

TOWN BOARD MEETING

JULY 7, 2021

AGENDA

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426. AUTHORIZING A CHANGE ORDER NO. 1 AND ACCEPTING THE CONTRACT AS COMPLETED WITH RALPH W. PLOTKE, INC., D/B/A ROOF SERVICES FOR BID NO. 20G81, ROOF REPLACEMENT AT 455 ALBANY AVENUE, NORTH AMITYVILLE
427. AUTHORIZING A CREDIT AND ACCEPTING THE CONTRACT AS COMPLETED WITH LONG ISLAND ROOFING AND REPAIRS SERVICES CORP. FOR BID NO. 20G97, ROOF REPLACEMENT AT JAMES F. CHRISTIE BUILDING AT TANNER PARK & CONCESSION BUILDING AT VAN BOURGENDIEN PARK

428. AUTHORIZING A CHANGE ORDER NO. 1 AND ACCEPTING THE CONTRACT AS COMPLETED WITH GEMSTAR CONSTRUCTION CORP. FOR BID NO. 21G20, UPGRADE TO BACKWASH DISPOSAL SYSTEM AT CEDAR BEACH MARINA
429. AUTHORIZING A CONTRACT WITH SWANK MOTION PICTURES, INC.
430. AUTHORIZING A CONTRACT WITH SECURITY METRICS
431. AUTHORIZING A CONTRACT WITH LIRO ENGINEERS, INC.
432. AUTHORIZING A CONTRACT WITH 3M TRANSPORTATION SAFETY DIVISION
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439. APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD PROGRAM SPONSORED BY THE TOWN OF BABYLON
440. APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD PROGRAM SPONSORED BY THE TOWN OF BABYLON
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453. AUTHORIZING THE WAIVING OF BUILDING, PLUMBING AND ALL ASSOCIATED FEES
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**RESOLUTION NO. 414 JULY 7, 2021
ACCEPTING TOWN BOARD MINUTES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the minutes of the following Town
Board Meeting be and the same are hereby accepted:

June 21, 2021

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 415 JULY 7, 2021
AUTHORIZING 2021 OPERATING TRANSFER**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town
Comptroller that the following 2021 Operating Transfer is hereby authorized:

Capital Project Fund

	<u>Increase</u>	<u>Decrease</u>
H132 – Reconstruction of Town Buildings		
Interfund Transfer		
H132.0000.5031	\$ 1,300,000	
Construction Services		
H132.1997.26	\$ 1,300,000	
H05- Wyandanch Redevelopment		
Interfund Transfer		
H05.9950.90	\$ 1,300,000	
Permanent Improvements		
Program Operations		
H05.5197.26		\$ 1,300,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 416 JULY 7, 2021
AWARDING BID NO. 21G26E
INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL,
ELECTRICAL CONSTRUCTION, PHASE III & IV

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

WHEREAS, the following bids for Bid No. 19G26E, Install of New HVAC System at Town, Electrical
Construction, Phase III& IV were received, opened and publicly read:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Roland's Electric, Inc.	\$738,000.00
Relle Electric Corp.	\$786,442.00
Palace Electrical Contractors, Inc.	\$821,000.00
J.P. Daly & Sons, Inc.	\$860,000.00
Polaris Electrical Construction Corp.	\$930,400.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services and Nelson +
Pope and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 19G26E, be and is hereby
awarded to the low bidder, Roland's Electric, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with. Roland's
Electric, Inc., for a total contract amount of SEVEN HUNDRED THIRTY-EIGHT THOUSAND (\$738,000.00)
DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 417 JULY 7, 2021
AWARDING BID NO. 21G26G
INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL,
GENERAL CONSTRUCTION, PHASE III & IV

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

WHEREAS, the following bids for Bid No. 21G26G, Install of New HVAC System, General Construction,
Phase III & IV were received, opened and publicly read:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Austin Interiors, Inc.	\$1,028,000.00
SJ Hoerning Construction, Inc.	\$1,169,000.00
Construction Consultants/L.I., Inc.	\$1,338,000.00
Patriot Organization, Inc.	\$1,371,000.00
Renu Contracting & Restoration, Inc.	\$1,396,000.00
W.J. Northridge Construction Corp.	\$1,729,000.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, Deputy
Commissioner of the Dept. of Public Works and Nelson & Pope and upon their finding the aforementioned bid to
be fair and reasonable, Bid No. 21G26G, be and is hereby awarded to the low bidder, Austin Interiors, Inc.; and be
it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with. Austin
Interiors, Inc. for a total contract amount ONE MILLION, TWENTY-EIGHT THOUSAND (\$1,028,000.00)
DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 418 JULY 7, 2021
AWARDING BID NO. 21G26M
INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL
MECHANICAL (HVAC) CONSTRUCTION, PHASE III & IV

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

WHEREAS, the following bids for Bid No. 21G26M, Install of New HVAC System at Town Hall,
Mechanical (HVAC) Construction, Phase III & IV were received, opened and publicly read:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
Premier Mechanical Services, Inc.	\$2,467,000.00
ACS System Associates, Inc.	\$3,232,000.00
IntricateTech Solutions, Ltd.	\$2,295,000.00

WHEREAS, the Commissioner of General Services, the Deputy Commissioner of General Services and Nelson & Pope recommend that Intricate Tech Solutions, Ltd., be excluded from Bid NO. 21G26M in its entirety as they failed to comply with the apprenticeship requirements set forth in Bid NO. 21G26M; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Deputy Commissioner of General Services and Nelson & Pope, Intricate Tech Solutions, Ltd. be and is hereby excluded from Bid NO. 21G26M in its entirety as they failed to comply with the apprenticeship requirements as set forth in Bid No. 21G26M; and be it further

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Deputy Commissioner of Department of Public Works and Nelson & Pope and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 21G26M, be and is hereby awarded to the low responsible bidder, Premier Mechanical Services, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with. Premier Mechanical Services, Inc. for a total contract amount of TWO MILLION, FOUR HUNDRED SIXTY-SEVEN THOUSAND (\$2,467,000.00) DOLLARS and that the form and content of said contract shall be subject to the approval of the Town Attorney.

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 419 JULY 7, 2021
AWARDING BID NO. 21G26P
INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL
PLUMBING CONSTRUCTION, PHASE III & IV

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

WHEREAS, the following bids for Bid No. 21G26P, Install of New HVAC System at Town, Plumbing
Construction, Phase III & IV were received, opened and publicly read:

<u>BIDDER</u>	<u>TOTAL BID PRICE</u>
W.H.M. Plumbing & Heating Contractors, Inc.	\$361,580.00
Maccarone Plumbing, Inc.	\$376,400.00
Hartcorn Plumbing & Heating, Inc.	\$469,000.00

NOW, THEREFORE, be it

RESOLVED, based upon the recommendations of the Commissioner of General Services, Deputy
Commissioner of Department of Public Works, and Nelson & Pope, and upon their finding the aforementioned
bids to be fair and reasonable, Bid No. 21G26P be and is hereby awarded to the low bidder, W.H.M. Plumbing &
Heating Contractors, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract with. W.H.M.
Plumbing & Heating Contractors, Inc. for a total contract amount THREE HUNDRED SIXTY-ONE
THOUSAND, FIVE HUNDRED EIGHTY (\$361,580.00) DOLLARS and that the form and content of said
contract shall be subject to the approval of the Town Attorney.

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

Councilman Manetta	Voting	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. 420 JULY 7, 2021
AWARDING BID NO. 21G44
ELGIN SWEEPER PARTS AND LABOR OR EQUAL

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

WHEREAS, the following bids for Bid No.21G44-Elgin Sweeper Parts & Labor or Equal, were received, opened and publicly read:

Empire Equipment Sales of LI, Inc.
d/b/a Long Island Sanitation
Equipment Sales of LI Inc.

