

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 7th day of July, 2021 at 10:00 a.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 Supervisor 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 Old Town Hall, 47 W Main St, Babylon, NY 11702, on the 7th day of July, 2021 at 10:00 a.m., prevailing time, 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: June 14, 2021, Town of Babylon
BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON
GERALDINE COMPITELLO, TOWN CLERK

Harold Gebhard – Architect for the applicant
363 North Wellwood Avenue, Lindenhurst, NY 11757 - 631-226-3708

Looking to rezone of parcel of land on the north west corner of Bayshore Road and Commack Road from B Residence to E Business to put up a shopping center.

Supervisor Schaffer:
In conformance with the other little shopping centers along the stretch of Bayshore Road.

Mr. Gebhard:
That is correct.

Supervisor Schaffer
And we understand also that the Chawdhury's also live in Deer Park, which is great to hear that our residents from the town are looking to improve the Town.

Mr. Gebhard
There are a couple of residential buildings on the site which will be demolished. At one point in time it was going to be a one-story building with a basement, then we realized that we have a very high-water table so that's why we went with the second level for storage.

Supervisor Schaffer:
And this will be one supermarket or will it be split up?

Mr. Gebhard:
It's going to be one supermarket and two extra stores that we don't have any tenants for yet.

Supervisor Schaffer:
Great so the supermarket will be there, great. You know we are; I mean I'm not going to speak for the board, but I know that we're excited about the investment as well as the work that you want to do there to improve that site. It's been a long-standing issue with the residences that are outdated and haven't been kept up by the previous owners so we're happy with the investment.

Councilman Manetta: Is there a tenant, will he sign for the supermarket?

Mr. Gebhard:
The owner is going to run the supermarket.

Eyenet K. Chawdhury
80 Bergen Drive, Deer Park, NY 11729 – 631-230-1504
Explains he grows his own produce and will sell at this location.

Supervisor Schaffer
Oh, wow so you grow your own produce. So you'll have other foods for different cultures, so people won't have to go to Manhattan. Bring Manhattan here. Very good, great thank you, thank you Harold.

Marsha Miller
39 West 20th Street, Deer Park, NY 11729 – 631-667-7735
So, my mother lives at the head of a Franklin, we are just concerned about the change from residential to commercial. What it might do to property values, also increasing traffic.

Supervisor Schaffer
Okay so we'll ask them to address those two points.

Ms. Miller
There is a deli on Franklin occupied mostly by Town of Babylon vehicles. Town vehicles are parked causing a very tight squeeze for traffic to get by.

Supervisor Schaffer
Is Franklin a two-way or one-way? One way going out to Bayshore got it. What we're going to do is have Tom Stay who is our Public Works Commissioner, put out a bulletin to the all of the workers, so we're divided up into sectors you call it, so there's a particular crew that works in the Deer Park & North Babylon area so he'll speak to them and have a new foreman in there as well, the old foreman retired recently during Covid, so we'll be able to have the new people address the concerns there. What we can also do is we can look at putting no parking restrictions down that road. Also, they won't, just so you know, they won't be able if Franklin is a one-way out, they won't be able to come in, so I'll ask them to address where the curb cuts are.

Ms. Miller
No entry if you can to Franklin Avenue.

Supervisor Schaffer
Correct, great thank you for bringing that information. So, Harold you want to come back up and just tell us where the curb cuts are?

Mr. Gebhard
There are no curb cuts on Franklin, just on Bayshore Road and Commack Road.

Supervisor Schaffer
Right, that's what I would figure you would use the main road. Good, thank you great, any other questions.

Kevin O'Brien Esq. – Council for the applicant
462 Sagamore Avenue, East Williston, NY 11596 – 631-741-7601 (cell), kjobrien@koblawpc.com

Yes, I was over at the new town hall or the village.

Supervisor Schaffer
Yes, Harold did a very good job as well as Mr. Chawdhury.

Mr. O'Brien
Yes, we have been at this for a long time.

Supervisor Schaffer
We appreciate it, lots of comments were addressed. So just for the record that there are no curb cuts onto Franklin and we'll ask our traffic safety division to take a look at Franklin in terms of no parking restrictions that would be on Franklin and we'll report back to you for your mom and you and tom will speak, but we'll speak to the staff to prevent them from doing the parking that you showed us pictures of, so thank you for bringing that to our attention.

Submitted via email to Matthew Esposito – Town of Babylon Planning Department
Good Afternoon Mr. Esposito,

I'm contacting you regarding this morning's public hearing (07/07/21). I just received a certified letter from the O'Brien law group literally hours after the meeting was scheduled for today.

I own the adjacent shopping center located at 137-155 Bayshore Rd. and have expressed my several serious concerns with parking, access and safety in the past.

I don't see there being sufficient parking to accommodate a 5900-sf supermarket plus an additional 4756 sq. ft of office in addition to two more retail stores. Any full service supermarket would require a minimum 15-20 parking spots just for employees, delivery trucks, sales reps etc..... Office tenants generally occupy parking spots for several hours and depending what type of future tenants will occupy the retail stores, parking will clearly become an issue that will undoubtedly overlap into my shopping center.

