls for employees of contractors and subcontractors; and
 - vi. Employee daily sign-in sheets are required on all public works projects; and
 - vii. Copies of cancelled payroll checks for contractors and subcontractors; and
 - viii. A maintenance bond for 100% of contract upon acceptance of all work; and
 - ix. Any other requirements as detailed by the Commissioner/Director of Purchasing; and
- b. In the case of construction of conventional development projects funded pursuant to the U.S. Housing Act of 1937, the contractor shall be required to submit the following, unless otherwise required by State or local laws or regulations:
- i. A bid bond or certified check from each bidder equivalent to 5% of the bid price; and
 - ii. A performance bond or certified check for 100% of the contract price; and
 - iii. A labor and materials payment bond for 100% of the contract price; and
 - iv. A maintenance bond for 100% of contract upon acceptance of all work; and
 - v. Appropriate insurances as outlined in the bid documents; and
 - vi. Original certified payrolls for employees of contractors and subcontractors; and
 - vii. Cancelled payroll checks for contractors and subcontractors; and
 - viii. A maintenance bond for 100% of contract upon acceptance of all work; and
 - ix. Any other requirements as detailed by the Commissioner of General Services and the Director of Community Development.
- c. In the case of construction under the Comprehensive Improvement and Assistance Program (CIAP) funded pursuant to the U.S. Housing Act of 1937, for any contract over \$10,000, the contractor shall be required to submit the following,
- i. A bid guarantee from each bidder equivalent to 5% of the bid price; and
 - ii. A performance and payment bond for 100% of the contract price; and
 - iii. A maintenance bond for 100% of contract upon acceptance of all work; and
 - iv. Appropriate insurances as outlined in the bid documents and New York Dept. of Labor; and
 - v. Original certified payrolls for employees of all contractors and subcontractors; and
 - vi. Any other requirements as detailed by the Commissioner/Director of Purchasing

PREVAILING WAGES

All contractors who are involved with any public works project, which can be described as any project that involves labor, must comply with the prevailing wage requirements. This requirement applies to all contracts regardless of whether they have been publicly bid or

not. Simply said if they are on Town property and performing a task that involves labor, they are required to pay prevailing wages to the employees on site. This does not apply to companies simply delivering products, supplies or equipment to the Town. The only exception to this requirement is an employer or owner who performs the work themselves or who employs an immediate family member.

Prevailing wages are an hourly pay rate that has been determined by the New York State Dept. of Labor. These rates vary from trade or title. The wage schedules shall be provided by the Dept. of General Services, prior to the commencement of any work. These wage schedules are updated from time to time by the New York State Dept. of Labor. If the project is federally funded, then the all contractors and subcontractors must comply with all federal rules and requirements, including but not limited to, the Davis-Bacon Act.

This provision will not apply to companies' delivering goods and/or equipment to the Town, but will apply to a company hired to supply and install a product or equipment.

Certified payrolls must be submitted with any and all requests for payment, bill or voucher, and comply with all the rules and regulations of the New York State Dept. of Labor.

Certified payrolls must state the name of the employee, title, hourly rate, number of hours worked during the specific payroll or during the course of the task performed for the Town pay period, all in accordance with New York State Dept. of Labor. Certified payrolls are available online or from the Dept. of General Services.

Companies should be notified prior to the commencement of any work or prior to obtaining any quotes that prevailing wages must be paid and that certified payrolls will be required prior to the issuance of any payment for services rendered. All firms should be advised that the New York State Dept. of Labor is responsible for monitoring the prevailing wage statute and may either audit a project while in progress or after completion. The New York State Dept. of Labor has the authority to debar or suspended any contractor from performing any work for any municipality in the State of New York.

CHANGE ORDERS

Once a contract is awarded or a purchase order is issued for any public works project, any deviation (whether an increase or decrease in cost) from the tasks agreed to, or the scope of the project, or the cost thereof, must be approved by a change order. The change order must be filed by the contractor or consultant (in case of professional services agreement). It must include reference to the original scope of work and associated cost and an explanation of changes to the scope of work. This must be accompanied by an estimate of the increase or decrease in the materials used and/or labor involved. Specific quantities must be included in the change order. No change in the scope of the work originally approved shall be granted until a change order has been approved by the granting authority, which may be the Town Board or the Commissioner, depending on the type of contract. In the event of a change order for a public works contract that is being overseen by a third-party consultant, written authorization/approval by the consultant must accompany the proposed change order. These documents are reviewed and examined by the Change Order Review Committee. Pursuant to Resolution No. 415 of the Town Board Meeting of June 8, 2016, a committee consisting of representatives from the departments of the Supervisor, Comptroller, General Services, Planning, Town Attorney and the Department who is directly involved in the project will evaluate all change orders and provide its recommendations to the Town Board.

Department heads should not authorize payment for goods or services that have not been received. Town employees are prohibited from ordering or purchasing any goods or services that are intended for personal use and have no value or relevance to the Town.

APPRENTICESHIP PROGRAM REQUIREMENTS:

The Town of Babylon hereby requires in any competitive sealed bid for any public works contract that exceeds \$250,000.00 that the bidder and all of bidder's sub-contractors, prior to entering into a construction contract with the Town of Babylon, who is a party to, or working under, a construction contract, to be a participant in good standing of a qualified apprenticeship program that is registered with and approved by the New York State Department of Labor and to have apprenticeship agreements, as evidenced by valid Certificates of Completion which are specifically identified as pertaining to the trade(s) and/or job titles(s) called for within the construction contract appropriate for the type and scope of work to be performed, which have been registered

with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, anything in § 103 of the New York General Municipal Law to the contrary notwithstanding. A "Certificate of Completion" shall mean a certificate issued by the New York State Department of Labor which recognizes a person's successful completion, within the 12 month period immediately preceding the date of the construction contract, of a qualified apprenticeship and the training program registered approved by Commissioner of the New York State Department of Labor in accordance with the New York Labor Law and 12 NYCRR §600.00 et seq., and any amendments thereto. The Department of General Services may waive the Apprenticeship requirement for Public Works projects exceeding \$250,000.00 in cost if the project involves a specialty trade and it has been determined that including the Apprenticeship requirement will not allow a sufficient number of companies to respond to the contract solicitation, will not foster a competitive environment amongst potential bidders and will not be in the best financial interests of the Town of Babylon.

