

A Special 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 21st day of July, 2021 at 2:00 p.m. prevailing time.

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

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

Thank you, please be seated.

The Town Clerk called the roll:

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

Adrienne & William Wilson (Sister and Brother)

109 Justice Street, West Babylon, NY 11704 – 631-894-7880 adriennewilson35@yahoo.com
William Wilson – 631-482-6523

Resolution #458. SCHEDULING A PUBLIC HEARING ON DESIGNATING THE PREMISES KNOWN AS 109 JUSTICE STREET, WEST BABYLON, NY 11704, SCTM#0100-133.00-03.00-029.000 A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN ATTORNEY TO COMMENCE LITIGATION

Ms. Wilson came with her brother to discuss incidents that occurred at her home on July 9 and also on July 9, 2021. Supervisor Schaffer questioned her on the occurrences and all that were involved. There was additional information about who lives at the residence, their ages and their relationship to Ms. Wilson. Ms. Wilson explained she will be moving to North Carolina to live with her sister taking her 2 daughters and hopefully her son. Her brother will be moving elsewhere and the plan is to sell the house. Mr. Wilson said that there is a potential buyer. Supervisor Schaffer expects at the next board meeting of August 4th when the public hearing is scheduled, to see a written contract by a realtor. Supervisor Schaffer said he will process the closing for them at a later date.

RESOLUTION NO. 458 JULY 21, 2021

AUTHORIZING THE SUPERVISOR TO EXECUTE AN INTERMUNICIPAL COOPERATION AGREEMENT BETWEEN BOARD OF EDUCATION OF THE EAST ISLIP UNION FREE SCHOOL DISTRICT AND THE TOWN OF BABYLON

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

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 459 JULY 21, 2021

AUTHORIZING THE SUPERVISOR TO SIGN AN INTERMUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF AMITYVILLE AND THE TOWN OF BABYLON

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 Supervisor be and he hereby is authorized to sign an agreement on behalf of the Town of Babylon with the Village of Amityville, for plumbing inspection services by a Town of Babylon Plumbing Inspector; and be it

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 460 JULY 21, 2021
AUTHORIZING 2021 INTERFUND TRANSFER**

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

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

	<u>Increase</u>	<u>Decrease</u>
<u>Capital Project Fund</u>		
H132 – Reconstruction of Town Buildings		
Interfund Transfer		
H132.9901-90	\$ 8,000	
Construction Services		
H132.7197-26		\$ 8,000
H128 – Geiger Park Improvements		
Professional and Engineering Services		
H128.7197-26	\$ 8,000	
Interfund Transfer		
H128.0000-5031	\$ 8,000	

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 461 JULY 21, 2021
ADOPTING THE ADMINISTRATIVE SALARY PLAN**

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

RESOLVED, that the amendments to the Salary Levels and Steps in the Administrative Salary Plan is hereby adopted in
accordance with Schedule "A" annexed hereto; and be it further;

RESOLVED, that all amendments to the Salary Plan shall be effective this date.

**“SCHEDULE A”
2021 ADMINISTRATIVE SALARY PLAN**

TITLE	LEVEL	STEP
Accountant Trainee	C	14
Affirmative Action Officer	G	10
Animal Shelter Supervisor	B	17a
Assessor	J	18
Assistant Community Development Project Supervisor	C	13a
Assistant to the Town Board	I	12
Assistant Town Attorney I	F	9a
Assistant Town Attorney II	G	10
Assistant Town Attorney III	G	12
Assistant Town Attorney	F	12
Bureau Administrator	C	14
Chief Assistant Town Attorney	I	16a
Citizens Advocate/Supervisor	H	10a
Comprehensive Planning and Downtown Revitalization Coord	H	17a
Commissioner of DPW	J	18
Commissioner of Environmental Control	I	16a
Commissioner of General Services	J	15a
Commissioner of Human Services	I	16a
Commissioner of Planning	J	16a
Commissioner of Recreation	J	15a