Item 1. Sweeper Parts

Manufacturer's Catalog

Elgin OEM Parts as of June 9, 2021

Discount Offered % off list price:

5%

Item 2. Labor-Hourly Rate

\$165.00 per hour

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Deputy Commissioner of Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 21G44 be and is hereby awarded to the sole bidder Empire Equipment Sales of L.I., Inc. d/b/a Long Island Sanitation Equipment Co.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute one (1) year contract with Empire Equipment Sales of L.I., Inc. d/b/a Long Island Sanitation Equipment Co.; and be it further

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 421 JULY 7, 2021
AWARDING BID NO. 21G45 KITCHEN EQUIPMENT CATALOG/WEBSITE

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

WHEREAS, the following bids for Bid No. 21G45 Kitchen Equipment Catalog/ Website were received,
opened and publicly read:

SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Commissioner of General Services and upon his
finding the aforementioned bids fair and reasonable, Bid No. 21G45 be and is hereby awarded to Nassau Food
Service Equipment, Inc. and Douglas Food Stores, Inc. d/b/a Douglas Equipment; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 422 JULY 7, 2021
AWARDING BID NO. 21G48
VETERINARY & PET CARE PRODUCTS CATALOG AND/OR WEBSITE

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

WHEREAS, the following bids for Bid No. 21G48 Veterinary & Pet Care Products Catalog and/or
Website were received, opened and publicly read:

<u>Item</u>	<u>Vendor</u>	<u>Percentage Off</u>
1. Percentage off Catalog/Website Price		
	HSB Veterinary Supply, Inc.	
	2021 HSB Veterinary Supply, Inc. Catalog	-20%
	Midwest Veterinary Supply, Inc.	
	<u>www.midwestpestsupply.com</u> (With the exception of pg. 26 of the catalog)	-13%

RESOLVED, that based upon the recommendation of the Commissioner of General Services and upon
her finding the aforementioned bids to be fair and reasonable, Bid No. 21G48 be and is hereby awarded to the
bidders offering the highest discount per catalog, HSB Veterinary Supply, Inc. and Midwest Veterinary Supply,
Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with
HSB Veterinary Supply, Inc. and Midwest Veterinary Supply, 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 contracts may be extended for two (2) additional one (1) year periods at the
discretion of the Commissioner of General Services.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 423 JULY 7, 2021
AUTHORIZING CHANGE ORDER NO. 3 IN THE CONTRACT WITH
CASHIN ASSOCIATES, P.C. FOR RFP NO. 17G91 FOR EVALUATION, ENGINEERING, DESIGN,
BID PHASE CONSTRUCTION ADMINISTRATION, MANAGEMENT & PART TIME INSPECTION
SERVICES FOR A NEW HVAC SYSTEM AT BABYLON TOWN HALL

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

WHEREAS, RFP No. 17G91, Requests for Proposals for Evaluation, Engineering, Design, Bid Phase, Construction Administration, Management & Part Time Inspection Services was awarded to Cashin Associates, P.C. pursuant to Resolution No. 218 of March 14, 2018 for a total contract amount of TWO HUNDRED TWENTY-ONE THOUSAND, TWO HUNDRED ELEVEN (\$221,211.00) DOLLARS, and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No.251 of March 27, 2019, increasing the total contract amount to TWO HUNDRED SIXTY-FOUR THOUSAND, TWO HUNDRED ELEVEN (\$264,211.00) DOLLARS and

WHEREAS, Change Order No. 2 was approved pursuant Resolution No. 230 of March 11, 2020 increasing the total contract to THREE HUNDRED THREE THOUSAND, NINE HUNDRED SIXTY-ONE (\$303,961.00) DOLLARS.

WHEREAS, the Change Order Committee convened on July 1, 2022, with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development in attendance to review Change Order No. 3, and

WHEREAS, the Change Order Review Committee recommends the approval of Change Order No. 3 as follows:

Additional construction administration and inspection	\$47,250.00
TOTAL CHANGE ORDER NO. 3	\$47,250.00

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Change Order Review Committee, the Supervisor be and he is hereby authorized to execute Change Order No. 3 in the contract with Cashin Associates, P.C., in the amount of FORTY SEVEN THOUSAND, TWO HUNDRED FIFTY (47,250.00) DOLLARS, increasing the total contract amount with Cashin Associates, P.C. to THREE HUNDRED FIFTY ONE THOUSAND, TWO HUNDRED AND ELEVEN (\$351,211.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 424 JULY 7, 2021
AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH
PIONEER LANDSCAPING & ASPHALT PAVING, INC
FOR BID NO. 20G14, SHORELINE STABILIZATION & ROAD IMPROVEMENTS ON OAK BEACH
ROAD**

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

WHEREAS, Bid No.20G14, Shoreline Stabilization & Road Improvements on Oak Beach Road was awarded to Pioneer Landscaping & Asphalt Paving, Inc. for a total contract amount of ONE MILLION THREE HUNDRED SIXTY-ONE THOUSAND, FIVE HUNDRED FIFTY-FIVE (\$1,361,555.00) DOLLARS pursuant to Resolution No.564 of September 22, 2021; and

WHEREAS, this project is part of the Governor’s Office of Storm Recovery (GOSR) mitigation projects; and

WHEREAS, the Change Order Committee (“Committee”) convened on July 7, 2021 with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 1 as follows:

Change Order No. 1 Increase of the actual quantity of materials used on the base bid	\$136,691.49
Credit for the actual quantity of materials used in the base bid	(\$46,361.72)
Credit to Contingency	(\$50,000.00)
Credit for actual quantity of materials used for Alternate No. 1 Asphalt Pavement	(\$9,425.51)
Increase for actual quantity of materials used for Alternate No. 2 – Bioswale	\$11,178.00
Credit for actual quantity of materials used for Alternate No. 2 – Bioswale	(\$22,940.00)
TOTAL CHANGE ORDER NO. 1	\$19,142.26

WHEREAS, Change Order No.1 has been approved by the Committee, Nelson & Pope and the Governor’s Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, NV5, and GOSR, the Supervisor be and he is hereby authorized to execute Change Order No 1.for a total amount of NINETEEN THOUSAND ONE HUNDRED FORTY TWO DOLLARS AND 26/100 (19,142.26) increasing the contract with Pioneer Landscaping & Asphalt Paving, Inc., to ONE MILLION THREE HUNDRED EIGHTY THOUSAND SIX HUNDRED NINETY SEVEN DOLLARS AND 26/100 (\$1,380,697.26)

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 425 JULY 7, 2021
AUTHORIZING CHANGE ORDER NOS. 2 & 3, IN THE CONTRACT WITH
PIONEER LANDSCAPING & ASPHALT PAVING, INC
FOR BID NO. 20G73, CARLL'S RIVER WATERSHED,
LOCATION NO. 1 SUNRISE HIGHWAY

The following resolution was offered by Councilman Martinez

and seconded by Councilman Gregory

WHEREAS, Bid No.20G73, Carll's River Watershed, Location No. 1 Sunrise Highway was awarded to Pioneer Landscaping & Asphalt Paving, Inc. for a total contract amount of ONE MILLION SEVEN HUNDRED SEVENTY-FIVE THOUSAND (\$1,775,000.00) DOLLARS pursuant to Resolution No.784 of December 23, 2020; and

WHEREAS, this project is part of the Governor's Office of Storm Recovery (GOSR) mitigation projects; and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 298 of May 12, 2021, which resulted in no change to the contract amount of ONE MILLION SEVEN HUNDRED SEVENTY-FIVE THOUSAND (\$1,775,000.00) DOLLARS, and

WHEREAS, the Change Order Committee ("Committee") convened on July 7, 2021 with the Chief of Staff, Comptroller, Commissioner of General Services, and the Commissioner of Planning & Development to review Change Order No. 2 and 3 as follows:

Change Order No. 2 To legally dispose of C & D debris according to NYS DEC regulations, uncovered during excavation and not in the original scope of the project	\$1,449,046.00
Change Order No. 3 Provide labor and materials for test hole site sampling plan and test pits	\$26,519.37
Credit to Contingency	(\$337,723.98)
Total Change Order No. 2 and 3	1,137,841.39

WHEREAS, Change Order Nos.2 and 3 has been approved by the Committee, NV5, and the Governor's Office of Storm Recovery (GOSR) and all procurement guidelines set forth by GOSR have been complied with; and