Prior to entering into a construction agreement with the Town of Babylon for any public works contract that exceeds \$250,000.00, each of the general contractor, subcontractor, or applicant (as the case may be, and hereinafter the "Contractor") shall provide (i) a list of all trades or classifications of workers it anticipates engaging on the construction project given the type and scope of work to be performed and (ii) documentation to show that it has apprenticeship agreements appropriate for said type and scope of work to be performed which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law, and at least one (1) Certificate of Completion from each apprenticeship training program with which it has an apprenticeship agreement. The Contractor must also submit then current New York State Department of Labor approved Form AT-401 certificates or similar certificates demonstrating that there is at least one (1) apprentice currently enrolled in each apprenticeship training program for the type and scope of work to be performed on the construction contract, and if the Contractor is to be a signatory to a sponsored apprenticeship training program, it must submit to the Town a letter from the sponsor of the apprenticeship training program(s), verifying of the Contractor's signatory status as a participating entity approved by the Commissioner of the New York State Department of Labor to employ New York State registered apprentices. If a contractor is a signatory to a sponsor, the contractor must submit to the Town a letter from the sponsor verifying its signatory status.

It shall be a contractor's responsibility to submit the required Certificates of Completion as part of any bid submitted in connection with a construction contract and to provide to the Department of General Services the identity of apprentices who have graduated from their apprenticeship program.

In recognition of the Governor's Office of Storm Recovery and the Town of Babylon being committed to meet a 30% M/WBE goal of this project, the Town of Babylon will waive the requirement of approved apprentice program for New York State Certified M/WBE sub contractors only, in order to assist Prime Contractors to achieve this goal and facilitate compliance.

D. COMPETITIVE PROPOSALS

1. Conditions for Use. Competitive proposals (including turnkey proposals for development) may be used if there is an adequate method of evaluating technical proposals and where the Town of Babylon determines that conditions are not appropriate for the use of sealed bids. An adequate number of qualified sources shall be solicited after advertisement.
2. Solicitation. The Request for Proposals (RFP) shall clearly identify the relative importance of price and other evaluation factors and sub-factors, including the weight given to each technical factor and sub factor. A mechanism for fairly and thoroughly evaluating the technical and price proposals shall be established before the solicitation is issued. Proposals shall be handled so as to prevent disclosure of the number of offerors, identity of the offerors, and the contents of their proposals. The proposals shall be evaluated only on the criteria stated in the request for proposals. Where appropriate, prices should be evaluated separately from other criteria.
3. Negotiations. Unless there is no need for negotiations with any of the offerors, negotiations shall be conducted with offerors who submit proposals determined to have a reasonable chance of being selected for award, based on evaluation against the technical factors and price consideration as specified in the RFP. Such offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and revision of proposals. The purpose of negotiations shall be to seek clarification with regard to and advise offerors of the deficiencies in both the technical and price aspects of their proposals so as to assure full understanding of and conformance to the solicitation requirements. No offeror shall be provided information about any other offeror's proposal, and no offeror shall be assisted in bringing its proposal up to the level of any other

proposal. Offerors shall not be directed to reduce their proposed prices to a specific amount in order to be considered for award. A common deadline shall be established for receipt of proposals, revisions and the best and final offers.

4. Award. After evaluation of proposals and best and final offers, if any, the contract shall be awarded to the responsible firm whose qualifications, price and other factors considered, are the most advantageous to the Town of Babylon. Once a proposer has been chosen, final negotiations may be initiated by the town. All negotiations for either award or contract modification shall be supported by a memorandum of negotiation, listing the basis for each cost element and profit.
5. Architect/Engineer/Planning/Consultant Services for Federally Funded Projects. Architect/engineer/planning/consultant services for federally funded projects in the excess of the small purchase limitation may be obtained by either the competitive proposals method or qualifications-based selection procedures. Sealed bidding, however, shall not be used to obtain architect/engineer/consultant services. Under qualifications-based selection procedures, competitors' qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services except those outlined herein and in the enabling legislative resolution.

The Department of General Services will maintain a file on the qualifications of engineering and other consulting firms. Information submitted shall include background, a detailed prior projects history, and qualifications of principals and significant individuals in the firm, proposed hourly rates, and multiplier to be charged if any.

E. NON-COMPETITIVE PROPOSALS

1. Conditions for use. Procurements shall be conducted competitively to the maximum extent possible. Procurement by non-competitive proposals may be used only when the award of a contract is not feasible using small purchase procedures, sealed bids, or competitive proposals, and one of the following applies;
 - a. The item is available only from a single source, based on a good faith review of available sources;
 - b. An emergency exists that seriously threatens the public health, welfare or safety, or endangers property, or would otherwise cause serious injury to the Town of Babylon, as may arise by reason of a flood, earthquake, epidemic, riot, equipment failure, or similar event. In such cases, there must be an immediate and serious need for materials, supplies, services, or construction that the need cannot be met through any other procurement methods, and the emergency procurement shall be limited to those materials, supplies, services, or construction necessary to meet the emergency. This emergency must be declared by duly adopted resolution by the Town of Babylon Town Board in open session and with detailed justification, however, should the emergency require immediate action, the Commissioner may let the appropriate contract and shall state to the Town Board in writing, the emergency and the justification for letting the contract without Town Board approval.
 - c. HUD authorizes the use of non-competitive proposals; or
 - d. After solicitation of a number of sources, competition is determined inadequate or nonexistent.
 - e. Obvious factors, other than price only, must be considered.
 - f. The Town Board, in accordance with N.Y. State law, has adopted a resolution standardizing on a particular manufacturer and a resulting sole supplier situation exists.
2. Justification. Each procurement based on non- competitive proposals shall be supported by a written justification for using such procedures. The justification shall be approved in writing by the Commissioner/Director of Purchasing.
3. Price reasonableness. The reasonableness of the price for all procurements based on non-competitive proposals shall be determined by performing a cost analysis, as described in Section F, Paragraph 3, below.

