



**Town Board Meeting**  
**Wednesday, March 29, 2023 at 3:00 PM**

- I. SALUTE TO THE FLAG**
- II. MOMENT OF SILENCE**
- III. CALL TO ORDER**
- IV. ROLL CALL**
- V. CONSENSUS RESOLUTION AGENDA**
  - 238. ACCEPTING TOWN BOARD MINUTES
  - 239. AUTHORIZING 2022 BUDGET MODIFICATION
  - 240. AUTHORIZING 2022 BUDGET MODIFICATION
  - 241. AUTHORIZING 2023 BUDGET MODIFICATION
  - 242. AUTHORIZING REFUND OF FEES
  - 243. AUTHORIZING RELEASE OF BOND
  - 244. AWARDING BID NO. 23G13 - PRINTING: SILKSCREEN TOWN OF BABYLON LICENSES & PERMITS
  - 245. AWARDING BID NO. 23G18 - LANDSCAPING SUPPLIES; WHOLESALE NURSERY CATALOG AND/OR WEBSITE
  - 246. AWARDING BID NO. 23G19 - PURCHASE OF BAGGED ICE WITH FREEZER FOR CEDAR BEACH MARINA
  - 247. AWARDING BID NO. 23G20 - PURCHASE OF ONE (1) OR MORE BANDALONG BANDIT 120 OR EQUAL
  - 248. AWARDING BID NO. 23G21 - SUPPLY, INSTALL & RELOCATE MOORING POLES AND CHANNEL MARKERS
  - 249. AWARDING BID NO. 23G22 - MOBILE SOUND SHELL STAGE, MODEL MSM 2800, SHOWMASTER 200 SERIES CENTUTY INDUSTRIES, INC. OR EQUAL

250. ACCEPTING THE CONTRACT WITH LiRo PROGRAM & CONSTRUCTION MANAGEMENT, PE, P.C. RFP NO. 16G94 - REQUEST FOR PROPOSALS FOR PROJECT MANAGEMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROJECTS OF VARYING SCOPES
251. AUTHORIZING A CONTRACT WITH VR MANAGEMENT SERVICES
252. AUTHORIZING PAYMENT TO AXON ENTERPRISE, INC.
253. AUTHORIZING PAYMENT TO TOOMEY'S MARINE SERVICES INCORPORATED D/B/A PEARL GREY MARINE
254. AUTHORIZING PAYMENT TO LIGHTHOUSE CLINICAL & CONSULTATION SERVICES, LLC
255. AMENDING THE ADMINISTRATIVE SALARY PLAN
256. AMENDING RESOLUTION APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES
257. ADOPTING AN INDEMNIFICATION POLICY FOR INDIVIDUALS PROVIDING SERVICES AS A CONSULTANT TO THE TOWN ATTORNEY OR THE DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT
258. ADOPTING THE TOWN OF BABYLON TECHNOLOGY USAGE POLICIES
259. AMENDING THE TOWN OF BABYLON PROCUREMENT POLICY
260. AUTHORIZING ADOPTION AND THE FILING OF THE COMMUNITY DEVELOPMENT PROGRAM 2023 ANNUAL ACTION PLAN, WHICH INCLUDES THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP, PROGRAMS LISTING OF PROPOSED PROJECTS FOR FISCAL YEAR 2023
261. AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME
262. PROCLAIMING SATURDAY, MAY 20, 2023, AS EAGLE SCOUT JENNIE BATTCHER DAY
263. PROCLAIMING MONDAY, MARCH 27, 2023, AS EAGLE SCOUT GEORGE ALVIN COHEN DAY
264. AUTHORIZING PERMISSION FOR A SIDEWALK PROCESSION ON APRIL 7, 2023, IN THE TOWN OF BABYLON FOR SS CYRIL & METHODIUS RC CHURCH
265. AUTHORIZING PERMISSION FOR A PARADE ON APRIL 15, 2023, IN THE TOWN OF BABYLON FOR THE NORTH BABYLON YOUTH LEAGUE
266. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

267. SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES
268. SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 6 LYN PLACE, WEST BABYLON, NY 11704, SCTM#0100-159.00-03.00-011.003, A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION
269. AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY TO QUALIFIED ENTITIES PROVIDING PROGRAMATIC SUPPORT

## **VI. RESOLUTION AGENDA**

270. AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY TO QUALIFIED ENTITIES PROVIDING WORK FORCE DEVELOPMENT
271. ACCEPTING THE CONTRACT ITH W.H.M. PLUMBING & HEATING CONTRACTORS, INC. FOR BID NO. 19G31FS – INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, FIRE SPRINKLER CONSTRUCTION AS COMPLETE AND ACCEPTABLE.
272. TOWN BOARD ENVIRONMENTAL DETERMINATION ON THE APPLICATION OF EMERSON CORNER CORP. FOR THE REZONING OF A PARCEL OF LAND AT SCTM NO. 0100-180.00-03.00-022.006 LOCATED ON THE NORTHWEST CORNER OF MONTAUK HIGHWAY AND N. EMERSON AVENUE IN COPIAGUE, NEW YORK
273. GRANTING REZONING APPLICATION OF EMERSON CORNER CORP (PB JOB #22-15ANE) FOR THE PREMISES IDENTIFIED AS SCTM#: 0100-180-03-022.006 LOCATED ON THE N/W/C/O MONTAUK HWY & N. EMERSON AVE, COPIAGUE
274. ADOPTING LOCAL LAW \_\_ OF 2023 - AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 15 (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)
275. AUTHORIZING THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT WITH ITAV-NURSE PRACTITIONER FAMILY HEALTH PLLC

## **VII. REMAINING GENERAL PUBLIC COMMENT**

## **VIII. ADJOURNMENT**

The next regularly scheduled Town of Babylon Board Meeting will be held on Wednesday, April 12, 2023, at 3:00 p.m.

**RESOLUTION NO. 238 MARCH 29, 2023  
ACCEPTING TOWN BOARD MINUTES**

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:

March 15, 2023

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 239 MARCH 29, 2023**  
**AUTHORIZING 2022 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2022 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<b><u>General Fund</u></b>		
<b>Nutrition Program</b>		
Administrative		
A.4526-13	\$ 3,144	
Full Time Labor		
A.4526-15	\$ 24,282	
Part Time Labor		
A.4526-17	\$ 8,298	
Utilities		
A.4526-42	\$ 128	
Full Time Clerical		
A.4526-14		\$ 35,852
<b>Adult Recreation</b>		
Part Time Clerical		
A.7620-16	\$ 2,415	
Overtime		
A.7620-19	\$ 3,766	
Professional and Technical Services		
A.7620-44		\$ 3,766
Program Operations		
A.7620-47		\$ 15,657
<b>Human Services Administration</b>		
Full Time Clerical		
A.4189-14	\$ 13,242	
Overtime		
A.4189-19	\$ 450	
Miscellaneous		
A.4189-49	\$ 90	
Program Operations		
A.4189-47		\$ 540
<b>Programs for the Aging</b>		
Part Time Labor		
A.6772-17	\$ 1,064	
Program Operations		
A.6772-47		\$ 1,064
<b>Parks</b>		
Full Time Clerical		
A.7110-14	\$ 5,554	
Overtime		
A.7110-19	\$ 11,737	
Professional and Technical Services		
A.7110-44	\$ 7,492	

Program Operations		
A.7110-47	\$	8,119
Miscellaneous		
A.7110-49	\$	498
Part Time Labor		
A.7110-17	\$	20,266
Furniture and Fixtures		
A.7110-21	\$	3,240
Program Supplies		
A.7110-23	\$	2,986
Repairs and Maintenance		
A.7110-46	\$	20,386
Uniforms		
A.7110-48	\$	1,627
<b>Traffic Control</b>		
Full Time Labor		
A.3310-15	\$	9,438
Overtime		
A.3310-19	\$	4,163
Program Operations		
A.3310-47	\$	10,950
<b>Public Works Administration</b>		
Miscellaneous		
A.1490-49	\$	50
<b>Central Garage</b>		
Program Operations		
A.1640-47	\$	11,826
Full Time Labor		
A.1640-15	\$	10,563
Overtime		
A.1640-19	\$	2,933
Repairs and Maintenance		
A.1640-46	\$	3,773
<b>Taxes &amp; Assessments on Muni Property</b>		
Miscellaneous		
A.1950-49	\$	2,000
<b>Examining Boards</b>		
Part Time Clerical		
A.3610-16	\$	2,053

**East Farmingdale Water District**

<b>Water Administration</b>		
Professional and Technical Services		
EW.8310-44	\$	88,954
<b>Unallocated Insurance</b>		
Insurance		
EW.8910-43	\$	41
<b>Hospital and Medical Insurance</b>		
Employee Benefits		
EW.9060-80	\$	88,995

**Highway Fund**

**Brush and Weeds**

Repairs and Maintenance		
DB.5140-46	\$ 63,128	
Full Time Labor		
DB.5140-15		\$ 35,000
Overtime		
DB.5140-19		\$ 28,128

**Machinery**

Full Time Labor		
DB.5130-15	\$ 109,465	
Overtime		
DB.5130-19	\$ 11,275	
Repairs and Maintenance		
DB.5130-46		\$ 15,612

**Maintenance of Streets**

Overtime		
DB.5110-19	\$ 41,749	
Professional and Technical Services		
DB.5110-44	\$ 300	
Repairs and Maintenance		
DB.5110-46		\$ 103,601

**Street Administration**

Administrative		
DB.5010-13	\$ 16,670	
Full Time Clerical		
DB.5010-14	\$ 1,112	
Professional and Technical Services		
DB.5010-44	\$ 37,836	