Community Development Project Supervisor	J	15
Confidential Community Service Aide	H	8a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	G	6a
Confidential Community Service Aide/Supervisor	J	5
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	I	5a
Confidential Community Service Aide/Supervisor	J	1a
Confidential Community Service Aide/Supervisor	D	14a
Confidential Community Service Aide/Supervisor	D	15
Confidential Community Service Aide/Supervisor	G	11a
Confidential Community Service Aide/Supervisor	H	14a
Confidential Community Service Aide/Supervisor	I	10
Confidential Community Service Aide/Env Control	E	3
Confidential Secretary to Town Council	D	15
Deputy Commissioner Environmental Control/Landfill	J	15
Deputy Commissioner General Services	I	18a
Deputy Commissioner Human Services	I	12
Deputy Commissioner Human Services	J	3a
Deputy Commissioner II of DPW	H	16
Deputy Commissioner I of DPW	J	18
Deputy Commissioner of Environmental	G	17a
Deputy Commissioner of Planning	I	12a
Deputy Commissioner of Planning and Development	J	13a
Deputy Commissioner Parks and Recreation	J	11a
Second Deputy Commissioner of Parks and Recreation	I	16a
Deputy Town Comptroller	J	15a
Deputy Director of Finance	I	10
Deputy Town Personnel Officer	J	8a
Deputy Receiver of Taxes	J	1a
Deputy Town Attorney	I	17a
Deputy Town Clerk	J	1a
Director of Drug & Alcohol Counseling Services	I	11
Director of Finance	H	7a
Director of Handicapped Services	F	11
Director of Information Technology	I	18a
Director of Public Safety	F	16a
Director of Youth Bureau	J	8a
Executive Assistant to Assessor	G	3
Executive Assistant to Human Services	J	12
Executive Assistant to Parks and Recreation	J	5
Executive Assistant to Comm of General Services	J	13a
Executive Assistant to Comptroller	J	15a
Executive Assistant to Deputy Supervisor	J	1a
Executive Assistant to Deputy Supervisor (second)	B	12a

Executive Assistant to DPW	I	11a
Executive Assistant to Environmental Control	G	16a
Executive Assistant to Town Personnel Officer	G	9a
Executive Assistant to Planning	H	17a
Executive Assistant to Supervisor	J	18
Executive Assistant to Town Attorney	D	14a
Executive Assistant to Town Clerk	J	5
Inter-Governmental Relations Coordinator	G	17a
Legislative Aide to Supervisor	D	15
Legislative Aide to Supervisor	E	9a
Legislative Aide to Supervisor	F	15
Legislative Aide to Supervisor	I	2a
Legislative Aide to Supervisor	J	1a
Legislative Aide to Supervisor	E	7a
Legislative Aide to Supervisor	I	17
Legislative Aide to Supervisor	G	G6a
Nutrition Center Supervisor	F	12
Town Personnel Officer	I	18
Principal Accountant	I	13
Public Information Officer/Supervisor	I	14a
Secretary to Assessor	I	12
Secretary to Commissioner of DPW	J	10a
Secretary to Commissioner of Environmental Control	E	14
Secretary to Commissioner of General Services	J	1a
Secretary to Commissioner of Planning & Development	I	6a
Secretary to Commissioner of Parks & Recreation	I	5a
Secretary to Comptroller	G	9a
Secretary to Deputy Supervisor	D	14a
Secretary to Human Services	G	11a
Secretary to Supervisor	J	15
Secretary to Town Attorney	F	4a
Secretary to Town Clerk	D	14a
Secretary to Zoning Board of Appeals	G	10a
Senior Assistant Town Attorney I	I	7
Senior Assistant Town Attorney II	I	12
Senior Assistant Town Attorney III	J	13
Senior Citizens Aide	E	7a
Senior Citizen Aide II	J	1a
Special Assistant to Supervisor	I	10
Town Attorney	J	18
Town Comptroller	J	18
Town Engineer	H	15
Town Historian	I	4a
Women's Resources Advisor I	G	11a