F. PROFESSIONAL SERVICES

1. General. “Professional services” are occupations in the tertiary sector of the economy requiring special training in the arts or sciences. Some professional services require holding professional licenses such as architects, auditors, engineers, planning, doctors and lawyers. Other professional services involve providing specialist business support to businesses of all sizes and in all sectors; this can include tax advice, supporting a company with accounting, IT services or providing management advice.
2. Procedure of obtaining quotes for Professional Services. The procedure for obtaining written or fax quotes will be as follows. The requesting department will forward specifications of the professional service to the Department of General Services. The requesting department may include a list of possible vendors. All quotes must be taken off of a bid list. Any qualified and responsible firm may apply to be placed on the list. The Department of General Services will prepare a standardized quotation form and mail or fax said form to the appropriate number of vendors. Vendors will return completed quotation forms to the Department of General Services. The Commissioner will select the lowest responsible vendor and notify the department. The requesting department will then complete a requisition and submit it to the Department of General Services for processing.
3. Professional Consultant Evaluation Committee. A Professional Consultant Evaluation Committee consisting of the Commissioner, Commissioner of Planning & Development, Commissioner of Dept. of Public Works, and Chief of Staff, Deputy Supervisor, Comptroller and Town Attorney will meet to review the proposals of all firms and choose the firm found to be the most qualified for a particular project. The committee shall meet on the first Thursday of every month to review professional services proposals. Whenever a formal committee meeting is impractical as the result of an emergency, the committee may convene electronically to evaluate and provide recommendations to the Board, provided that the Department of General Services has reviewed the proposal and affirms that the content of the professional services proposal complies with this policy. For purposes of this subsection only, “Emergency” shall be defined as a declaration of emergency by the federal, state, county, or town government, an act of God, perils of the sea or air, landslide, earthquake, fire, explosion, flood; acts of a public enemy, war, blockade, insurrection, riot or civil disturbance, or similar occurrence; but not including reasonably anticipated weather conditions for the geographic area of the Town. The committee will then negotiate an appropriate fee for the project with the firm selected.
4. Professional services of \$25,000 or less. For professional services below \$25,000, only one quotation need be solicited if the price received is considered reasonable. Such services should be distributed among-qualified sources. If practical, a quotation shall be solicited from other than the previous source before arranging the services.
5. Professional Services over \$25,000 but less than \$100,000. For professional services in excess of \$25,000 but not exceeding \$100,000 no less than three offerors shall be solicited to submit price quotations, which must be obtained, in writing, by fax or electronic mail, as allowed by State law. Award shall be made to the responsible offeror providing the lowest acceptable quotation, unless otherwise justified in writing or other specified circumstances, such as for architect-engineer, or other professional consultant service contracts. If non-price factors are used, they shall be disclosed to all those solicited. The names, addresses, and/or telephone numbers of the offerors and persons contacted, and the date and amount of each quotation shall be recorded and maintained as a public record. Quotations from one vendor or supplier shall not be disclosed to another vendor or supplier. These quotations must be attached to the requisition when submitted to the Dept. of General Services for review and approval.
6. Professional Services exceeding \$100,000. For professional services in excess of \$100,000 may be obtained by either the competitive proposals method or qualifications-based selection procedures. Sealed bidding, however, shall not be used to obtain architect/engineer/consultant services. Under qualifications-based selection procedures, competitors’ qualifications are evaluated and the most qualified competitor is selected, subject to the negotiation of fair and reasonable compensation. Price is not used as a selection factor under this method. Qualifications-based selection procedures shall not be used to purchase other types of services except those outlined herein and in the enabling legislative resolution. A Professional Consultant Evaluation Committee will review the competitive proposals or qualifications-based selections.

G. COST AND PRICE ANALYSIS

1. General. In general, a cost or price analysis shall be performed for all procurement actions, including contract modifications. The method of analysis shall be determined by Commissioner/Director of Purchasing. The degree of analysis shall depend on the facts

surrounding each procurement and the need for said analysis.

2. Submission of Cost or Pricing Information. If the procurement is based on noncompetitive proposals, or when only one offer is received, or for other procurements as deemed necessary by the Town of Babylon, the offeror shall be required to submit:
 - a. A cost breakdown showing projected costs and profit;
 - b. Commercial pricing and sales information, sufficient to enable the Town of Babylon to verify the reasonableness of the proposed price as a catalog or market price of a commercial product sold in substantial quantities to the general public; or
 - c. Documentation showing that the offered price is set by law or regulation.

The Commissioner/Director of Purchasing may elect to re-bid a contract or bid if, in his/her determination, insufficient proposals are received or if the specifications are found to be insufficient or ambiguous.

