

PUBLIC HEARING
OF THE
TOWN BOARD
TOWN OF BABYLON

Held at Old Town Hall, 47 West Main Street, Babylon Village, NY, and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 9th day of June, 2021 at 3:30 p.m. prevailing time.

*PUBLIC HEARING REGARDING REZONING APPLICATION OF ENEYET K. CHAWDHURY
FOR THE PREMISES IDENTIFIED BY SCTM#: 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045
LOCATED ON THE N/W/C/O BAYSHORE RD. & COMMACK RD., DEER PARK*

PRESENT:

ANTHONY MANETTA	COUNCILMAN
ANTONIO A. MARTINEZ	COUNCILMAN
TERENCE MC SWEENEY	COUNCILMAN
DUWAYNE GREGORY	COUNCILMAN
RICHARD SCHAFFER	SUPERVISOR
GERALDINE COMPITELLO	TOWN CLERK
JOSEPH WILSON	TOWN ATTORNEY
JENNIFER TAUS	RECORDING SECRETARY

ABSENT: NO ONE

The Town Clerk read the Notices of Public Hearing

PLEASE TAKE NOTICE that the Town Board of the Town of Babylon will hold a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 9th day of June, 2021 at 3:30 p.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the "Open Meetings Law", authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the "How Do I..." link, and then "Participate in a Public Hearing" to order to participate), on the application of Eneyet K. Chawdhury for the rezoning of the parcels of land at SCTM# 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045 located on the N/W/C/O Bayshore Rd. & Commack Rd., Deer Park and further described as:

SCHEDULE A

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE COUNTY OF SUFFOLK AT DEER PARK IN THE TOWN OF BABYLON IN THE STATE OF NEW YORK ALSO KNOWN AS LOTS 2-8 & 95-107 IN BLOCK 3 MAP OF SHEET 3 LONG ISLAND LOT COMPANY SAID MAP FILED IN THE OFFICE OF THE COUNTY CLERK ON 9-19-1874 AS MAP #568 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF BAY SHORE ROAD AND THE MOST EASTERLY SIDE OF FRANKLIN AVE

RUNNING THENCE NORTH 22 DEGREES 53 MINUTES 45 SECONDS WEST 28.03 FEET
RUNNING THENCE NORTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 125.00 FEET
RUNNING THENCE SOUTH 68 DEGREES 55 MINUTES 50 SECONDS EAST 100.00 FEET
RUNNING THENCE NORTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 150.00 FEET
RUNNING THENCE SOUTH 68 DEGREES 55 MINUTES 50 SECONDS EAST 100.00 FEET
RUNNING THENCE SOUTH 21 DEGREES 04 MINUTES 10 SECONDS WEST 292.53 FEET
RUNNING THENCE SOUTH 72 DEGREES 37 MINUTES 25 SECONDS WEST 54.14 FEET
RUNNING THENCE NORTH 56 DEGREES 16 MINUTES 35 SECONDS WEST 141.58 FEET
TO THE POINT OR PLACE OF BEGINNING
OVERALL PARCEL

Dated: May 12, 2021, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON
GERALDINE COMPITELLO, TOWN CLERK

Supervisor Schaffer: I move that the hearing be CLOSED and decision reserved.

Councilman Martinez: Second

ALL IN FAVOR: AYE

HEARING CLOSED DECISION RESERVED.

/jt

A Regular Meeting of the Town Board, Town of Babylon, was held at Old Town Hall, 47 West Main Street, Babylon Village, NY, and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Wednesday, the 9th day of June, 2021 at 3:30 p.m. prevailing time.

Supervisor Schaffer called the meeting to order with a salute to the flag.

Supervisor Schaffer: Please remain standing for a moment of silence, keeping in your thoughts and prayers the brave servicemen and women serving our country both here and abroad as well as those in our town who are still recovering and serving us during the Covid 19 pandemic, particularly those families that have either suffered a serious illness or have lost a loved one during this time period, and of course keep the first responders and rescue personnel in your thoughts and prayers.

Thank you, please be seated.

The Town Clerk called the roll:

Councilman Manetta	Present
Councilman Martinez	Present
Councilman McSweeney	Present
Councilman Gregory	Present
Supervisor Schaffer	Present

- PUBLIC HEARING REGARDING REZONING APPLICATION OF ENEYET K. CHAWDHURY FOR THE PREMISES IDENTIFIED BY SCTM#: 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045 LOCATED ON THE N/W/C/O BAYSHORE RD. & COMMACK RD., DEER PARK**

**RESOLUTION NO. 332 JUNE 9, 2021
AUTHORIZING DEMOLITION AND REMOVAL OF UNSAFE STRUCTURE LOCATED AT
1243 AUGUST RD., NORTH BABYLON, NY 11703 SCTM NO. 0100-114.00-04.00-030.000**

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

WHEREAS, a certain structure, located at 1243 August Rd., N. Babylon, NY, bearing Suffolk County Tax Map No. 0100-114.00-04.00-030.000 is wide open and accessible to the public has substantial accumulations of rubbish and debris on the property providing harborage for rodents, vermin and disease carrying insects, thereby presenting an imminent danger to the safety, health and welfare of the surrounding community residents, and

WHEREAS, pursuant to Local Law No. 1 of 1981 and Local Law No. 1 of 1978 all necessary proceedings have been completed in connection with the removal/securing of the aforementioned unsafe structure, and

WHEREAS, said building has not been repaired or removed, and

WHEREAS, the architect/professional engineer's report dated March 19, 2021, indicates the dwelling is dilapidated and so deteriorated and has become out of repair as to be dangerous, unsafe, unsanitary and is unfit for human habitation and that demolition of the structure including removal of the foundation, is the most likely and prudent course of action,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the demolition and removal of the structure including removal of the foundation, located at 1243 August Rd., N. Babylon, NY, A/K/A SCTM No. 0100-114.00-04.00-030.000, in accordance with the Conclusions and Recommendations set forth in the architect/professional engineer's report on file in the Department of Code Enforcement, and be it further

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the structure located at on the premises 1243 August Rd., N. Babylon, NY, A/K/A SCTM No. 0100-114.00-04.00-030.000, in accordance with the Conclusions and Recommendations set forth in the inspector's report on file in the Department of Code Enforcement, 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 premises from the appropriate fund, and be it further

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

RESOLVED, that the Assessor is hereby authorized to assess the property owner(s), for all costs incurred in connection with the proceedings to secure the subject premises including the cost of actual securing, removing and repairing.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 344 JUNE 9, 2021
ACCEPTING TOWN BOARD MINUTES**

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 minutes of the following Town Board Meeting be and the same are hereby accepted:

May 20, 2021

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 345 JUNE 9, 2021
AWARDING BID NO. 21G40 CONCRETE TRANSIT MIX**

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

WHEREAS, the following bids for Bid No. 21G40, Concrete Transit Mix, 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 the Commissioner of the Department of Public Works and upon their finding the aforementioned bids fair and reasonable, Bid No. 21G40 be and is hereby awarded to the sole bidder, Castle Transit Mix LLC; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Castle Transit Mix LLC 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. 346 JUNE 9, 2021
AWARDING BID NO. 21G43 HANGING FLOWER BASKETS**

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

WHEREAS, the following bids for Bid No. 21G43 Hanging Flower Baskets were received, opened and publicly read:

<u>Item</u>	<u>Vendor</u>	<u>Price</u>
1. New Hanging Baskets w/plants, plant material, lines and hangers all new supplied by bidder	Bayport Flower House, Inc.	\$2,820.00 per 50
2. New Hanging Baskets with Plants, Plant Material, Liners and Hangers	Bayport Flower House, Inc.	\$5,640.00 per 100
3. Hanging Baskets w/plants, plant material, lines and hangers using baskets provided by TOB	Bayport Flower House, Inc.	\$5,085.00 per 100

RESOLVED, that based upon the recommendation of the Commissioner of General Services and the Commissioner of D.P.W. and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 21G43 be and is hereby awarded to the sole bidder, Bayport Flower House, Inc.; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a one (1) year contract with Bayport Flower House, 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. 347 JUNE 9, 2021
AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT WITH BBS ARCHITECTSRFP NO. 17G83, REQUEST FOR PROPOSALS FOR ENGINEERING, DESIGN, BID PHASE SERVICES & CONSTRUCTION, OBSERVATION, SUPERVISION & PART TIME INSPECTOR SERVICES FOR RENOVATIONS AT TOWN HALL ANNEX WEST WING, CENTRAL CORRIDOR, AUDITORIUM, GYMNASIUM & PARKING AREA IMPROVEMENTS**