I clearly don't have any further overlap for parking available. I am currently having issues with the physical therapist across the street utilizing my parking spots and the unresolved dead-end street on County Pl. Cars are parked in the turning lanes there all day long and several accidents have occurred.

There is not a need for additional retail in the area especially one that's starting out totally wrong, overbuilt for the site.

I would appreciate no further decisions that negatively impact my place of business.

Thank you,
Steven Lane - (516)-637-2182 - Lane Realty LLC

Councilman Manetta: I move that the hearing be **CLOSED** and decision reserved.
Councilman Martinez: Second

ALL IN FAVOR: AYE

HEARING **CLOSED** DECISION RESERVED.

/jt

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 7th day of July, 2021 at 10:00 a.m. prevailing time.

**PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213
OF THE BABYLON TOWN CODE (GRAND CANAL BOAT BERTH DISTRICT)**

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 Supervisor read the Notices of Public Hearing

PLEASE TAKE NOTICE, that the Town Board of the Town of Babylon will hold a Public Hearing 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 Chapter 213 of the Babylon Town Code (Grand Canal Boat Berth District) as set forth in the annexed Exhibit "A".

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:
- (1) Bulkhead. Stabilized rip-rap. Floating docks parallel along a bulkhead.
 - (2) Boatlifts for the purpose of storing vessels.
 - (3) Jet-Ski floats/docks.
 - (4) A shed not greater than 100 square feet or
 - (5) Gazebo not greater than 100 square feet or
 - (6) 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.
 - (7) 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.
 - (8) 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.

Dated: June 9, 2021, Town of Babylon

BY ORDER OF THE TOWN BOARD, TOWN OF BABYLON

GERALDINE COMPITELLO, TOWN CLERK

Supervisor Schaffer:

Just before we move on, I want to thank Rich Groh and his team, Emily, this is your niece who is, what is your niece's name?

Emma Norbert

Supervisor Schaffer

Nice to meet you, and she's part of the Rich Groh cult now. Excellent so we're thrilled to have you and we greatly appreciate the work of Rich and Emily and everyone else who worked on putting it together in the town attorney's office which never gets thanks right, good job.

Councilman Martinez: I move that the hearing be **CLOSED** and decision reserved.

Councilman McSweeney: 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 7th day of July, 2021 at 10:00 a.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 I'd ask that you keep in your thoughts and prayers the brave service men and women here and aboard as well as those in our town who are still fighting the Covid-19 Pandemic and those who are mourning the loss of a loved one or who may be recovering from the disease.

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 |

1. 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
2. PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 213 OF THE BABYLON TOWN CODE (GRAND CANAL BOAT BERTH DISTRICT)

**RESOLUTION NO. 414 JULY 7, 2021
ACCEPTING TOWN BOARD MINUTES**

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

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

June 21, 2021

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

The resolution was thereupon declared duly adopted.

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

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

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

Capital Project Fund

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

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

The resolution was thereupon declared duly adopted.

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

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

WHEREAS, the following bids for Bid No. 21G26E, Install of New HVAC System at Town, Electrical Construction, Phase III& IV were received, opened and publicly read:

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

NOW, THEREFORE, be it RESOLVED, that based upon the recommendations of the Commissioner of General Services and Nelson + Pope and upon their finding the aforementioned bid to be fair and reasonable, Bid No. 21G26E, be and is hereby awarded to the low bidder, Roland's Electric, Inc.; and be it further

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

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

The resolution was thereupon declared duly adopted.

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

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

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

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

NOW, THEREFORE, be it

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

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

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

The resolution was thereupon declared duly adopted.

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

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

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

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

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

NOW, THEREFORE, be it

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

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

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

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

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

The resolution was thereupon declared duly adopted.

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

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

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

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

NOW, THEREFORE, be it

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

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

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

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

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 420 JULY 7, 2021

AWARDING BID NO. 21G44 ELGIN SWEEPER PARTS AND LABOR OR EQUAL

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

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

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

Item 1. Sweeper Parts
Manufacturer's Catalog

Elgin OEM Parts as of June 9, 2021

Discount Offered % off list price: 5%

Item 2. Labor-Hourly Rate \$165.00 per hour

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 421 JULY 7, 2021

AWARDING BID NO. 21G45 KITCHEN EQUIPMENT CATALOG/WEBSITE

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

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

SPREADSHEET ON FILE IN THE DEPARTMENT OF GENERAL SERVICES

NOW, THEREFORE, be it

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 422 JULY 7, 2021

AWARDING BID NO. 21G48 VETERINARY & PET CARE PRODUCTS CATALOG AND/OR WEBSITE

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

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

Table with 3 columns: Item, Vendor, Percentage Off. Row 1: 1. Percentage off Catalog/Website Price, HSB Veterinary Supply, Inc., 2021 HSB Veterinary Supply, Inc. Catalog, -20%. Row 2: Midwest Veterinary Supply, Inc., www.midwestpestsupply.com, (With the exception of pg. 26 of the catalog), -13%.

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 423 JULY 7, 2021

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

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

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

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

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

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

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

Table with 2 columns: Description, Amount. Row 1: Additional construction administration and inspection, \$47,250.00. Row 2: TOTAL CHANGE ORDER NO. 3, \$47,250.00.