3. Cost Analysis: Cost analysis shall be performed if an offeror/contractor is required to submit a cost breakdown as part of its proposal. When a cost breakdown is submitted: a cost analysis shall be performed of the individual cost elements; the Town of Babylon shall have a right to audit the contractor's financial records and any other records pertinent to such costs; and profit shall be analyzed separately. Costs shall be allowable only to the extent that they are consistent with applicable Federal cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation, 48 CFR Chapter 1, if federal funds are involved). In establishing profit, the Town of Babylon shall consider factors such as the complexity and risk of the work involved the contractor's investment and productivity, the amount of sub-contracting, the quality of past performance, and industry profit rates in the area for similar work.
4. Price Analysis a comparison of prices shall be used in all cases other than those described in Section F, Paragraph 3 above, to the extent practical.
5. Extension of Contract Periods Where appropriate, non-federally funded purchases or contracts only, may be extended for two additional one-year periods at the sole discretion of the Commissioner/Director of Purchasing and with consent of the vendor or contractor, providing that provisions for the extension were a part of the original solicitation.

H. CANCELLATION OF SOLICITATIONS

1. The Town of Babylon reserves the right to reject any and/or all bids.
2. An invitation for bids, request for proposals, or other solicitation may be canceled before bids are due if: (a) the Town of Babylon no longer requires the supplies, services or construction; (b) the Town of Babylon can no longer reasonably expect to fund the procurement; (c) proposed amendments to the solicitation would be of such magnitude that a new solicitation would be desirable; or (d) any other similar reasons when it is in the best interest of the Town.
3. A solicitation may be canceled and all bids or proposals that have already been received may be rejected if: (a) the supplies, services, or construction are no longer required; (b) ambiguous, erroneous or otherwise inadequate specifications were part of the solicitation; (c) the solicitation did not provide for consideration of all factors of significance to the Town of Babylon; (d) prices exceed available funds and it would not be appropriate to adjust quantities to come within available funds; (e) there is reason to believe that bids or proposals may not have been independently arrived at in open competition, may have been collusion, or may have been submitted in bad faith; (f) for good cause of a similar nature when it is in the best interest of the Town of Babylon; or (g) if specifications are insufficient, deficient, or incorrect.
4. The reasons for cancellation shall be documented in the procurement file and the reasons for cancellation and/or rejection shall be provided upon request to any offeror solicited.
5. A notice of cancellation shall be sent to all offerors solicited and, if appropriate, shall explain, if applicable, that they will be given an opportunity to compete on any re- solicitation or future procurement of similar items. If bids have already been received but unopened, they may be returned to the offeror.

6. If all otherwise acceptable bids received in response to an invitation for bids are at unreasonable prices, or only one bid is received and the price is unreasonable, the Town of Babylon shall cancel the solicitation and either:
 - a. re-advertise for bids, if time permits; or
 - b. re-solicit using a request for proposal; or
 - c. complete the procurement by using the competitive proposals method, following Section D, Paragraph 3 and 4 above (when more than one otherwise acceptable bid has been received), or by using the non- competitive proposals method and following Section E Paragraph 2 above, (when only one bid is received at an unreasonable price); provided, that the Commissioner/Director of Purchasing determines in writing that such action is appropriate, all bidders are informed of the Town of Babylon's intent to negotiate, and each responsible bidder is given a reasonable opportunity to negotiate.

I. COOPERATIVE PURCHASING

The Town of Babylon may enter into agreements with municipal corporations to purchase or use common goods and services. Any city, town, county village, fire district, school district, BOCES and town or county improvement districts may enter into cooperative purchase agreements amongst themselves. The decision to use an inter-governmental agreement or conduct a direct procurement shall be based on economy and efficiency. If used, the inter-governmental agreement shall stipulate who is authorized to purchase on behalf of the participating parties and shall specify inspection, acceptance, termination, payment, and other relevant terms and conditions. Properly approved and executed inter-municipal agreements must be executed by the Town and any city, town, county village, fire district, school district, BOCES and town or county improvement districts. These agreements should have a term after which such agreements should be renewed subject to mutual agreement of both parties. All laws relating to competitive bidding or competitive offering must be complied with and the cooperative agreement must be approved by each board, must be in place prior to the solicitation of bids.

The Town of Babylon may also make purchases, or may contract for services, other than services subject to Article 8 or 9 of the labor law, when available, through the county in which the political subdivision or district is located or through any county within the state subject to the rules established pursuant to subdivision two of section four hundred eight-a of the county law.

The Town of Babylon further may make such purchases, except of printed material, through the New York State Office of General Services subject to such rules as may be established from time to time pursuant to section one hundred sixty-three of the state finance law or through the general services administration pursuant to section 1555 of the federal acquisition streamlining act of 1994, P.L. 103-355; provided that any such purchase shall exceed five hundred dollars.

The Town of Babylon is encouraged to use Federal or State excess and surplus equipment or property instead of purchasing new equipment and property whenever such use is feasible and reduces project costs.

The Town, pursuant to General Municipal law 103, Subdivision 16 authorizes political subdivisions to purchase apparatus, materials, equipment and supplies and to contractor for services related to the installation, maintenance, or repair of those items through the use of contracts let by the United States or any agency thereof, any state or any political subdivision or district therein. The contract must be let in a manner that constitutes competitive bidding "consistent with state law" and made available for use by other governmental entities.

There are three (3) prerequisites that must be met in order for a procurement of apparatus, materials, equipment and supplies, and related installation, repair and maintenance services, to fall within this exception:

1. The contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein. Therefore, there must be an underlying contract let by one of the listed governmental entities. Contracts developed for use by local governments that are let by private parties (e.g. a private company, association or not-for-profit corporation is the party awarding the contract to the vendor) and by the United States or any agency thereof, any state or any other political subdivision or district therein, would not fall within this exception. The phrase "any state or other political subdivision or district therein" clearly includes other states and political subdivisions. It also includes New York State political subdivisions.
2. The contract must have been made available for use by other governmental entities. This means that the other governmental entity has taken steps to make its contract available for New York local

governments. In general, this would occur by inclusion in the contract let by the other entity of a clause extending the terms and conditions of the contract to other governmental entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within this exception.