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

WHEREAS, RFP No. 17G83 was awarded to BBS Architects pursuant to Resolution No. 969 of December 20, 2017 for a total contract amount of TWO HUNDRED SIXTY THOUSAND (\$260,000.00) DOLLARS, and

WHEREAS, the Change Order Committee convened on June 4, 2021 with the Chief of Staff, Comptroller, Town Attorney, and the Commissioner of General Services in attendance to review Change Order No.1, and

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

Change Order No. 1 to provide architectural and engineering services to redesign of Area F	\$11,500.00
TOTAL CHANGE ORDER NO. 1	\$11,500.00

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. 1, in the amount of ELEVEN THOUSAND, FIVE HUNDRED (\$11,500.00) DOLLARS, increasing the total contract amount to TWO HUNDRED SEVENTY ONE THOUSAND, FIVE HUNDRED (\$271,500.00) DOLLARS.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 348 JUNE 9, 2021
AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT NELSON + POPE FOR RFP NO. 20G72, REQUEST FOR PROPOSALS FOR ENGINEERING, DESIGN, BID PHASE SERVICES, CONSTRUCTION MANAGEMENT, INSPECTION, SUPERVISION, OBSERVATION & CONSTRUCTION ADMINISTRATION FOR PHASE III & IV OF THE NEW HVAC SYSTEM FOR TOWN HALL**

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

WHEREAS, RFP No. 20G72, Request for Proposals for Engineering, Design, Bid Phase Services, Construction Management, Inspection, Supervision, Observation & Construction Administration For Phase III& IV of the New HVAC System for Town Hall was awarded to Nelson + Pope pursuant to Resolution No. 698 of November 5, 2020 for a total contract amount of TWO HUNDRED FIFTY SIX THOUSAND, (\$235,000.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on June 4, 2021 with the Chief of Staff, Comptroller, Town Attorney, and the Commissioner of General Services in attendance to review Change Order No.1, and

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

Prepare interior alterations of the second floor at Town Hall to construction wall to separate existing IT offices from server room, conversion of IT offices to storage and alterations of existing office space to create (3) new IT offices and repair space.	\$7,000.00
TOTAL CHANGE ORDER NO. 1	\$7,000.00

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. 1, in the amount of SEVEN THOUSAND (\$7,000.00) DOLLARS, increasing the total contract amount to TWO HUNDRED FORTY-TWO THOUSAND (\$242,000.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 349 JUNE 9, 2021
AUTHORIZING CHANGE ORDER NO. 1 IN THE CONTRACT
LIGHHOUSE CLINICAL & CONSULTATION SERVICES, LLC**

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

WHEREAS, a contract was awarded to Lighthouse Clinical & Consultation Services, LLC to provide clinical and consultation services for the Division of Drug & Alcohol pursuant to Resolution No. 356 of May 13, 2020 for a total contract amount of FORTY-TWO THOUSAND, FIVE HUNDRED (\$42,500.00) DOLLARS and,

WHEREAS, the Change Order Committee convened on June 4, 2021 with the Chief of Staff, Town Attorney, and the Commissioner of General Services in attendance to review Change Order No.1, and

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

Additional clinical coverage due to a medical leave of absence of the clinical supervisor and additional time and assistance top to the Director and Program Coordinator due to three (3) different program audits	\$3,000.00
TOTAL CHANGE ORDER NO. 1	\$3,000.00

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. 1, in the amount of THREE (\$3,000.00) DOLLARS, increasing the total contract amount to FORTY-FIVE THOUSAND, FIVE HUNDRED (\$45,500.00) DOLLARS.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 350 JUNE 9, 2021
AUTHORIZING CHANGE ORDER NOS. 3 & 4 IN THE CONTRACT L.E.B. ELECTRIC, LTD.
FOR BID NO. 19G31E, INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, ELECTRICAL CONSTRUCTION**

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

WHEREAS, Bid No. 19G31E, Installation of New HVAC System at Town Hall, Electrical Construction was awarded to L.E.B. Electric, Ltd. pursuant to Resolution No. 48 of January 2, 2020 for a total contract amount of FOUR HUNDRED FORTY-FOUR THOUSAND, NINE HUNDRED FORTY (\$444,940.00) DOLLARS and,

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 231 of March 11, 2020, which resulted in no change to the contract amount and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No.350 of July 8, 2020, which resulted in no change to the contract amount, and

WHEREAS, a credit was approved pursuant to Resolution No. 504 of July 20, 2020, decreasing the total contract amount to FOUR HUNDRED THIRTY-EIGHT THOUSAND, NINE HUNDRED THIRTY-FIVE DOLLARS AND 31/100 (\$438,935.31)

WHEREAS, the Change Order Committee convened on June 4, 2021 with the Chief of Staff, Town Attorney, and the Commissioner of General Services in attendance to review Change Order Nos. 3 & 4, and

WHEREAS, the Change Order Review Committee and Cashin Associates, P.C. recommend the approval of Change Order Nos. 3 & 4 as follows:

Change Order No. 3, Relocate existing primary feeder as per PSEG pole installation	\$1,243.00
Change Order No. 4, Furnish & Install (4) 8ft. surface mounted fixtures in the Town Clerk Vault, extend existing wiring, furnish and install ceiling & wall mounted occupancy sensors, feed and wire new sprinkler system panel FM 200	\$5,038.00
Credit to Contingency	(\$6,281.00)
TOTAL CHANGE ORDER NO. 3 & 4	\$0

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 Nos. 3 and 4, which has resulted in no change to the contract amount of FOUR HUNDRED THIRTY-EIGHT THOUSAND, NINE HUNDRED THIRTY-FIVE DOLLARS AND 31/100 (\$438,935.31).

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 351 JUNE 9, 2021
AUTHORIZING CHANGE ORDER NO.4 IN THE CONTRACT WITH ROLAND'S ELECTRIC, INC. FOR BID NO. 19G31FA,
INSTALLATION OF NEW HVAC SYSTEM AT TOWN HALL, FIRE ALARM CONSTRUCTION**

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

WHEREAS, Bid No. 19G31FA, Installation of New HVAC System at Town Hall, Fire Alarm Construction was awarded to Roland's Electric, Inc. pursuant to Resolution No. 49 of January 2, 2020 for a total contract amount of SEVENTY-SIX THOUSAND (\$76,000.00) DOLLARS; and

WHEREAS, Change Order No. 1 was approved pursuant to Resolution No. 605 of September 23, 2020 which resulted in no change to the contract amount; and

WHEREAS, Change Order No. 2 was approved pursuant to Resolution No. 237 of April 14, 2021, which resulted in no change to the contract amount; and

WHEREAS, Change Order No. 3 was approved pursuant to Resolution No. 295 of May 12, 2021 increasing the contract amount to SEVENTY-SIX THOUSAND, NINE HUNDRED THIRTY-THREE DOLLARS AND 35/100 (\$76,933.35); and

WHEREAS, the Change Order Committee convened on June 4, 2021 with the Chief of Staff, Town Attorney, and Commissioner of General in attendance to review Change Order No.4; and

WHEREAS, the Change Order Committee and Cashin Associates recommend the approval of Change Order No. 4 as follows:

Change Order No. 4 to furnish & install Universal Cellular dialer. Furnish & Install (1) LTE antenna on exterior building	\$7,129.22
Total Change Order No. 4	\$7,129.22

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of and the Change Order Review Committee and Cashin Associates, P.C., the Supervisor be and he is hereby authorized to execute Change Order No. 4 in the amount SEVEN THOUSAND, ONE HUNDRED TWENTY NINE DOLLARS AND 22/100 35/100 (\$7,129.22), increasing the contract with Roland's Electric, Inc. to EIGHTY FOUR THOUSAND, SIXTY TWO DOLLARS AND 57/100 (\$84,062.57)

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 352 JUNE 9, 2021
AMENDING RESOLUTION NO. 189 MARCH 24, 2021 AUTHORIZING ADOPTION AND THE FILING OF THE COMMUNITY DEVELOPMENT PROGRAM 2021 ANNUAL ACTION PLAN, WHICH INCLUDES THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP, PROGRAMS LISTING OF PROPOSED PROJECTS FOR FISCAL YEAR 2021