2021	Administration Plan:									
	A	B	C	D	E	F	G	H	I	J
1	18,941	23,399	26,073	29,194	31,181	36,772	43,901	47,913	54,601	58,295
a	19,841	24,511	27,313	30,581	32,660	38,516	45,985	50,190	57,193	60,045
2	20,740	25,620	28,549	31,969	34,138	40,258	48,073	52,464	59,786	61,795
a	21,212	26,202	29,198	32,691	34,927	41,174	49,161	53,665	61,526	63,647
3	21,681	26,785	29,845	33,413	35,711	42,087	50,251	54,847	63,264	65,501
a	22,321	27,228	30,353	33,924	36,349	42,855	51,082	55,673	63,774	66,820
4	22,958	27,672	30,863	34,435	36,985	43,619	51,910	56,502	64,320	68,138
a	23,597	27,892	31,374	34,947	37,623	44,385	52,742	57,333	65,176	69,088
5	24,234	28,108	31,884	35,457	38,262	45,152	53,571	58,161	66,069	70,033
a	25,253	28,341	32,459	36,349	39,029	44,207	54,400	58,863	67,295	71,332
6	26,270	28,570	33,035	37,240	39,797	46,091	55,227	59,563	68,520	72,632
a	26,557	29,398	33,609	38,102	40,560	46,209	56,057	60,615	69,463	73,633
7	26,844	29,348	34,181	38,965	41,326	46,936	56,885	61,664	70,409	74,631
a	27,005	30,802	34,629	38,983	42,153	47,765	57,521	62,400	71,174	75,444
8	27,162	31,373	35,074	39,029	42,981	48,594	58,159	63,135	71,939	76,256
a	27,613	31,756	35,519	39,410	43,813	49,423	58,797	64,222	72,702	77,064
9	28,061	32,140	35,965	39,792	44,639	50,251	59,434	65,309	73,468	77,877
a	29,396	32,524	36,349	40,557	45,213	51,018	60,136	66,009	74,808	79,296
10	28,952	32,906	36,732	41,325	45,790	51,783	60,837	66,708	76,147	80,715
a	30,292	33,290	37,116	41,708	46,364	52,549	61,540	67,412	77,486	82,134
11	29,845	33,674	37,499	42,087	46,936	53,313	62,245	68,113	78,825	83,553
a	30,229	34,120	38,008	42,471	47,318	54,145	63,073	69,139	79,730	84,516
12	30,611	34,564	38,518	42,856	47,702	54,969	63,899	70,167	80,641	85,477
a	30,993	35,010	39,028	43,237	48,085	55,800	64,731	71,177	82,413	87,356
13	31,373	35,457	39,537	43,619	48,469	56,630	65,561	72,191	84,183	89,234
a	32,865	37,140	41,416	45,689	50,772	59,320	68,675	75,620	87,555	92,143
14	34,353	38,821	43,294	47,762	53,073	62,010	71,789	79,051	90,927	96,107
a	36,589	40,667	45,350	50,031	55,593	64,957	75,444	82,806	95,933	101,688
15	38,821	42,512	47,406	52,298	58,114	67,903	78,609	86,560	100,935	105,078
a	40,667	44,532	49,660	54,785	60,874	71,127	82,340	90,669	104,738	110,199
16	42,512	46,550	51,913	57,269	63,663	74,352	86,075	93,336	110,940	125,478
a	44,532	48,761	54,376	59,989	66,663	77,886	90,164	98,409	113,408	132,605
17	46,550	50,970	56,842	62,706	69,694	81,417	94,255	104,191	117,154	138,000
a	48,877	53,519	59,682	65,844	73,178	85,488	97,424	108,975	124,183	142,000
18	51,321	56,195	62,666	69,136	76,837	89,762	102,295	114,424	130,393	147,900
a	53,887	59,004	65,799	72,593	80,679	94,250	107,409	120,145	136,912	149,324

**RESOLUTION NO. 462 JULY 21, 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	22.00/hr.
Building Inspector II	25.00/hr.
Building Inspector III	27.00/hr.
Building Inspector IV	30.00/hr.
Certified Public Accountant	30.00/hr.
Clerical	14.00 - 17.00/hr.
Clerk Typist	14.00 - 16.00/hr.
Clerk	14.00/hr.
College Intern Analyst I	14.00/hr.
College Intern Analyst II	15.00/hr.
College Intern Analyst III	16.00/hr.
Community Pride Worker I	14.00/hr.
Community Pride Worker II	14.50/hr.
Community Pride Worker III	15.00/hr.
Community Pride Worker IV	15.50/hr.
Community Pride Worker V	16.00/hr.
Community Pride Worker VI	16.50/hr.
Community Pride Worker VII	17.00/hr.
Contract Staff-Administrative	14.00 - 30.00/hr.
Cook	14.00/hr.
Custodian	14.00 - 15.00/hr.
Data Entry Operator	14.00/hr.
Data Processing Equip. Operator	16.45/hr.
Deputy Supervisor	50,000/annual
Dispatcher	14.00 - 16.00/hr.
Dock Master	14.00 - 19.00/hr.
Document Imaging Operator I	14.00/hr.
Document Imaging Operator II	14.50/hr.
Document Imaging Operator III	15.50/hr.
Document Imaging Operator IV	17.50/hr.
Drug & Alcohol Counselor I	17.00 - 18.00/hr.
Drug & Alcohol Counselor II	20.00 - 21.00/hr.
Drug & Alcohol Counselor III	22.00 - 23.00/hr.
Drug & Alcohol Counselor IV	23.00 - 25.00/hr.
Duplicating Machine Operator	14.00 - 15.00/hr.
Electrician I	20.00 - 21.00/hr.
Electrician II	21.01 - 22.00/hr.
Electrician III	22.01 - 23.15/hr.
Electrician IV	23.16 - 24.32/hr.
Engineering Aide I	20.00/hr.
Engineering Aide II	22.50/hr.
Engineering Aide III	25.00/hr.
Environmental Analyst Part Time	20.00 - 40.00/hr.
Environmental Steward I	14.00/hr.
Environmental Steward II	14.50/hr.
Environmental Steward III	15.00hr
Environmental Steward IV	15.75/hr.
Environmental Steward V	18.75/hr.
Environmental Steward VI	21.35/hr.
Environmental Steward VII	23.35/hr.
Environmental Steward VIII	25.65/hr.
Environmental Steward IX	27.95/hr.
Environmental Steward X	30.40/hr.
Facilities Guard	13.00/hr.
Fire Marshal Call-In	50.00/hr.
Fire Marshal I	14.50 - 16.00/hr.
Fire Marshal II	16.01 - 17.00/hr.
Fire Marshal III	17.01 - 18.00/hr.
Fire Marshal IV	18.01 - 19.00/hr.
Fire Marshal V	19.01 - 20.00/hr.
Fire Marshal VI	20.01 - 25.00/hr.
Fire Marshal VII	25.01 - 30.00/hr.
GIS Technician I/II/III, part time	22.00-27.00/hr.
Government Liaison Officer	50.00/hr.
Government Liaison Officer II	375.00/meeting
Groundskeeper	14.00 - 14.50/hr.