3. The contract must have been let in a manner that constitutes competitive bidding “consistent with state law”.

IV. CONTRACTOR QUALIFICATIONS AND DUTIES

A. CONTRACTOR RESPONSIBILITY

Procurements shall be conducted only with responsible contractors, i.e., those who have the technical and financial competence to perform and who have a satisfactory record of integrity. Before awarding a contract, the Town of Babylon shall review the proposed contractor’s ability to perform the contract successfully, considering factors such as the contractor’s integrity, compliance with public policy, compliance with applicable State, County and local regulations, record of past performance (including contacting previous clients of the contractor, such as other towns), and financial and technical resources of the firm or individual. If a prospective contractor is found by the Commissioner to be non-responsible, a written determination of non-responsibility shall be prepared and included in the contract file, and the prospective contractor shall be advised in writing of the reasons for the determination. The prospective contractor, within five (5) days of receipt of written notice, may demand an opportunity to present evidence both orally and in writing to the Commissioner or his/her designee. If a demand for an opportunity to present evidence is received, the Commissioner shall schedule a hearing at which time the prospective contractor and counsel may be present and offer evidence. Within ten (10) business days, the Commissioner shall advise the prospective contractor whether the prospective contractor is deemed a responsible bidder and shall provide a written decision if the prospective contractor is deemed irresponsible. The Commissioner shall advise the Town Board of his/her decision regarding an irresponsible bidder and the Town Board shall state, by resolution, its determination whether a prospective contractor is irresponsible and provide a reason if a prospective contractor is determined to be irresponsible.

B. SUSPENSION AND DEBARMENT

Contracts shall not be awarded to debarred, suspended or ineligible contractors as determined by the New York State Department of Labor. Contractors may be suspended, debarred, or determined ineligible by the Town of Babylon or HUD in accordance with HUD regulations (24 CFR Part 24) when necessary to protect the Town of Babylon in its business dealings. The Commissioner/Director of Purchasing may elect to hold a hearing at which time all facts concerning the matter may be discussed. The Commissioner shall be responsible to check all potential contractors to determine if they have been debarred, suspended or formally declared an irresponsible bidder.

C. QUALIFIED BIDDER’S LISTS

Interested and qualified businesses shall be given an opportunity to be included on qualified bidder’s lists. Any pre-qualified lists of persons, firms, or products which are used in the procurement of supplies and services shall be kept current and shall include enough qualified sources to ensure competition. Firms shall not be precluded from qualifying during the solicitation period. Solicitation mailing lists of potential contractors shall include, but not be limited to such pre-qualified suppliers. Concurrent with the advertisement of a bid, all vendors on the appropriate bid list shall be notified by mail of availability of the bid. For the purpose of economy, the Town will delete firms from its bid list who fail to respond to solicitations to bid.

V. TYPES OF CONTRACTS, CLAUSES, AND CONTRACT ADMINISTRATION

A. CONTRACT TYPES

Any type of contract which is appropriate to the procurement and which will promote the best interests of the Town of Babylon may be used, provided that the cost-plus-a-percentage-of-cost and percentage of construction cost methods are prohibited. All procurements shall include the clauses and provisions necessary to define the rights and responsibilities of the parties. A cost reimbursement contract shall not be used unless it is likely to be less costly or it is impractical to satisfy the Town of Babylon’s needs otherwise, and the proposed contractor’s accounting system is adequate to allocate costs in accordance with applicable cost principles (for commercial firms, Subpart 31.2 of the Federal Acquisition Regulation (FAR), found in 48 CFR Chapter 1). A time and material contracts may be used only if a written determination is made that no other contract type is suitable, and the contract includes a ceiling price that the contractor exceeds at its own risk.

B. OPTIONS

Options for additional quantities or performance periods may be included in contracts, provided that: (a) the option is contained in the solicitation; (b) the option is a unilateral right of the Town of Babylon with the concurrence of the vendor; (c) the contract states a limit on the additional quantities and the overall term of the contract; (d) the options are evaluated as part of the initial competition; (e) the contract states the period within which the options may be exercised; (f) the options may be exercised only at the price specified in or reasonably determinable from the contract; that reasonable increases may be granted if deemed to be in the best interest of the Town and in the sole discretion of the Town; (g) the options may be exercised only if determined to be more advantageous to the Town of Babylon than conducting a new procurement; and (h) the scope of the contract is not being significantly altered.

C. CONTRACT CLAUSES

In addition to other provisions required by the Federal agency or non-Federal containing a clause identifying the contract type, all contracts for federally funded programs shall include any clauses required by Federal statutes, executive orders, and their implementing regulations, as provided in 2 CFR 200 Appendix II, such as the following:

1. Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate,
2. All contracts in excess of \$10,000 must address termination for default and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement,
3. Equal Employment Opportunity,
4. Davis-Bacon Act and Copeland anti-kickback Act,
5. Contract Work Hours and Safety Standards Act,
6. Rights to inventions made under a contract or agreement,
7. Clean air act and the Federal Water Pollution Control Act,
8. Debarment and Suspension,
9. Byrd Anti-Lobbying Amendment,
10. Procurement of recovered materials.

D. The operational procedures required by section H paragraph A of this statement shall contain the text of all clauses and required certifications (such as required non-collusive affidavits) used by the Town of Babylon.

E. Price Increases: The Commissioner may grant a price increase for all or part of the goods referenced in any duly awarded contract, provided the vendor has provided the Commissioner/Director of Purchasing with written substantiation of the increase from their supplier/manufacturer. The price increase cannot exceed the amount of the requested increase by the supplier to the vendor. The Commissioner may elect to deny the request for an increase and rebid the entire contract. A request for an increase cannot be submitted until four (4) months from the date of the contract awarded.