NOW, THEREFORE, be it

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 424 JULY 7, 2021

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

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

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

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

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

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

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

NOW, THEREFORE, be it

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 425 JULY 7, 2021

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 426 JULY 7, 2021

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

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

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

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

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

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

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

NOW, therefore be it

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 427 JULY 7, 2021

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

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

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

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

| | |
|-------------------------------|---------------|
| Credit for Unused Contingency | (\$10,000.00) |
|-------------------------------|---------------|

WHEREAS, the Commissioner of General Services, and the Deputy Commissioner of the Department of Public Works have deemed all work performed by, Inc. pursuant to Bid No. 20G97 Long Island Roofing and Repairs Services Corp. as complete and acceptable; and

NOW, therefore be it

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 428 JULY 7, 2021

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

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

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

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

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

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

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

NOW, therefore be it

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 429 JULY 7, 2021

AUTHORIZING A CONTRACT WITH SWANK MOTION PICTURES, INC.

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Swank Motion Pictures, Inc. for a total contract amount ONE THOUSAND TWO HUNDRED SIXTY-FIVE (\$1,265.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 430 JULY 7, 2021

AUTHORIZING A CONTRACT WITH SECURITY METRICS

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Security Metrics for a total annual contract amount up to and not exceeding TWO THOUSAND, FIVE HUNDRED (\$2,500.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

Services:

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

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

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Liro Engineers, Inc. at a total contract amount not to exceed SEVEN THOUSAND (\$7,000.00) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content.

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with 3M Transportation Safety Division at the following fees:

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

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

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

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of the Professional Consultant Evaluation Committee, the Supervisor be and he is hereby authorized to execute a contract with Honeywell International, Inc. for a total annual contract amount not to exceed FOURTEEN THOUSAND, THREE HUNDRED EIGHT DOLLARS AND 35/100 (\$14,308.35) DOLLARS and that said contract shall be subject to the approval of the Town Attorney as to form and content; and be it further

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

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

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

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

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

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

NOW, THEREFORE, be it

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 435 JULY 7, 2021

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

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

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

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

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

NOW, THEREFORE, be it

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 436 JULY 7, 2021

AUTHORIZING 2020 BUDGET MODIFICATION

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 437 JULY 7, 2021

AUTHORIZING 2021 BUDGET MODIFICATION

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 438 JULY 7, 2021

APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD PROGRAM SPONSORED BY THE TOWN OF BABYLON

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

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

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

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

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

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

NOW, THEREFORE,

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 439 JULY 7, 2021

APPROVING THE PAYMENT OF DISABILITY BENEFITS FROM A SERVICE AWARD PROGRAM SPONSORED BY THE TOWN OF BABYLON

The following resolution was offered by Councilman McSweeney

seconded by Councilman Manetta

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

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

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

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

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

NOW, THEREFORE,

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

The following resolution was offered by Councilman Manetta

seconded by Councilman Martinez

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

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

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

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

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

NOW, THEREFORE,

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 441 JULY 7, 2021
SETTING FEES FOR THE DEPARTMENT OF PERSONNEL

The following resolution was offered by Councilman Martinez

and seconded by Councilman Gregory

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

The following resolution was offered by Councilman Gregory

and seconded by Councilman McSweeney

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

| TITLE | SALARY |
|---|-------------------|
| Account Clerk /Account Clerk Typist Spanish | 14.00 - 16.00/hr. |
| Assessment Assistant | 14:00/hr. |
| Assistant Beach & Pool Manager | 14:00 - 17.00/hr. |
| Assistant Town Attorney | 20.00 - 30.00/hr. |
| Bay Constable | 14.00 - 22.00/hr. |
| Beach & Attendant | 14.00 - 16.00/hr. |
| Beach & Pool Manager | 14.00 - 20.00/hr. |
| Bingo Inspector, Part-time | 25.00/hr. |
| Building Inspector I | 14.00/hr. |
| Building Inspector II | 17.00/hr. |
| Building Inspector III | 20.00/hr. |
| Building Inspector IV | 25.00/hr. |
| Certified Public Accountant | 30.00/hr. |