Guard I	14.00 - 14.25/hr.
Guard II	14.30 – 15.00/hr.
Guard III (Supervisor)	15.50 - 17.70/hr.
Guard IV (LT.)	14.75 - 16.10/hr.
Historian	16.00/hr.
Kennel Attendant I	15.00/hr.
Kennel Attendant II	15.50/hr.
Kennel Attendant III	16.00/hr.
Kennel Attendant IV	16.50/hr.
Laborer I	15.00/hr.
Laborer II	15.50/hr.
Laborer III	16.00/hr.
Laborer IV	16.50/hr.
Laborer V	17.00/hr.
Laborer VI	17.50/hr.
Laborer VII	18.00/hr.
Law Clerk	16.25/hr.
Law Intern I	14.00/hr.
Law Intern II	15.00/hr.
Law Intern III	16.00/hr.
Material Control Clerk	14.00/hr.
Medical Billing Agent	20.00 - 30.00/hr.
Medical Director-Drug Abuse Treatment	120.00 - 175.00/hr.
Micrographics Operator	14.00/hr.
Mini Bus Driver	14.00-20.00/hr.
Neighborhood Aide	14.00/hr.
Ordinance Enforcement Officer I	14.00/hr.
Ordinance Enforcement Officer II	14.30/hr.
Ordinance Enforcement Officer III	15.30/hr.
Ordinance Enforcement Officer IV	16.30/hr.
Ordinance Enforcement Officer V	17.30/hr.
Ordinance Inspector I	14.00/hr.
Ordinance Inspector II	14.30/hr.
Ordinance Inspector III	15.30/hr.
Ordinance Inspector IV	16.30/hr.
Paralegal Assistant	14.00 - 16.50/hr.
Paralegal Assistant II	17.00 - 22.00/hr.
Park Attendant I	14.00 - 18.00/hr.
Park Attendant II	14.00 – 20.00/hr.
Park Ranger	14.00 - 20.00/hr.
Parking Meter Officer	14.00 - 16.00/hr.
Part Time Fire Marshal Call-In	50.00/hr.
Part Time Maintenance Mechanic I	20.00- 45.00/hr.
Part Time Maintenance Mechanic II	20.00- 45.00/hr.
Part Time Maintenance Mechanic III	20.00- 45.00/hr.
Part Time Maintenance Mechanic IV	20.00- 45.00/hr.
Photo Technician	13.50 - 20.00/hr.
Planning Aide	14.00/hr.
Plumber I	14.30/hr.
Plumber II	14.45/hr.
Plumber III	15.70/hr.
Plumbing Inspector I	14.50 - 15.00/hr.
Plumbing Inspector II	15.01 - 16.00/hr.
Plumbing Inspector III	16.01 - 17.00/hr.
Plumbing Inspector IV	17.01 - 18.00/hr.
Plumbing Inspector V	18.01 - 20.00/hr.
Plumbing Inspector VI	20.01 - 25.00/hr.
Plumbing Inspector VII	25.01 - 30.00/hr.
Plumbing Inspector	15.00/hr.
Pole Inspector I	14.00/hr.
Pole Inspector II	14.25/hr.
Pole Inspector III	14.50/hr.
Program Aide I-HOURLY	14.00 - 15.00/hr.
Program Aide II-HOURLY	15.25 - 15.74/hr.
Program Aide III-HOURLY	15.75 - 21.34/hr.
Program Aide IV-HOURLY	21.35 - 23.35/hr.
Program Aide V-HOURLY	23.36 - 25.75/hr.
Program Aide VI-HOURLY	25.76 - 27.05/hr.
Program Aide VII-HOURLY	27.06 - 39.58/hr.