F. CONTRACT ADMINISTRATION

A contract administration system designed to ensure that contractors perform in accordance with their contracts shall be maintained. The operational procedures required by Section HA above shall contain guidelines for inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters. For cost reimbursement contracts with commercial firms, costs are allowable only to the extent that they are consistent with the cost principles in FAR Subpart 31.2.

VI. SPECIFICATIONS

A. GENERAL

All specifications shall be drafted so as to promote overall economy for the purposes intended and to encourage competition in satisfying the Town of Babylon's needs. Specifications shall be reviewed prior to solicitation to ensure that they are not unduly restrictive or represent unnecessary duplicative items. Functional or performance specifications are preferred. Overly detailed product specifications shall be avoided whenever

possible. Considerations shall be given to consolidating or breaking out procurements to obtain a more economical purchase (but see VIII below). For equipment purchases, a comparative analysis of a lease versus purchase analysis may be performed, whenever feasible, to determine the most economical form of procurement.

B. LIMITATIONS

The following specification limitations shall be avoided: Whenever possible geographic restrictions will not be mandated or encouraged (in accordance to applicable Federal law) (except for architect/engineer/consultant contracts, which may include geographic locations as a selection factor if adequate competition is available); unnecessary bonding or experience requirements; brand name specifications, to the extent practical, (unless a written determination is made that only the identified item will satisfy the Town of Babylon's needs); brand name or equal specifications (unless they list the minimum essential characteristics and standards to which the item must conform to satisfy its intended use or the brand name is being utilized to set a standard, but not overly restrict the competitive bidding process). Nothing in this procurement policy shall preempt any State licensing laws. Specifications shall be scrutinized to ensure that organizational conflicts of interest do not occur (for example, having a consultant perform a study of the Town of Babylon's computer needs and then allowing that consultant to compete for the subsequent contract for the computers).

VII. PROCUREMENT WHERE CDBG/HOME FUNDS ARE USED

A. REQUESTS FOR PROPOSALS (RFP)

1. 2 CFR 200.320(d) - Procurement by competitive proposals, provides that the technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.
 - a. The competitive proposals method is the preferred method to use when procuring consulting services.
2. If this method is used the following requirements apply:
 - a. RFP will be publicized and identify all evaluation factors and their relative importance. Any response to publicized RFP shall be honored to the maximum extent practical;
 - b. Proposals will be solicited from an adequate number of qualified sources; Grantees and sub-grantees will have a method for conducting technical evaluations of the proposals received and for selecting awardees;
 - c. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - d. Grantees and sub-grantees may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort
3. RFP Implementation Process
 - a. A RFP is prepared containing a statement of work that details the procurement requirements needed by the recipient/sub-recipient.
 - b. The RFP must clearly state selection criteria against which all responding proposals will be evaluated.
 - c. If an adequate number of professional service providers respond to the RFP, a qualified panel will review the proposals against factors for award identified in the RFP.
 - d. If discussions are held (by the panel), "best and final offers" are requested and re-scored with the best of the best selected as the winner of the competition, subject to negotiation of a fair and reasonable price.
 - e. After proposals are reviewed by the panel against the evaluation criteria (combination of price and cost factors) in the RFP, written results of the reviews must be maintained as part of the

documentation of the procurement process.

- f. If requested, the recipient/sub-recipient should debrief or notify unsuccessful offeror of the winner and the conclusion of the procurement process.

B. SMALL PURCHASES

1. *2 CFR 200.320(b)*- Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies or other property that do not cost more than the simplified acquisition threshold, currently set at 150,000 for 2018. If small purchase procurements are used, price or rate quotations will be obtained from an adequate number of qualified sources.
2. Small Purchase Implementation Process
 - a. It is necessary to obtain price or rate quotations from an adequate number (3-5) of qualified sources.
 - b. To obtain rate and price quotations vendors can be phoned and their names, addresses and price or rate quotations should be recorded.
 - c. The vendors whose solicited information is the most responsive to the item being procured should be issued a purchase order.

C. SEALED BIDS

1. *2 CFR 200.320(c)*- Procurement by sealed bids (formal advertising) are publicly solicited and a firm-fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
 - a. The sealed bid method is the preferred method for procuring construction services.
2. Sealed Bid Implementation Process
 - a. This method of procurement must involve use of a public solicitation (issuance of an invitation for bid ("IFB")) with specifications to be responded to that are not overly restrictive.
 - b. Award is to be made to the most responsive and responsible bidder whose bid conforms in all the material terms and conditions to the IFB and is the lowest in price.
 - c. Selection of a consultant can be principally made on the basis of a firm, fixed price (lump sum or unit price).

D. USE OF NON-COMPETITIVE PROCEDURES

1. *2 CFR 200-320(f)* - Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source.
 - a. Procurement by noncompetitive proposals may only be used when the award of a contract is infeasible under small purchase procedures, sealed bids or competitive proposals and one or more of the following circumstances applies:
 - i. The item is available only from a single source;
 - ii. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - iii. The awarding agency expressly authorizes noncompetitive proposals; or
 - iv. After solicitation of a number of sources, competition is determined inadequate.
2. Non-Competitive Implementation Process:
 - a. Examples of Non-Competitive procedures include when a contract runs out that does not contain a provision calling for work for more than one year, and the contract is renewed to the same contractor without competition on the belief that the renewal is justified because of the experience accumulated by the contractor in the subject area of work (or because of the perception that a new procurement initiative would be no more than an exercise with the current contractor being selected anyway).
 - b. If there is no provision for extending the contract, a provision that would have been made known to all parties in the solicitation document, the preponderance of odds seemingly favoring one contractor is not an adequate basis on which to justify the exclusion of potential providers of

consulting service from the right to compete.