**Snow Removal**

Overtime		
DB.5142-19		\$ 99,194

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 240 MARCH 29, 2023**  
**AUTHORIZING 2022 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2022 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<b><u>General Fund</u></b>		
<b>Purchasing</b>		
Administrative		
A.1345-13	\$ 18,509	
Full Time Clerical		
A.1345-14		\$ 31,994
Overtime		
A.1345-19		\$ 6,491
Office Supplies		
A.1345-41		\$ 3,329
Miscellaneous		
A.1345-49		\$ 58
<b>Buildings</b>		
Full Time Clerical		
A.1620-14	\$ 999	
Full Time Labor		
A.1620-15	\$ 60,790	
Part Time Clerical		
A.1620-16	\$ 397	
Part Time Labor		
A.1620-17	\$ 2,525	
Overtime		
A.1620-19	\$ 1,992	
Furniture and Fixtures		
A.1620-21		\$ 95
Utilities		
A.1620-42	\$ 222,667	
Uniforms		
A.1620-48		\$ 47
<b>Central Printing and Mailing</b>		
Full Time Clerical		
A.1670-14	\$ 3,304	
Office Supplies		
A.1670-41		\$ 356
Rent or Lease		
A.1670-45		\$ 54,719
Program Operations		
A.1670-47		\$ 69,514
<b>Central Data Processing</b>		
Administrative		
A.1680-13	\$ 3,331	



Full Time Clerical A.1680-14		\$ 312
Overtime A.1680-19		\$ 2,101
Equipment A.1680-20		\$ 10,296
Office Supplies A.1680-41		\$ 257
Professional and Technical Services A.1680-44	\$ 14,847	
Repairs and Maintenance A.1680-46		\$ 17,241
Miscellaneous A.1680-49		\$ 500
<b>Narcotics Addiction Control</b>		
Administrative A.4220-13	\$ 1,412	
Part Time Clerical A.4220-16		\$ 1,412
<b>Hospital and Medical Insurance</b>		
Employee Benefits A.9060-80		\$ 132,051
<b>Personnel</b>		
Administrative A.1430-13	\$ 440	
Part Time Clerical A.1430-16	\$ 360	
Professional and Technical Services A.1430-44	\$ 146	
Full Time Clerical A.1430-14		\$ 800
Program Operations A.1430-47		\$ 146
<b>Supervisor</b>		
Administrative A.1220-13	\$ 7,385	
Full Time Clerical A.1220-14	\$ 789	
Miscellaneous A.1220-49	\$ 338	
Part Time Clerical A.1220-16		\$ 8,174
Professional and Technical Services A.1220-44		\$ 9,491
<b>Legislative Board</b>		
Administrative A.1010-13	\$ 8,175	
Part Time Clerical A.1010-16		\$ 20,000
Program Operations A.1010-47		\$ 8,175

**Other Health**

Professional and Technical Services		
A.4989-44	\$ 28,129	
Equipment		
A.4989-20		\$ 8,129

**Promotion of Industry**

Member of a Board		
A.6420-12	\$ 9,153	

**Town Clerk**

Administrative		
A.1410-13	\$ 5,911	
Full Time Clerical		
A.1410-14	\$ 22,673	
Part Time Clerical		
A.1410-16	\$ 7,354	
Overtime		
A.1410-19		\$ 11,357
Office Supplies		
A.1410-41		\$ 229
Professional and Technical Services		
A.1410-44		\$ 7,807
Program Operations		
A.1410-47		\$ 250
Miscellaneous		
A.1410-49		\$ 1,870

**Records Management**

Administrative		
A.1460-13		\$ 251
Full Time Clerical		
A.1460-14		\$ 11,671
Equipment		
A.1460-20		\$ 2,090
Office Supplies		
A.1460-41		\$ 50
Repairs and Maintenance		
A.1460-46		\$ 363

**Street Lighting Fund****Street Lighting**

Full Time Labor		
SL.5182-15	\$ 1,129	
Rent or Lease		
SL.5182-45	\$ 6,179	

**Unallocated Insurance**

Insurance		
SL.5910-43	\$ 572	

**State Retirement**

Employee Benefits		
SL.9010-80	\$ 19,152	

**Hospital and Medical Insurance**

Employee Benefits		
SL.9060-80	\$ 12,164	

**Union Welfare Benefits**

Employee Benefits  
 SL.9070-80 \$ 1,626

**Street Lighting**

Part Time Labor  
 SL.5182-17 \$ 40,822

**Special District Fund****Fire Protection**

Program Operations  
 SF.3410-47 \$ 13,271  
 North Amityville #5  
 SF.3410-81 \$ 65  
 North Amityville #6  
 SF.3410-82 \$ 93  
 East Farmingdale #12  
 SF.3410-83 \$ 1,213  
 Wyandanch #13  
 SF.3410-84 \$ 607  
 North Babylon #15  
 SF.3410-85 \$ 1,428  
 North Lindenhurst #16  
 SF.3410-86 \$ 623  
 Professional and Technical Services  
 SF.3410-44 \$ 10,912  
 Utilities  
 SF.3410-42 \$ 753

**Ambulance District**

Program Operations  
 SF.4540-47 \$ 838  
 Wyandanch/Wheatley Heights Ambulance  
 SF.4540-87 \$ 4,797

**Highway Fund****Revenues**

Other Transportation  
 DB.0000-3589 \$859,377

**Permanent Improvements**

Construction Services  
 DB.5112-26 \$859,377

**Unallocated Insurance**

Insurance  
 DB.5910-43 \$ 8,222

**Life Insurance**

Employee Benefits  
 DB.9045-80 \$ 3

**Disability Insurance**

Employee Benefits  
 DB.9055-80 \$ 155

**Dental Insurance**

Employee Benefits  
 DB.9065-80 \$ 186

**Vision Insurance**

Employee Benefits  
DB.9075-80 \$ 51

**State Retirement**

Employee Benefits  
DB.9010-80 \$ 8,617

**Part Town Fund****Other Home and Community Services**

Member of a Board  
B.8989-12 \$ 1,283  
Part Time Clerical  
B.8989-16 \$ 7,007  
Program Operations  
B.8989-47 \$ 1,283

**Safety Inspection**

Member of a Board  
B.3620-12 \$ 4,875  
Part Time Labor  
B.3620-17 \$ 10,598  
Overtime  
B.3620-19 \$ 25,067  
Professional and Technical Services  
B.3620-44 \$ 19,916  
Full Time Clerical  
B.3620-14 \$ 10,598  
Full Time Labor  
B.3620-15 \$152,259

**Engineer**

Part Time Labor  
B.1440-17 \$ 8,882  
Overtime  
B.1440-19 \$ 2,052  
Full Time Clerical  
B.1440-14 \$ 2,270

**Zoning**

Member of a Board  
B.8010-12 \$ 16,631  
Full Time Clerical  
B.8010-14 \$ 2,270  
Overtime  
B.8010-19 \$ 179

**Planning**

Administrative  
B.8020-13 \$ 17,889  
Overtime  
B.8020-19 \$ 4,602  
Utilities  
B.8020-42 \$ 140  
Professional and Technical Services  
B.8020-44 \$ 65,782  
Miscellaneous

B.8020-49	\$ 8,069	
Full Time Clerical		
B.8020-14		\$ 16,631
Full Time Labor		
B.8020-15		\$ 4,875
Furniture and Fixtures		
B.8020-21		\$ 319
<b>Planning Board</b>		
Member of a Board		
B.8025-12	\$ 7,007	

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 241 MARCH 29, 2023**  
**AUTHORIZING 2023 BUDGET MODIFICATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the following 2023 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<b><u>General Fund</u></b>		
<b>Revenues</b>		
Other Culture and Recreation		
A.0000-3889	\$ 5,000	
<b>Environmental Control</b>		
Equipment		
A.8090-20	\$ 5,000	
<b>Contingent Account</b>		
Miscellaneous		
A.1990-49	\$ 96,210	
<b>Youth Institute CCS</b>		
Program Operations		
A.4585-47		\$ 96,210
<b>Parks</b>		
Professional and Technical Services		
A.7110-44	\$ 25,000	
Full Time Labor		
A.7110-15		\$ 125,000
Part Time Labor		
A.7110-17		\$ 25,000
<b>Public Works Administration</b>		
Professional and Technical Services		
A.1490-44	\$ 125,000	
<b><u>Highway Fund</u></b>		
<b>Street Administration</b>		
Program Supplies		
DB.5010-23	\$ 23,000	
Office Supplies		
DB.5010-41	\$ 15,000	
Rent or Lease		
DB.5010-45	\$ 4,000	
Professional and Technical Services		
DB.5010-44		\$ 50,000
Program Operations		
DB.5010-47		\$ 4,000
Miscellaneous		
DB.5010-49		\$ 38,000
<b>Maintenance of Streets</b>		
Professional and Technical Services		
DB.5110-44	\$ 125,000	
Part Time Labor		
DB.5110-17		\$ 75,000

**Part Town Fund**

**Code Enforcement**

Furniture and Fixtures

B.3989-21

\$ 1,700

Professional and Technical Services

B.3989-44

\$ 1,700

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 242 MARCH 29, 2023**  
**AUTHORIZING REFUND OF FEES**

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following fees be refunded:

NAME and ADDRESS	TYPE	AMOUNT	RECOMMENDED BY
Smithtown Car Service, Inc. 1007 W Jericho Turnpike Smithtown, NY 11787	Auctioned 2016 Nissan	\$6,100.00	Town Attorney

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.