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Committee, NV5, and GOSR, the Supervisor be and he is hereby authorized to execute Change Order Nos. 2 and 3 for a total amount of ONE MILLION ONE HUNDRED THIRTY SEVEN THOUSAND, EIGHT HUNDRED THIRTY EIGHT DOLLARS AND 57/100 (\$1,137,838.57) in the contract with Pioneer Landscaping & Asphalt Paving, Inc.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 426 JULY 7, 2021
AUTHORIZING A CHANGE ORDER NO. 1 AND ACCEPTING THE CONTRACT AS COMPLETED
WITH RALPH W. PLOTKE, INC., D/B/A ROOF SERVICES
FOR BID NO. 20G81, ROOF REPLACEMENT AT 455 ALBANY AVENUE,
NORTH AMITYVILLE

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

WHEREAS, Bid No. 20G81, Roof Replacement at 455 Albany Avenue, North Amityville was awarded to Ralph W. Plotke, Inc., d/b/a Roof Services, Inc. pursuant to Resolution No. 684 of November 5, 2020 for a total contract amount of ONE HUNDRED FIFTY EIGHT THOUSAND, FOUR HUNDRED SIXTY FIVE (\$158,465.00) DOLLARS plus TEN THOUSAND, SEVEN HUNDRED FIFTY (\$10,750.00) DOLLARS for the cost of the replacement of 1,000 square feet of tapered insulation; and

WHEREAS, the Change Order Committee convened on July 1, 2021 with the Chief of Staff, Commissioner of Planning & Development and Commissioner of General in attendance to review Change Order No.1; and

WHEREAS, the Change Order Committee and Nelson & Pope recommend the approval of Change Order No.1 as follows:

Change Order No. 1 Credit for unused funds for wet insulation	(\$4,950.30)
Provide labor and material for sheathing of back of mansard	\$1,184.82
Provide labor and material to remove metal panels and ridge capping inside parapet	\$23,590.00
Provide and install labor and materials to remove and replace existing hip cap, new flashing, etc.	\$24,600.00
Credit to contingency	(\$35,000.00)
TOTAL CHANGE ORDER NO. 1	\$9,424.52

WHEREAS, the Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson & Pope have deemed all work performed by Ralph W. Plotke, Inc., d/b/a Roof Services, Inc. pursuant to Bid No. 20G81 as complete and acceptable; and

NOW, therefore be it

RESOLVED, that Change Order No.1 for a total c amount of NINE THOUSAND, FOUR HUNDRED TWO FOUR DOLLARS AND 52/100 (\$9,424.52) be and is hereby approved, increasing the total contract amount to ONEHUNDRED SEVENTY-EIGHT THOUSAND, SIX HUNDRED THIRTY-NINE DOLLARS AND 52/100 (\$178,639.52); and be it further

RESOLVED, that based upon the recommendations Commissioner of General Services, the Deputy Commissioner of the Department of Public Works and Nelson & Pope, all work performed by Ralph W. Plotke, Inc., d/b/a Roof Services, Inc. pursuant to Bid No. 20G81, be and is hereby accepted as satisfactorily complete at a final contract price of NINE THOUSAND, FOUR HUNDRED TWO FOUR DOLLARS AND 52/100 (\$9,424.52).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 427 JULY 7, 2021
AUTHORIZING A CREDIT AND ACCEPTING THE CONTRACT AS COMPLETED WITH LONG ISLAND ROOFING AND REPAIRS SERVICES CORP. FOR BID NO. 20G97, ROOF REPLACEMENT AT JAMES F. CHRISTIE BUILDING AT TANNER PARK & CONCESSION BUILDING ATVAN BOURGENDIEN PARK

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

WHEREAS, Bid No. 20G97, Roof Replacement at James F. Christie Building at Tanner Park & Concession Building at Van Bourgendien Park was awarded to Long Island Roofing and Repairs Services Corp. pursuant to Resolution No. 788 of December 23, 2020 for a total contract amount of FORTY-NINE THOUSAND SIXTY DOLLARS (\$49,060.00) DOLLARS; and

WHEREAS, a credit is due from Long Island Roofing as follows:

Credit for Unused Contingency	(\$10,000.00)
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WHEREAS, the Commissioner of General Services, and the Deputy Commissioner of the Department of Public Works have deemed all work performed by, Inc. pursuant to Bid No. 20G97 Long Island Roofing and Repairs Services Corp. as complete and acceptable; and

NOW, therefore be it

RESOLVED, that unused contingency from Long Island Roofing and Repairs Services Corp.be and is hereby accepted for a credit amount of TEN THOUSAND (-\$10,000.00) DOLLARS, thereby reducing the total contract amount to THIRTY-NINE THOUSAND, SIXTY (\$39,060.00) DOLLARS; and be it further

RESOLVED, that based upon the recommendations Commissioner of General Services, the Commissioner of the Department of Public Works and Nelson + Pope, all work performed by Corporate Electrical Technologies, Inc. pursuant to Bid No. 20G97, be and is hereby accepted as satisfactorily complete at a final contract price of THIRTY NINE THOUSAND, SIXTY (\$39,060.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 428 JULY 7, 2021
AUTHORIZING A CHANGE ORDER NO. 1 AND ACCEPTING THE CONTRACT AS COMPLETED
WITH GEMSTAR CONSTRUCTION CORP.
FOR BID NO. 21G20, UPGRADE TO BACKWASH DISPOSAL SYSTEM
AT CEDAR BEACH MARINA

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

WHEREAS, Bid No. 21G20, Upgrades to Backwash Disposal System at Cedar Beach Marina was awarded to Gemstar Construction Corp., Inc. pursuant to Resolution No. 160 of March 17, 2021 for a total contract amount of EIGHTY-SEVEN THOUSAND, SEVEN HUNDRED SEVENTY-SEVEN (\$87,777.00) DOLLARS; and

WHEREAS, the Change Order Committee convened on July 1, 2021 with the Chief of Staff, Commissioner of Planning & Development and Commissioner of General in attendance to review Change Order No.1; and

WHEREAS, the Change Order Committee and P.W. Grosser recommend the approval of Change Order No.1 as follows:

Provide additional labor to relocate groundwater disposal system due to presence of underground electrical power feeders	\$3,441.72
Provide material to relocated groundwater disposal system due to presence of underground electrical power feeders	\$2,841.42
Credit for reduction in quantity of leaching galleys to be installed and elimination of requirement to remove existing manhole	(\$655.50)
Credit for Unused Contingency	(\$10,000)
TOTAL CHAGNE ORDER NO. 1	(\$4,372.36)

WHEREAS, the Commissioner of General Services, the Commissioner of the Department of Public Works and P.W. Grosser have deemed all work performed by Gemstar Construction Corp., Inc. pursuant to Bid No. 21G20 as complete and acceptable; and

NOW, therefore be it

RESOLVED, that Change Order No.1 for a total credit amount of FOUR THOUSAND THREE HUNDFRED SEVENTY-TWO DOLLARS AND 36/100 (-\$4,372.36) be and is hereby approved, decreasing the total contract amount to EIGHTY-THREE THOUSAND, FOUR HUNDRED FOUR DOLLARS AND 64/100 (\$83,404.64), and be it further;

RESOLVED, that based upon the recommendations Commissioner of General Services, the Commissioner of the Department of Public Works and P.W. Grosser, all work performed by Gemstar Construction Corp., Inc. pursuant to Bid No. 21G20, be and is hereby accepted as satisfactorily complete at a final contract price of EIGHTY THREE THOUSAND, FOUR HUNDRED FOUR DOLLARS AND 64/100 (\$83,404.64).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 429 JULY 7, 2021
AUTHORIZING A CONTRACT WITH SWANK MOTION PICTURES, INC.