VIII. APPEALS AND REMEDIES

A. GENERAL

It is the Town of Babylon's policy to attempt to resolve, to the extent possible, all contractual issues informally at the departmental level, without litigation. Disputes involving federally funded projects shall not be referred to HUD until all administrative remedies have been exhausted at the Town of Babylon level. When appropriate, the Town of Babylon may consider the use of informal discussions between the parties by individuals who did not participate substantially in the matter in dispute, to help resolve the differences. HUD will only review protests in cases of violations of Federal law or regulations and failure of the Town of Babylon to review a complaint or protest.

B. BID PROTESTS

Any actual or prospective contractor/vendor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitation must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to the Commissioner/Director of Purchasing or designee, who shall issue a written decision on the matter. The Commissioner/Director of Purchasing may, at his or her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented. The Commissioner/Director of Purchasing may elect to hold a hearing to investigate and gather facts regarding the bid protests. The Commissioner/Director of Purchasing will issue an evaluation of the bid protests and document in writing.

C. CONTRACT CLAIMS

All claims by a contractor/vendor relating to performance of a contract shall be submitted within fifteen (15) days of when the claim arose in writing to the Commissioner/Director of Purchasing or designee for a written decision. The contractor may request a conference on the claim.

IX. ASSISTANCE TO SMALL AND OTHER BUSINESSES

A. REQUIRED EFFORTS

1. Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, the Town of Babylon shall make efforts to ensure that small and minority-owned businesses, women's business enterprises, and individuals or firms located in or owned in substantial part by persons residing in the area of a Town of Babylon project are used when possible and not in violation of State law or in conflict with any other section of this policy. Such efforts shall include, but shall not be limited to:
 - a. Including such firms, when qualified, on solicitation mailing lists;
 - b. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, to extent practical, and not in violation of State law, into smaller tasks or quantities to permit maximum participation by such firms;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
 - e. Using the services and assistance of the Small Business Administration, the Minority Business Development Agency of the Department of Commerce, and the New York State Department of Economic Development;
 - f. Including in contracts a clause recommending that contractors, to the greatest extent feasible, to provide opportunities for training and employment for lower income residents of the project area and to award sub-contracts for work in connection with the project to business concerns which are located in, or owned in substantial part by persons residing in the area of the project, as described in 24 CFR 135;
 - g. Recommending prime contractors, when sub-contracting is anticipated, to take the positive steps listed in (A)(1)(a) through (A)(1)(f) above.
2. Goals may be established by the Town of Babylon periodically for participation by small businesses,

minority-owned businesses, women's business enterprises, labor surplus area businesses, and business concerns which are located in, or owned in substantial part by persons residing in the area of the project, in the Town of Babylon's prime contracts and sub-contracting opportunities. All of the above must be in full compliance with New York State General Municipal Law.

B. DEFINITIONS

1. A small business is defined as a business which is: independently owned; not dominant in its field of operation; and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 shall be used, unless the Town of Babylon determines that their use is inappropriate.
2. A minority-owned business is defined as a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.
3. A women's business enterprise is defined as a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.
 4. A labor surplus area business is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the U.S. Department of Labor in 20 CFR 654, Subpart A, and in lists of labor surplus areas published by the Employment and Training Administration.
 5. A business concern located in the area of the project, is defined as an individual or firm located within the relevant Section 3 covered project area, as determined pursuant to 24 CFR 135.15, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above. A business concern owned in substantial part by persons residing in the area of the project is defined as a business concern which is 51% or more owned by persons residing within the Section 3 covered project, owned by persons considered by the U.S. Small Business Administration to be socially or economically disadvantaged, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above.
 6. The Town of Babylon will utilize the New York State certification process for minority owned businesses and women owned businesses as provided by State of New York. The Town will utilize listings of minority owned businesses and women owned business as published by the State of New York to enhance its current bidder's lists.

X. ETHICS IN PUBLIC CONTRACTING

A. GENERAL

The Town of Babylon shall adhere to the following code of conduct, consistent with applicable State or local law.

B. CONFLICT OF INTEREST

No employee, officer or agent of this Town of Babylon shall participate directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved. Such conflict would arise when a financial or other interest in a firm selected for award is held by:

1. An employee, officer or agent involved in making the award;
2. His/her relative (including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister);
3. His/her partner; or,
4. An organization which employs, is negotiating to employ, or has an arrangement concerning prospective employment of any of the above.

The Code of Ethics as specified by the Town of Babylon will be adhered to by all employees.

All offerors and bidders shall submit a statement acknowledging that there are no employees, officers or agents of the Town of Babylon participating directly or indirectly in the selection or in the award or administration of any contract if a conflict, real or apparent, would be involved.

C. GRATUITIES, KICKBACKS AND USE OF CONFIDENTIAL INFORMATION

Town of Babylon officers, employees or agents shall not solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-contractors in violation of the Town Code of Ethics, and shall not knowingly use confidential information for actual or anticipated personal gain.

D. PROHIBITION AGAINST CONTINGENT FEES

Contractors shall not retain a person to solicit or secure a Town of Babylon contract for a commission, percentage, brokerage, or contingent fee, except for bona fide employees or bona fide established commercial selling agencies.