**RESOLUTION NO. 243 MARCH 29, 2023  
AUTHORIZING RELEASE OF BOND**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the following incomplete site work bond be released from Town Trust;

PAYEE	SCTM NO.	APPLICATION/PERMIT #/JOB #	AMOUNT DUE
Budget Estates, Inc. 2137 Deer Park Ave	23 Somerset Road North Amityville, NY 11701	Building Permit #: 2021-0444	\$200.00

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 244 MARCH 29, 2023**  
**AWARDING BID NO. 23G13**  
**PRINTING: SILKSCREEN TOWN OF BABYLON LICENSES & PERMITS**

WHEREAS, the following bids for Bid No.23G13, Printing: Silkscreen Town of Babylon Licenses and Permits was received, opened and publicly read:

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and upon her finding the aforementioned bids fair and reasonable, Bid No.23G13 be and is hereby awarded to the overall low bidder, Concept Printing Inc. d/b/a Concept Print; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Concept Printing Inc. d/b/a Concept Print, and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 245 MARCH 29, 2023**  
**AWARDING BID NO. 23G18**  
**LANDSCAPING SUPPLIES; WHOLESALE NURSERY CATALOG AND/OR WEBSITE**

WHEREAS, the following bids for Bid No.23G18, Landscaping Supplies; Wholesale Nursery Catalogs and or Website were received, opened and publicly read:

**Discount off catalog price:**

Item 1. Wholesale Nursery		
	<b>SiteOne Landscape Supply, LLC</b>	<b>-8%</b>
Item 2. Annuals, Perennials, Pottery		
	<b>SiteOne Landscape Supply, LLC</b>	<b>-8%</b>
Item 3. Landscape Const. Material		
	<b>SiteOne Landscape Supply, LLC</b>	<b>-8%</b>
Item 4. Professional Products		
	<b>SiteOne Landscape Supply, LLC</b>	<b>-8%</b>

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No.23G18 be and is hereby awarded to the low bidder SiteOne Landscape Supply, LLC; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contracts with SiteOne Landscape Supply, LLC, and that the form and content of said contracts shall be subject to the approval of the Town Attorney; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 246 MARCH 29, 2023**  
**AWARDING BID NO. 23G19**  
**PURCHASE OF BAGGED ICE WITH FREEZER**  
**FOR CEDAR BEACH MARINA**

WHEREAS, the following bids for Bid No.23G19, Purchase of Bagged Ice with Freezer for Cedar Beach Marina was received, opened and publicly read:

<b><u>BIDDER</u></b>	<b><u>BID PRICE</u></b>
Item No. 1 5/6 OR 7 LBS. Page of Ice, Price per Bag <b>Ice Cube, Inc. d/b/a Apple Ice</b> Long Island Ice & Fuel Corp.	<b>\$1.60/7lb bag</b> \$1.50/5lb bag
Item No. 2 Price per 20lb Bag of Ice <b>Ice Cube, Inc. d/b/a Apple Ice</b> Long Island Ice & Fuel Corp.	<b>No Bid</b> \$4.20/16lb bag
Item No. 3 Freezer Provided <b>Ice Cube, Inc. d/b/a Apple Ice</b> Long Island Ice & Fuel Corp.	<b>No Cost</b> \$500.00 per season May - October

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, Director of Purchasing, Commissioner of Parks, Recreation & Cultural Affairs and upon their finding the aforementioned bids to be fair and reasonable, Bid No.23G219 be and is hereby awarded to the low bidder for Item No.1 and 3 only, Ice Cube Inc. d/b/a Apple Ice; and be it further

RESOLVED, that Item No.2 be and is hereby not awarded; and be it further

RESOLVED, that the Supervisor be and he is hereby authorize a one (1) year contract with, Ice Cube, Inc. d/b/a/ Apple Ice, and that the form and content of said contract shall be subject to the approval of the Town Attorney; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 247 MARCH 29, 2023**  
**AWARDING BID NO. 23G20**  
**PURCHASE OF ONE (1) OR MORE BANDALONG BANDIT 120 OR EQUAL**

WHEREAS, the following bids for Bid No.23G20, Purchase of One (1) or More Bandalong Bandit 120 or Equal received, opened and publicly read:

<b><u>BIDDER</u></b>	<b><u>BID PRICE</u></b>
Item No. 1 Unit Price Bandalong Bandit 120 or Equal	
<b>Storm Water Systems, Inc.</b>	<b>\$27,850.00</b>
Item No. 2 Unit Price per Boom with all hardware	
Storm Water Systems, Inc.	No Bid

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and Commissioner of Environmental Control and upon their finding the aforementioned bids to be fair and reasonable, Bid No.23G20 be and is hereby awarded to the sole bidder for Item No.1 only, Storm Water Systems, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorize a one (1) year contract with, Storm Water Systems, Inc., and that the form and content of said contract shall be subject to the approval of the Town Attorney.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 248 MARCH 29, 2023**  
**AWARDING BID NO. 23G21**  
**SUPPLY, INSTALL & RELOCATE**  
**MOORING POLES AND CHANNEL MARKERS**

WHEREAS, the following bids for Bid No.23G21: Supply, Install & Relocate Mooring Poles and Channel Markers was received, opened and publicly read:

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Director of Public Safety and upon their finding the aforementioned bids fair and reasonable, Bid No.23G21 be and is hereby awarded to the overall low bidder Brandt Marine Inc.; and be it further

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

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 249 MARCH 29, 2023**  
**AWARDING BID NO. 23G22**  
**MOBILE SOUND SHELL STAGE, MODEL MSM 2800, SHOWMASTER**  
**200 SERIES CENTUTY INDUSTRIES, INC. OR EQUAL**

WHEREAS, the following bids for Bid No.23G22: Mobile Sound Shell Stage, Model MSM 2800, Showmaster 2000 Series, Century Industries, Inc. or Equal was received, opened and publicly read:

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Director of Public Safety and upon their finding the aforementioned bids fair and reasonable, Bid No.23G22 be and is hereby awarded to the overall low bidder, Century Industries Inc.; and be it further

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

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 250 MARCH 29, 2023**  
**ACCEPTING THE CONTRACT WITH**  
**LiRo PROGRAM & CONSTRUCTION MANAGEMENT, PE, P.C.**  
**RFP NO. 16G94 REQUEST FOR PROPOSALS FOR PROJECT MANAGEMENT OF COMMUNITY**  
**DEVELOPMENT BLOCK GRANT DISASTER RECOVERY PROJECTS OF VARYING SCOPES**

WHEREAS, RFP No. 16G94, Request for Proposals for Project Management of Community Development Block Grant Disaster Recovery Projects of Varying Scopes was awarded to LiRo Program & Construction Management, PE, P.C. (“LiRo”) pursuant to Resolution No.351 of April 12, 2017, for a total contract amount of ONE MILLION, TWO HUNDRED NINETY-FOUR THOUSAND, ONE HUNDRED NINETY-FIVE (\$1,294,195.00) DOLLARS; and

WHEREAS, the contract was amended pursuant to Resolution No.470 of May 17, 2017, decreasing the contract amount to ONE MILLION TWO HUNDRED THIRTY-TWO THOUSAND, AND SEVENTY-FIVE (\$1,232,075.00) DOLLARS; and

WHEREAS, the contract amount was reduced pursuant to an Amendment executed on dated July 13, 2018, decreasing the total contract amount to ONE MILLION TWO HUNDRED TEN THOUSAND, SEVENTY FIVE DOLLARS (\$1,210,075.00) DOLLARS; and

WHEREAS, all procurement guidelines set forth by Governor’s Office of Storm Recovery (GOSR) have been complied with; and

WHEREAS, the Director of Purchasing and Commissioner of the Department of Public Works have deemed all work performed by LiRo pursuant to RFP No.16G94 as acceptable and complete.

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Director of Purchasing and Commissioner of the Department of Public Works, the contract with LiRo pursuant to RFP No.16G94 be and is hereby accepted as satisfactorily complete at a final contract amount ONE MILLION TWO HUNDRED TEN THOUSAND, SEVENTY FIVE DOLLARS (\$1,210,075.00) DOLLARS.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.



**RESOLUTION NO. 251 MARCH 29, 2023**  
**AUTHORIZING A CONTRACT WITH VR MANAGEMENT SERVICES**

WHEREAS, a proposal was solicited VR Management Services to provide Liability Claim Services; and  
WHEREAS, the Professional Consultant Evaluation Committee convened on March 15, 2023, with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, the Town Attorney recused himself from the review of the proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to VR Management Services at the following fees:

PD Claim Handling	\$50.00/claim
BI Claim Handling	\$125.00/claim
Signed Statements	\$125.00 per statement
Photographs loss location/canvass witnesses	\$150.00 per Assignment
Attend Arbitration	\$150.00 per Arbitration
No Fault Claim Handling	\$800.00 First Year/\$500.00 each Additional year
Subrogation	25% of Recovery per File

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with VR Management Services at the aforementioned fees, and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 252 MARCH 29, 2023**  
**AUTHORIZING PAYMENT TO AXON ENTERPRISE, INC.**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Commissioner of General Services and the Commissioner of Public Safety, that the Comptroller is hereby authorized to issue payment to for services rendered for the following Invoices:

INVOICE NO./DATE	AMOUNT
INUS 119603of 11/30/22	\$44,999.99

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 253 MARCH 29, 2023**  
**AUTHORIZING PAYMENT TO TOOMEY'S MARINE SERVICES INCORPORATED**  
**D/B/A PEARL GREY MARINE**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Town Attorney, that the Comptroller is hereby authorized to issue payment to for services rendered for the following Invoices:

INVOICE NO.	AMOUNT
16455	\$1057.50

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 254 MARCH 29, 2023**  
**AUTHORIZING PAYMENT TO**  
**LIGHTHOUSE CLINICAL & CONSULTATION SERVICES, LLC**

BE IT RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Director of Drug & Alcohol, the Comptroller be and is hereby authorized to issue payment to Lighthouse Clinical & Consultation Services, LLC. for services rendered for the following:

INVOICE NO. /DATE	AMOUNT
022823-32/March 1, 2023	\$3,527.50

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 255 MARCH 29, 2023  
AMENDING THE ADMINISTRATIVE SALARY PLAN**

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.