| | |
|------------------------------------|-------------------|
| Clerical | 14.00 - 17.00/hr. |
| Clerk Typist | 14.00 - 16.00/hr. |
| Clerk | 14.00/hr. |
| College Intern Analyst I | 14.00/hr. |
| College Intern Analyst II | 15.00/hr. |
| College Intern Analyst III | 16.00/hr. |
| Community Pride Worker I | 14.00/hr. |
| Community Pride Worker II | 14.50/hr. |
| Community Pride Worker III | 15.00/hr. |
| Community Pride Worker IV | 15.50/hr. |
| Community Pride Worker V | 16.00/hr. |
| Community Pride Worker VI | 16.50/hr. |
| Community Pride Worker VII | 17.00/hr. |
| Contract Staff-Administrative | 14.00 - 30.00/hr. |
| Cook | 14.00/hr. |
| Custodian | 14.00 - 15.00/hr. |
| Data Entry Operator | 14.00/hr. |
| Data Processing Equip. Operator | 16.45/hr. |
| Deputy Supervisor | 50,000/annual |
| Dispatcher | 14.00 - 16.00/hr. |
| Dock Master | 14.00 - 19.00/hr. |
| Document Imaging Operator I | 14.00/hr. |
| Document Imaging Operator II | 14.50/hr. |
| Document Imaging Operator III | 15.50/hr. |
| Document Imaging Operator IV | 17:50/hr. |
| Drug & Alcohol Counselor I | 17.00 - 18.00/hr. |
| Drug & Alcohol Counselor II | 20.00 - 21.00/hr. |
| Drug & Alcohol Counselor III | 22.00 - 23.00/hr. |
| Drug & Alcohol Counselor IV | 23.00 - 25.00/hr. |
| Duplicating Machine Operator | 14.00 - 15.00/hr. |
| Electrician I | 20.00 - 21.00/hr. |
| Electrician II | 21.01 - 22.00/hr. |
| Electrician III | 22.01 - 23.15/hr. |
| Electrician IV | 23.16 - 24.32/hr. |
| Engineering Aide I | 20.00/hr. |
| Engineering Aide II | 22.50/hr. |
| Engineering Aide III | 25.00/hr. |
| Environmental Analyst Part Time | 20.00 - 40.00/hr. |
| Environmental Steward I | 14.00/hr. |
| Environmental Steward II | 14.50/hr. |
| Environmental Steward III | 15.00hr |
| Environmental Steward IV | 15.75/hr. |
| Environmental Steward V | 18.75/hr. |
| Environmental Steward VI | 21.35/hr. |
| Environmental Steward VII | 23.35/hr. |
| Environmental Steward VIII | 25.65/hr. |
| Environmental Steward IX | 27.95/hr. |
| Environmental Steward X | 30.40/hr. |
| Facilities Guard | 13.00/hr. |
| Fire Marshal Call-In | 50.00/hr. |
| Fire Marshal I | 14.50 - 16.00/hr. |
| Fire Marshal II | 16.01 - 17.00/hr. |
| Fire Marshal III | 17.01 - 18.00/hr. |
| Fire Marshal IV | 18.01 - 19.00/hr. |
| Fire Marshal V | 19.01 - 20.00/hr. |
| Fire Marshal VI | 20.01 - 25.00/hr. |
| Fire Marshal VII | 25.01 - 30.00/hr. |
| GIS Technician I/II/III, part time | 22.00-27.00/hr. |
| Government Liaison Officer | 50.00/hr. |
| Government Liaison Officer II | 375.00/meeting |
| Groundskeeper | 14.00 - 14.50/hr. |
| Guard I | 14.00 - 14.25/hr. |
| Guard II | 14.30 - 15.00/hr. |
| Guard III (Supervisor) | 15.50 - 17.70/hr. |
| Guard IV (LT.) | 14.75 - 16.10/hr. |
| Historian | 16.00/hr. |
| Kennel Attendant I | 15.00/hr. |
| Kennel Attendant II | 15.50/hr. |
| Kennel Attendant III | 16.00/hr. |
| Kennel Attendant IV | 16.50/hr. |
| Laborer I | 15.00/hr. |