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

WHEREAS, a proposal for license fees for the movies for a drive-in movies in Wyandanch on July 16, July 23 and July 30, 2021; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 1, 2021 with the Deputy Supervisor, the Chief of Staff, the Commissioner of General Services, the Commissioner of the Department of Planning & Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the aforementioned proposal, the Committee recommends the award of a contract to Swank Motion Pictures, Inc. for a total contract amount of ONE THOUSAND TWO HUNDRED SIXTY-FIVE (\$1,265.00) DOLLARS; and

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 Swank Motion Pictures, Inc. for a total contract amount ONE THOUSAND TWO HUNDRED SIXTY-FIVE (\$1,265.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 430 JULY 7, 2021
AUTHORIZING A CONTRACT WITH SECURITY METRICS

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

WHEREAS, a proposal for HIPAA Services for Drug & Alcohol, a div. of Human Services was solicited
from Security Metrics; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 1, 2021 with the Deputy
Supervisor, Chief of Staff, Comptroller, the Commissioner of General Services, the Commissioner of the Dept. of
Public Works and the Commissioner of Planning & Development in attendance to review the aforementioned
proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to
Security Metrics at an annual fee up to and not exceeding TWO THOUSAND FIVE HUNDRED (\$2,500.00)
DOLLARS ; and

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 Security Metrics for a total annual contract
amount up to and not exceeding TWO THOUSAND, FIVE HUNDRED (\$2,500.00) DOLLARS and that said
contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

RESOLVED, that said contract may be extended for two (2) additional one (1) year periods at the discretion
of the Director of Drug & Alcohol.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 431 JULY 7, 2021
AUTHORIZING A CONTRACT WITH
LIRO ENGINEERS, INC.**

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

WHEREAS, a proposal for the following services was solicited from Liro Engineers, Inc. in connection with the Wyandanch Roadway Lighting System Infrastructure Construction:

Services:

Attendance at three (3) site meetings during construction
Review and Respond to Requests for Information related to electrical work from contracts,
Provided necessary engineering support to resolve technical issues in the field
Review and approve contractor payment requests
Review of shop drawings
Final Inspection
Review of as-built drawings

WHEREAS, the Professional Consultant Evaluation Committee convened on July 1 2021 with the Deputy Supervisor, Chief of Staff, Comptroller, the Commissioner of General Services, Commissioner of Planning and Development and the Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract Liro Engineers, Inc. at a total cost not to exceed SEVEN THOUSAND (\$7,000.00) DOLLARS; and

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 Liro Engineers, Inc. at a total contract amount not to exceed SEVEN THOUSAND (\$7,000.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 432 JULY 7, 2021
AUTHORIZING A CONTRACT WITH 3M TRANSPORTATION SAFETY DIVISION

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

WHEREAS, a proposal was solicited from 3M Transportation Safety Division for hosting and maintenance of the 3M Sign Management System; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 1, 2021 with the Deputy Supervisor, Chief of Staff, Comptroller, the Commissioner of General Services, and Commissioner of Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends awarding a contract to 3M Transportation Safety Division for hosting and maintenance of the 3M Sign Management System at the following fees:

March 2, 2021 – March 1, 2022	\$7,500.00
March 2, 2022 – March 1, 2023	\$8,750.00
Technical support after 32 hours	\$225.00/hour

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 3M Transportation Safety Division at the following fees:

March 2, 2021 – March 1, 2022	\$7,500.00
March 2, 2022 – March 1, 2023	\$8,750.00
Technical support after 32 hours	\$225.00/hour

Also be it, RESOLVED, that the Software License Agreement at no cost to the Town of Babylon and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 433 JULY 7, 2021
AUTHORIZING A CONTRACT WITH HONEYWELL INTERNATIONAL, INC.

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

WHEREAS, a proposal for an emergency communication system was solicited from Honeywell International, Inc.; and

WHEREAS, the Professional Consultant Evaluation Committee convened on July 1, 2021 with the Deputy Supervisor, Chief of Staff, Comptroller, the Commissioner of General Services, the Commissioner of the Dept. of Public Works and the Commissioner of Planning & Development in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Honeywell International, Inc. at an annual fee of FOURTEEN THOUSAND, THREE HUNDRED EIGHT DOLLARS AND 35/100 (\$14,308.35) DOLLARS; and

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 Honeywell International, Inc. for a total annual contract amount not to exceed FOURTEEN THOUSAND, THREE HUNDRED EIGHT DOLLARS AND 35/100 (\$14,308.35) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 434 JULY 7, 2021
TOWN BOARD ENVIRONMENTAL DETERMINATION
FOR A WETLAND RESTORATION PROJECT AT 110 GRAND BOULEVARD SOUTH OF GEIGER
LAKE PARK, DEER PARK, TOWN OF BABYLON, NEW YORK
SCTM NO. 0100-59.00-02.00-022.001

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

WHEREAS, the Town of Babylon Department of Environmental Control is working with the Town of Babylon Department of Public Works to construct a Wetland Restoration Project at 110 Grand Boulevard, Deer Park, Town of Babylon, New York that is to be funded under the Suffolk County Water Quality Protection and Restoration Program (WQPRP); and

WHEREAS, the Town of Babylon Department of Environmental Control has secured New York State Department of Environmental Conservation (NYSDEC) permits for the Wetland Restoration at 110 Grand Boulevard Deer Park, NY; and

WHEREAS, the Town Board of the Town of Babylon classified the Geiger Lake Park Wetland Restoration as a Type I Action pursuant to the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

WHEREAS, the Town Board of the Town of Babylon has determined in accordance with Section 114-7 C. TOBEQRA, Determining Significance that:

1. The proposal will not adversely impact any sensitive environmental resources.
2. The project will have beneficial impacts on the Carll's River Watershed through re-establishment of a filled wetland within the watershed system.
3. The proposal will improve the aesthetics, resiliency benefits and water quality of the Carll's River Watershed. This project will remove C & D debris and historical fill and re-establish the wetland thus allowing for precipitation recharge into the groundwater and surface waters; and

WHEREAS, the Town Board of the Town of Babylon has determined that the proposed Geiger Lake Park Wetland Restoration will not have a significant adverse impact on the environment; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon adopts a Negative Declaration for the proposed Geiger Lake Park Wetland Restoration in accordance with the TOBEQRA and the State Environmental Quality Review Act (SEQRA).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 435 JULY 7, 2021
AUTHORIZING THE SUPERVISOR TO ENTER INTO A GRANT AGREEMENT WITH SUFFOLK COUNTY FOR A WETLAND RESTORATION PROJECT AT 110 GRAND BOULEVARD, JUST SOUTH OF GEIGER PARK, DEER PARK, TOWN OF BABYLON, NEW YORK
SCTM NO. 0100-59.00-02.00-022.001

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

WHEREAS, the Town of Babylon has applied to the Suffolk County Department of Economic Development and Planning with the intention to construct a Wetland Restoration Project at 110 Grand Boulevard, Deer Park, Town of Babylon, New York to be funded under the Suffolk County Water Quality Protection and Restoration Program (WQPRP); and

WHEREAS, pursuant to the Town of Babylon Department of Environmental Control Budget Account Item 46 identified for 2021 for Repairs and Maintenance; \$80,000 will be committed for the proposed match for the current round of the Suffolk County Water Quality Protection and Restoration Program and will fund \$60,000 in matching Suffolk County funding for a total grant amount of \$140,000 for the Wetland Restoration at 110 Grand Boulevard Deer Park, NY; and

WHEREAS, the proposed project will have significant beneficial, habitat, resiliency and water quality impacts on the Carll's River Watershed and South Shore Estuary Reserve by the restoration of impacted former wetland habitat; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon authorizes the Supervisor to enter into an inter-municipal agreement with the County of Suffolk in order for the Town of Babylon to serve as the funding conduit for grant funding awarded through the Suffolk County Division of Water Quality Improvement's Water Quality Protection and Restoration Program and Land Stewardship initiative for the Wetland Restoration Project at Grand Boulevard, Deer Park; and, be it further

RESOLVED, that the Town of Babylon agrees to provide the required minimum of 50% matching funds, to receive \$60,000.00 from the County of Suffolk by committing an \$80,000.00 match from the Town of Babylon for a total grant award of \$140,000; and, be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 436 JULY 7, 2021
AUTHORIZING 2020 BUDGET MODIFICATION

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

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

	<u>Increase</u>	<u>Decrease</u>
<u>Special District Fund</u>		
Fire Protection		
LOSAP Activity		
SF.3410-50	\$ 32,848	
Ambulance District		
LOSAP Activity		
SF.4540-50	\$ 9,021	
Fire Protection		
Program Operations		
SF.3410-47		\$ 41,869

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 437 JULY 7, 2021
AUTHORIZING 2021 BUDGET MODIFICATION