**SCHEDULE A**

**2023 ADMINISTRATIVE SALARY PLAN**

<b><u>TITLE</u></b>	<b><u>LEVE L</u></b>	<b><u>STEP</u></b>
Affirmative Action Officer	I	20
Assessor	J	19a
Assistant Town Attorney	I	4a
Assistant Town Attorney	G	9
Chief Assistant Town Attorney	I	18
Chief Deputy Commissioner of Public Safety	H	18a
Chief of Staff	J	20
Citizens Advocate/Supervisor	J	12
Commissioner of Department of Public Works	J	19
Commissioner of Environmental Control	I	18a
Commissioner of General Services	H	18a
Commissioner of Human Services	H	18a
Commissioner of Planning & Development	J	19a
Commissioner of Parks & Recreation	G	22a
Commissioner of Public Safety	I	18
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	G	3
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	D	14a
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	E	14
Community Service Aide/Supervisor	H	11a
Community Service Aide/Supervisor	J	10a
Community /Service Aide/Supervisor	G	6
Community Service Aide/Supervisor	F	9a
Community Service Aide/Supervisor	I	12
Community Service Aide/Supervisor	J	1a
Community Service Aide/Supervisor	F	5
Community Service Aide/Supervisor	H	6a
Community Service Aide/Environmental Control	F	9

Deputy Commissioner Environmental Control/Landfill	J	16
Deputy Commissioner General Services	G	22a
Deputy Commissioner Human Services	E	19a
Deputy Commissioner Human Services	J	5a
Deputy Commissioner II of DPW	H	21a
Deputy Commissioner I of DPW	H	18a
Deputy Commissioner of Environmental	I	15
Deputy Commissioner of Planning and Development	G	19
Deputy Commissioner II of Planning and Development	E	20a
Deputy Commissioner I of Parks and Recreation	J	16
Deputy Commissioner II of Parks and Recreation	I	15
Deputy Commissioner of Public Safety	I	12
Deputy Comptroller	I	18
Deputy Receiver of Taxes	J	7
Deputy Town Attorney	G	22a
Deputy Town Clerk	J	7
Deputy Town Personnel Officer	E	21
Director of Bureau of Administrative Adjudication	J	7a
Director of Behavioral Health Services	I	16
Director of Finance	H	22
Director of Resource Recovery	J	14a
Director of Youth Bureau	G	20a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	J	5
Executive Assistant to Parks and Recreation	H	13
Executive Assistant to Comm. of General Services	H	17a
Executive Assistant to Comptroller	E	20a
Executive Assistant to Deputy Supervisor	J	5
Executive Assistant to DPW	H	15a
Executive Assistant to Environmental Control	E	21
Executive Assistant to Planning	I	16
Executive Assistant to Public Safety	G	16a
Executive Assistant to Supervisor	J	15a
Executive Assistant to Town Attorney	E	21
Executive Assistant to Town Clerk	A	20a
Executive Assistant to Town Personnel Officer	C	20a
Executive Assistant to Tax Receiver	I	4a
Government Liaison Officer	J	18a
Legislative Aide	H	4a
Legislative Aide	J	1a

Legislative Aide	G	20a
Legislative Aide	E	21
Legislative Secretary	J	5a
Legislative Secretary	H	4a
Legislative Secretary	H	4a
Legislative Secretary	E	19a
Neighborhood Aide	I	4a
Neighborhood Aide	J	5
Public Information Officer/Supervisor	J	15
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	G	6a
Secretary to Commissioner of Environmental Control	I	4a
Secretary to Commissioner of General Services	G	17
Secretary to Commissioner of Planning & Development	I	16
Secretary to Commissioner of Parks & Recreation	G	9a
Secretary to Comptroller	G	13a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	H	11a
Secretary to Public Safety	G	6a
Secretary to Supervisor	B	18a
Secretary to Tax Receiver	E	20a
Secretary to Town Attorney	J	1a
Secretary to Town Clerk	F	9
Secretary to Town Personnel Officer	I	10a
Senior Assistant Town Attorney	I	14a
Senior Assistant Town Attorney	E	21
Senior Assistant Town Attorney	I	19a
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	10a
Town Attorney	J	20
Town Comptroller	I	22
Town Historian	I	6
Town Investigator	E	21
Town Personnel Officer	G	22a
Women's Resources Advisor I	C	20
Women's Resource Advisor II	H	11a

**Administration**  
**2022 Plan:**

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



<b>a</b>	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
<b>15</b>	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
<b>a</b>	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
<b>16</b>	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,940	125,478
<b>a</b>	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
<b>17</b>	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	138,000
<b>a</b>	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	142,000
<b>18</b>	51,321	56,195	62,666	69,136	76,837	89,762	102,295	114,424	130,393	147,900
<b>a</b>	53,887	59,004	65,799	72,593	80,679	94,250	107,409	120,145	135,087	149,324
<b>19</b>	54,965	60,184	67,115	74,045	82,292	96,135	109,558	122,548	137,789	152,310
<b>a</b>	57,054	62,471	69,665	76,859	85,419	99,788	113,721	128,798	143,025	158,098
<b>20</b>	59,222	64,845	72,312	79,780	88,665	103,580	118,042	133,692	150,465	163,157
<b>a</b>	61,472	67,309	75,060	82,812	92,034	107,516	122,528	138,772	156,484	169,357
<b>21</b>	63,808	69,867	77,912	85,959	95,531	111,602	127,184	144,045	162,430	175,793
<b>a</b>	66,233	72,522	80,873	89,225	99,161	115,843	132,017	149,519	168,602	182,473
<b>22</b>	68,750	75,278	83,946	92,616	102,929	120,245	137,034	156,397	171,980	189,407
<b>a</b>	71,363	78,139	87,136	96,135	106,840	124,814	141,830	162,340	178,515	196,604

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 256 MARCH 29, 2023**  
**AMENDING RESOLUTION APPOINTING PERSONNEL TO**  
**ADDITIONAL POSITIONS AND SETTING SALARIES**

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
Barbara Bacchiano	Assistant Town Archivist	2,000
Bianca Dormer	Wellness Coordinator	10,000
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Christiam Gomez	Town Clerk Coordinator	1,500
Dawn Carberry	Subregistrar	3,000
Deborah Smolenski	Beach Lease Transfer Coordinator	2,500
Diana Mallia	Rental Board Coordinator	5,000
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	6,500
Jerry Guarino	Counsel to Sanitation Commission	10,000
Jimmy Russo	Liaison to Nassau/Suffolk towns and County Plumbing Licensing Boards	6,500
John Ripple	Liasion to NYS Real Property Tax Services	8,000
Joseph Olmedo	Drug & Alcohol Financial Coordinator	3,500
Joseph Price	Parks Payroll Liaison	9,000
Joseph Wilson	Sanitation Commission Chairman	8,000
Lori Lynn Hansen	Deputy Registrar	3,650
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Melissa Justi	SCAR Coordinator	4,000
Peter Russo	Plumbing Regulation Liaison to NYS	9,500
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	7,000

Umeko Healy	Deputy Assistant to Town Board	4,000
Viscel Moore	ARPA Funding Administrator	30,000
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
Mary Sullivan	Tax IDA Coordinator	13,000
Linda Murphy-Puglia	Tax IT Coordinator	8,500
Marybridget Sepulveda	Purchasing Coordinator	3000
Donna Domaratus	Assistant Quality of Life Coordinator	5,000
Noreen Wood	Assistant Tax Warrant	3,000

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 257 MARCH 29, 2023**  
**ADOPTING AN INDEMNIFICATION POLICY FOR INDIVIDUALS**  
**PROVIDING SERVICES AS A CONSULTANT TO THE TOWN ATTORNEY**  
**OR THE DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon recommendation of the Town Attorney, that the Town of Babylon will defend and indemnify any individual providing services as a consultant to the Town Attorney or the Department of Public Safety Enforcement for any act or omission which occurred while that individual was working within the scope of his or her public duties to the same extent as required for direct employees of the Town of Babylon pursuant to New York State Public Officers Law § 18 and any other applicable provision of state or local law.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 258 MARCH 29, 2023**  
**ADOPTING THE TOWN OF BABYLON TECHNOLOGY USAGE POLICIES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Comptroller, that the Technology Usage Policies, available for review at the Office of the Town Clerk as Schedule "A", is hereby adopted.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 259 MARCH 29, 2023**  
**AMENDING THE TOWN OF BABYLON PROCUREMENT POLICY**

WHEREAS, the Town of Babylon Procurement Policy was adopted pursuant to Resolution No. 63 of January 18, 2023; and

WHEREAS, the Professional Services Committee (“Committee”) and the Director of Purchasing convened on March 15, 2023 with the Deputy Supervisor, Chief of Staff, Deputy Chief of Staff, Town Attorney, Comptroller, Commissioner of General Services and the commissioner of the Dept. of Public Works in attendance, to review the Procurement Policy on file in the Office of the Town Clerk; and

WHEREAS, the Committee and the Director of Purchasing recommend the policy be amended.