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 463 JULY 7, 2021
APPOINTING PERSONNEL TO ADDITIONAL POSITIONS AND SETTING SALARIES**

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

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

<u>NAME</u>	<u>TITLE</u>	<u>SALARY</u>
Anthony Borrero	p/t Stock Clerk	5,000
Brian Dowdell	Remote Work Station IT	1,500(until 12/31/21)
Cathy Sesselman	Scanning Technician	2,500
Cathy Hyde	Assistant to Town Board	9,000
Celeste Kusmierski	Events Planning Chairperson	9,000
Casey Schnapp	Remote Work Station IT	1,500(until 12/31/21)
Dawn Carberry	Subregistrar	2,500
Deborah Smolenski	Beach Lease Transfer Coordinator	1,000 (effective 8/1/21)
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: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 464 JULY 21, 2021
AUTHORIZING REFUND OF FEES DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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

Name	Address	Fee	Activity	Receipt Number
Michael Ahern	540 9 th Street West Babylon, NY 11704	\$20.00	Recreation Permit	175458 Permit#V-425
Jennifer Anderson	169 Verona Parkway Lindenhurst, NY 11757	\$25.00	Recreation Permit	150065
Luis Arboleda	280 45 th Street Copiague, NY 11726	\$45.00	Recreation Permit	166078 Permit#R04679
Teryn Aquino	191 Nims Ave West Babylon, NY 11704	\$350.00	Day Camp	159015
Brian Bick	3 Stadium Blvd East Setauket, NY 11733	\$40.00	Entrance Fee to Cedar Beach	RNN: 117814003586
Randy Boiko	133 Old Farmingdale Rd. West Babylon, NY 11704	\$120.00	Swim Program	161043
Kate Burke	2 Gamecock Lane Babylon, NY 11702	\$85.00	Tennis Program	160627
Patrick Carmody	13 Hallock St. East Farmingdale, NY 11735	\$210.00	Camping Reservation	148119
Jonathan Chinchilla	346 43 rd Street Copiague, NY 11726	\$135.00	Recreation Permit	176027 Permit# R08173, R08174 R08175
Alyssa Cohen	81 Bayview Ave-West Lindenhurst, NY 11757	\$40.00	Cedar Beach Entrance	RRN: 115717401110
Erica Congionti	697 N. Erie Ave Lindenhurst, NY 11757	\$45.00	Recreation Permit	172073 Permit# R02565
Michael Crowley	221 Cooper Road North Babylon, NY 11703	\$45.00	Recreation Permit	166634 Permit#R04878
Ann Day	49 Brook St. Lindenhurst, NY 11757	\$25.00	Wrong Permit	173995
Maria Evangelista	12 Ann Court North Babylon, NY 11703	\$20.00	Recreation Permit	173741 Permit#S4013
Francis Farley	167 Frederick Ave Babylon, NY 11702	\$210.00	Camping Reservation	148488
Kerry Figueiredo	909 South Broadway Lindenhurst, NY 11757	\$90.00	Boating Reservation	151129
Mary Gargagliano	997 Montauk Highway Copiague, NY 11726	\$210.00	Camping Reservations	148682
Raymond Golding	425 South 2 nd Street Lindenhurst, NY 11757	\$20.00	Recreation Permit	172553 Permit#V383
Brenda Hernadez	722 County Line Rd. Amityville, NY 11701	\$45.00	Recreation Permit	163478 Permit#R03630
Melissa Infranca	36 Della Drive West Babylon, NY 11704	\$90.00	Boating Reservation	168158
Lisa Jacinto	96 Villa Ave Deer Park, NY 11729	\$45.00	Recreation Permit	171273 Permit#R06587
Craig Johnson	69 Carlls Path North Babylon, NY 11703	\$210.00	Camping Reservations	149009
Mona Khoury	44 Unqua Place Amityville, NY 11701	\$20.00	Recreation Permit	165005 Permit#S2534
Alicja Kulaczowski	342 Charles Street Lindenhurst, NY 11757	\$115.00	Swim Team: Driving Program	157945
Aja Lanzone	113 Hughes Lane North Babylon, NY 11703	\$45.00	Recreation Permit	166826 Permit#R04930
Karen McCumiskey	143 Longfellow Ave North Babylon, NY 11703	\$20.00	Recreation Permit	172515 Permit#S3831
Christopher Maloney	935 Pacific Street Lindenhurst, NY 11757	\$99.00	Boating Reservation	149074