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

WHEREAS, the Town of Babylon is an entitlement community under the Community Development Block Grant ("CDBG") Program and will receive a grant allocation of ONE MILLION ONE HUNDRED AND SIXTEEN THOUSAND SEVEN HUNDRED AND EIGHTY SEVEN DOLLARS AND 00/100 (\$1,116,787.00) from the U.S. Department of Housing and Urban Development ("HUD") for Fiscal Year 2021; and

WHEREAS, the Town of Babylon is an entitlement community under the HOME Investment Partnership Program and will receive a grant allocation of FOUR HUNDRED THIRTY-ONE THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS AND 00/100 (\$431,233.00) from the U.S. Department of Housing and Urban Development ("HUD") for Fiscal Year 2021; and

WHEREAS, HUD requires the Town, to submit its Annual Action Plan for Fiscal Year 2021; and

WHEREAS, public hearings were held on November 17, 2020 and March 16, 2021 to gather input for the plan and on activities to be carried out under the CDBG and HOME Programs and general housing and community development needs in the Town; and

WHEREAS, a draft of the Action Plan for Fiscal Year 2021, including a list of proposed uses of Fiscal Year 2021 CDBG and HOME funds was made available for citizen comments; and

WHEREAS, the Town Board deems it is in the best interest of the Town of Babylon to submit for federal funding in the amount of ONE MILLION ONE HUNDRED AND SIXTEEN THOUSAND SEVEN HUNDRED AND EIGHTY SEVEN DOLLARS AND 00/100 (\$1,116,787.00) for the CDBG program for 2021, and in the amount of FOUR HUNDRED THIRTY-ONE THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS AND 00/100 (\$431,233.00) for the HOME program for 2021; and

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and he is hereby authorized to sign and submit the Fiscal Year 2021 Annual Action Plan for Housing and Community Development and amendments thereto and all understandings and assurances contained therein, including grantee certifications to the U.S. Department of Housing and Urban Development, after review as to content and form by the Town Attorney; and

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

RESOLVED, that the Town Board adopt the Town of Babylon 2021 Annual Action Plan; and

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 353 JUNE 9, 2021
AUTHORIZING THE RELEASE OF ENCUMBRANCES FOR VARIOUS CONTRACTS

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

WHEREAS, the Town Board has awarded certain contracts for various projects throughout the Town of Babylon; and

WHEREAS, said work and/or services were never performed or services have been completed and the funding for said projects remains encumbered; and

WHEREAS, the Commissioner of General Services and the Comptroller recommend that certain contracts be deemed null and void and/or complete and any remaining funding be unencumbered; and

NOW, THEREFORE, be it

RESOLVED, that the contracts listed below be deemed as null and void and/or complete and all funding be released and reallocated:

<u>CONTRACTOR NAME</u>	<u>RESOLUTION NO.</u>	<u>AMOUNT</u>
Kosuri Engineering	473 of 6/8/16	\$76,597.00
Austin Drywall Corp.	789 of 12/23/2020	\$0.03

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 354 JUNE 9, 2021
AUTHORIZING A CONTRACT WITH LAND, SEA AND AIR MEDICAL REVIEW SPECIALIST

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

WHEREAS, a proposal for Review of External Defibrillator Program for was solicited from Land, Sea and Air Medical Review Specialist; and

WHEREAS, the Professional Consultant Evaluation Committee convened on June 4, 2021 with the Deputy Supervisor, Chief of Staff, the Town Attorney, Comptroller, the Commissioner of General Services, and Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Land, Sea and Air Consulting Medical Review Specialist at the following rates:

\$300.00 to review AED Equipment

\$300.00 per incident if defibrillator is used

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 Land, Sea and Air Consulting Medical Review Specialists at the follow rates:

\$300.00 to review AED Equipment

\$300.00 per incident if defibrillator is used, and be it further

RESOLVED, that said contract is subject to the approval of 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 Parks, Recreation & Cultural Affairs.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 355 JUNE 9, 2021
AUTHORIZING A CONTRACT WITH DATA-STRUCTION**

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

WHEREAS, Data-Struction has a proposal to provide document shredding services to residents; and

WHEREAS, the Professional Consultant Evaluation Committee convened on June 4, 2021 with the Deputy Supervisor, Chief of Staff, the Town Attorney, Comptroller, the Commissioner of General Services, and Commissioner of the Department of Public Works in attendance to review the aforementioned proposal; and

WHEREAS, after a thorough review of the proposal, the Committee recommends the award of a contract to Data-Struction at the following fees:

2 Hour Event	\$500.00
3 Hour Event	\$625.00
4 Hour Event	\$775.00
Additional Hours	\$175.00 per 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 Data-Struction at the aforementioned fees, subject to the approval of Town Attorney as to form and content.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 356 JUNE 9, 2021
AUTHORIZING A CONTRACT WITH JOE DEPIOLA**

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

WHEREAS, a proposal was solicited from Joe DePiola to provide musical entertainment for the Town's Senior Citizen Centers; and

WHEREAS, the Professional Consultant Evaluation Committee convened on June 4, 2021 with the Deputy Supervisor, the Chief of Staff, Town Attorney, the Comptroller, the Commissioner of General Services, and the Commissioner of the Dept. 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 Joe DePiola at the following rates:
\$250.00 per event
\$850.00 for Annual Anniversary Party

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 Joe DePiola at the aforementioned fees and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 357 JUNE 9, 2021
AUTHORIZING THE SUPERVISOR OF THE TOWN OF BABYLON TO ENTER INTO AN AMENDED RIDER AGREEMENT
WITH KOOSA'S KINGDOM D/B/A MARK'S OF EXCELLENCE FOR THE LEASE AGREEMENT FOR 455 ALBANY AVE., N.
AMITYVILLE**

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

WHEREAS, the Town of Babylon entered into a Rider Agreement with Koosa's Kingdom d/b/a Mark's of Excellence pursuant to Resolution No. 217 on March 31, 2021; and,

WHEREAS, the Town of Babylon and Koosa's Kingdom d/b/a Mark's of Excellence have made amendments to such Rider as provided by such agreement; and,

NOW, THEREFORE, BE IT RESOLVED by the members of the Town Board that the Town of Babylon and Koosa's Kingdom Inc d/b/a Marks amend the Rider; and be it further,

RESOLVED, that this resolution takes effect immediately and the Town Supervisor is authorized to execute such rider agreement; and be it further,

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

RESOLVED, that this resolution is subject to the Town's Policies pertaining to Property and New York State Law.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 358 JUNE 9, 2021
AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT
WITH THE CHILD CARE COUNCIL OF SUFFOLK INC.**

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 Supervisor be and he hereby is authorized to execute an agreement on behalf of the Town of Babylon with the Child Care Council of Suffolk, Inc. whereby the Town of Babylon will provide funds in an

amount not to exceed the sum of Nine Thousand (\$9,000.00) Dollars and Child Care Council of Suffolk, Inc. will provide parent leadership services during the year 2021; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 359 JUNE 9, 2021
AUTHORIZING THE EXECUTION OF SUBRECIPIENT AGREEMENTS UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CDBG-CV GRANT**

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

WHEREAS, the Town of Babylon approved the Substantial Amendment to its Annual Action Plan for Fiscal Year 2019 Consolidated Housing and Community Development Plan submitted to the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG-CV) by Resolution Number 368 dated May 13, 2020; and

WHEREAS, Sub-recipient Agreements for the CDBG-CV grants must be approved by the Town Board executed with the following participants as set forth in Schedule "A" attached hereto, to enable these projects to proceed at the stated budget amount; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board approves the participants as cited in Schedule "A" to be funded at the stated amounts; and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute Sub-recipient agreements for each of the projects listed in Schedule A, subject to review by the Town Attorney as to content and form of said agreements.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

SCHEDULE "A"

<u>Sub-recipient</u>	<u>Budget Amount</u>
Island Harvest, Inc. COVID-19 School Food Program	\$77,000.00
United Way of Long Island Safe at Home for Seniors	\$75,000.00

**RESOLUTION NO. 360 JUNE 9, 2021
RETAINING THE FIRM OF HEILIG BRANIGAN, LLP**

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

WHEREAS, the Town desires to retain the firm Heilig Branigan, LLP to represent the Town in general legal matters, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

WHEREAS, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to provide legal services to the Town of Babylon; and

NOW, THEREFORE, in consideration of the above recitals, be it

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Heilig Branigan, LLP; and be it further