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon, based upon the recommendation of the Committee and the Director of Purchasing, that the Town of Babylon Procurement Policy, available for review at the Office of the Town Clerk as Exhibit “A” be and is hereby amended and adopted as of March 29, 2023.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 260 MARCH 29, 2023**  
**AUTHORIZING ADOPTION AND THE FILING OF THE COMMUNITY DEVELOPMENT**  
**PROGRAM 2023 ANNUAL ACTION PLAN, WHICH INCLUDES THE COMMUNITY**  
**DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP, PROGRAMS**  
**LISTING OF PROPOSED PROJECTS FOR FISCAL YEAR 2023**

WHEREAS, the Town of Babylon is an entitlement community under the Community Development Block Grant (“CDBG”) Program and will receive a grant allocation of ONE MILLION EIGHTY-FIVE THOUSAND NINE HUNDRED AND TWENTY-FOUR DOLLARS AND 00/100 (\$1,085,924.00) from the U.S. Department of Housing and Urban Development (“HUD”) for Fiscal Year 2023; and

WHEREAS, the Town of Babylon is an entitlement community under the HOME Investment Partnership Program and will receive a grant allocation of FOUR HUNDRED FORTY THOUSAND EIGHT HUNDRED AND THIRTY-THREE DOLLARS AND 00/100 (\$440,833.00) from the U.S. Department of Housing and Urban Development (“HUD”) for Fiscal Year 2023; and

WHEREAS, HUD requires the Town, to submit its Annual Action Plan for Fiscal Year 2023; and

WHEREAS, public hearings were held on June 6, 2022 and September 23, 2022 to gather input for the plan and on activities to be carried out under the CDBG and HOME Programs and general housing and community development needs in the Town; and

WHEREAS, a draft of the Action Plan for Fiscal Year 2023, including a list of proposed uses of Fiscal Year 2023 CDBG and HOME funds was made available for citizen comments; and

WHEREAS, the Town Board deems it is in the best interest of the Town of Babylon to submit for federal funding in the amount of ONE MILLION EIGHTY-FIVE THOUSAND NINE HUNDRED AND TWENTY-FOUR DOLLARS AND 00/100 (\$1,085,924.00) for the CDBG program for 2023, and in the amount of FOUR HUNDRED FORTY THOUSAND EIGHT HUNDRED AND THIRTY-THREE DOLLARS AND 00/100 (\$440,833.00) for the HOME program for 2023; and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and he is hereby authorized to sign and submit the Fiscal Year 2023 Annual Action Plan for Housing and Community Development and amendments thereto and all understandings and assurances contained therein, including grantee certifications to the U.S. Department of Housing and Urban Development, after review as to content and form by the Town Attorney; and

RESOLVED, that upon approval of said Annual Action Plan, the Supervisor be and he is authorized to enter into and execute a funding approval/ grant agreement with the U.S. Department of Housing and Urban Development for such financial assistance to the Town of Babylon; and

RESOLVED, that the Town Board adopt the Town of Babylon 2023 Annual Action Plan; and

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 261 MARCH 29, 2023**  
**AUTHORIZING THE CEREMONIOUS CHANGING OF A STREET NAME**

WHEREAS, Fayyaz Adeed was a resident of Deer Park, father of two, and a New York City Police Department Officer; and

WHEREAS, Fayyaz Adeed was a brave and dedicated officer. His unwavering commitment to serving and protecting our community is a testament to his courage and selflessness. Officer Adeed sacrificed his life serving the Police force in Brooklyn, NY; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the ceremonious changing of the name of West 4th St. from Grand Blvd. to Park Ave., to “Police Officer Fayyaz Adeed Way;” and be it further

RESOLVED, the Town of Babylon Department of Public Works shall install signs above the current street signs stating “Police Officer Fayyaz Adeed Way.”

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.



**RESOLUTION NO. 262 MARCH 29, 2023  
PROCLAIMING SATURDAY, MAY 20, 2023, AS  
EAGLE SCOUT JENNIE BATTCHER DAY**

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and

WHEREAS, the rank of Eagle Scout is a rarity in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and

WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and

WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Jennie Battcher was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Jennie Battcher its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Saturday, May 20, 2023 as Eagle Scout Jennie Battcher Day.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 263 MARCH 29, 2023  
PROCLAIMING MONDAY, MARCH 27, 2023 AS  
EAGLE SCOUT GEORGE ALVIN COHEN DAY**

WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and

WHEREAS, the rank of Eagle Scout is a rarity in scouting because the tasks needed to accomplish this are difficult, but if accomplished, they go a long way toward the development of leadership, self-reliance, and other qualities of humanity so desirable in young men; and

WHEREAS, an Eagle is many things, noted for its size, strength, graceful figure, keenness of vision and power of flight; and

WHEREAS, the Eagle was also the standard of the Ancient Romans, and is the seal of this great nation, the United States of America; and

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, George Alvin Cohen was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to George Alvin Cohen its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, March 27, 2023 as Eagle Scout George Alvin Cohen Day.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 264 MARCH 29, 2023  
AUTHORIZING PERMISSION FOR A SIDEWALK PROCESSION  
ON APRIL 7, 2023, IN THE TOWN OF BABYLON  
FOR SS CYRIL & METHODIUS RC CHURCH**

WHEREAS, SS Cyril & Methodius Church RC has requested permission to hold a sidewalk procession on Friday, April 7, 2023, from 12:00 p.m. to 2:30 p.m. within the Town of Babylon,

<p><b>INDIVIDUAL:</b> Timothy Leitch 1362 August Rd. North Babylon, NY 11703 (631) 806-4715</p>	<p><b>ORGANIZATION:</b> SS Cyril &amp; Methodius RC Church 125 Half Hollow Rd. Deer Park, NY 11729 (631) 667-4044</p>
<p><b>DATES &amp; TIMES:</b> Date(s): 4/7/2023 to: Time: 12:00 p.m. to 2:30 p.m. Rain Date: n/a</p>	<p><b>STARTING/ENDING:</b> SS Cyril &amp; Methodius RC Church, 125 Half Hollow Rd., Deer Park</p>

<p><b>ROUTE:</b> Leaving SS Cyril &amp; Methodius RC Church parking lot, proceed north on Deer Park Ave. to Nicolls Rd., cross to east sidewalk of Deer Park Ave. and head south on Deer Park Ave. to the Knights of Columbus on Long Island Ave., heading east on Long Island Ave., heading west on Long Island Ave., head south on Deer Park Ave. to Lake Ave., heading east on Lake Ave., heading west on Lake Ave., heading south on Deer Park Ave. to Mangano’s Funeral Home, returning north on Deer Park Ave. to Grand Blvd., cross to the west sidewalk on Deer Park Ave. and proceed south on Deer Park Ave. to SS Cyril &amp; Methodius RC Church.</p>
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NOW, THEREFORE, be it  
RESOLVED, that the Town Clerk is hereby directed to forward a copy of this said resolution to the following Departments within the of the Town of Babylon; Public Safety, Central Alarm, Highway, Parks & Recreation, Fire Prevention, Solid Waste Management and also the Suffolk County Police Department and Suffolk County DPW; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

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

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 265 MARCH 29, 2023  
AUTHORIZING PERMISSION FOR A PARADE ON APRIL 15, 2023,  
IN THE TOWN OF BABYLON FOR THE NORTH BABYLON YOUTH LEAGUE**

WHEREAS, the North Babylon Youth League has requested permission to hold a parade on Saturday, April 15, 2023 within the Town of Babylon,

<p><b>INDIVIDUAL:</b> Larry Knappe 123 Foster Blvd. Babylon, NY 11702 (631) 872-3226</p>	<p><b>ORGANIZATION:</b> North Babylon Youth League P.O. Box 2404 North Babylon, NY 11703 Lea Vandernoeth (917) 796-3330   Valerie Grube (516) 650-7011</p>
<p><b>DATES &amp; TIMES:</b> Date(s): 4/15/2023 to: Time: 10:00 a.m. to 10:30 a.m. Rain Date: 4/16/2023</p>	<p><b>STARTING:</b> West Parking Lot @ North Babylon High School, 1 Phelps Lane, North Babylon</p> <p><b>ENDING:</b> Phelps Lane Pool Parking Lot @ Town of Babylon Parks &amp; Recreation, 151 Phelps Lane, North Babylon</p>

<p><b>ROUTE:</b> Leaving the west parking lot of the North Babylon High School, turning right onto Phelps Lane and ending at Phelps Lane Pool Parking Lot.</p>
--

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

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 266 MARCH 29, 2023**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING**  
**CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM**  
**CODE OF TRAFFIC ORDINANCES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at the Babylon Town Hall, 200 Eat Sunrise Highway, North Lindenhurst, NY 11757, on the 12<sup>th</sup> day of April, 2023, at 3:00 p.m., prevailing time, to consider amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit “A”; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**EXHIBIT “A”**

Chapter 2, Article IV, Section 2-8  
[Traffic Regulations; Stop and Yield Intersections Designated]

**ADD to Schedule H:**

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
South Great Neck Road at Nicole Court/Schmeelk Place	CO	Stop	North/South on South Great Neck Road

**RESOLUTION NO. 267 MARCH 29, 2023**  
**SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING**  
**CHAPTER 2, ARTICLE IV, SECTION 2-8 OF THE TOWN OF BABYLON UNIFORM**  
**CODE OF TRAFFIC ORDINANCES**

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at the Babylon Town Hall, 200 Eat Sunrise Highway, North Lindenhurst, NY 11757, on the 12<sup>th</sup> day of April, 2023, at 3:00 p.m., prevailing time, to consider amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit “A”; and be it further

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

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**EXHIBIT “A”**

Chapter 2, Article IV, Section 2-8  
 [Traffic Regulations; Stop and Yield Intersections Designated]

