

A Special Meeting of the Town Board, Town of Babylon, was held at the Town Hall, 200 East Sunrise Highway, Lindenhurst, NY, and streamed live over the internet at the Town of Babylon YouTube channel - <https://bit.ly/3aNSG2P>, on Monday, the 21st day of June, 2021 at 3:00 p.m. prevailing time.

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

Supervisor Schaffer: Please remain standing for a moment of silence and we ask that you keep in your thoughts and prayers the brave service men and women serving our country both here and abroad, as well as those in our town who are still recovering from the Covid-19 pandemic especially those who've either lost a loved one or suffered a serious illness and of course please keep your thoughts and prayers the first responders who continue to serve our community.

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

**RESOLUTION NO. 399 JUNE 21, 2021
ACCEPTING TOWN BOARD MINUTES**

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

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

June 9, 2021

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 400 JUNE 21, 2021
AWARDING BID NO. 20G22 OAK BEACH WATER SYSTEM GENERAL CONSTRUCTION**

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

WHEREAS, the following bids for Bid No. 20G22, Oak Beach Water System, General Construction were received, opened and publicly read:

BIDDER	TOTAL BID PRICE
S.J. Hoerning	\$1,877,000.00
W.H.M. Plumbing & Heating Contractors, Inc.	\$1,952,385.00
Philip Ross Industries, Inc.	\$2,105,000.00
Bensin Contracting, Inc.	\$2,434,600.00, and

WHEREAS, the Commissioner of General Services, the Commissioner of Environmental Control and H2M recommend the bid submitted by S.J. Hoerning be rejected in its entirety as they failed to submit any of the required documentation pursuant to Bid No., 20G22

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations the Commissioner of General Services, the Commissioner of Environmental Control, and H2M, the bid submitted by S.J. Hoerning be and is hereby rejected in its entirety as they failed to submit all documents required pursuant to Bid No. 20G22

RESOLVED, that based upon the recommendations of the Commissioner of General Services, the Commissioner of Environmental Control and H2M Architects & Engineers, and upon their finding the aforementioned bids to be fair and reasonable, Bid No. 20G22 be and is hereby awarded to the lowest responsible bidder, W.H.M Plumbing & Heating Contractors, Inc. and be it further

RESOLVED, that the Supervisor be and he is hereby authorized to execute a contract W.H.M Plumbing & Heating Contractors, Inc. for a total contract amount of ONE MILLION NINE HUNDRED FIFTY TWO THOUSAND, THREE HUNDRED EIGHTY FIVE (\$1,952,385.00) and that the form and content of said contract shall be subject to the approval of the Town Attorney.

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

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 401 JUNE 21, 2021
AUTHORIZING THE SUPERVISOR TO SIGN FOR THE CONSTRUCTION, MANAGEMENT
AND LEASE AGREEMENT FOR THE OAK BEACH WATER IMPROVEMENT**

The following resolution was offered by Councilman McSweeney 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 sign the construction, management and lease agreement on behalf of the Town of Babylon for the Oak Beach Water Improvement; 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. 402 JUNE 21, 2021
AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN
BOARD OF EDUCATION OF THE SACHEM CENTRAL SCHOOL DISTRICT AND THE TOWN OF BABYLON**

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 403 JUNE 21, 2021
AUTHORIZING THE SUPERVISOR TO ENTER INTO FIRE PROTECTION AND AMBULANCE DISTRICT CONTRACTS

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

WHEREAS, it has been previously determined that the Town Board of the Town of Babylon desires to enter into fire protection contracts for fire protection and ambulance service and/or an ambulance district contract to be furnished to Venetian Shores Fire Protection District #1, North Amityville Fire Protection Districts #5 and #6, East Farmingdale Fire Protection District #12, Wyandanch Fire Protection District #13, North Babylon Fire Protection District #15, North Lindenhurst Fire Protection District #16, West Amityville Fire Protection District #23, West Beach Fire Protection District #53, East Beach Fire Protection District #54 and Wyandanch-Wheatley Heights Ambulance District; and

WHEREAS, pursuant to the provisions of law, notice of Public Hearing on such proposed contracts was duly published; and WHEREAS, said Public Hearing was duly held by the Town Board on December 2, 2020 at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York and at such time and place said Town Board duly considered the proposed contracts and heard all persons interested therein.