RESOLVED, that the Town of Babylon hereby retains the firm of Heilig Branigan, LLP to represent the Town in general legal matters, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

RESOLVED, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to assist the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 361 JUNE 9, 2021
RETAINING THE FIRM OF KERLEY, WALSH, MATERA AND CINQUEMANI, P.C.**

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

WHEREAS, the Town desires to retain the firm Kerley, Walsh, Matera and Cinquemani, P.C. to represent the Town in general legal matters, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

WHEREAS, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to provide legal services to the Town of Babylon; and

NOW, THEREFORE, in consideration of the above recitals, be it

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the Town Attorney be and he hereby is authorized to execute an agreement between Town of Babylon and Kerley, Walsh, Matera and Cinquemani, P.C.; and be it further

RESOLVED, that the Town of Babylon hereby retains the firm of Kerley, Walsh, Matera and Cinquemani, P.C. to represent the Town in general legal matters, and that all costs and disbursements are in addition to their fees and is an expense which the Town of Babylon will cover; and

RESOLVED, costs and disbursements shall include, but not be limited to, Court costs, filing fees, delivery charges, and other such expenses paid to third-parties to assist the Town of Babylon.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 362 JUNE 9, 2021
AUTHORIZING ACCEPTANCE OF PERFORMANCE BOND
FOR LAND CLEARING**

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 following bond be accepted for Land Clearing:

Payee	Property Location	Application No.	Bond Amount
The Service Insurance Company, Inc. 80 Main Street, Suite 330 West Orange, NJ 07052 for Summit Real Estate Development, LLC.	SCTM No: 0100-171-2-20.002 3395 Great Neck Road, N. Amityville, NY	Application # 137825	\$2,500.00

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

**RESOLUTION NO. 363 JUNE 9, 2021
AUTHORIZING PAYMENT TO LUCILU PRODUCTIONS, FUN MUSIC PRODUCTIONS LLC/DBA MARCUS, FREEWILL
ENTERTAINMENT AND DAVID BACKER PRODUCTIONS**

The following resolution was offered by Council
and seconded by Council

BE IT RESOLVED, by the Town Board of the Town of Babylon, based on the recommendation of the Commissioner of Parks and Recreation that the Comptroller is hereby authorized to issue payment to Lucilu Productions, Fun Music Productions LLC/dba Marcus, Freewill Entertainment and David Backer Productions for expenses incurred for the following concerts:

CONCERT	AMOUNT	PAYABLE TO
The Hitmen	\$14,500	Lucilu Productions
Junior Marvin and the Wailers	\$11,750	Lucliu Productions
Jessie's Girl	\$12,240	Freewill Entertainment
Disco Nights	\$11,300	Fun Music Productions LLC/dba Marcus
David Backer Productions	\$10,260	David Backer Productions

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

**RESOLUTION NO. 364 JUNE 9, 2021
AUTHORIZING THE WAIVING OF PERMIT FEES**

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 following permit fees be waived.

Name	Type of Permit	Fee	Recommended by
North Babylon High School Music Department	Drive Up Spring Concert Overlook Beach	\$50.00	Commissioner of Parks, Recreation & Cultural Affairs

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

**RESOLUTION NO. 365 JUNE 9, 2021
SETTING FEES FOR THE TOWN OF BABYLON MEMORIAL PROGRAM**

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 the Department of Public Works that the following fees are hereby set forth effective June 9, 2021.

	FROM	TO
Plaques	\$300.00	\$1000.00
Trees	\$200.00	\$1000.00
Benches	\$500.00	\$1000.00

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

**RESOLUTION NO. 366 JUNE 9, 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 Commissioner of the Department of Planning and Development that the following fees are hereby set forth effective June 9, 2021.

Sign Posting Fee	\$15.00 per sign
Trailer/Container Fee	\$1,000.00 per container, per year
Modified Site Plan (Proposed)	\$500.00
Modified Site Plan (Existing)	\$2,500.00 to maintain changes made to the site plan without prior approval

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 367 JUNE 9, 2021
AUTHORIZING 2021 INTERFUND 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 Interfund Transfer is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
<u>Capital Project Fund</u>		
H07 – Van Bourgondien Park Renovations		
Interfund Transfer		
H07.9901-90	\$ 30,851.05	
Construction Services		
H07.7197-26		\$ 30,851.05
H135 – 2014 Various Park Improvements		
Professional and Engineering Services		
H135-7197.26	\$ 30,851.05	
Interfund Transfer		
H135-0000.5031	\$ 30,851.05	

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 368 JUNE 9, 2021
AUTHORIZING 2020 BUDGET MODIFICATION**

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

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

	<u>Increase</u>	<u>Decrease</u>
<u>General Fund</u>		
Traffic Violations Bureau		
Full Time Clerical		
A.1130.14	\$ 3,868	
Professional and Technical Services		
A.1130.44		\$ 3,868
Tax Collector		
Part Time Clerical		
A.1330.16	\$ 1,584	
Office Supplies		
A.1330.41	\$ 2	
Program Operations		
A.1330.47	\$ 223	
Full Time Clerical		
A.1330.14	\$ 10,583	
Miscellaneous		
A.1330.49	\$ 480	
Administrative		
A.1330.13	\$ 1	
Clerk		
Full Time Clerical		
A.1410.14	\$ 1,057	
Professional and Technical Services		
A.1410.44	\$ 36,827	
Supervisor		
Administrative		
A.1220.13		\$ 13,930
Professional and Technical Services		
A.1220.44		\$ 36,827
Law		
Full Time Clerical		
A.1420.14	\$ 4,975	
Program Operations		
A.1420.47	\$ 1,127	
Professional and Technical Services		
A.1420.44	\$ 320,199	

	B.3620.14		\$ 25,300
Part Time Clerical			
	B.3620.16		\$ 5,588
		Garbage Improvement Area	
Refuse and Garbage			
Uniforms			
	CL.8160.48	\$ 1,264	
Program Operations			
	CL.8160.47		\$ 1,264
		Special District Fund	
Fire Protection			
North Lindenhurst #16			
	SF.3410.86	\$ 134	
Program Operations			
	SF.3410.47		\$ 134

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

**RESOLUTION NO. 369 JUNE 9, 2021
AUTHORIZING 2021 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 2021 Budget Modification is hereby authorized:

	<u>Increase</u>	<u>Decrease</u>
	General Fund	
Revenues		
State Aid, Capital Projects		
	A.0000-3097	\$ 240,000
	Part Town Fund	
Safety Inspection		
Office Supplies		
	B.3620.41	\$ 7,500
Planning		
Professional and Technical Services		
	B.8020.44	\$ 7,500

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

**RESOLUTION NO. 370 JUNE 9, 2021
ADOPTING THE ADMINISTRATIVE SALARY PLAN**

The following resolution was offered by Councilman Martinez and seconded by Councilman Gregory
RESOLVED, that the amendments to the Salary Levels and Steps in the Administrative Salary Plan is hereby adopted in accordance with Schedule "A" annexed hereto; and be it further;
RESOLVED, that all amendments to the Salary Plan shall be effective this date.

**"SCHEDULE A"
2021 ADMINISTRATIVE SALARY PLAN**

<u>TITLE</u>	<u>LEVEL</u>	<u>STEP</u>
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	18
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	I	12
Assistant Town Attorney I	F	9a

Assistant Town Attorney II	G	10
Assistant Town Attorney III	G	12
Assistant Town Attorney	F	12
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Comprehensive Planning and Downtown Revitalization Coord	H	17a
Commissioner of DPW	J	18
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15a
Commissioner of Human Services	I	16a
Commissioner of Planning	J	16a
Commissioner of Recreation	J	15a
Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	G	6a
Confidential Community Service Aide/Supervisor	J	5
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	I	5a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	D	15
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	H	14a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Env Control	E	3
Confidential Secretary to Town Council	D	15
Deputy Commissioner Environmental Control/Landfill	J	15
Deputy Commissioner General Services	I	18a
Deputy Commissioner Human Services	I	12
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	16
Deputy Commissioner I of DPW	J	18
Deputy Commissioner of Environmental	G	17a
Deputy Commissioner of Planning	I	12a
Deputy Commissioner of Planning and Development	J	13a
Deputy Commissioner Parks and Recreation	J	11a
Second Deputy Commissioner of Parks and Recreation	I	16a
Deputy Comptroller	J	15a