**ADD to Schedule H:**

<u>Intersection</u>	<u>Hamlet</u>	<u>Sign</u>	<u>Controlling Traffic</u>
Arnold Avenue at Pioneer Place/Puritan Place	WB	Stop	Northwest/Southeast on Arnold Avenue
Puritan Place at Rosella Court	WB	Stop	Northeast on Puritan Place
Parkway Avenue at Jefferson Street	NA	Stop	East/West on Parkway Avenue
Parkway Avenue at Dunbar Street	NA	Stop	East/West on Parkway Avenue
Weeks Road at Primrose Lane	NB	Stop	East/West on Weeks Road
Hawthorne Avenue at Beverly Road	WB	Stop	North/South on Hawthorne Avenue

Brookvale Avenue at Pratt Street(south intersection)	WB	Stop	North/South on Brookvale Avenue
Briarwood Road at Norwood Place	WH	Stop	North/South on Briarwood Road
Norwood Place at Briarwood Road	WH	Stop	East on Norwood Place
Homestead Drive at Bennington Place	WH	Stop	East/West on Homestead Drive
Bennington Place at Homestead Drive	WH	Stop	North on Bennington Place

**RESOLUTION NO. 268 MARCH 29, 2023**  
**SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS**  
**6 LYN PLACE, WEST BABYLON, NY 11704, SCTM#0100-159.00-03.00-011.003,**  
**A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND**  
**AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION**

BE IT RESOLVED, by the Town Board of the Town of Babylon that a Public Hearing be held on the 26<sup>th</sup> day of April, 2023 at 3:00 p.m., prevailing time, at Babylon Town Hall, 200 E. Sunrise Hwy, N. Lindenhurst, NY 11757, to consider the whether the premises located at 6 Lyn Place, West Babylon, NY 11704, SCTM#0100-159.00-03.00-011.003 is a public nuisance pursuant to the Town Code of the Town of Babylon Article III, Chapter 165, Public Nuisances; 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.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.



**RESOLUTION NO. 269 MARCH 29, 2023**  
**AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY**  
**TO QUALIFIED ENTITIES PROVIDING PROGRAMATIC SUPPORT**

WHEREAS, the COVID-19 pandemic continues to cause a significant public health emergency in the Town of Babylon (“Town”) affecting the economic vitality of the Town; and

WHEREAS, the United States Congress, recognizing the impact of the pandemic on local government and the communities that those governments serve, passed the American Rescue Plan Act of 2021 (“ARPA”) which was signed into law by President Joseph R. Biden, Jr. on March 11, 2021; and

WHEREAS, ARPA delivers eligible localities money to respond to the pandemic and bring back jobs through the Coronavirus State and Local Fiscal Recovery Funds (“SLRF”) to provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, pursuant to statute and regulations promulgated by the United States Department of the Treasury the Town of Babylon is a Metropolitan City entitled to \$27,770,292.00 in SLRF to be distributed to the Town in two equal installments in 2021 and 2022; and

WHEREAS, SLRF provides the Town with a substantial infusion of resources to meet pandemic response needs to rebuild a stronger, and more equitable economy as the country recovers, the Town may use SLRF funds to address negative economic impacts caused by the public health emergency, including economic harms to small businesses; and

WHEREAS; the Town has determined that assisting entities that provide programs to the Town of Babylon and its resident is in the public good; and

WHEREAS, Viscel C. Moore has been appointed by the Town Board to collect and review applications of such entities; and

WHEREAS, based on those applications Mrs. Moore recommends the corresponding grant award:

New York State Association for Bilingual Education	\$10,000.00
Lindenhurst Football and Cheerleading League	\$20,000.00
Thomas’ Hope Foundation Inc.	\$42,000.00
Outreach Inc.	\$49,500.00

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the entity to do so will mean the grant money will be withheld, denied or claw-backed in the Town’s discretion; and

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment not to exceed \$49,500.00 to the entities listed above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution shall take effect immediately.

The above **Consensus Agenda Resolution** was offered by Councilman Manetta and seconded by Councilman Martinez

VOTES: 5      YEAS: 5      NAYS: 0

The above resolution was thereupon declared duly adopted.

**RESOLUTION NO. 270 MARCH 29, 2023**  
**AUTHORIZING THE GRANT OF AMERICAN RESCUE PLAN MONEY**  
**TO QUALIFIED ENTITIES PROVIDING WORK FORCE DEVELOPMENT**

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

WHEREAS, the COVID-19 pandemic continues to cause a significant public health emergency in the Town of Babylon (“Town”) affecting the economic vitality of the Town; and

WHEREAS, the United States Congress, recognizing the impact of the pandemic on local government and the communities that those governments serve, passed the American Rescue Plan Act of 2021 (“ARPA”) which was signed into law by President Joseph R. Biden, Jr. on March 11, 2021; and

WHEREAS, ARPA delivers eligible localities money to respond to the pandemic and bring back jobs through the Coronavirus State and Local Fiscal Recovery Funds (“SLRF”) to provide a substantial infusion of resources to help turn the tide on the pandemic, address its economic fallout, and lay the foundation for a strong and equitable recovery; and

WHEREAS, pursuant to statute and regulations promulgated by the United States Department of the Treasury the Town of Babylon is a Metropolitan City entitled to \$27,770,292.00 in SLRF to be distributed to the Town in two equal installments in 2021 and 2022; and

WHEREAS, SLRF provides the Town with a substantial infusion of resources to meet pandemic response needs to rebuild a stronger, and more equitable economy as the country recovers, the Town may use SLRF funds to address negative economic impacts caused by the public health emergency, including on the workforce; and

WHEREAS; the Town has determined that assisting entities that provide workforce development training to the Town of Babylon and its resident is in the public good; and

WHEREAS, Viscel C. Moore has been appointed by the Town Board to collect and review applications of such entities; and

WHEREAS, based on those applications Mrs. Moore recommends the corresponding grant award:

Plumbing Contractors Association of Long Island	\$49,500.00
Ryan Anthony’s Head start Fund Inc.	\$10,000.00

WHEREAS, the Town will require every grant recipient provide a form W-9 and sign a conditional letter and any other necessary documentation and failure by the business to do so will mean the grant money will be withheld, denied or claw-backed in the Town’s discretion; and

NOW, THEREFORE BE IT

RESOLVED, that the Comptroller of the Town be and hereby is authorized to provide grant funds from the SLRF allotment to the businesses listed above not in excess of the amounts so established for the purposes applied for and is authorized to transfer such funds from the American Rescue Plan Act bank account to the appropriate Town Fund and associated bank account; and be it further

RESOLVED, that the Comptroller shall make such funds available upon presentation to her, or her designee, all documentation she may deem necessary to confirm the lawful and proper use of the funds, with invoices which sufficiently demonstrate that the funds were used for proper purposes; and be it further

RESOLVED, that such documentation shall include a statement by the applicant accepting the grant, stating that the applicant agrees that in the event the Federal Government determines that the expenditure of the funds, or any part thereof, was in any manner improper and determines to demand the return of the funds, or any part thereof, the applicant shall be legally responsible for reimbursement of the Town of the amount equal to the amount of funds obligated to be returned, and the applicant shall hold the Town harmless and that the Director of DSP is hereby authorized to execute any and all documents on behalf of the Town; and be it further,

RESOLVED, that the Town Board, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(6)(26), and (33) of the Title 6 of the New York Code of Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County council of Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution

RESOLVED, that this resolution 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	Yea
Councilman McSweeney	Voting	Yea
Councilman Gregory	Voting	Yea
Supervisor Schaffer	Voting	Abstain

The resolution was thereupon declared duly adopted.



**RESOLUTION NO. 271 MARCH 29, 2023**  
**ACCEPTING THE CONTRACT WITH W.H.M. PLUMBING & HEATING CONTRACTORS, INC. FOR**  
**BID NO. 19G31FS, INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, FIRE SPRINKLER**  
**CONSTRUCTION AS COMPLETE AND ACCEPTABLE**

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

WHEREAS, Bid No. 19G31FS, Installation of New HVAC System at Town Hall, Fire Sprinkler Construction was awarded to W.H.M. Plumbing & Heating Contractors, Inc. pursuant to Resolution No.47 of January 2, 2020, for a total contract amount of TWO HUNDRED THIRTY ONE THOUSAND, SIX HUNDRED EIGHTY THREE (\$231,683.00) DOLLARS; and

WHEREAS, a credit in the amount of TWO THOUSAND (\$2,000.00) DOLLARS was authorized pursuant to Resolution No.503 of July 20, 2020, decreasing the contract amount to TWO HUNDRED TWENTY NINE THOUSAND, SIX HUNDRED EIGHTY THREE (\$229,683.00) DOLLARS; and

WHEREAS, Change Order No.1 was approved pursuant to Resolution No.604 of September 23, 2020, increasing the total contract amount to TWO HUNDRED THIRTY FIVE THOUSAND, THREE HUNDRED SEVENTY SIX DOLLARS AND 29/100 (\$235,376.29); and

WHEREAS, Change Order Nos.2 & 3 were approved pursuant to Resolution No.794 of December 23, 2020; and

WHEREAS, Change Order No. 4 was approved pursuant to Resolution No. 408 of May 11, 2022 increasing the total contract amount to TWO HUNDRED FORTY FIVE THOUSAND, FOUR HUNDRED EIGHTY TWO DOLLARS AND 95/100 (\$245,482.95), and

WHEREAS, the Commissioner of General Services, the Purchasing Director, the Commissioner of the Department of Public Works and Cashin Associates, P.C. have deemed all work performed by W.H.M. Plumbing & Heating Contractors, Inc. pursuant to Bid No. 19G231FS as complete and acceptable,

NOW THEREFORE

be it RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Purchasing Director, the Commissioner of the Department of Public Works and Cashin Associates, P.C, all work performed by W.H.M. Plumbing & Heating Contractors, Inc. pursuant to Bid No. 19G231FS be and is hereby accepted as satisfactorily complete at a final contract price of TWO HUNDRED FORTY FIVE THOUSAND, FOUR HUNDRED EIGHTY TWO DOLLARS AND 95/100 (\$245,482.95).