| | |
|---|---------------------|
| Laborer II | 15.50/hr. |
| Laborer III | 16.00/hr. |
| Laborer IV | 16.50/hr. |
| Laborer V | 17.00/hr. |
| Laborer VI | 17.50/hr. |
| Laborer VII | 18.00/hr. |
| Law Intern I | 14.00/hr. |
| Law Intern II | 15.00/hr. |
| Law Intern III | 16.00/hr. |
| Material Control Clerk | 14.00/hr. |
| Medical Billing Agent | 20.00 - 30.00/hr. |
| Medical Director-Drug Abuse Treatment | 120.00 - 175.00/hr. |
| Micrographics Operator | 14.00/hr. |
| Mini Bus Driver | 14.00-20.00/hr. |
| Neighborhood Aide | 14.00/hr. |
| Ordinance Enforcement Officer I | 14.00/hr. |
| Ordinance Enforcement Officer II | 14.30/hr. |
| Ordinance Enforcement Officer III | 15.30/hr. |
| Ordinance Enforcement Officer IV | 16.30/hr. |
| Ordinance Enforcement Officer V | 17.30/hr. |
| Ordinance Inspector I | 14.00/hr. |
| Ordinance Inspector II | 14.30/hr. |
| Ordinance Inspector III | 15.30/hr. |
| Ordinance Inspector IV | 16.30/hr. |
| Paralegal Assistant | 14.00 - 16.50/hr. |
| Paralegal Assistant II | 17.00 - 22.00/hr. |
| Park Attendant I | 14.00 - 18.00/hr. |
| Park Attendant II | 14.00 - 20.00/hr. |
| Park Ranger | 14.00 - 20.00/hr. |
| Parking Meter Officer | 14.00 - 16.00/hr. |
| Part Time Fire Marshal Call-In | 50.00/hr. |
| Part Time Maintenance Mechanic I | 20.00- 45.00/hr. |
| Part Time Maintenance Mechanic II | 20.00- 45.00/hr. |
| Part Time Maintenance Mechanic III | 20.00- 45.00/hr. |
| Part Time Maintenance Mechanic IV | 20.00- 45.00/hr. |
| Photo Technician | 13.50 - 20.00/hr. |
| Planning Aide | 14.00/hr. |
| Plumber I | 14.30/hr. |
| Plumber II | 14.45/hr. |
| Plumber III | 15.70/hr. |
| Plumbing Inspector I | 14.50 - 15.00/hr. |
| Plumbing Inspector II | 15.01 - 16.00/hr. |
| Plumbing Inspector III | 16.01 - 17.00/hr. |
| Plumbing Inspector IV | 17.01 - 18.00/hr. |
| Plumbing Inspector V | 18.01 - 20.00/hr. |
| Plumbing Inspector VI | 20.01 - 25.00/hr. |
| Plumbing Inspector VII | 25.01 - 30.00/hr. |
| Plumbing Inspector | 15.00/hr. |
| Pole Inspector I | 14.00/hr. |
| Pole Inspector II | 14.25/hr. |
| Pole Inspector III | 14.50/hr. |
| Program Aide I-HOURLY | 14.00 - 15.00/hr. |
| Program Aide II-HOURLY | 15.25 - 15.74/hr. |
| Program Aide III-HOURLY | 15.75 - 21.34/hr. |
| Program Aide IV-HOURLY | 21.35 - 23.35/hr. |
| Program Aide V-HOURLY | 23.36 - 25.75/hr. |
| Program Aide VI-HOURLY | 25.76 - 27.05/hr. |
| Program Aide VII-HOURLY | 27.06 - 39.58/hr. |
| Recreation Aides | 14.00 - 17.00/hr. |
| Recreation Specialist | 14.00 - 30.00/hr. |
| Recreation Specialist-HOURLY | 30.00 - 85.00/hr. |
| Registered Nurse | 25.00/hr. |
| Rental/Accessory Apartment Inspector I | 15.00/hr. |
| Rental/Accessory Apartment Inspector II | 20.00/hr. |
| Rental/Accessory Apartment Inspector III | 25.00/hr. |
| Sanitation Inspector I | 14.00/hr. |
| Sanitation Inspector II | 14.25/hr. |
| Sanitation Inspector III | 14.60/hr. |
| Seasonal Ordinance Enforcement Officer IV | 15.30/hr. |
| Senior Bay Constable | 15.00 - 20.00/hr. |
| Senior Citizen Specialist | 18.00/hr. |

| | |
|----------------------------------|-------------------|
| Senior Clerk I | 14.00/hr. |
| Senior Clerk II | 14.50/hr. |
| Senior Clerk III | 14.75/hr. |
| Senior Clerk IV | 15.00/hr. |
| Senior Mini Bus Driver | 15.00/hr. |
| Senior Park Ranger | 14.00 - 20.00/hr. |
| Sign Language Interpreter | 60.00/mtg. |
| Solid Waste Administrator-HOURLY | 50.00 - 85.00/hr. |
| Stenographer | 14.00/hr. |
| Student Intern | 14.00 – 18.00/hr. |
| Student Intern II | 17.00/hr. |
| Switchboard Operator I | 14.00/hr. |
| Switchboard Operator II | 14.25/hr. |
| Switchboard Operator III | 14.50/hr. |
| Switchboard Operator IV | 15.00/hr. |
| Tax Clerk I | 15.00/hr. |
| Tax Clerk II | 15.25/hr. |
| Tax Clerk III | 15.50/hr. |
| Tax Clerk IV | 16.00/hr. |
| Tax Clerk V | 16.50/hr. |
| Tax Clerk VI | 17.00/hr. |
| Tax Clerk VII | 17.50/hr. |
| Tax Clerk VIII | 18.00/hr. |
| Tax Receiver Office Guard | 25.00 - 40.00/hr. |
| Town Investigator | 14.30 - 50.00/hr. |
| Traffic Engineer II | 25.00 - 30.00/hr. |
| Veterinary Technician I | 18.00/hr. |
| Veterinary Technician II | 20.00/hr. |
| Veterinary Technician III | 22.00/hr. |
| Veterinary Technician IV | 25.00/hr. |
| Youth Counselor | 15.20/hr. |
| Zoning Inspector I | 14.00/hr. |
| Zoning Inspector II | 14.30/hr. |
| Zoning Inspector III | 15:30/hr. |
| Zoning Inspector IV | 16.30/hr. |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

| EMPLOYEE | AMOUNT |
|-----------------|--------------------------|
| Delores Bockett | \$100.50 reference books |

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

REFUND OF PAYMENT:

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

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

The resolution was thereupon declared duly adopted.