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town
Comptroller, that the following 2021 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>		
Parks		
Program Operations		
A.7110.47	\$ 15,000	
Contingent account		
Miscellaneous		
A.1990.49		\$ 15,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 438 JULY 7, 2021
APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD
PROGRAM SPONSORED BY THE TOWN OF BABYLON

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

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law (GML), the Town of Babylon established Service Award Programs for active volunteer firefighters of each of the five fire protection districts within the Town of Babylon; and

WHEREAS, these Service Award Programs are administered and sponsored by the Town of Babylon; and

WHEREAS, Article 11-A authorizes the Town to pay disability benefits from the Service Award Program to a volunteer whose disability meets certain requirements set forth in paragraph e of Section 219 of the GML including the requirement that the volunteer's disability is certified to be a total and permanent disability by the Workers Compensation Board or the Social Security Administration or any other authority approved by the Town; and

WHEREAS, the Town has retained Penflex Actuarial Services to assist the Town to administer the Service Award Programs; and

WHEREAS, Penflex Actuarial Services recommends the award of a Total and Permanent Disability benefit from the North Lindenhurst Fire Department Service Award Program for Application No. 002;

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Babylon has received Application No. 002 from a Service Award Program participant to be paid a disability benefit from the North Lindenhurst Fire Protection District Service Award Program. Penflex Actuarial Services has certified that the participant's application for a Service Award Program disability benefit has met the requirements set forth in paragraph e of Section 219 of the GML. The authority which certified that the participant was totally and permanently disabled was the Social Security Administration. By the adoption of this resolution, the Town Board accepts that authority as an authority which may make such certification and authorizes Penflex Actuarial Services, LLC. to process the payment of the disability benefit in response to Application No. 002.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 439 JULY 7, 2021
APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD
PROGRAM SPONSORED BY THE TOWN OF BABYLON

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

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law (GML), the Town of Babylon established Service Award Programs for active volunteer firefighters of each of the five fire protection districts within the Town of Babylon; and

WHEREAS, these Service Award Programs are administered and sponsored by the Town of Babylon; and

WHEREAS, Article 11-A authorizes the Town to pay disability benefits from the Service Award Program to a volunteer whose disability meets certain requirements set forth in paragraph e of Section 219 of the GML including the requirement that the volunteer's disability is certified to be a total and permanent disability by the Workers Compensation Board or the Social Security Administration or any other authority approved by the Town; and

WHEREAS, the Town has retained Penflex Actuarial Services to assist the Town to administer the Service Award Programs; and

WHEREAS, Penflex Actuarial Services recommends the award of a Total and Permanent Disability benefit from the North Lindenhurst Fire Department Service Award Program for Application No. 003;

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Babylon has received Application No. 003 from a Service Award Program participant to be paid a disability benefit from the North Lindenhurst Fire Protection District Service Award Program. Penflex Actuarial Services has certified that the participant's application for a Service Award Program disability benefit has met the requirements set forth in paragraph e of Section 219 of the GML. The authority which certified that the participant was totally and permanently disabled was the Social Security Administration. By the adoption of this resolution, the Town Board accepts that authority as an authority which may make such certification and authorizes Penflex Actuarial Services, LLC. to process the payment of the disability benefit in response to Application No. 003.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 440 JULY 7, 2021
APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD
PROGRAM SPONSORED BY THE TOWN OF BABYLON

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

WHEREAS, in accordance with Article 11-A of the New York State General Municipal Law (GML), the Town of Babylon established Service Award Programs for active volunteer firefighters of each of the five fire protection districts within the Town of Babylon; and

WHEREAS, these Service Award Programs are administered and sponsored by the Town of Babylon; and

WHEREAS, Article 11-A authorizes the Town to pay disability benefits from the Service Award Program to a volunteer whose disability meets certain requirements set forth in paragraph e of Section 219 of the GML including the requirement that the volunteer's disability is certified to be a total and permanent disability by the Workers Compensation Board or the Social Security Administration or any other authority approved by the Town; and

WHEREAS, the Town has retained Penflex Actuarial Services to assist the Town to administer the Service Award Programs; and

WHEREAS, Penflex Actuarial Services recommends the award of a Total and Permanent Disability benefit from the North Lindenhurst Fire Department Service Award Program for Application No. 004;

NOW, THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Babylon has received Application No. 004 from a Service Award Program participant to be paid a disability benefit from the North Lindenhurst Fire Protection District Service Award Program. Penflex Actuarial Services has certified that the participant's application for a Service Award Program disability benefit has met the requirements set forth in paragraph e of Section 219 of the GML. The authority which certified that the participant was totally and permanently disabled was the Social Security Administration. By the adoption of this resolution, the Town Board accepts that authority as an authority which may make such certification and authorizes Penflex Actuarial Services, LLC. to process the payment of the disability benefit in response to Application No. 004.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 441 JULY 7, 2021
SETTING FEES FOR THE DEPARTMENT OF PLANNING AND DEVELOPMENT

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the
Director of Personnel that the following fees are hereby set forth effective this date;

Application processing fee for all non-law enforcement civil service promotional examinations	\$40.00
Application processing fee for all civil service promotional examinations for law enforcement titles	\$125.00
Application processing fee for all open-competitive examinations for non-law enforcement titles	\$40.00
Application processing fee for all open-competitive examinations for: -Park Ranger I -Deputy Sheriff I -Correction Officer I -Probation Officer Trainee -Police Officer	\$125.00

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 442 JULY 7, 2021
AMENDING THE SALARY PLAN FOR PART-TIME,
HOURLY, AND SEASONAL EMPLOYEES

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

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

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

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

Law Intern I	14.00/hr.
Law Intern II	15.00/hr.
Law Intern III	16.00/hr.
Material Control Clerk	14.00/hr.
Medical Billing Agent	20.00 - 30.00/hr.
Medical Director-Drug Abuse Treatment	120.00 - 175.00/hr.
Micrographics Operator	14.00/hr.
Mini Bus Driver	14.00-20.00/hr.
Neighborhood Aide	14.00/hr.
Ordinance Enforcement Officer I	14.00/hr.
Ordinance Enforcement Officer II	14.30/hr.
Ordinance Enforcement Officer III	15.30/hr.
Ordinance Enforcement Officer IV	16.30/hr.
Ordinance Enforcement Officer V	17.30/hr.
Ordinance Inspector I	14.00/hr.
Ordinance Inspector II	14.30/hr.
Ordinance Inspector III	15.30/hr.
Ordinance Inspector IV	16.30/hr.
Paralegal Assistant	14.00 - 16.50/hr.
Paralegal Assistant II	17.00 - 22.00/hr.
Park Attendant I	14.00 - 18.00/hr.
Park Attendant II	14.00 - 20.00/hr.
Park Ranger	14.00 - 20.00/hr.
Parking Meter Officer	14.00 - 16.00/hr.
Part Time Fire Marshal Call-In	50.00/hr.
Part Time Maintenance Mechanic I	20.00- 45.00/hr
Part Time Maintenance Mechanic II	20.00- 45.00/hr
Part Time Maintenance Mechanic III	20.00- 45.00/hr
Part Time Maintenance Mechanic IV	20.00- 45.00/hr
Photo Technician	13.50 - 20.00/hr.
Planning Aide	14.00/hr.
Plumber I	14.30/hr.
Plumber II	14.45/hr.
Plumber III	15.70/hr.
Plumbing Inspector I	14.50 - 15.00/hr.
Plumbing Inspector II	15.01 - 16.00/hr.
Plumbing Inspector III	16.01 - 17.00/hr.
Plumbing Inspector IV	17.01 - 18.00/hr.
Plumbing Inspector V	18.01 - 20.00/hr.
Plumbing Inspector VI	20.01 - 25.00/hr.
Plumbing Inspector VII	25.01 - 30.00/hr.
Plumbing Inspector	15.00/hr.
Pole Inspector I	14.00/hr.
Pole Inspector II	14.25/hr.
Pole Inspector III	14.50/hr.
Program Aide I-HOURLY	14.00 - 15.00/hr.
Program Aide II-HOURLY	15.25 - 15.74/hr.
Program Aide III-HOURLY	15.75 - 21.34/hr.
Program Aide IV-HOURLY	21.35 - 23.35/hr.
Program Aide V-HOURLY	23.36 - 25.75/hr.
Program Aide VI-HOURLY	25.76 - 27.05/hr.
Program Aide VII-HOURLY	27.06 - 39.58/hr.