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. 272 MARCH 29, 2023**  
**TOWN BOARD ENVIRONMENTAL DETERMINATION ON THE APPLICATION OF**  
**EMERSON CORNER CORP. FOR THE REZONING OF A PARCEL OF LAND AT**  
**SCTM NO. 0100-180.00-03.00-022.006 LOCATED ON THE NORTHWEST CORNER OF MONTAUK**  
**HIGHWAY AND N. EMERSON AVENUE IN COPIAGUE, NEW YORK**

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

WHEREAS, Emerson Corner Corp., (the “Petitioner”) has heretofore petitioned the Town of Babylon for a change of zone of certain property which is located on the n/w/c of Montauk Highway, Copiague, New York, SCTM No. 0100-180.00-03.00-022.006 from C Residence District to E Business District, to renovate an existing gasoline service station and convenience store; and

WHEREAS, the Town Board of the Town of Babylon hereby declares its intent to be the lead agency for the application of Emerson Corner Corp., in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBQRA); and

WHEREAS, the Department of Environmental Control is assisting the Town Board of the Town of Babylon in fulfilling its responsibilities under SEQRA and TOBEQRA; and

WHEREAS, the Town Board of the Town of Babylon classifies the proposal as an Unlisted Action with an uncoordinated review having been conducted; and

WHEREAS, in accordance with the requirements of 6NYCRR Sections 617.6 and 617.7, and Sections 114-6 and 144-7 of Chapter 114 of the Code of the Town of Babylon, the Department of Environmental Control has reviewed the Environmental Assessment Form with respect to the submitted site plan; and

WHEREAS, based upon the review of the information submitted, the Department of Environmental Control has recommended a NEGATIVE DECLARATION be adopted; and

WHEREAS, the Town Board of the Town of Babylon has reviewed the available information and the recommendation of the Department of Environmental Control; and

WHEREAS, that the Town Board of the Town of Babylon hereby independently determines the following:

1. The proposal will not create a significant increase in traffic.
2. The project site does not contain any identified sensitive environmental resources.
3. The project will not adversely impact groundwater resources or water supplies.
4. The project will not create a hazard to environmental resources or human health.
5. The project does not conflict with the Town adopted land use plan.
6. The site redevelopment will follow best management practices to mitigate and prevent soil erosion.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Babylon as lead agency hereby determines that the proposal by Emerson Corner Corp. will not have a significant adverse impact on the environment; and be it further

RESOLVED, that based upon the foregoing determination, the Town Board of the Town of Babylon hereby adopts a NEGATIVE DECLARATION, as required by the SEQRA and TOBEQRA.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 273 MARCH 29, 2023**  
**GRANTING REZONING APPLICATION OF EMERSON CORNER CORP (PB JOB #22-15ANE)**  
**FOR THE PREMISES IDENTIFIED AS SCTM#: 0100-180-03-022.006 LOCATED ON THE N/W/C/O**  
**MONTAUK HWY & N. EMERSON AVE, COPIAGUE**

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

WHEREAS, Emerson Corner Corp. (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the n/w/c/o Montauk Hwy and N. Emerson Ave, Copiague, New York, identified as SCTM No. 0100-180-03-022.006, and further described on the annexed Schedule A, from split-zoned E-Business and C-Residence to entirely E-Business; and

WHEREAS, more specifically, the proposal involves a change of zone from E-Business and C-Residence to E-Business, in order to demo an existing building and pump island with canopy and construct a new pump island with a 3,900sf canopy and renovate an existing 2,860sf (footprint), two-story building for a gas station convenience store and public garage with storage space on the second floor; and

WHEREAS, a public hearing was held on said petition on the 15<sup>th</sup> day of March, 2023; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves a change of zone in order to construct interior alterations for a change of use to office and day programming space and the Board has adopted a Negative Declaration and no further action is required pursuant to SEQR; and

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of Emerson Corner Corp, for Job No. 22-15ANE for a change of zone from E-Business and C-Residence District to E-Business District for the premises described in the attached Schedule A, be and the same hereby is granted, and further that the Zone Map of the Town of Babylon be and the same hereby shall be amended to reflect the zone change subject to the following conditions:

1. Subject to final site plan approval from the Planning Board.
2. Subject to ZBA approval for any associated variances.



3. Subject to SCPC referral.
4. Subject to NYSDOT approval for any work conducted in the NYS ROW.
5. Subject to SCDHS approval for underground tanks as per Article 12.
6. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
  - a. An Industrial Agreement must be signed.
  - b. Stormwater application fee must be submitted.
  - c. Contain all stormwater runoff on-site to Engineering requirements.
7. A rodent control plan will be implemented prior to construction in order to remove rodent populations from the site. Additionally, the adjacent landowners will be notified prior to the commencement of construction.
8. Fugitive dust generation shall be controlled by appropriate means such as watering.
9. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
10. Address number, building number, or approved building identification to be placed in a position visible from the street.
11. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all air-conditioning units, chillers, refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
12. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
13. The location of new transformers and water service devices shall be approved by the Town of Babylon Planning Department prior to installation and shall not be located adjacent to any roadways.
14. Sewer district connection required and water saving plumbing fixtures to be utilized.
15. All regulatory warning signs are to adhere to the Manual of Uniform Traffic Control Devices for Streets and Highways Specifications. All signs must also be fabricated using high-intensity retro reflective sheeting.
16. Construction will be conducted between the hours of 7am and 8pm on weekdays and between the hours of 9am and 4pm on Saturdays. No exterior construction will be permitted on Sundays, only interior construction. Construction activities on site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
17. Subject to the requirements of Highway, Engineering, and the Fire Marshall.
18. A fixed pipe suppression system to be installed to protect the pumps and canopy and at the direction of the Town of Babylon Fire Marshal.
19. A manual transfer switch to allow for the connection of a emergency generator shall be installed and maintained.
20. E-85 and any other alternative fuel will only be dispensed in accordance with State and Industry Code and Regulations and only after approval from the Town of Babylon Fire Marshal.
21. Any site signage proposed must be located so as to not adversely impact site plan functionality and is subject to further review by the Town of Babylon Planning Department. Sign package and permit application to match elevations, renderings, and plans provided and approved by Planning Board. Upon filing proposed sign package with sign inspector, applicant shall simultaneously submit a copy to the Planning Department for review of location and suitability of proposed signage. Should proposed signage conflict with approved site plan, the Commissioner of the Planning Department reserves the right to require the applicant to file for a site plan modification.
22. SCTM#'s 0100-180-03-022.006, 0100-180-03-022.005, 0100-180-03-024, & 0100-180-03-025 shall be merged.

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

1. No exterior-mounted steel security gates or shutters permitted. Only interior-mounted mesh type security gates permitted.
2. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
3. The owner/developer is responsible for maintaining all applicable site development improvements including, but not limited to, the following: fire and smoke detection system, automatic fire sprinkler system, building, drainage, curbs, sidewalks, fencing, asphalt, landscaping, etc.
4. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including, but not limited to, handicapped ramps and handicapped parking spaces.
5. All noise generating equipment on-site including, but not limited to, heating ventilation and air conditioning (HVAC), chillers, refrigeration units, and compressors shall operate in conformance with Chapter 156 Town of Babylon Noise Code. In the event that any such equipment exceeds Chapter 156 standards immediate steps shall be taken to mitigate those noise levels.
6. All buildings, structures, signs, fences, and landscaping shall be maintained in accordance with all applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.
7. No further development of the site without Planning Board approval.
8. All refuse shall be contained within the perimeter and height of the refuse enclosure as approved by the site plan.
9. Maintenance access shall be in accordance with Section 189-9 of the Code of the Town of Babylon. The Town of Babylon shall be provided with access to the stormwater infrastructure at reasonable times for periodic inspection by the Town of Babylon and its officers to ensure that the infrastructure is maintained in proper working condition to meet design standards and any other provisions established by Chapter 189. This agreement shall be binding on all subsequent landowners.
10. Maintenance after construction shall be in accordance Section 189-9 of the Code of the Town of Babylon. Stormwater management practices installed in accordance with Chapter 189 shall be operated and maintained to ensure that the goals of Chapter 189 are fully achieved. Proper operation and maintenance includes, at minimum, the following:
  - a. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of Chapter 189. A written record of stormwater management system maintenance activities shall be established and maintained on site and be available for review by the Town of Babylon upon request.
  - b. Written procedures for operation and maintenance and training new maintenance personnel shall be prepared and maintained on site and will be available for review by the Town of Babylon upon request.
  - c. Discharges from SMPs shall not exceed design criteria or contribute to water quality standard violations in accordance with §189-8B of the Code of the Town of Babylon.
11. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of stormwater infrastructure on the site will include the following:
  - a. Monitoring of drainage inlets (catch basins) will be completed routinely, particularly after larger storm events and must be kept free from obstruction by leaves, trash, and other debris.
  - b. Drainage grates must be kept free from obstruction by leaves, trash, and other debris.
  - c. Drainage structures shall be inspected annually to determine if sediment removal is necessary to ensure that the drainage structures are properly functioning and that they permit adequate

conveyance throughout the system. If applicable, the manufacturer's specifications for maintenance procedures and frequency must be strictly followed.