Carol Maroney	4 Austin Place Copiague, NY 11726	\$20.00	Recreation Permit	171108 Permit#S3624
Amanda Melendez	940 N. Fulton Ave Lindenhurst, NY 11757	\$45.00	Recreation Permit	173627 Permit#R07354
Richard Nadraus	1105 7 th Street West Babylon, NY 11704	\$90.00	Boating Reservation	148634
Micki Parente	219 Litchfield Ave Babylon, NY 11702	\$90.00	Recreation Permit	173924 Permit# R07441, R07442
Peter Peplinski	74 Cockenoe Ave Babylon, NY 11702	\$20.00	Recreation Permit	175119 Permit#S4167
James Piccolo	72 7 th Ave West Babylon, NY 11704	\$210.00	Camping Reservation	148478
William Price	24 Ketcham Ave Amityville, NY 11701	\$45.00	Recreation Permit	161064 Permit# R02536
Kelvin Salce	165 Bergen Ct. Copiague, NY 11726	\$45.00	Recreation Permit	174156 Permit# R07517
Cristine Schiener	1570 1 st Street West Babylon, NY 11704	\$45.00	Recreation Permit	177318 Permit# R08415
Kirsten Schiffer	11 Irving Ave Lindenhurst, NY 11757	\$75.00	Swim Program	171359
Joseph Sonnichsen	111 Old Farmingdale Road West Babylon, NY 11704	\$210.00	Camping Reservation	148781
Jeanine Verderosa	349 38 th Street	\$45.00	Recreation Permit	164932 Permit#R04188
Marie Valerio	163 W. 20 th Street Deer Park, NY 11729	\$20.00	Recreation Permit	173186 Permit#S3936
David Wyatt	528 Heathcote Road Lindenhurst, NY 11757	\$55.00	Swim Team	171220
Samantha Zeller	559 18 th Street W. Babylon, NY 11704	\$350.00	Day camp	160771

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 465 JULY 21, 2021
AUTHORIZING REFUND OF FEES DEPARTMENT OF PLANNING AND DEVELOPMENT**

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 Commissioner of Planning and Development, that the following fee be refunded:

NAME and ADDRESS	TYPE	AMOUNT
James Campbell 927 9 th Street West Babylon, New York 11704	Bicycle Locker Key Return Refund Located at Copiague LIRR Locker # 8	\$40.00
John Petti 605 Granada Pkwy. Lindenhurst, New York 11757	Bicycle Locker Key Return Refund Located at Copiague LIRR Locker # 1	\$40.00

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 466 JULY 21, 2021
PROCLAIMING MONDAY, JULY 19, 2021 AS EAGLE SCOUT JEREMY HEES DAY**

The following resolution was offered by Councilman McSweeney 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, Jeremy Hees 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 Jeremy Hees its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Monday, July 19, 2021 as Eagle Scout Jeremy Hees Day.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 467 JULY 21, 2021
PROCLAIMING TUESDAY, JULY 20, 2021 AS EAGLE SCOUT CHRISTIAN MORGENWECK DAY**

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

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Christian Morgenweck 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 Christian Morgenweck its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Tuesday, July 20, 2021 as Eagle Scout Christian Morgenweck Day.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 468 JULY 12, 2021
PROCLAIMING WEDNESDAY, JULY 21, 2021 AS EAGLE SCOUT JOE MORGENWECK DAY**

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

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

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

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

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

WHEREAS, it is fitting that by the successful demonstration of his scouting achievement, Joe Morgenweck 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 Joe Morgenweck its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Wednesday, July 21, 2021 as Eagle Scout Joe Morgenweck Day.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 469 JULY 21, 2021
PROCLAIMING SUNDAY, AUGUST 15, 2021 AS EAGLE SCOUT JOHN V. EVOLA DAY**

The following resolution was offered by Councilman McSweeney 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, John V. Evola 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 JOHN V. Evola its congratulations on his successful completion and achievement of the rank of Eagle Scout and proclaims Sunday, August 15, 2021 as Eagle Scout John V. Evola Day.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 470 JULY 21, 2021
PROCLAIMING AUGUST 31, 2021 AS "INTERNATIONAL OVERDOSE AWARENESS DAY"
IN THE TOWN OF BABYLON**