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 443 JULY 7, 2021
AUTHORIZING EMPLOYEE REIMBURSEMENT**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Comptroller is hereby authorized
to issue reimbursement to the following employee(s):

EMPLOYEE	AMOUNT
Delores Bocklet	\$100.50 reference books

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 444 JULY 7, 2021
AUTHORIZING REFUND OF PAYMENT COMMERCIAL WASTE DISTRICT

The following resolution was offered by Councilman Manetta

and seconded by Councilman Martinez

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following payments be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON	RECOMMENDED BY
National Field Representatives Property Registration Dept. Attn: Taylor Deaborn 136 Maple Avenue Claremont, NH 03743	Account #018679 Hines, Eddie Estate of 55 Chestnut Road Amityville, NY 11701	Commercial Waste District	\$2,000.00	Overpayment	Commissioner of Environmental Control

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 445 JULY 7, 2021
APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES

The following resolution was offered by Councilman Martinez

and seconded by Councilman Gregory

BE IT RESOLVED by the Town Board of the Town of Babylon that the following 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
Brian Dowdell	Remote Work Station IT	1,500(until 12/31/21)
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Celeste Kusmierski	Events Planning Chairperson	9,000
Casey Schnapp	Remote Work Station IT	1,500(until 12/31/21)
Dawn Carberry	Subregistrar	2,500
Denise Graziano	p/t Clerk	32,500
Donna Somma	Diversity Officer	4,500
Geraldine Compitello	Clerk Advisory Chairperson	10,000
Gilbert Hanse	Emergency Preparedness Coordinator	10,000
Jennifer Montiglio	Tax Warrant Coordinator	10,000
Jen Taus	Secretary to Town Board	6,000
Jorge Rosario	Public Safety Coordinator	4,000
Joseph Coyle	Remote Work Station IT	1,500(until 12/31/21)
Joseph Olmedo	Drug & Alcohol Coordinator	3,500
Joseph Price	Parks Payroll Liaison	7,500
Joseph Wilson	Sanitation Commission Chairman	2,000
Katherine Lynch	p/t Purchasing Technician	32,500
Lori Lynn Hansen	Deputy Registrar	3,150
Madeline Quintyne-McConney	Special Events Coordinator	5,000
Marianne Hunt	Part-time Executive Assistant to Assessor	2,000
Patrick Farrell	Task Force Director	5,000
Peter Russo	Plumbing Regulation Liaison to NYS	9,500

Rachel Scelfo	Workforce Housing Coordinator	8,500
Ronald Kluesener	Solid Waste Administrator	8,500
Stephen Greenwald	Traffic Safety Coordinator/Secretary	5,200
Stephen Greenwald	Grant Writer	5,000
Susanne Boltz	HUD Coordinator	7,000
Thomas Stay	Drainage Coordinator	2,000
Umeko Healy	Deputy Assistant to Town Board	4,000
Stephanie Brennan	Part Time Citizens Advocate	3,000
Victoria Marotta	Director of Community Development	4,000
Thomas Vetri	Assistant Solid Waste Coordinator	6,000
Edward Buturla	Solid Waste Billing Coordinator	4,500
Mary Sullivan	Tax IDA Coordinator	5,000
Linda Murphy-Puglia	Tax IT Coordinator	2,500
Kevin Bonner	COVID-19 Response Coordinator	15,000
Kelly Medwig	Demolition Coordinator	5,000

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 446 JULY 7, 2021
CONFIRMING MEMBERSHIP TO THE NORTH BABYLON VOLUNTEER FIRE COMPANY, INC.

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

BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Babylon Volunteer Fire Company, Inc., 20 Hale Road, North Babylon, New York:

Matthew Hellem	72 Rhoda Avenue North Babylon, NY 11703
Gabriel Durkin	140 Bond Street North Babylon, NY 11703
Rebecca Theanin	81 Barnum Street North Babylon, NY 11703

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 447 JULY 7, 2021
CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST
FIRE DEPARTMENT, INC.

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

BE IT RESOLVED, that pursuant to Section 1402 of the Not-For-Profit Law of the State of New York, the following residents are duly elected in conformity with the By-Laws of the North Lindenhurst Fire Department, Inc., 1630 Straight Path, North Lindenhurst, New York:

Michael DeBietto	268 34 th Street Lindenhurst, NY 11757
Ryan M. Gardner	220 Tremont Road Lindenhurst, NY 11757

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 448 JULY 7, 2021
PROCLAIMING SUNDAY, JULY 11, 2021 AS
EAGLE SCOUT JARRED JAY NAVARRO DAY**

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

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

WHEREAS, the rank of Eagle Scout is a 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, Jarred Jay Navarro 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 Jarred Jay Navarro its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, July 11, 2021 as Eagle Scout Jarred Jay Navarro Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 449 JULY 7, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 6
OF THE BABYLON TOWN CODE (DEPARTMENT OF TOWN ATTORNEY)

The following resolution was offered by Councilman Martinez

and seconded by Councilman Gregory

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Old Town Hall, 47 W Main St, Babylon, NY 11702 on the 4th day of August, 2021 at 10:00 a.m., prevailing time, to consider amending Chapter 6 of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

DELETE

§ 6-15 Division of Code Enforcement.

The Division of Code Enforcement's powers and duties are to investigate all alleged violations of the Code of the Town of Babylon or, to such end, applicable state codes, laws, rules and regulations. The Town Attorney may employ such investigators, zoning inspectors, ordinance inspectors, sign inspectors, or any other personnel as may be required to effectuate the same, within budgetary limits set by the Town Board. The Division shall be responsible for the enforcement of all violations of the aforesaid codes, laws, rules and regulations and/or obtaining compliance with the same. Persons in said Division designated by the Town Attorney in conformance with the Civil Service Law may issue notices of violation, appearance tickets, summonses or any other notices as permissible by law. Nothing herein shall be construed to limit any other power of the Town Attorney as provided by the Code of the Town of Babylon or any other applicable law, rule or regulation.

RESOLUTION NO. 450 JULY 7, 2021
SCHEULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 44 OF THE
BABYLON TOWN CODE (DEPARTMENT OF PARKS, RECREATION AND CULTURAL
AFFAIRS)

The following resolution was offered by Councilman Gregory

and seconded by Councilman McSweeney

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Old Town Hall, 47 W Main St, Babylon, NY 11702 on the 4th day of August, 2021 at 10:00 a.m., prevailing time, to consider amending Chapter 44 of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

DELETE:

§ 44-16 Division of Public Safety.

A.

The Division of Public Safety shall have charge and supervision of the administration and enforcement of Town codes, security for Town buildings and grounds and license investigations.

B.

The Division of Public Safety shall include ordinance inspectors, guards and park rangers, whose duties and responsibilities are set forth hereinbelow:

(1)

Ordinance inspectors shall have the responsibility to investigate and issue summonses relating to violation of local municipal ordinances and regulations regarding housing, building, zoning, fire safety, sanitation, amusements, signs, hawking, peddling and other areas concerning public order and safety.

(2)

The guards shall be responsible for ensuring the safety and security of Town buildings, grounds, materials and equipment against fire, trespass, theft and other hazards.

(3)

The Division of Public Safety shall, upon request of the Town Clerk or any other agency or department in the Town, review applications for permits or licenses issued pursuant to law. This Division shall investigate the facts and circumstances surrounding the proposed activity subject to licensing, verify the application and recommend to the Town Clerk the determination to be made with respect to such application. The investigations authorized by this subsection shall be conducted with respect to the following activities requiring licenses or permits:

(a)

Beach vehicle operation.

(b)

Bingo operations.

(c)
Amusement and carnival enterprises.

(d)
Games of chance operations.

(e)
Junkyard operations.

(f)
Parades and block parties.

(g)
Hawking and peddling.

(h)
Tow truck operation.

(i)
Video game licenses.

(j)
Taxi licenses.

(k)
Carting.

(4)
The park rangers shall have the responsibility for ensuring the safety and security of Town parks, beaches and recreational areas and any building contained within the parks, beaches and recreational areas. The park rangers shall also be responsible for enforcing Town Code ordinances relating to the parks, beaches and recreational areas and shall possess the powers of peace officers in accordance with § 2.10, Subdivision 9, of the Criminal Procedure Law and such other powers as may be authorized by law.