- d. The drainage structures must be routinely monitored for the removal of surface sediment and trash.
  - e. Street sweeping of the parking areas shall be conducted at least four times annually to remove sediment that may impact the drainage infrastructure and additionally, as necessary due to storm events.
  - f. The grounds and parking area shall be inspected for litter monthly and any litter shall be removed as necessary.
12. The entire building is to have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code and as required by the Fire Marshal.
  13. The Town of Babylon is not responsible for any damage to the curbs or light poles on site in connection with solid waste pick up.
  14. No exterior paging or public address equipment, beyond the intercom equipment located within each dispenser which allows 2-way communication between self-service customer and the attendant within the building.
  15. There shall be no display or sales of vehicles.
  16. There shall be no outdoor storage of unregistered or derelict motor vehicles, vehicle parts, tires, etc.
  17. Public restrooms shall be provided.
  18. All non-contained or "free-blowing" trade waste debris will be removed from the subject property and public properties within 200' of the subject property at 8am and 5pm daily.
  19. There shall be no dispensing or sale of propane at any time.
  20. No outdoor displays to be located at the pump islands or in front of the building.
  21. The Planning Board reserves the right to impose restrictions on the hours of operation for both the gasoline service station and convenience store.
  22. There shall be no truck deliveries or entry onto the site for the purpose of truck deliveries between the hours of 11pm and 6am Monday through Friday or between the hours of 10pm and 8am on Saturday and Sunday.
  23. No truck idling is permitted at any time. Owner to post signs in the delivery areas "No Idling of Engines—No Exceptions".
  24. By virtue of this site plan approval, SCTM #'s 0100-180-03-022.006, 0100-180-03-022.005, 0100-180-03-024, & 0100-180-03-025, are effectively merged. No parcel shall operate independent of the other parcel(s), since they only function conjointly as one contiguous site.
  25. All delivery vehicles servicing this location must be contained on-site so as to not impede pedestrian or vehicular traffic off-site.
  26. The second floor of the building shall be limited to storage use only.

BE IT FURTHER RESOLVED, that in case of any violation or attempted violation of any of the conditions of approval or covenants and restrictions by the owners or their lessees, heirs, successors, and assigns and failure of said parties to remedy any such violation within thirty (30) days after written notice by the Town, the Town shall have the right, on its own motion and after notice, to rescind said change of zone and the subject premises shall revert from E-Business to C-Residence and E-Business, and be it further

RESOLVED, that if the owners hereto, or any owner, its lessees, heirs, successors, or assignees shall violate or attempt to violate any of the conditions or covenants and restrictions required by the granting of this permit, it

shall be lawful for the Town of Babylon to prosecute any proceedings at law or in equity, including but not limited to enforcement by way of injunctive relief; any remedies chosen by the Town Board to enforce any condition, covenant, or restriction herein shall be cumulative and at the discretion of the Town Board as to how best to enforce such condition, covenant, or restriction; the pursuit of one method of enforcement shall not constitute a bar to pursuing any other method of enforcement permitted by law; and be it further,

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

The 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	Yea

The resolution was thereupon declared duly adopted.

#### **SCHEDULE A**

DESCRIPTION (SCTM 0100-180-03-22.6)

**ALL** that certain plot, piece or parcel of land, situate, lying and being in Copiague, Town of Babylon, County of Suffolk and State of New York, bounded and described as follows:

**BEGINNING** at the corner formed by the northerly side of Montauk Highway (S.R. 27A) and the westerly side of Emerson Avenue (North Emerson Avenue);

**RUNNING THENCE** South 88 degrees 46 minutes 30 seconds West, 61.72 feet along the northerly side of Montauk Highway (S.R. 27A);

**THENCE** North 01 degrees 13 minutes 30 seconds West 100.00 feet;

**THENCE** South 88 degrees 46 minutes 30 seconds West, 77.32 feet;

**THENCE** North 16 degrees 21 minutes 35 seconds East, 144.70 feet;

**THENCE** South 73 degrees 38 minutes 25 seconds East, 100.00 feet to the westerly side Emerson Avenue (North Emerson Avenue);

**THENCE** South 01 degrees 13 minutes 30 seconds East, 207.73 feet along the westerly side of Emerson Avenue (North Emerson Avenue) to the northerly side of Montauk Highway (S.R. 27A) at the point or place of **BEGINNING**.

Containing 20,896 Square Feet, more or less.

**RESOLUTION NO. 274 MARCH 29, 2023**  
**ADOPTING LOCAL LAW 9 OF 2023**  
**AMENDING THE CODE OF THE TOWN OF BABYLON,**  
**CHAPTER 15 (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)**

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

WHEREAS, the Town Board of the Town of Babylon duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst NY 11757 on the 15th day of March, 2023 upon the question of the enactment of Local Law No. 9 of 2023 of the Town of Babylon, Suffolk County, New York, being such a local law; and

WHEREAS, in accordance with Part 617.5(c.)(26), State Environmental Quality Review (SEQR), the adoption of this local law is classified a Type II Action and not subject to environmental review under SEQR; and

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon, that Local Law 9 of 2023 of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and is effective upon its filing with the New York State Department of State:

**LOCAL LAW 9 OF 2023**  
**AMENDING THE CODE OF THE TOWN OF BABYLON**

AMEND as follows:

**CHAPTER 15**  
**DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT**

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§ 15-6. Residency requirements, background checks and fingerprinting.

- A. Legislative intent. The purpose and intent of this section is to establish residency requirements for certain appointed Town officers of the Town of Babylon who are appointed to positions of Park Ranger and Fire Marshal. In order to employ and maintain employment of quality appointed Town officers in these positions, the Town Board of the Town of Babylon has determined that residency of such Town officers within the State of New York would provide sufficient geographical boundaries within which to secure and maintain a pool of qualified appointed Town officers available to be appointed by the Town of Babylon as the needs for such appointments occur from time to time. \*\*\*

B. Establishment of residency requirements for appointed Town officers. Notwithstanding the provisions of Subdivision 1 of § 23 of the Town Law of the State of New York, and notwithstanding the provisions of Subdivision 1 of § 3 of the Public Officers Law, and notwithstanding the provisions of Subdivision 1 of § 3-b of the Public Officers Law or Subdivision 1d of § 30 the Public Officer's Law, in the Town of Babylon, Suffolk County, New York, all persons appointed to the positions of Park Ranger and Fire Marshal shall reside within the State of New York.

C. Fingerprinting and background checks.

- 1 All prospective candidates for Bay Constable, Harbor Master, Park Ranger, Fire Marshal, Public Safety Officer, Dispatcher, Ordinance Inspector, Zoning Inspector, and Code Enforcement Officer shall be fingerprinted for the purpose of obtaining a criminal history report from the New York Division of Criminal Justice Services (DCJS). Each such candidate shall submit proof that he or she has been electronically fingerprinted through a DCJS-approved Statewide Vendor-Managed Civil Fingerprint Capture System.
- 2 If any such candidate has been convicted of a felony and/or misdemeanor, the decision regarding the candidate's fitness for the position must be made by way of a case-by-case review using the factors contained in Article 23-A of the New York State Correction Law.

~~C.~~ D. Conflict with state statutes and authority to supersede. To the extent that any provisions of this section are in conflict or are construed as inconsistent with the provisions of the New York State Town Law or New York State Public Officers Law, this section supersedes, amends and takes precedence over New York State Town Law and New York State Public Officers Law pursuant to the Town's Municipal Home Rule powers pursuant to Municipal Home Rule Law §§ 10, Subdivisions 1(ii)d(3) and 1(ii)a(14), and 22 to supersede any inconsistent authority. \*\*\*

ADDITIONS ARE INDICATED BY UNDERLINE  
DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~

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VOTES: 5      YEAS: 5      NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 275 MARCH 29, 2023**  
**AUTHORIZING THE SUPERVISOR TO EXECUTE A LEASE AGREEMENT WITH ITAV-NURSE PRACTITIONER FAMILY HEALTH PLLC**

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

WHEREAS, the Town of Babylon is desirous of executing a lease agreement with the ITAV-Nurse Practitioner Family Health PLLC on the premises located at 455 Albany Avenue, Amityville, New York, located in Suffolk County, New York, for a period of one (1) year, to commence immediately with an option at the Town of Babylon's discretion to renew for a subsequent one (1) year period; and

WHEREAS, the ITAV-Nurse Practitioner Family Health PLLC shall pay the annual rent of TWELVE THOUSAND and 00/100 (\$12,000.00) Dollars and said rent to be paid in equal monthly payment of ONE THOUSAND and 00/100 (\$1,000.00) Dollars in advance on the 1st day of each and every month.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon that the Supervisor be and he is hereby authorized to execute a lease agreement with the ITAV-Nurse Practitioner Family Health PLLC on the premises located at 455 Albany Avenue, Amityville, New York, located in Suffolk County, New York, for a period of one (1) year, to commence immediately with an option at the Town of Babylon's discretion to renew for a subsequent one (1) year period and ITAV-Nurse Practitioner Family Health PLLC shall pay the annual rent of TWELVE THOUSAND and 00/100 (\$12,000.00) Dollars and said rent to be paid in equal monthly payment of ONE THOUSAND and 00/100 (\$1,000.00) Dollars in advance on the 1<sup>st</sup> day of each and every month; and be it further

RESOLVED, that the lease shall be subject to the approval of the Town Attorney as to form and content; and be it further

RESOLVED, that this resolution is subject to the Town's Policies pertaining to Property and New York State Law and shall take effect immediately; and be it further

RESOLVED, that this resolution is subject to a permissive referendum and the Town Clerk is hereby directed to publish notice of adoption of this resolution in an official newspaper of the Town.

VOTES: 5      YEAS: 5      NAYS: 0

The resolution was thereupon declared duly adopted.