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

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

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

| NAME | TITLE | SALARY |
|----------------------------|---|-----------------------|
| Anthony Borrero | p/t Stock Clerk | 5,000 |
| Brian Dowdell | Remote Work Station IT | 1,500(until 12/31/21) |
| Cathy Sesselman | Scanning Technician | 2,500 |
| Cathy Hyde | Assistant to Town Board | 9,000 |
| Celeste Kusmierski | Events Planning Chairperson | 9,000 |
| Casey Schnapp | Remote Work Station IT | 1,500(until 12/31/21) |
| Dawn Carberry | Subregistrar | 2,500 |
| Denise Graziano | p/t Clerk | 32,500 |
| Donna Somma | Diversity Officer | 4,500 |
| Geraldine Compitello | Clerk Advisory Chairperson | 10,000 |
| Gilbert Hanse | Emergency Preparedness Coordinator | 10,000 |
| Jennifer Montiglio | Tax Warrant Coordinator | 10,000 |
| Jen Taus | Secretary to Town Board | 6,000 |
| Jorge Rosario | Public Safety Coordinator | 44,000 |
| Joseph Coyle | Remote Work Station IT | 1,500(until 12/31/21) |
| Joseph Olmedo | Drug & Alcohol Coordinator | 3,500 |
| Joseph Price | Parks Payroll Liaison | 7,500 |
| Joseph Wilson | Sanitation Commission Chairman | 2,000 |
| Katherine Lynch | p/t Purchasing Technician | 32,500 |
| Lori Lynn Hansen | Deputy Registrar | 3,150 |
| Madeline Quintyne-McConney | Special Events Coordinator | 5,000 |
| Marianne Hunt | Part-time Executive Assistant to Assessor | 2,000 |
| Patrick Farrell | Task Force Director | 5,000 |
| Peter Russo | Plumbing Regulation Liaison to NYS | 9,500 |
| Rachel Scelfo | Workforce Housing Coordinator | 8,500 |
| Ronald Kluesener | Solid Waste Administrator | 8,500 |
| Stephen Greenwald | Traffic Safety Coordinator/Secretary | 5,200 |
| Stephen Greenwald | Grant Writer | 5,000 |
| Susanne Boltz | HUD Coordinator | 7,000 |
| Thomas Stay | Drainage Coordinator | 2,000 |
| Umeko Healy | Deputy Assistant to Town Board | 4,000 |
| Stephanie Brennan | Part Time Citizens Advocate | 3,000 |
| Victoria Marotta | Director of Community Development | 4,000 |
| Thomas Vetri | Assistant Solid Waste Coordinator | 6,000 |
| Edward Buturla | Solid Waste Billing Coordinator | 4,500 |
| Mary Sullivan | Tax IDA Coordinator | 5,000 |
| Linda Murphy-Puglia | Tax IT Coordinator | 2,500 |
| Kevin Bonner | COVID-19 Response Coordinator | 15,000 |
| Kelly Medwig | Demolition Coordinator | 5,000 |

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

The resolution was thereupon declared duly adopted.

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

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

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

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

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

The resolution was thereupon declared duly adopted.

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Jarred Jay Navarro was awarded the rank of Eagle Scout,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon does hereby extend to Jarred Jay Navarro its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, July 11, 2021 as Eagle Scout Jarred Jay Navarro Day.

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

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

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

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

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

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

EXHIBIT "A"

DELETE
[§ 6-15 Division of Code Enforcement.](#)

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

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

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

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

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

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

EXHIBIT "A"

DELETE:
[§ 44-16 Division of Public Safety.](#)

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

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

(1)
Ordinance inspectors shall have the responsibility to investigate and issue summonses relating to violation of local municipal ordinances and regulations regarding housing, building, zoning, fire safety, sanitation, amusements, signs, hawking, peddling and other areas concerning public order and safety.

(2)
The guards shall be responsible for ensuring the safety and security of Town buildings, grounds, materials and equipment against fire, trespass, theft and other hazards.

(3)
The Division of Public Safety shall, upon request of the Town Clerk or any other agency or department in the Town, review applications for permits or licenses issued pursuant to law. This Division shall investigate the facts and circumstances surrounding the proposed activity subject to licensing, verify the application and recommend to the Town Clerk the determination to be made with respect to such

application. The investigations authorized by this subsection shall be conducted with respect to the following activities requiring licenses or permits:

(a)

Beach vehicle operation.

(b)

Bingo operations.

(c)

Amusement and carnival enterprises.

(d)

Games of chance operations.

(e)

Junkyard operations.

(f)

Parades and block parties.

(g)

Hawking and peddling.

(h)

Tow truck operation.

(i)

Video game licenses.

(j)

Taxi licenses.

(k)

Carting.

(4)

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

Delete:

§ 44-17 Division of Fire.

A.

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

B.

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

C.

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

Amend:

§ 44-18 Residency requirements.

A.

Legislative intent. The purpose and intent of this section is to establish residency requirements for certain appointed Town officers of the Town of Babylon who are appointed to positions of Bay Constable and Harbormaster. In order to employ and maintain employment of quality appointed Town officers in these positions, the Town Board of the Town of Babylon has determined that residency of such Town officers within the State of New York would provide sufficient geographical boundaries within which to secure and maintain a pool of qualified appointed Town officers available to be appointed by the Town of Babylon as the needs for such appointments occur from time to time. The Town Board further finds and determines that limiting these appointed Town officers' residency to the Town of Babylon only is unduly restrictive and burdensome on the Town of Babylon in attempting to maintain and fill appointed Town officers vacancies as they occur within the specific positions stated above. Accordingly, the Town Board of the Town of Babylon adopts this section for the purposes of allowing the Town to employ and maintain employment of qualified appointed Town officers to the positions of Bay Constable and Harbormaster to serve the Town of Babylon and its residents.