RESOLUTION NO. 33 JANUARY 6, 2021
ADOPTING THE TOWN OF BABYLON INVESTMENT POLICY

The following resolution was offered by Councilman Gregory
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 Town of Babylon Investment Policy, available
for review at the Office of the Town Clerk as Schedule "A", is hereby adopted.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 34 JANUARY 6, 2021
AUTHORIZING 2021 INTERFUND TRANSFER**

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 2021 Interfund Transfer is
hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<u>Capital Project Fund</u>		
H11 – Various Parks Improvements Interfund		
Transfer		
H11.0000.5031	\$ 50,000.00	
Professional and Engineering Services		
H11.7197.20	\$ 50,000.00	
<u>Special Revenue Fund</u>		
Transfer to Capital Project Fund Interfund		
Transfer		
CM.9950.90	\$ 50,000.00	
Recreation, Equipment and Capital Outlay		
Program Operations		
CM.7197.47		\$ 50,000.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 35 JANUARY 6, 2021
AUTHORIZING 2020 BUDGET MODIFICATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the
recommendation of the Town Comptroller, that the following 2020 Budget Modification is
hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>		
Parks		
Overtime		
A.7110-19	\$ 45,000	
Central Garage		
Program Operations		
A.1640-47		\$ 45,000
Tax Collector		
Program Operations		
A.1330.47	\$ 9,802	
Professional and Technical Services		
A.1330.44		\$ 5,372
Miscellaneous		
A.1330.49		\$ 1,130
Office Supplies		
A.1330.41		\$ 3,300
Administrative		
A.1330.13	\$ 3,000	
Part Time Labor		
A.1330.17		\$ 3,000
<u>Highway Fund</u>		
Maintenance of Streets		
Overtime		
DB.5110-19	\$ 75,000	
Full time labor		
DB.5110-15		\$ 25,000
Part time labor		
DB.5110-17		\$ 25,000
Highway Machinery		
Overtime		
DB.5130-19	\$ 5,000	
Full time labor		
DB.5130-15		\$ 5,000

Street Administration

Program Operations
DB.5010-47 \$ 25,000

Brush & Weeds

Full time labor
DB.5140-15 \$ 131,418

Repairs and Maintenance
DB.5140-46 \$ 128,711

Snow Removal

Full time labor
DB.5142-15 \$ 131,418

Overtime
DB.5142-19 \$ 294,250

Program Operations
DB.5142-47 \$ 128,711

Special Lighting Fund

Street Lighting

Overtime
SL.5182-19 \$ 10,000

Part time labor
SL.5182-17 \$ 10,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 36 JANUARY 6, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 53 OF THE BABYLON TOWN CODE (Department of Receiver of Taxes)

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

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 3rd day of February, 2021 at 3:30 p.m., prevailing time, to consider amending Chapter 53 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"

AMEND

§ 53-2 Department established; powers and duties of Receiver of Taxes.

A. There shall be in the Town of Babylon a Department of the Receiver of Taxes. The principal executive officer and administrative head of such Department shall be the Receiver of Taxes, who shall be elected to said office for the term fixed by law at such salary as may from time to time be fixed by said Town Board. The Receiver of Taxes shall be the head of the Department, with power and authority to appoint and remove officers and employees under his jurisdiction in accordance with civil service law and other applicable law.

(B) Powers and duties of Commissioner.

- (1) The Receiver of Taxes is empowered herein to appoint a Deputy Receiver of Taxes who shall generally act for and on 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.
- (2) The Receiver of Taxes is also empowered herein to appoint a confidential secretary and an executive assistant to the Receiver for such administrative functions as may be assigned and to advise and aid the Receiver in the planning and coordination of projects and policies of the Department.
- (3) Before entering upon the duties of his office, the Receiver or Taxes shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such form as approved by the Town Attorney

**RESOLUTION NO. 37 JANUARY 6, 2021
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 Gregory
and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 20th day of January, 2020 at 7:00 p.m., prevailing time, to consider amending Chapter 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit “A”; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT “A”

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

ADD to Schedule K:

<u>Name of Street/Side</u> <u>Location</u>	<u>Hamlet</u>	<u>Regulation</u>	<u>Hours/</u> <u>Days</u>
Conner Lane / South side From 35 feet +/- West of the east driveway To Bldg. Number 7, west for 75 feet +/-	DP	No Parking	ALL

**RESOLUTION NO. 38 JANUARY 6, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 2, ARTICLE V, SECTION 2-10 OF THE TOWN OF BABYLON UNIFORM
CODE OF TRAFFIC ORDINANCES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 20th day of January, 2021 at 7:00 p.m., prevailing time, to consider amending Chapter 2, Article V, Section 2-10 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit “A”; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT “A”
Chapter 2, Article V, Section 2-10
[Traffic Regulations; Speed Limits; Exceptions to General Speed Limit]

DELETE from Schedule I:

<u>Name of Street</u>	<u>Hamlet</u>	<u>(mph)</u>	<u>Location</u>
Commack Road (County Road 4)	DP	40	Between Bay Shore Road (County Road 57) and the Babylon-Huntington Townline, a distance of 2.5 miles +/-

ADD to Schedule I:

<u>Name of Street</u>	<u>Hamlet</u>	<u>(mph)</u>	<u>Location</u>
Commack Road (County Road 4)	DP	35	Between Bay Shore Road (County Road 57) and Grand Boulevard, a distance of 0.95 miles +/-
Commack Road (County Road 4)	DP	40	Between Grand Boulevard and the Babylon-Huntington Townline, a distance of 1.55 miles +/-

RESOLUTION NO. 39 JANUARY 6, 2021
AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTER MUNICIPAL
COOPERATION AGREEMENT BETWEEN BOARD OF EDUCATION OF THE
SACHEM CENTRAL SCHOOL DISTRICT AND THE TOWN OF BABYLON

The following resolution was offered by Councilman Martinez

and seconded by Councilman Manetta

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with Board of Education of the Sachem Central School District, in order to allow Sachem to access and utilize a bid issued by the Town involving installation, maintenance and repair of synthetic turf field, in accordance with General Municipal Law Section 103; and be it

RESOLVED, that the agreement is subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.