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

WHEREAS, International Overdose Awareness Day is the world's largest annual campaign to end overdose, remember without stigma those who have died and acknowledge the grief of the family and friends left behind; and

WHEREAS, the campaign raises awareness of overdose, which is one of the world's worst public health crises, and stimulates action and discussion about evidence-based overdose prevention and drug policy; and

WHEREAS, every person deserves our best efforts to prevent injury and death from overdose, and it is imperative to support overdose prevention policies and projects and to help make sure everyone understands overdose is a social issue, which impacts the victim, families, friends, and communities; and

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon does hereby proclaim Tuesday, August 31, 2021 as International Overdose Awareness Day in the Town of Babylon.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 471 JULY 21, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY/DRIVE-IN MOVIE PERMIT
ON THE FOLLOWING DAYS; JULY 16, 2021; JULY 23, 2021; JULY 30, 2021
IN THE TOWN OF BABYLON FOR THE TOWN OF BABYLON/UJIMA PROGRAM**

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

WHEREAS, the Town of Babylon/Ujima Program has requested permission to hold an outdoor public assembly/drive-in movie on the following days; Friday July 16, 2021; Friday July 23, 2021; Friday, July 30, 2021 between the hours of 5:00 p.m. and 11:00 p.m., within the Town of Babylon at the parking lot of 276 Long Island Ave., Wyandanch, N.Y. with the use of sound equipment; and

INDIVIDUAL: Marcus Duffin 75 Sterling Ave., Amityville, NY 11701 (516) 416-2061	ORGANIZATION: Town of Babylon 200 E. Sunrise Hwy., Lindenhurst, NY 11757 (631) 957-3088
DATES & TIMES: Date(s): 7/16/2021, 7/23/2021, 7/30/2021 Time: 5:00 p.m. to 11:00 p.m. Rain Date: n/a	LOCATION: Town of Babylon (Municipal Parking Lot) 276 Long Island Ave. Wyandanch, NY 11798
SPECIAL REQUIREMENTS: Event Details: Drive-In Movie Tents: No. Amusement Rides: No., Sound Equipment: Yes; Speakers & Movie Projector Screen Toilet/Water Facilities: N/A Approximate # of Participants: 70-80 cars	

NOW, THEREFORE, be it

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

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 472 JULY 21, 2021
AUTHORIZING PERMISSION FOR AN OUTDOOR PUBLIC ASSEMBLY/DRIVE-IN MOVIE DANCE RECITAL PERMIT ON
AUGUST 7, 2021 IN THE TOWN OF BABYLON FOR 3-D DANCE STUDIOS

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

WHEREAS, 3-D Dance Studios has requested permission to hold an outdoor public assembly/drive-in movie dance recital on Saturday, August 7, 2021 between the hours of 5:00 p.m. and 10:00 p.m., within the Town of Babylon at the parking lot of 770-06 Grand Blvd., Deer Park, N.Y. with the use of sound equipment; and

INDIVIDUAL: Daphne Williams 48A Crestwood Dr., Huntington Station, NY 11746 (516) 381-5691 (631) 595-2618	ORGANIZATION: 3-D Dance Studios 770-06 Grand Blvd., Deer Park, NY 11729 (516) 381-5691 (631) 595-2618 (631) 316-0506
DATES & TIMES: Date(s): 8/7/2021 to: Time: 5:00 p.m. to 10:00 p.m., Rain Date: 8/8/2021	LOCATION: 3-D Dance Studios (Parking Lot) 770-06 Grand Blvd., Deer Park, NY 11729
SPECIAL REQUIREMENTS: Event Details: Drive-In Movie Dance Recital, Tents: No, Amusement Rides: No Sound Equipment: Yes; (2) Speakers & Video Projector, Toilet/Water Facilities: Facilities inside 3-D Dance Studio Approximate # of Participants: 100 expected throughout the event	

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

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 473 JULY 21, 2021
AUTHORIZING PERMISSION FOR A PARADE ON AUGUST 28, 2021 IN THE TOWN OF BABYLON FOR
THE DEER PARK DRUG PREVENTION COALITION

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

WHEREAS, the Deer Park Drug Prevention Coalition has requested permission to hold a parade on Saturday, August 28, 2021 with a rain date of Sunday, August 29, 2021 within the Town of Babylon.