B.

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

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

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"
Chapter 15

Department of Public Safety Enforcement

§ 15-1. Title.

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

§ 15-2. Definitions; word usage.

A. Word usage. Whenever used in this chapter, words used in the singular include the plural and vice versa.

B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

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

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

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

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

§ 15-3. Establishment.

- A. There shall be in the Town of Babylon a Department of Public Safety Enforcement. The principal executive officer and administrative head of such Department shall be the Commissioner, who shall be appointed by the Town Board for the term fixed by law, at such salary as may from time to time be fixed by said Town Board. The Commissioner shall be appointed on the basis of his administrative experience and qualification for the duties of such office and such additional standards as may be required by the Town Board. The Commissioner shall be the head of the Department, with the power and authority to appoint and remove officers and employees under his jurisdiction in accordance with the Civil Service Law and other applicable laws.
- B. The Commissioner is empowered herein to appoint a Chief Deputy Commissioner and a Deputy Commissioner who shall generally act for and in his behalf and who shall perform such duties as are vested in and imposed upon that office by the provisions of this chapter, by statute or by other lawful authority. In the absence of the Commissioner, the Chief Deputy Commissioner shall act as the chief executive officer of the Department. In the absence of the Commissioner and Chief Deputy Commissioner, the Deputy Commissioner shall act as the chief executive officer of the Department. The Commissioner shall be authorized to modify the divisions, assignments and the responsibilities of the Chief Deputy Commissioner and Deputy Commissioner as he shall deem necessary.
- C. The Commissioner is also empowered herein to appoint an executive assistant for such administrative functions as may be assigned and to advise and aid the Commissioner in the planning and coordination of projects and policies of the Department.
- D. The Commissioner is also empowered herein to appoint a secretary who shall perform such duties, functions and assignments as are proper and necessary in executing the administrative and clerical obligations and needs of the Commissioner and the Department.
- E. Before entering upon the duties of his office, the Commissioner shall execute and file with the Town Clerk an official undertaking, if the same is required by the Town Board, in such form as approved by the Town Attorney.

§ 15-4. Organization.

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

§ 15-5. Powers and duties.

- A. The powers and duties of such divisions therein shall be under the administration, direction and control of the Commissioner, and each division shall be supervised by a person designated by the Commissioner in conformance with the Civil Service Law.
- B. The Commissioner may, with the approval of the Town Board, establish, consolidate or abolish any divisions or subdivisions not existing or hereafter created in the Department.
- C. Powers and duties of individual divisions.
 - (1) Division of Public Safety. Its powers and duties are to provide for the protection of Town property and of the health, safety and welfare of citizens using Town property maintained for public use, by the enforcement of the applicable provisions of the Code of the Town of Babylon. The guards shall be responsible for ensuring the safety and security of Town buildings, grounds, materials and equipment against fire, trespass, theft and other hazards. The Division of Public Safety shall, upon request of the Town Clerk or any other agency or department in the Town, review applications for permits or licenses issued pursuant to law. This Division shall investigate the facts and circumstances surrounding the proposed activity subject to licensing, verify the application and recommend to the Town Clerk the determination to be made with respect to such application. The investigations authorized by this subsection shall be conducted with respect to the following activities requiring licenses or permits:
 - i. Beach vehicle operation.
 - ii. Bingo operations.
 - iii. Amusement and carnival operations.
 - iv. Games of chance operations.
 - v. Junkyard operations.
 - vi. Parades and block parties.
 - vii. Hawking and peddling.
 - viii. Tow truck operation.
 - ix. Video game licenses.
 - x. Taxi licenses.
 - xi. Carting.
 - (2) The Division of Emergency Management. Its powers and duties are to coordinate the town's response to natural and man-made disasters. Division personnel are responsible for the development of the a comprehensive emergency management plan, and work with local, county, state, and federal officials in all aspects of planning, resource management, and emergency response and recovery activities.
 - (3) Division of Fire Prevention. Its powers and duties are set forth in Chapter 123 of the Code of the Town of Babylon. The Division of Fire Prevention shall have charge and supervision of the administration and enforcement of Chapter 123 of the Code of the Town of Babylon relating to fire prevention. The Fire Marshals shall also be responsible to issue such permits and collect such fees as required in said chapter. Fire Marshal are also hereby authorized to issue appearance tickets and summonses for violations of the Code of the Town of Babylon and the New York State Building Code, Residential Code, Fire Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Property Maintenance Code and Energy Conservation Code. Fire Marshals are further authorized to issue uniform appearance tickets and simplified information's pursuant to Article 71 of the Environmental Conservation Law and simplified traffic information's pursuant to Criminal Procedure Law § 100.25 and shall have other powers of peace officers in accordance with § 2.10, Subdivision 62, of the Criminal Procedure Law, § 2.20 of the Criminal Procedure Law, and such other powers as may be authorized by law.
 - (4) Division of Code Enforcement. Its powers and duties are to investigate all alleged violations of the Code of the Town of Babylon or, to such end, applicable state codes, laws, rules and regulations. The Commissioner may employ such investigators, zoning inspectors, ordinance inspectors, sign inspectors, fire marshals or any other personnel as may be

required to effectuate the same, within budgetary limits set by the Town Board. The Division shall be responsible for the enforcement of all violations of the aforesaid codes, laws, rules and regulations and/or obtaining compliance with the same. Persons in said Division designated by the Commissioner in conformance with the Civil Service Law may issue notices of violation, appearance tickets, summonses or any other notices as permissible by law. Nothing herein shall be construed to limit any other power of the Commissioner as provided by the Code of the Town of Babylon or any other applicable law, rule or regulation.