Deputy Director of Finance	I	10
Deputy Personnel Officer	J	8a
Deputy Receiver of Taxes	J	1a
Deputy Town Attorney	I	17a
Deputy Town Clerk	J	1a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	H	7a
Director of Handicapped Services	F	11
Director of Information Technology	I	18a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	J	12
Executive Assistant to Parks and Recreation	J	5
Executive Assistant to Comm of General Services	J	13a
Executive Assistant to Comptroller	J	15a
Executive Assistant to Deputy Supervisor	J	1a
Executive Assistant to Deputy Supervisor (second)	B	12a
Executive Assistant to DPW	I	11a
Executive Assistant to Environmental Control	G	16a
Executive Assistant to Personnel Officer	G	9a
Executive Assistant to Planning	H	17a
Executive Assistant to Supervisor	J	18
Executive Assistant to Town Attorney	D	14a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	15
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	1a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	I	17
Legislative Aide to Supervisor	G	G6a
Nutrition Center Supervisor	F	12
Personnel Officer	I	18
Principal Accountant	I	13
Public Information Officer/Supervisor	I	14a
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	J	10a

Secretary to Commissioner of Environmental Control	E	14
Secretary to Commissioner of General Services	J	1a
Secretary to Commissioner of Planning & Development	I	6a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	G	9a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	G	11a
Secretary to Supervisor	J	15
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	D	14a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	7
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	1a
Special Assistant to Supervisor	I	10
Town Attorney	J	18
Town Comptroller	J	18
Town Engineer	H	15
Town Historian	I	4a
Women's Resources Advisor I	G	11a

2021	Administration Plan:									
	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199

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

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

**RESOLUTION NO. 371 JUNE 9, 2021
APPOINTING JUDITH GARRICK AS PERSONNEL OFFICER**

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

WHEREAS, on September 25, 2019, the Town Board of the Town of Babylon duly enacted Local Law No. 8 of 2019 adding Chapter 48 to the Babylon Town Code (Department of Civil Service); and

WHEREAS, on November 7, 2019, the Town Board of the Town of Babylon duly adopted Resolution No. 708 to adopt the Town of Babylon Job Specifications of Personnel Officer; and

WHEREAS, on November 7, 2019, the Town Board of the Town of Babylon duly adopted Resolution No. 714 to appoint Judith Garrick as the Town of Babylon Personnel Officer; and

WHEREAS, the Town of Babylon Department of Civil Service could not begin to operate without Civil Service Rules approved by the New York State Civil Service Commission, which was granted by the Commission on February 10, 2021; and

WHEREAS, New York Civil Service Law §16, subd. (2)(e), provides in relevant part that the Town “shall assume jurisdiction [over the Civil Service Law in the Town] upon the transfer of eligible lists, records, documents and files to it which transfer shall be completed within six months of the appointment of the administration hereunder;” and

WHEREAS, Judith Garrick as the Town of Babylon Personnel Officer has been working to accept transfer of the necessary records from the Suffolk County Department of Civil Service to be able to assume jurisdiction within the six months timeframe under Civil Service Law §16, subd. (2)(e). This process includes preparing the necessary infrastructure and hiring staff for the transition, all of which will be completed on August 11, 2021; and

WHEREAS, it is the intention of the Town Board of the Town of Babylon to appoint Judith Garrick as the Town of Babylon Personnel Officer for a term of office of six years upon assuming jurisdiction over the Civil Service Law in the Town of Babylon on August 11, 2021, as provided by Civil Service Law § 15(1)(b) and Babylon Town Code § 48-2;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Babylon that Judith Garrick be and she hereby is appointed as the Personnel Officer for a six-year term of office effective August 11, 2021.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 372 JUNE 9, 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
Reginald Elton	\$66.17 repair parts

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 373 JUNE 9, 2021
AUTHORIZING REFUND OF FEES DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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 Parks, Recreation and Cultural Affairs Department, that the following fees be refunded:

Name	Address	Fee	Activity	Receipt Number
Linn DeCarolis	132 E. Santa Barbara Road, Lindenhurst, NY 11757	\$45.00	Recreation Permit	163752 Permit#R-03726
John McCahill	111 South Smith Street, Lindenhurst, NY 11757	\$40.00	Recreation Permit	162804 Permit#S-1997, #S-2000
James Quinn	388 15 th Street, West Babylon, NY 11704	\$210.00	Campground Reservation	148082
Robert Riback	338 14 th Street, West Babylon, NY 11704	\$25.00	Recreation Permit	161519 Permit#R-02903
Fareeda Roushdy	45 Noble Street, North Babylon, NY 11703	\$45.00	Recreation Permit	155922 Permit#R-01825
Noreen Stapleton	442 Grand Blvd, Deer Park, NY 11729	\$45.00	Recreation Permit	151570 Permit#R-00502
Kristina Sullivan	177 Longfellow Ave, North Babylon, 11703	\$45.00	Recreation Permit	153852 Permit#R-00854
MaryBeth Algarin	203 Lido Pkwy, Lindenhurst, NY 11757	\$45.00	Recreation Permit	164928 Permit#R-04186
Shaun Cullen	37 E. Shore Drive, Babylon, NY 11702	\$20.00	Recreation Permit	166381 Permit#V-281
Kim Kelly	253 W. 7 th Street Deer Park, NY 11729	\$210.00	Campground Reservation	148862

Regina Kogan	342 Byrd Street, Lindenhurst, NY 11757	\$45.00	Recreation Permit	156515 Permit#R-02226
Linda Nava	9 Evergreen Drive, Lindenhurst, NY 11757	\$60.00	Recreation Permit	165880 Permit#S-2719, #S-2720, #S-2722
Don Seddio	978 Pacific Street, Lindenhurst, NY 11757	\$90.00	Boat Reservation	149055
Joan Zangerle	148 Irving Ave, North Babylon, NY 11703	\$275.00	Showmobile	163541
Rossina DeGomez	20 Ruth Place, North Babylon, NY 11703	\$20.00	Recreation Permit	167125 Permit#S-2932

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

RESOLUTION NO. 374 JUNE 9, 2021
AMENDING RESOLUTION NO. 315 MAY 12, 2021
AUTHORIZING REFUND OF PAYMENT FOR COMMERCIAL WASTE DISTRICT

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 Environmental Control
that the following payments be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON
Compass Group 2400 Yorkmont Road, Charlotte, NC 28217 Attn: Director of Real Estate	Account #009317 Canteen 6500 New Horizons Blvd, Amityville, NY 11701	Commercial Waste District	\$2,772.87	Overpayment

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

**RESOLUTION NO. 375 JUNE 9, 2021
AUTHORIZING REFUND OF PAYMENTS**

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 payments be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ACCOUNT	TYPE	AMOUNT	REASON	RECOMMENDED BY
Plaza 6 LLC 40 Burt Drive Deer Park, NY 11729	Account #004683 Deer Park Plaza Assoc. Unit 6 40 Burt Drive Deer Park, NY 11729	Commercial Waste District	\$469.19	Overpayment	Commissioner of Environmental Control
Anthony Giresi 104 Oakfield Avenue Dix Hills, NY 11746	Account #004609 Uncle Anthony's Tire Center 68 East Jefryn Blvd #A Deer Park, NY 11729	Commercial Waste District	\$73.20	Overpayment	Commissioner of Environmental Control
Jean Thevenin & Micheline Mondesir 81 Barnum St., West Babylon NY 11704	N/A	Green Homes Benefit Assessment	\$239.02	Overpayment	Long Island Green Homes
Jean and Edante Jeannot 159 Sammis Ave., Deer Park, NY 11729	N/A	Green Homes Benefit Assessment	\$240.31	Overpayment	Long Island Green Homes

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 376 JUNE 9, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
FROM JUNE 19, 2021 THROUGH AND INCLUDING SEPTEMBER 25, 2021;
EVERY SATURDAY IN THE TOWN OF BABYLON FOR THE HOLLYWOOD BAPTIST CHURCH
MARKET PLACE CRAFT SHOW & VENDOR EVENT**

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

WHEREAS, The Hollywood Baptist Church has requested permission to hold an Outdoor Public Assembly Market Place Craft Show & Vendor Event on Saturday(s), June 19, 2021 through and including September 25, 2021 between 10:00 a.m. and 5:00 p.m. at The Hollywood Baptist Church located at 3504 Great Neck Road, Amityville, New York

INDIVIDUAL: Pastor: Bishop Andy C. Lewter 2 Monroe Street, Amityville, NY 11701 (631) 842-7091 (614) 778-6028	ORGANIZATION: Hollywood Baptist Church Pastor: Bishop Andy C. Lewter 3504 Great Neck Road, Amityville, NY 11701 (631) 842-7091 (614) 778-6028 (631) 704-2015
DATES & TIMES: Date(s): 6/19/2021 to: 9/25/2021 [EVERY SATURDAY ONLY] Time: 10:00 a.m. to 5:00 p.m., Rain Date: n/a	LOCATION: Hollywood Baptist Church 3504 Great Neck Road Amityville, NY 11701

SPECIAL REQUIREMENTS:

Event Details: The Hollywood Market Place Craft Show & Vendor Event; creating a platform for individuals, small businesses and entrepreneurs to network, display and sell their merchandise/products.