Delete:

§ 44-17 **Division of Fire.**

A.
The Division of Fire Marshals shall have charge and supervision of the administration and enforcement of Chapter **123** of the Code of the Town of Babylon relating to fire prevention. The Fire Marshals shall also be responsible to issue such permits and collect such fees as required in said chapter.

B.
The Chief Fire Marshal and Fire Marshals are also hereby authorized to issue appearance tickets and summonses for violations of the Code of the Town of Babylon and the New York State Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Property Maintenance Code and Energy Conservation Code.

C.
The Chief Fire Marshals and Fire Marshals are further authorized to issue uniform appearance tickets and simplified information's pursuant to Article 71 of the Environmental Conservation Law and simplified traffic information's pursuant to Criminal Procedure Law § 100.25 and shall have other powers of peace officers in accordance with § 2.10, Subdivision 62, of the Criminal Procedure Law, § 2.20 of the Criminal Procedure Law, and such other powers as may be authorized by law.

Amend:

§ 44-18 **Residency requirements.**

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 Bay Constable and Harbormaster. 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. The Town Board further finds and determines that limiting these appointed Town officers' residency to the Town of Babylon only is unduly restrictive and burdensome on the Town of Babylon in attempting to maintain and fill appointed Town officers vacancies as they occur

within the specific positions stated above. Accordingly, the Town Board of the Town of Babylon adopts this section for the purposes of allowing the Town to employ and maintain employment of qualified appointed Town officers to the positions of Bay Constable and Harbormaster to serve the Town of Babylon and its residents.

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 Bay Constable and Harbormaster shall reside within the State of New York.

RESOLUTION NO. 451 JULY 7, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO ADDING CHAPTER 15 OF THE
BABYLON TOWN CODE (DEPARTMENT OF PUBLIC SAFETY ENFORCEMENT)

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Old Town Hall, 47 W Main St, Babylon, NY 11702 on the 4th day of August, 2021 at 10:00 a.m., prevailing time, to consider amending Chapter 15 of the Babylon Town Code as set forth in Exhibit “A” herein below; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT “A”
Chapter 15

Department of Public Safety Enforcement

§ 15-1. Title.

This chapter shall be known as the "Establishment of a Department of Public Safety Enforcement.”

§ 15-2. Definitions; word usage.

- A. Word usage. Whenever used in this chapter, words used in the singular include the plural and vice versa.
- B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

CHIEF DEPUTY COMMISSIONER – The Chief Deputy Commissioner of the Town of Babylon Department of Public Safety Enforcement, who shall act for and in place of the Commissioner.

COMMISSIONER — The Commissioner of the Town of Babylon Department of Public Safety Enforcement, who shall be the chief executive officer of the Department.

DEPARTMENT — The Town of Babylon Department of Public Safety Enforcement, which shall perform a major function of Town government.

DEPUTY COMMISSIONER — The Deputy Commissioner of the Town of Babylon Department of Public Safety Enforcement, who shall act for and in place of the Commissioner.

§ 15-3. Establishment.

- A. There shall be in the Town of Babylon a Department of Public Safety Enforcement. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law, at such salary as may from time to time be fixed by said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualification for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department, with the power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.

- B. The Commissioner is empowered herein to appoint a Chief Deputy Commissioner and a Deputy Commissioner who shall generally act for and in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this chapter, by statute or by other lawful authority. In the absence of the Commissioner, the Chief Deputy Commissioner shall act as the chief executive officer of the Department. In the absence of the Commissioner and Chief Deputy Commissioner, the Deputy Commissioner shall act as the chief executive officer of the Department. The Commissioner shall be authorized to modify the divisions, assignments and the responsibilities of the Chief Deputy Commissioner and Deputy Commissioner as he shall deem necessary.
- C. The Commissioner is also empowered herein to appoint an executive assistant for such administrative functions as may be assigned and to advise and aid the Commissioner in the planning and coordination of projects and policies of the Department.
- D. The Commissioner is also empowered herein to appoint a secretary who shall perform such duties, functions and assignments as are proper and necessary in executing the administrative and clerical obligations and needs of the Commissioner and the Department.
- E. Before entering upon the duties of his office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such form as approved by the Town Attorney.

§ 15-4. Organization.

- A. The Commissioner shall have such powers as shall be necessary for the proper administration of the Department consistent with applicable provisions of law.
- B. Until such time as the same may be either amended or modified, the Department shall be divided into the following five divisions:
 - (1) Division of Public Safety.
 - (2) Division of Emergency Management.
 - (3) Division of Fire Prevention.
 - (4) Division of Code Enforcement.
 - (5) Division of Park Rangers

§ 15-5. Powers and duties.

- A. The powers and duties of such divisions therein shall be under the administration, direction and control of the Commissioner, and each division shall be supervised by a person designated by the Commissioner in conformance with the Civil Service Law.
- B. The Commissioner may, with the approval of the Town Board, establish, consolidate or abolish any divisions or subdivisions not existing or hereafter created in the Department.
- C. Powers and duties of individual divisions.
 - (1) Division of Public Safety. Its powers and duties are to provide for the protection of Town property and of the health, safety and welfare of citizens using Town property maintained for public use, by the enforcement of the applicable provisions of the Code of the Town of Babylon. The guards shall be responsible for ensuring the safety and security of Town buildings, grounds, materials and equipment against fire, trespass, theft and other hazards. The Division of Public Safety shall, upon request of the Town Clerk or any other agency or department in the Town, review applications for permits or licenses issued pursuant to law. This Division shall investigate the facts and circumstances surrounding the proposed activity subject to licensing, verify the application and recommend to the Town Clerk the determination to be made with respect to such application. The investigations authorized by this subsection shall be conducted with respect to the following activities requiring licenses or permits:

- i. Beach vehicle operation.
- ii. Bingo operations.
- iii. Amusement and carnival operations.
- iv. Games of chance operations.
- v. Junkyard operations.
- vi. Parades and block parties.
- vii. Hawking and peddling.
- viii. Tow truck operation.
- ix. Video game licenses.
- x. Taxi licenses.
- xi. Carting.

- (2) The Division of Emergency Management. Its powers and duties are to coordinate the town's response to natural and man-made disasters. Division personnel are responsible for the development of the a comprehensive emergency management plan, and work with local, county, state, and federal officials in all aspects of planning, resource management, and emergency response and recovery activities.
- (3) Division of Fire Prevention. Its powers and duties are set forth in Chapter 123 of the Code of the Town of Babylon. The Division of Fire Prevention shall have charge and supervision of the administration and enforcement of Chapter 123 of the Code of the Town of Babylon relating to fire prevention. The Fire Marshals shall also be responsible to issue such permits and collect such fees as required in said chapter. Fire Marshal are also hereby authorized to issue appearance tickets and summonses for violations of the Code of the Town of Babylon and the New York State Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Property Maintenance Code and Energy Conservation Code. Fire Marshals are further authorized to issue uniform appearance tickets and simplified information's pursuant to Article 71 of the Environmental Conservation Law and simplified traffic information's pursuant to Criminal Procedure Law § 100.25 and shall have other powers of peace officers in accordance with § 2.10, Subdivision 62, of the Criminal Procedure Law, § 2.20 of the Criminal Procedure Law, and such other powers as may be authorized by law.
- (4) Division of Code Enforcement. Its powers and duties are to investigate all alleged violations of the Code of the Town of Babylon or, to such end, applicable state codes, laws, rules and regulations. The Commissioner may employ such investigators, zoning inspectors, ordinance inspectors, sign inspectors, fire marshals or any other personnel as may be required to effectuate the same, within budgetary limits set by the Town Board. The Division shall be responsible for the enforcement of all violations of the aforesaid codes, laws, rules and regulations and/or obtaining compliance with the same. Persons in said Division designated by the Commissioner in conformance with the Civil Service Law may issue notices of violation, appearance tickets, summonses or any other notices as permissible by law. Nothing herein shall be construed to limit any other power of the Commissioner as provided by the Code of the Town of Babylon or any other applicable law, rule or regulation.
- (5) Division of Park Rangers. This Division of Park Rangers shall be composed of individuals with peace officer training and status entrusted with the responsibility to maintain the peace and good order of our community including in all parks, beaches other recreational spaces and upon all other Town owned property. It shall be the responsibility of all Park Rangers to actively patrol in marked or unmarked vehicles and enforce all federal, state and local laws to accomplish their mission. They will work closely with all public safety divisions and other code enforcement personnel as and where deployed by the Commissioner. Park Rangers, designated peace officers in accordance with § 2.10, Subdivision 9, of the Criminal Procedure Law, shall exercise the powers of peace officer and such other powers as may be authorized by law.