NOW, THEREFORE, be it RESOLVED, that the Town Board of the Town of Babylon deems it to be in the best interest of the Town to enter into fire protection and ambulance service and/or ambulance district contracts on behalf of Venetian Shores Fire Protection District #1, North Amityville Fire Protection Districts #5 and #6, East Farmingdale Fire Protection District #12, Wyandanch Fire Protection District #13, North Babylon Fire Protection District #15, North Lindenhurst Fire Protection District #16, West Amityville Fire Protection District #23, West Beach Fire Protection District #53, East Beach Fire Protection District #54 and Wyandanch-Wheatley Heights Ambulance District, said districts being situated in the Town of Babylon, County of Suffolk and State of New York, and said contracts being upon the following terms and conditions:

1. Venetian Shores Fire Protection District #1:
A contract for a period of one year with the Village of Lindenhurst, said contract having an amount not to exceed \$386,705.00 for the year 2021.
2. North Amityville Fire Protection District #5:
A contract for a period of one year with the North Amityville Fire Company, Inc., said contract having an amount not to exceed \$1,277,610.00 for the year 2021.
3. North Amityville Fire Protection District #6:
A contract for a period of one year with the North Amityville Fire Company Inc., said contract having an amount not to exceed \$1,838,511.00 for the year 2021.
4. East Farmingdale Fire Protection District #12:
A contract for a period of one year with the East Farmingdale Volunteer Fire Company, Inc., said contract having an amount not to exceed \$4,700,100.00 for the year 2021.
5. Wyandanch Fire Protection District #13:
A contract for a period of one year with the Wyandanch Volunteer Fire Company, Inc., said contract having a revised amount not to exceed \$1,469,632.00 for the year 2021.
6. North Babylon Fire Protection District #15:
A contract for a period of one year with the North Babylon Volunteer Fire Company, Inc., said contract having a revised amount not to exceed \$3,649,164.00 for the year 2021.
7. North Lindenhurst Fire Protection District #16:
A contract for a period of one year with the North Lindenhurst Volunteer Fire Department, Inc., said contract having an amount not to exceed \$2,070,829.00 for the year 2021.
8. West Amityville Fire Protection District #23:
A contract for a period of one year with the Village of Amityville, said contract having an amount not to exceed \$8,000.00 for the year 2021.
9. West Beach Fire Protection District #53:
A contract for a period of three years with the Village of Babylon, said contract having an amount not to exceed \$45,472.00 per year for the years 2021 and 2022.
10. East Beach Fire Protection District #54:
A contract for a period of three years with the Village of Babylon, said contract having an amount not to exceed \$90,670.00 per year for the years 2021 and 2022.
11. Wyandanch-Wheatley Heights Ambulance District:
A contract for a period of one year with the Wyandanch-Wheatley Heights Ambulance District, said contract having an amount not to exceed \$1,896,444.00 for the year 2021.

and be it further;

RESOLVED, that the aforesaid contracts shall contain such other terms and conditions as shall be necessary and shall be approved by the Town Attorney; and be it further

RESOLVED, that the Supervisor of the Town of Babylon be and he is hereby authorized on behalf of the Town of Babylon and the aforesaid fire protection districts and ambulance district to enter into fire protection and ambulance service and/or ambulance district contracts as aforesaid.

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 404 JUNE 21, 2021
AMENDING RESOLUTION NO. 498 OF JULY 20, 2020 AUTHORIZING A CONTRACT WITH AMCS

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

WHEREAS, pursuant to Resolution No. 498 of July 20, 2020, a contract was awarded to AMCS at the following fees:

Annual Support & Licensing	\$3,900.00
Network Administration	\$155.00/hour
Configuration & Implementation	\$155.00/hour
Training	\$155.00/hour

NOW, THERE BE IT RESOLVED that the following resolution be amended due to an adjustment to the annual licensing fee:

ORIGINAL RESOLUTION	DATE ADOPTED	ORIGINAL TEXT	AMENDED TEXT
No. 498	July 20, 2020	Annual Support & Licensing: \$3,900.00	Annual Support & Licensing: \$4,017.00

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

RESOLUTION NO. 405 JUNE 21, 2021
AUTHORIZING THE ISSUANCE OF \$8,800,000 BONDS OF THE TOWN OF BABYLON, SUFFOLK COUNTY, NEW YORK, TO
FINANCE THE ACQUISITION, INSTALLATION AND CONSTRUCTION OF DRINKING WATER DISTRIBUTION SYSTEM
IMPROVEMENTS FOR THE OAK BEACH COMMUNITY BENEFITED AREA

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

WHEREAS, the applicable provisions of the State Environmental Quality Review Act have been complied with to the extent required with respect to the above-titled purposes;

WHEREAS, the Town Board of the Town of Babylon held a public hearing on April 14, 2021, in accordance with Section 209-Q of the Town Law with respect to the above-titled purposes;

BE IT RESOLVED, by the Town Board of the Town of Babylon, Suffolk County, New York, as follows:

Section 1. For the financing of the acquisition, installation and construction of drinking water distribution system improvements for the Oak Beach Community benefited area of the Town in accordance with Section 209-Q of the Town Law including the replacement of existing wells, construction of a new centralized treatment and water storage building and related water distribution improvements, a class of objects or purposes, there is hereby authorized to be issued \$8,800,000 bonds of the Town of Babylon, New York, pursuant to the provisions of the Local Finance Law, and said amount is appropriated therefor. The plan of financing said improvements includes in part, the levy and collection of taxes on the several lots and parcels of real property within the Oak Beach Community benefited area and in part, the levy and collection of taxes upon the area of the Town outside of villages and/or pursuant to an agreement between the Town and the Environmental Facilities Corporation.