Tents: None, Amusement Rides: None, Sound Equipment: None

Toilet/Water Facilities: Bathroom facilities at Hollywood Baptist Church, Approximate # of Participants: 100-150 expected throughout the event

NOW, THEREFORE, be it

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 377 JUNE 9, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
ON JUNE 19, 2021 IN THE TOWN OF BABYLON FOR THE WYANDANCH PUBLIC LIBRARY**

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

WHEREAS, the Wyandanch Public Library has requested permission to hold a Juneteenth Outdoor Public Assembly on Saturday, June 19, 2021 between 11:00 a.m. and 4:00 p.m. at Wyandanch Public Library located at 14 S. 20th Street, Wyandanch, New York

INDIVIDUAL: Ghenya Grant 54 S. 27 th Street, Wyandanch, NY 11798 (934) 777-1087	ORGANIZATION: Wyandanch Public Library Ghenya Grant 14 S. 20 th Street, Wyandanch, NY 11798 (934) 777-1087
DATES & TIMES: Date(s): 6/19/2021 to: Time: 11:00 a.m. to 4:00 p.m., Rain Date: 6/26/2021	LOCATION: Wyandanch Public Library 14 S. 20 th Street, Wyandanch, NY 11798

SPECIAL REQUIREMENTS: Event Details: Outdoor public assembly to celebrate Juneteenth Tents: No, Amusement Rides: No, Sound Equipment: No, Toilet/Water Facilities: Bathroom facilities at Wyandanch Public Library and Porta Potties Approximate # of Participants: 200 expected throughout the event

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 378 JUNE 9, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
FROM JUNE 8, 2021 THROUGH AND INCLUDING JULY 12, 2021
IN THE TOWN OF BABYLON FOR THE TANGER DEER PARK DINO SAFARI DRIVE THRU**

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

WHEREAS, the Tanger Deer Park Dino Safari Drive Thru has requested permission to hold an outdoor public assembly for the purpose of having their Dino Safari drive thru from Tuesday, June 8, 2021 through and including Monday, July 12, 2021 between the hours of 9:00 a.m. and 9:00 p.m., within the Town of Babylon at the south parking lot of Tanger Outlets, 152 The Arches Circle, Deer Park, NY 11729, with the use of sound equipment and tents;

WHEREAS, the Tanger Deer Park Dino Safari Drive Thru has obtained sufficient insurance to protect the interests of the Town of Babylon; subject to Schedule "A" attached hereto; and

INDIVIDUAL: Tom Zaller of Imagine Exhibitions, Inc. Tanger Deer Park Dino Safari Drive Thru 336 Peachtree Road, Atlanta, GA 30305 (404) 514-0385	ORGANIZATION: Tom Zaller of Imagine Exhibitions, Inc. Tanger Deer Park Dino Safari Drive Thru 2870 Peachtree Road #418, Atlanta, GA 30305 Tom: (404) 514-0385 Eileen @ Tanger Deer Park: (631) 245-4163
DATES & TIMES: Date(s): 6/8/2021 to: 7/12/2021 Time: 9:00 a.m. to 9:00 p.m., Rain Date: n/a	LOCATION: Tanger Outlets (south parking lot) 152 The Arches Circle, Deer Park, NY 11729
SPECIAL REQUIREMENTS: Event Details: Dino safari drive thru Tents: Yes; (5) 10x10 , Amusement Rides: No , Sound Equipment: Yes; small 8" speakers; one per dino Toilet/Water Facilities: 9-bathroom facilities; 72 stalls with hot running water	

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

F A I R S - SCHEDULE "A"

**RESOLUTION NO. 380 JUNE 9, 2021
PROCLAIMING TUESDAY, MAY 25, 2021 AS EAGLE SCOUT NICHOLAS ALEXIADIS DAY**

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

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

WHEREAS, the rank of Eagle Scout is a 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, Nicholas Alexiadis was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Nicholas Alexiadis its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Tuesday, May 25, 2021 as Eagle Scout Nicholas Alexiadis Day.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 381 JUNE 9, 2021
PROCLAIMING WEDNESDAY, MAY 26, 2021 AS EAGLE SCOUT AIDAN O'SULLIVAN 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, Aidan O'Sullivan 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 Aidan O'Sullivan its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Wednesday, May 26, 2021 as Eagle Scout Aidan O'Sullivan Day.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 382 JUNE 9, 2021
PROCLAIMING THURSDAY, MAY 27, 2021 AS EAGLE SCOUT VINCENT MICHAEL VOZZA DAY**

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

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, Vincent Michael Vozza 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 Vincent Michael Vozza its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Thursday, May 27, 2021 as Eagle Scout Vincent Michael Vozza Day.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 383 JUNE 9, 2021
PROCLAIMING MONDAY, JUNE 14, 2021 AS EAGLE SCOUT JOSEPH FRANK FAUST DAY**

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

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

WHEREAS, the rank of Eagle Scout is a 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, Joseph Frank Faust 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 Joseph Frank Faust its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, June 14, 2021 as Eagle Scout Joseph Frank Faust Day.
VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 384 JUNE 9, 2021
PROCLAIMING MONDAY, JUNE 21, 2021 AS EAGLE SCOUT PETER GIAMBALVO DAY**

The following resolution was offered by Councilman McSweeney and seconded by Councilman Manetta
WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and
WHEREAS, the rank of Eagle Scout is a 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, Peter Giambalvo 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 Peter Giambalvo its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, June 21, 2021 as Eagle Scout Peter Giambalvo Day.
VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 385 JUNE 9, 2021
PROCLAIMING TUESDAY, JUNE 22, 2021 AS EAGLE SCOUT KEVIN BARRETT 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, Kevin Barrett 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 Kevin Barrett its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Tuesday, June 22, 2021 as Eagle Scout Kevin Barrett Day.
VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 386 JUNE 9, 2021
PROCLAIMING WEDNESDAY, JUNE 23, 2021 AS EAGLE SCOUT JACKSON ESPOSITO DAY**

The following resolution was offered by Councilman Martinez and seconded by Councilman Gregory
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, Jackson Esposito 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 Jackson Esposito its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Wednesday, June 23, 2021 as Eagle Scout Jackson Esposito Day.
VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____
The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 387 JUNE 9, 2021
PROCLAIMING THURSDAY, JUNE 24, 2021 AS EAGLE SCOUT ANTONIO ROBERTS DAY**

The following resolution was offered by Councilman Gregory and seconded by Councilman McSweeney
WHEREAS, the Boy Scouts of America at various times during the year confer its highest award for achievement to one of its deserving members; and
WHEREAS, the rank of Eagle Scout is a 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, Antonio Roberts 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 Antonio Roberts its congratulations on his successful
completion and achievement of the rank of Eagle Scout and proclaims Thursday, June 24, 2021 as Eagle Scout Antonio Roberts Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 388 JUNE 9, 2021
PROCLAIMING FRIDAY, JUNE 25, 2021 AS EAGLE SCOUT LUKE HODGES DAY**

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

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

WHEREAS, the rank of Eagle Scout is a 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, Luke Hodges 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 Luke Hodges its congratulations on his successful
completion and achievement of the rank of Eagle Scout and proclaims Friday, June 25, 2021 as Eagle Scout Luke Hodges Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 389 JUNE 9, 2021
PROCLAIMING SATURDAY, JUNE 26, 2021 AS EAGLE SCOUT CHRISTOPHER DUNNE 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, Christopher Dunne 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 Christopher Dunne its congratulations on his successful
completion and achievement of the rank of Eagle Scout and proclaims Saturday, June 26, 2021 as Eagle Scout Christopher Dunne Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 390 JUNE 9, 2021
PROCLAIMING SUNDAY, JUNE 27, 2021 AS EAGLE SCOUT ANTHONY CASCIO DAY**

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

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, Anthony Cascio 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 Anthony Cascio its congratulations on his successful
completion and achievement of the rank of Eagle Scout and proclaims Sunday, June 27, 2021 as Eagle Scout Anthony Cascio Day.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 391 JUNE 9, 2021
PROCLAIMING THURSDAY, JULY 1, 2021 AS EAGLE SCOUT SUMNER SAWYER DAY**

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

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

WHEREAS, the rank of Eagle Scout is a 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, Sumner Sawyer 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 Sumner Sawyer its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Thursday, July 1, 2021 as Eagle Scout Sumner Sawyer Day.