D. In cooperation with the Town Attorney, the Department shall assist in preparation, investigation, trial and enforcement of all litigation instituted by or against the Town in all courts as well as the prosecution of violations of applicable state codes, Town codes and local laws and the enforcement of any and all civil or criminal judgments.

§ 15-6. Residency requirements.

- 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. The Town Board further finds and determines that limiting these appointed Town officers' residency to the Town of Babylon only is unduly restrictive and burdensome on the Town of Babylon in attempting to maintain and fill appointed Town officers vacancies as they occur within the specific positions stated above. Accordingly, the Town Board of the Town of Babylon adopts this section for the purposes of allowing the Town to employ and maintain employment of qualified appointed Town officers to the positions of Park Ranger and Fire Marshal to serve the Town of Babylon and its residents.
- 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. 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. In particular, this section supersedes any inconsistent provisions of Town Law § 23, Subdivision 1, which provides that every officer of the Town at the time of his election or appointment and throughout his term of office must be an elector of the Town. This section further supersedes any inconsistent provisions of Public Officer's Law § 3, Subdivision 1, which sets forth the qualification for holding public office and provides that to qualify a person must, at the time chosen, be at least 18 years of age, a citizen of the United States, a resident of the state and, in the case of a local office, a resident of the political subdivision for which he or she is appointed or within which the electors choosing him reside. It is the intent of this section to amend § 23, Subdivision 1, of the Town Law and § 3, Subdivision I, of the Public Officer's Law to the extent herein provided.

§ 15-7 Costs and expenses.

All costs and expenses incurred by the Department, or its officers or employees, on behalf of a special improvement district or special Town project shall be charged against each district or project and paid for from the funds fully apportioned for the purpose of such district or project.

§ 15-8. Effect on powers of Town Supervisor.

Nothing herein contained shall be construed to delegate or transfer any power of the Town Supervisor contained in § 29, 52 and 125 of the Town Law of the State of New York or any other powers which may be lawfully exercised by said Supervisor.

§ 15-9. Fees.

The Commissioner may establish a schedule of fees to be collected by the Department for any service rendered in connection with the work of this Department and for which the Commissioner deems it necessary to charge and collect a fee therefor.

§ 15-10. Repeal of local laws and Town Code provisions.

It is the intent and purpose of this Chapter to incorporate all the powers and duties set forth herein in the Department of Public Safety Enforcement. To the extent that any existing local law and Town Code provision is duplicative of any provision of this Chapter, or is inconsistent with any provision of this Chapter, said local law and Town Code provision are hereby repealed.

§ 15-11. Severability.

If any section, provision or part hereof in this chapter shall be adjudged invalid or unconstitutional by a court of competent jurisdiction, then such adjudication shall not affect the validity of the chapter as a whole or any section, provision or part thereof not so adjudged invalid or unconstitutional.

§ 15-12. When effective.

This chapter shall be effective when the appropriate certified copies are filed with the Secretary of State of the State of New York.

RESOLUTION NO. 452 JULY 7, 2021
AUTHORIZING THE WAIVING OF ZONING, PLANNING, BUILDING, PLUMBING
AND ALL ASSOCIATED FEES

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the Zoning, Planning, Building, Plumbing and all associated fees for the Wyandanch VFW Hall be waived as this is a Community Development project and the Wyandanch VFW is a not-for-profit organization.

Address	SCTM #
Wyandanch Memorial Post #361 28 &30 Williams Street Wyandanch, New York 11798	0100-57-3-107&108

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 453 JULY 7, 2021
AUTHORIZING THE WAIVING OF BUILDING,
PLUMBING AND ALL ASSOCIATED FEES**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the Building, Plumbing and all associated fees for Our Lady of the Assumption Roman Catholic Church be waived. The Our Lady of the Assumption Roman Catholic Church is a not-for-profit organization.

Address	SCTM #	Permit #
1 Molloy Street Copiague, New York 11726	0100-177-02-036, 051, 060, 032, 033, 022, 023, & 024	136620 (PB Job #21-03M)

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 454 JULY 7, 2021
AUTHORIZING THE EMERGENCY CLEAN UP OF UNSAFE PREMISE, LOCATED AT
124 S. 27TH STREET, WYANDANCH, NY 11798 SCTM NO. 0100-056.00-01.00-035.000

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

WHEREAS, a certain location at **124 S. 27th Street, Wyandanch, New York**, bearing **SCTM# 0100-056.00-01.00-035.000** is entirely covered with debris, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

WHEREAS, it appears that, unless said property is immediately cleaned of debris, is clear and imminent danger to the life, safety and health of the surrounding residents and the general public will exist; and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency cleanup of the premises located at **124 S. 27th Street, Wyandanch, New York**, bearing **SCTM# 0100-056.00-01.00-035.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said premise, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated June 17, 2021 located in the Code Enforcement Department; and be it further

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

RESOLVED, that the costs of the cleaning be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 455 JULY 7, 2021
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE
STRUCTURE, LOCATED AT 462 ARNOLD AVE, WEST BABYLON, NY
SCTM NO. 0100-041.00-04.00-055.000

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

WHEREAS, a certain structure(s) located at **462 Arnold Ave., West Babylon, New York**, bearing **SCTM# 0100-156.00-03.00-046.000** has no running water as per a communication with the Suffolk County Water Authority and the structure has become so deteriorated and/or dilapidated and become so out of repair as to be dangerous and unsafe thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

WHEREAS, the architect/professional engineer's report dated **December 4, 2020** indicates the structure is unfit for human occupancy, is unsanitary and contains filth and contamination, the structure should be demolished including the removal of the foundation which is the most likely and prudent course of action

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure located at **462 Arnold Ave., West Babylon, New York**, bearing **SCTM# 0100-156.00-03.00-046.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report dated December 4, 2020 located in the Code Enforcement Department; and be it further

RESOLVED, that the Comptroller is hereby authorized to pay the architect/professional engineer the cost of the inspection report in the amount of Three Hundred Dollars (\$300.00) for said promises from the appropriate fund, and be it further

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

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 456 JULY 7, 2021
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 163 W. 18TH STREET, DEER PARK, NY 11729
SCTM NO. 0100-059.00-03.00-155.000

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

WHEREAS, a certain structure(s) located at **163 W. 18th Street, Deer Park, New York 11729**, bearing **SCTM# 0100-151.00-01.00-039.003** the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing and board up of the premises located at **163 W. 18th Street, Deer Park, New York**, bearing **SCTM# 0100-059.00-03.00-155.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated June 24, 2021 located in the Code Enforcement Department; and be it further

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

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 457 JULY 7, 2021
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE,
LOCATED AT 3 JAMAICA AVE., WYANDANCH, NY 11798
SCTM NO. 0100-056.00-03.00-018.000

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

WHEREAS, a certain structure(s) located at **3 Jamaica Ave., Wyandanch, New York 11798**, bearing **SCTM# 0100-056.00-03.00-018.000** there are uncovered electrical outlets, electrical wires hanging from the walls and ceiling, the plumbing is in-operable and the doors and windows are open and accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the emergency securing and board up of the premises located at **3 Jamaica Avenue, Wyandanch, New York**, bearing **SCTM# 0100-056.00-03.00-018.000** to eliminate safety hazard, in order to rectify the above noted problems and abolish any public nuisance resulting from the unsafe condition of said structure, in accordance with the Conclusions and Recommendations set forth in the inspector's report dated June 24, 2021 located in the Code Enforcement Department; and be it further

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

RESOLVED, that the costs of securing be assessed against the premises in accordance with Town Code §92-9.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.