Section 2. The maximum estimated cost of such class of objects or purposes is \$8,800,000, and the plan for the financing thereof is by the issuance of \$8,800,000 bonds of said Town hereby authorized to be issued therefor less any grant funding available to the Town applied for the costs of aforesaid class of objects or purposes.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty (40) years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years, and that the foregoing is an assessable improvement.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Local Finance Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year and the capital budget of the Town is hereby amended to provide for the foregoing appropriation.

Section 5. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00, Section 30.00, Section 50.00, Sections 56.00 to 60.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, determining whether to issue bonds with substantially level or declining annual debt service, determining whether the bonds and notes issued hereunder will bear interest at a fixed or variable rate, prescribing the terms, form and contents of the bonds herein authorized, bond anticipation notes issued in anticipation of said bonds and the renewals thereof, and any other powers or duties pertaining to or incidental to the sale and issuance of the bonds herein authorized, bond anticipation notes issued in anticipation of said bonds and the renewals thereof, are hereby delegated to the Supervisor, as the chief fiscal officer of the Town. The Town Board hereby determines that bonds and notes authorized hereby shall bear interest at a fixed or variable rate as determined in accordance with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution, which is effective immediately, shall be published in summary form in Newsday, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. The proceeds of the bonds herein authorized may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which such bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 406 JUNE 21, 2021
AUTHORIZING A VETERANS POST PROGRAM

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

WHEREAS, the Town Board of the Town of Babylon has recognized the need for various Veterans Posts Programs in the Town of Babylon; and

WHEREAS, the Town Board of the Town of Babylon has decided to fund these programs; and

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 various Veterans Posts, whereby the Town of Babylon will provide funds in an amount not to exceed the sum of Four Hundred and Fifty (\$450.00) Dollars; 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. 407 JUNE 21, 2021
AUTHORIZING 2020 BUDGET MODIFICATION

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

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

	<u>General Fund</u>	<u>Increase</u>	<u>Decrease</u>
Engineer			
Repairs and maintenance			
A.1440.46		\$ 29,603	
Contingent account			
Miscellaneous			
A.1990.49			\$ 21,630
Social security			
Employee benefits			
A.9030.80			\$ 7,973

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 408 JUNE 21, 2021
GRANTING MEDICAL LEAVE OF ABSENCE**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon that the following employee is hereby granted a Medical Leave of Absence:

NAME	EMPLOYEE ID#	DEPARTMENT	START DATE	END DATE
Joseph Memet Jr	7236	DPW	3/8/2021	3/8/2022

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 409 JUNE 21, 2021
AUTHORIZING REFUND OF PAYMENT**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Health Benefits Administrator that the following payment be refunded as an overpayment:

REFUND OF PAYMENT:

PAYEE	ADDRESS	TYPE	AMOUNT	REASON
MARGARET LEAVEY	40-62 W 4 th Street Patchogue, NY 11772	COBRA Medical Overpayment for June 2021	\$1074.87	Coverage cancelled effective 5/31/21

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 410 JUNE 21, 2021
AUTHORIZING REFUND OF PAYMENT COMMERCIAL WASTE DISTRICT**

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

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
J&H Lucky Spot Inc. 1205 Deer Park Avenue North Babylon, NY 11703	Account #011758 Deer Park Plaza Assoc. Unit 6 40 Burt Drive, Deer Park, NY 11729	Commercial Waste District	\$828.53	Overpayment	Commissioner of Environmental Control

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 411 JUNE 21, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY PERMIT
ON JUNE 19, 2021 IN THE TOWN OF BABYLON FOR THE FAMILY LIFE CENTER**

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

WHEREAS, the Family Life Center has requested permission to hold a Juneteenth Health & Wellness Celebration on Saturday, June 19, 2021 between 9:00 a.m. and 4:00 p.m. at The Family Life Center located at 20 Andrew Ave., Wyandanch, New York;