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 392 JUNE 9, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213
OF THE BABYLON TOWN CODE (GRAND CANAL BOAT BERTH DISTRICT)**

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 on the 7th day of July, 2021 at 10:00 a.m., prevailing time, at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, or held via Zoom and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P> provided Governor Cuomo extends Executive Order 202.1 regarding the "Open Meetings Law", authorizing public meetings to be held remotely by conference call or similar service (If you wish to address the board at the public hearing, visit townofbabylon.com and click on the "How Do I..." link, and then "Participate in a Public Hearing" to order to participate), to consider amending Chapter 213 of the Babylon Town Code as set forth in Exhibit "A" herein below; and be it further

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

VOTES: 5 _____ YEAS: 5 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

AMEND

§ 213-562 Purpose and Intent

It has been brought to the Town Board's attention that the over intensification of deeded waterfront parcels is occurring in the Grand Canal area of American Venice in Town of Babylon. This Section seeks to regulate the use of these parcels to promote the more orderly use of this property and to limit allowable improvements to those specifically related to boat dockage and waterfront use and access. These parcels do not meet the minimum lot area requirements for a principal dwelling. In many cases these parcels have been transferred from the original owner and are no longer associated with a larger parcel with a dwelling. The permitted use of these parcels as set forth in this Article, is primarily for a boat berth and access to the water. Excessive outside storage and improvements on deeded waterfront parcels may also increase debris fields and the potential release of pollutants and damage during storm events thereby increasing recovery needs and costs for the Town of Babylon.

§213-563 Geographic Area-The geographic area of the Grand Canal Boat Berth District shall be identified on the amendment to the Official Town Zoning Map titled; Grand Canal Boat Berth District, filed in the Town Clerk's Office on _____.

§213-564 Definitions

Deeded Waterfront Parcels-Small vacant parcels of waterfront land intended for the purpose to provide access to the water and boat dockage. Many of these parcels were created along canals and waterways of the Town subordinate to larger parcels with dwellings.

Derelict Vessel-Any vessel, boat barge, or floating structure left, stored or abandoned in a sunk, listing, adrift, wrecked, junked, non-operable or dismantled condition or made fast along the frontage of a deeded waterfront parcel in an inoperable condition. Vessels stored in an inoperable condition continuously on a deeded waterfront parcel or made fast to a deeded waterfront parcel for three or more years shall also be considered a Derelict Vessel. A Derelict Vessel shall be subject to all enforcement actions and procedures of Chapter 133-25 Outdoor deposit or Storage of Waste.

Floating Home- Any vessel designed or, in fact, used or occupied as a dwelling unit, living and sleeping quarters, business office or source of any occupation or for any private or social club of any nature, including but not limited to a structure constructed upon a barge primarily immobile and out of navigation or which functions substantially as a land structure while the same is moored or docked, whether such vessel is self-propelled or not.

Pervious Surface-A treatment that allows water to percolate through the subsoil, such as gravel, stone and paver systems with a pervious subbase.

§ 213-565 Allowable Uses and Improvements

- A. On deeded waterfront parcels in the Grand Canal Boat Berth District only the following improvements and uses are permitted without meeting the minimum lot area requirements, the existence of a principal structure on the lot and any and all dimensional requirements of the A, B, and C Residential Zoning districts:

- (+) Bulkhead. Stabilized rip-rap. Floating docks parallel along a bulkhead.
- (2) Boatlifts for the purpose of storing vessels.

- (3) Jet-Ski floats/docks.
 - (5) A shed not greater than 100 square feet or
 - (6) Gazebo not greater than 100 square feet or
 - (7) A pergola with a footprint not greater than 140 square feet. The footprint is calculated by the area created by perimeter of the outer structural members of the pergola.
 - (a.) The maximum height of a shed, pergola or gazebo shall be 10' as measured by the average adjacent grade from the four corners of the structure.
 - (8) Boats, watercraft and trailers.
 - (a.) Registered boats and trailers. For boats not required to display a current registration number and sticker, this documentation shall be provided by the owner of record of the subject parcel at the request of any Town of Babylon inspector.
 - (b.) Storage of registered boats and watercraft on blocks.
 - (c.) The docking of registered boats and watercraft.
 - (d.) Storage and the docking of canoes, dinghies, kayaks and other similar non-motorized craft and registered duck boats.
 - (e.) Boats must be docked parallel to the deeded waterfront parcel.
 - (9) At grade decks, pavers and concrete slab. At grade is defined as 12" or less finished height above the adjacent grade from as measured from the four corners of the improvement. Pervious treatments such as stone, gravel and pavers are encouraged and may cover up to 50% of the entire parcel. Slabs and decks shall not exceed a maximum of 100 square feet. Up to a 4' wide dock platform running parallel and abutting along a bulkhead is not included in this calculation.
 - (9) Fences up to 4' in height. Perimeter fencing shall not be of solid construction; with the exception of the fencing separating parcels or facing a side yard.
 - (10) Uses and minor improvements ancillary to the harvest of shell or finfish. This includes the storage of minnow pots, crab pots, cast nets and similar fishing gear.
 - (11) All structures and decking must be suitably anchored to prevent floatation and lateral movement during flood events in accordance with Chapter 125 of the Code of the Town of Babylon Flood Damage Control and applicable State and Federal building codes and regulated in connection with floodplain management.
- B. Only one accessory structure is permitted on a deeded waterfront parcel, including but not limited to sheds, pergolas and gazebos. All improvements including but not limited to sheds, pergolas, gazebos, fences, electric power and lighting, and boat lifts shall require a building permit. The addition of a pervious surface and or landscaping does not require a building permit.
- C. The lot coverage inclusive of both the accessory structure and any impervious surfaces shall not exceed 50% in any case. Up to a 4' wide dock platform running parallel over the land and abutting a bulkhead shall be exempt from the lot coverage calculation.

§ 213-565 Prohibited Uses and Improvements

A. On deeded waterfront parcels the following improvements and uses are prohibited:

- (1) Storage of motor vehicles or commercial equipment or vehicles or docking of commercial vessels as defined in Section 86-8 C. of the Code of the Town of Babylon. Except motor vehicles may be parked on the deeded waterfront parcels adjacent to the American Venice Bridges and those parcels with street frontage where on-street parking is prohibited as identified on the Town of Babylon Zoning Map as Grand Canal Boat Berth District Parking Allowed (PA).
- (2) Commercial uses, except those ancillary to the harvest of shell or finfish. All other provisions of Chapter 86 and the Town of Babylon Zoning Code not in conflict with this Chapter apply.
- (3) Floating Homes or the use of a boat or vessel for live aboard occupancy.
- (4) Installation of perpendicular docks and or poles to allow perpendicular docking of vessels.
- (5) The installation of above and below ground tanks and any fuel or chemical storage.
- (6) No improvements or placement of objects shall be constructed within the Town of Babylon right of way (ROW).
- (7) Any uses prohibited in the A, B and C Residence Districts pursuant to Chapter 213 of the Zoning Code of the Town of Babylon.
- (8) Installation of sanitary facilities.
- (9) Habitable space and or occupancy of any type.
- (10) Campers and Motor Homes.
- (11) Tents, canvas or fabric garages or shelters, or other similar pop up structures erected for greater than 24 hours.
- (12) No docked watercraft or permanent or temporary, float, dock or pier or other structure can encroach in the authorized navigation channel.

§ 213-566 Other Approvals Required

A. The following is required for any construction or electrical work:

- (1) As applicable New York State Department of Environmental Conservation and United States Army Corp of Engineers.
- (2) Underwriters Certificate for any electrical Improvements such as dock power, electrical outlets and lighting in connection with any duly authorized Town of Babylon Building Permit.
- (3) Town of Babylon Department of Public Works Engineering Division approval for any bulkhead work if a drainage easement exists on site or for any work above a drainage easement.