- (5) Division of Park Rangers. This Division of Park Rangers shall be composed of individuals with peace officer training and status entrusted with the responsibility to maintain the peace and good order of our community including in all parks, beaches other recreational spaces and upon all other Town owned property. It shall be the responsibility of all Park Rangers to actively patrol in marked or unmarked vehicles and enforce all federal, state and local laws to accomplish their mission. They will work closely with all public safety divisions and other code enforcement personnel as and where deployed by the Commissioner. Park Rangers, designated peace officers in accordance with § 2.10, Subdivision 9, of the Criminal Procedure Law, shall exercise the powers of peace officer and such other powers as may be authorized by law.

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

§ 15-6. Residency requirements.

- A. Legislative intent. The purpose and intent of this section is to establish residency requirements for certain appointed Town officers of the Town of Babylon who are appointed to positions of Park Ranger and Fire Marshal. In order to employ and maintain employment of quality appointed Town officers in these positions, the Town Board of the Town of Babylon has determined that residency of such Town officers within the State of New York would provide sufficient geographical boundaries within which to secure and maintain a pool of qualified appointed Town officers available to be appointed by the Town of Babylon as the needs for such appointments occur from time to time. The Town Board further finds and determines that limiting these appointed Town officers' residency to the Town of Babylon only is unduly restrictive and burdensome on the Town of Babylon in attempting to maintain and fill appointed Town officers vacancies as they occur within the specific positions stated above. Accordingly, the Town Board of the Town of Babylon adopts this section for the purposes of allowing the Town to employ and maintain employment of qualified appointed Town officers to the positions of Park Ranger and Fire Marshal to serve the Town of Babylon and its residents.
- B. Establishment of residency requirements for appointed Town officers. Notwithstanding the provisions of Subdivision 1 of § 23 of the Town Law of the State of New York, and notwithstanding the provisions of Subdivision 1 of § 3 of the Public Officers Law, and notwithstanding the provisions of Subdivision 1 of § 3-b of the Public Officers Law or Subdivision 1d of § 30 of the Public Officer's Law, in the Town of Babylon, Suffolk County, New York, all persons appointed to the positions of Park Ranger and Fire Marshal shall reside within the State of New York.
- C. Conflict with state statutes and authority to supersede. To the extent that any provisions of this section are in conflict or are construed as inconsistent with the provisions of the New York State Town Law or New York State Public Officers Law, this section supersedes, amends and takes precedence over New York State Town Law and New York State Public Officers Law pursuant to the Town's Municipal Home Rule powers pursuant to Municipal Home Rule Law §§ 10, Subdivisions 1(ii)d(3) and 1(ii)a(14), and 22 to supersede any inconsistent authority. In particular, this section supersedes any inconsistent provisions of Town Law § 23, Subdivision 1, which provides that every officer of the Town at the time of his election or appointment and throughout his term of office must be an elector of the Town. This section further supersedes any inconsistent provisions of Public Officer's Law § 3, Subdivision 1, which sets forth the qualification for holding public office and provides that to qualify a person must, at the time chosen, be at least 18 years of age, a citizen of the United States, a resident of the state and, in the case of a local office, a resident of the political subdivision for which he or she is appointed or within which the electors choosing him reside. It is the intent of this section to amend § 23, Subdivision 1, of the Town Law and § 3, Subdivision 1, of the Public Officer's Law to the extent herein provided.

§ 15-7 Costs and expenses.

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

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

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

§ 15-9. Fees.

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

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

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

§ 15-11. Severability.

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

§ 15-12. When effective.

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

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

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 453 JULY 7, 2021

AUTHORIZING THE WAIVING OF BUILDING, PLUMBING AND ALL ASSOCIATED FEES

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 454 JULY 7, 2021

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

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

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

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

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

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

NOW, THEREFORE, be it

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 455 JULY 7, 2021

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

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

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

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

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

NOW, THEREFORE, be it

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

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 456 JULY 7, 2021

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

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

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

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

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

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

NOW, THEREFORE, be it

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

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

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

VOTES: 5 YEAS: 5 NAYS: 0

The resolution was thereupon declared duly adopted.

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

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

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

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

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

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

NOW, THEREFORE, be it

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

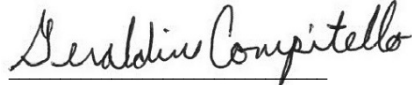
RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

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

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

The resolution was thereupon declared duly adopted.

Being no further business before the Board, the meeting adjourned at 10:19 am on the motion of Councilman Gregory, seconded by Councilman McSweeney.



Geraldine Compitello, Town Clerk

/jt