INDIVIDUAL: Dexter Hedgepeth 111 East Ave., Freeport, NY 11520 (516) 647-9610	ORGANIZATION: The Cedarmore Corporation 161 Lakeview Ave., Freeport, NY 11520 (516) 647-9610 (516) 384-3623
DATES & TIMES: Date(s): 6/19/2021 to: Time: 9:00 a.m. to 4:00 p.m. Rain Date: n/a	LOCATION: The Family Life Center 20 Andrew Ave., Wyandanch, NY 11798

SPECIAL REQUIREMENTS:

Event Details: Juneteenth Health & Wellness Celebration
Tents: No, Amusement Rides: No, Sound Equipment: Yes; Mic & Speaker(s)
Toilet/Water Facilities: Youth center facilities, 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. 412 JUNE 21, 2021

AUTHORIZING TANGER DEER PARK AND HOSTED BY DREAMLAND AMUSEMENTS TO HOLD A CARNIVAL IN THE TOWN OF BABYLON FROM JULY 21, 2021 THROUGH AND INCLUDING JULY 25, 2021

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

WHEREAS, the Tanger Deer Park/Dreamland Amusements has requested permission to hold a carnival, from Wednesday, July 21, 2021 through and including Sunday, July 25, 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;

WHEREAS, the Tanger Deer Park/Dreamland Amusements has obtained sufficient insurance to protect the interests of the Town of Babylon; subject to Schedule "A" attached hereto; and

INDIVIDUAL: Ron Cohen 65 West 19 th Street, Deer Park, NY 11729 (631) 495-4943, Bob Destefano (516) 901-2988	ORGANIZATION: Nephcure Foundation Ron Cohen 65 West 19 th Street, Deer Park, NY 11729 (631) 495-4943
DATES & TIMES: Date(s): 7/21/2021 to: 7/25/2021 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: Carnival Tents: No, Amusement Rides and/or Bouncy Rides: Yes; Quantity: 18, Sound Equipment: No, Toilet/Water Facilities: 9-bathroom facilities; 72 stalls with hot running water, Approximate # of Participants: 2,000 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.

F A I R S - SCHEDULE "A"

Pursuant to Section 79-2 of the Code of the Town of Babylon, you are hereby advised that the Town Board of the Town of Babylon, pursuant to the powers contained in the aforesaid Section 79-2, will impose the following requirements upon any permit granted pursuant to this article:

1. Opening and Closing Times. All amusements provided pursuant to a permit issued under this article shall not have an opening time prior to 6:00 p.m. during the days of Monday through Friday and 1:00 p.m. on Saturdays and Sundays, and shall close not later than 11:00 p.m. on any day.
 2. No portable or movable living accommodations shall be allowed on the site of the amusement or elsewhere within the Town in connection with said amusement, unless allowed pursuant to the Building Zone Ordinance of the Town of Babylon.
 3. No games shall be permitted which will violate State Law.
 4. Any person or organization seeking permission to conduct any game of chance shall file the proper application with the Town Clerk and shall comply with all provisions of Chapter 130 of the Code of the Town of Babylon.
 5. Adequate sanitary facilities shall be provided, based upon the size and scope of the event.
 6. Any person employed by any organization working in connection with the Amusement found to be undesirable by the Town Board, the Commissioner of Planning and Development or the Suffolk County Police Department, shall be summarily dismissed.
 7. Proper liability insurance shall be provided, at time of application.
 8. All rides or other amusements which may require it, shall have proper State safety certification prior to any use thereof.
 9. All necessary permits required by the Suffolk County Department of Health for the sale of food and other consumables shall be obtained prior to the commencement of operations.
 10. Any violation of the above conditions shall result in the summary revocation of the permit issued hereunder. For purposes of this provision, the Commissioner of Planning and Development, or the Suffolk County Police Department, as well as the Town Board, may summarily revoke a permit.
 11. Live animal acts or exhibitions are prohibited.
- All requirements hereunder must be met prior to the opening of any event required to be licensed pursuant to this article.

RESOLUTION NO. 413 JUNE 21, 2021

SCHEDULING A PUBLIC HEARING 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

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that a Public Hearing be held at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 7th day of July, 2021 at 10:00 p.m., prevailing time, at Babylon Old Town Hall, 47 W Main St, Babylon, NY 11702, on the application for a change of zone of the property at SCTM No. 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045, further described on Schedule A attached hereto, located in the SC005 School District, from from B-Residence District to E-Business District, to construct two construct a 7,931sf (footprint), two-story commercial building, with a 5,946sf super market with a 4,756.5sf second floor office/storage area, and two (2) retail stores, along with associated site improvements; and be it further

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

Being no further business before the Board, the meeting adjourned at 3:25 pm on the motion of Councilman Manetta, seconded by Councilman Martinez.


Geraldine Compitello, Town Clerk