§ 213-567 Property Maintenance and Upkeep

A. At all times the owner of a deeded waterfront parcel shall keep its premises and improvements in a safe, sightly, clean, neat and wholesome manner. All improvements and landscaping and turf shall be maintained, including fences, bulkheads, sheds in a manner mindful and respectful of the community. Bulkheads shall be properly maintained to remain in a functional state and not be allowed to rot and/or deteriorate or and-so as to create allow for erosion into the Grand Canal or an adjacent parcel.

§ 213-568 Outside Storage

B. Excessive outside storage of materials defined as greater than 30% lot coverage and 70% lot coverage for boat storage on the parcels shall be prohibited. Only boating, watersport and marine related items shall be stored on a deeded waterfront parcel. With the exception of boats, storage of materials shall not exceed 4' in height. Derelict or abandoned vessels, barges or floating structures shall not be docked or stored on deeded waterfront parcels as defined in this Chapter.

**RESOLUTION NO. 393 JUNE 9, 2021
ADOPTING AMENDMENTS CHAPTER 2, ARTICLE IV, SECTION 2-8
OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 12th day of May, 2021 at 3:30 p.m. prevailing time, upon the question amending Chapter 2, Article IV, Section 2-8 of the Town of Babylon Uniform Code of Traffic Ordinances

RESOLVED AND ORDAINED that the amendments to the Uniform Code of Traffic Ordinances, as set forth herein as Exhibit "A", be and the same are hereby adopted effective immediately; and be it further

RESOLVED AND ORDAINED that the Director of Traffic Safety be authorized and directed to install, erect, remove or replace such signs or other traffic safety devices as may be required by these amendments or by the New York State Vehicle and Traffic Law.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 2, Article IV, Section 2-8

[Traffic Regulations; Stop and Yield Intersections Designated]

ADD to Schedule H:

Intersection	Hamlet	Sign	Controlling Traffic
Muncy Avenue at Henry Street	NL	Stop	East on Muncy Avenue
Henry Street at Muncy Avenue	NL	Stop	Northwest/Southeast on Henry Street

RESOLUTION NO. 394 JUNE 9, 2021

ADOPTING A LOCAL LAW 4 OF 2021 AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 89 (BUILDING CONSTRUCTION), ARTICLE II (GENERAL AND ADMINISTRATIVE PROVISIONS), SECTION 89-13.1 (APPRENTICESHIP TRAINING PROGRAM COMPLIANCE REQUIRED)

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

WHEREAS, work in the construction industry presents many inherent dangers, and therefore requires a highly skilled labor force properly trained in safety techniques; and

WHEREAS, Section 89-13.1 of the Code of the Town of Babylon (hereinafter, "Section 89-13.1" and the "Town Code") (added December 18th, 2012) Sets forth requirements for safe and Code complaint construction by, among other things, requiring in certain circumstances that apprenticeship agreements appropriate for the type and scope of work to be performed be in place; and

WHEREAS, notwithstanding the foregoing, many municipalities with apprenticeship agreement requirements have seen said requirements successfully challenged, and since the above described 2012 resolution date, the construction industry has undergone many changes that impact safety issues, including, without limitation, changes to standard labor training requirements, the pipeline of property trained and qualified workers, and requirements for graduation for apprenticeship training programs; and

WHEREAS, in order to bring the Town Code into compliance with current industry standards (including with respect to graduation from apprenticeship training programs), to fully codify existing Town policies, and to respond to relevant court decisions ruling against municipal apprenticeship agreement requirements, it has been determined that relevant Town Code provisions should be amended; and

THE TOWN BOARD having held a public hearing on the 12th day of May, 2021 at 3:30 p.m. at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York to consider adopting Local Law No.4 amending the Code of the Town of Babylon, Chapter 89 (Building Construction), Article II (General and Administrative Provisions), Section 89-13.1 (Apprenticeship Training Program Compliance Required), and due deliberation having been had, HEREBY ADOPTS Local Law No. 4 Amending the Code of the Town of Babylon, Chapter 89 (Building Construction), Article II (General and Administrative Provisions), Section 89-13.1 (Apprenticeship Training Program Compliance Required), as follows:

Section 1. **AMEND** as follows:

CHAPTER 89
BUILDING CONSTRUCTION

ARTICLE II

GENERAL AND ADMINISTRATIVE PROVISIONS

§ 89-13.1 Apprenticeship training program compliance required.

A. For the purpose of this section, the following terms shall have the meanings indicated:

- (1) A "construction contract" shall mean any contract with a value in excess of \$250,000 to which the Town of Babylon is a party or for work to be performed on Town of Babylon-owned property that concerns the construction, reconstruction, improvements, rehabilitation, maintenance, furnishing, equipping of or otherwise providing for any building, facility or physical structure of any kind; and
- (2) A "Certificate of Completion" shall mean a certificate issued by the New York State Department of Labor which recognizes a person's successful completion, within the 12 month period immediately preceding the date of the construction contract award, of a qualified

apprenticeship and the training program registered approved by Commissioner of the New York State Department of Labor in accordance with the New York Labor Law and 12 NYCRR §600.10 et seq., and any amendments thereto.

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

C. The determination of compliance with this section shall be made and certified by the Commissioner of General Services. An aggrieved party may appeal such determination in an Article 78 proceeding to the Supreme Court, Suffolk County, filed within thirty (30) days of filing of the determination by the Commissioner with the Town Clerk or mailing of such determination to the Contractor, whichever is later.

D. This section shall not apply:

- 1) Where the requirements of a construction contract that is essential to the Town can only be fulfilled by a sole source, and such sole source is unwilling to comply with the requirements of this section; or
- 2) Where federal funding prohibits the Town from imposing the requirements of this section.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgement shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

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. 395 JUNE 9, 2021
 AUTHORIZING ISSUANCE OF A BUILDING PERMIT FOR WILLIAM FERRARO
 OUTER BEACH APPLICATION NO. 137570 - SCTM #0100-239-1-21**

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

WHEREAS, the Building Division of the Department of Planning and Development of the Town of Babylon has reviewed Outer Beach Application No 137570. of William Ferraro, for the premises located at SCTM #0100-239-1-21 (20 Captree Island, Captree, NY) to remove 2 existing sheds and construct a detached garage; and

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

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that upon the recommendation of the Commissioner of Planning and Development, Outer Beach Application No. 137570 of William Ferraro, for the premises located at SCTM #0100-239-1-21 (20 Captree Island, Captree, NY), to remove 2 existing sheds and construct a detached garage; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 396 JUNE 9, 2021
 AUTHORIZING THE WAIVING OF FEES FOR BUILDING PERMIT EXTENSION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Commissioner of Planning and Development, that the construction and/or rehabilitation of Henry Kaufmann Campgrounds by UJA Federation New York, a non-for-profit organization, be exempt from building permit extension fees for the following property:

1. 75 Colonial Springs Road (73-77 Colonial Springs Road) SCTM# 0100-11-1-2

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 397 JUNE 9, 2021
AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
17 W 16TH STREET, DEER PARK, NY 11729 SCTM NO. 0100-060.00-03.00-087.000**

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

WHEREAS, a certain structure(s) located at 17 W. 16th Street, Deer Park, New York, bearing SCTM# 0100-060.00-03.00-087.000 has no running water as per a communication with the Suffolk County Water Authority and the windows and doors are accessible, thereby presenting a nuisance to children and an imminent danger to the safety, health and welfare of the surrounding community residents; and

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

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

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby order the securing and board up of the premises located at 17 W. 16th Street, Deer Park, New York, bearing SCTM# 0100-060.00-03.00-087.000 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 May 18, 2021 on file 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. 398 JUNE 9, 2021
AUTHORIZING THE EMERGENCY DEMOLITION, BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT
104 HAIGHT STREET, DEER PARK, NY 11729 SCTM NO. 0100-041.00-04.00-055.000

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

WHEREAS, a certain structure(s) located at 104 Haight Street, Deer Park, New York, bearing SCTM# 0100-041.00-04.00-055.000 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 May 25, 2021 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 104 Haight Street, Deer Park, New York, bearing SCTM# 0100-041.00-04.00-055.000 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 May 25, 2021 on file 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.

Being no further business before the Board, the meeting adjourned at 3:50 pm on the motion of Councilman Gregory, seconded by Councilman McSweeney.



Geraldine Compitello, Town Clerk

/jt