INDIVIDUAL: Valerie St. Bernard 72 Fillmore Ave., Deer Park, NY 11729, (631) 948-8706	ORGANIZATION: Deer Park Drug Prevention Coalition 72 Fillmore Ave., Deer Park, NY 11729, (631) 948-8706
DATES & TIMES: Date(s): 8/28/2021 to: Time: 10:30 a.m. to 12:30 p.m., Rain Date: 8/29/2021	STARTING: Deer Park High School, 1 Falcon Pl., Deer Park ENDING: Deer Park Fire Dept., 94 Lake Ave., Deer Park

ROUTE:
Leaving the Deer Park High School parking lot, travel northeast toward Falcon Pl., turn right onto Falcon Pl., turn right onto North 1st St., turn left onto Acorn St., turn right onto Deer Park Ave., turn left onto Lake Ave. to the Deer Park Fire Dept.

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

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 474 JULY 21, 2021
AUTHORIZING PERMISSION FOR A PARADE ON OCTOBER 10, 2021 IN THE OF BABYLON
FOR THE NORTH BABYLON CHAMBER OF COMMERCE

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

WHEREAS, the North Babylon Chamber of Commerce has requested permission to hold a parade on Sunday, October 10, 2021 within the Town of Babylon,

INDIVIDUAL: Garrett P. Simulcik 17 Mulholland Drive, North Babylon, NY 11703 (631) 274-5490	ORGANIZATION: North Babylon Chamber of Commerce P.O. Box 6416, North Babylon, NY 11703 (631) 983-4283
DATES & TIMES: Date(s): 10/10/2021 to: Time: 8:00 a.m. to 10:00 a.m. Rain Date: n/a	STARTING/ENDING: North Babylon Volunteer Fire Co. 20 Hale Rd., North Babylon, NY 11703

ROUTE:
Leaving the intersection of Deer Park Ave. & Hale Rd., proceed west on Hale Rd. to Deer Park Ave., make a left onto Deer Park Ave., turn right onto Phelps Ln., turn right onto Spangle Dr., turn right onto Strathmore Dr., turn left onto Deer Park Ave., turn left onto Garnet St., turn left onto Wallace Ct., turn left onto Easton Ave., turn right onto Deer Park Ave., continue to Hale Rd. and make a left onto Hale Rd. and proceed to North Babylon Volunteer Fire Co.

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

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 475 JULY 12, 2021
SCHEDULING A PUBLIC HEARING IN REFERENCE TO AMENDING
CHAPTER 3, ARTICLE II, SECTION 3-4 OF THE TOWN OF BABYLON UNIFORM CODE OF TRAFFIC ORDINANCES

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

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 3, Article II, Section 3-4 of the Town of Babylon Uniform Code of Traffic Ordinances as set forth in the annexed Exhibit "A"; and be it further

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

EXHIBIT "A"

Chapter 3, Article II, Section 3-4
 [Parking, Standing, and Stopping Restrictions Designated]

ADD to Schedule K:

<u>Name of Street/Side Location</u>	<u>Hamlet</u>	<u>Regulation</u>	<u>Hours/ Days</u>
Great Neck Road/ West side From Somerset Road N North for 50 feet +/-	NA	No Standing	ALL
Great Neck Road/ West side From 50 feet +/- north of Somerset Road N North for 45 feet +/-	NA	No Parking	ALL
Great Neck Road/ West side From Somerset Road N South for 50 feet +/-	NA	No Standing	ALL
Great Neck Road/ West side From 50 feet +/- south of Somerset Road N south for 90 feet +/-	NA	No Parking	ALL
Oak Street/ South side From Garfield Place West for 50 feet +/-	CO	No Standing	ALL
Oak Street/ south side From 50 feet +/- west of Garfield Place West for 80 feet +/-	CO	No Parking	ALL
Oak Street/ South side From Garfield Place East for 50 feet +/-	CO	No Standing	ALL
Oak Street/ South side From 50 feet +/- east of Garfield Place east for 50 feet +/-	CO	No Parking	ALL

RESOLUTION NO. 476 JULY 17, 2021
SCHEDULING A PUBLIC HEARING ON DESIGNATING
THE PREMISES KNOWN AS 109 JUSTICE STREET, WEST BABYLON, NY 11704 SCTM#0100-133.00-03.00-029.000
A PUBLIC NUISANCE, AUTHORIZING THE BOARDING UP OF SAID PREMISES AND AUTHORIZING THE TOWN
ATTORNEY TO COMMENCE LITIGATION

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 on the 4th day of August, 2021 at 10:00 a.m., prevailing time, at Babylon Old Town Hall, 47 W Main St, Babylon, NY 11702, to consider the whether the premises located at 109 Justice Street, West Babylon, NY 11704, SCTM#0100-133.00-03.00-029.000 is a public nuisance pursuant to the Town Code of the Town of Babylon Article III, Chapter 165, Public Nuisances; and be it further

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 477 JULY 21, 2021

TOWN BOARD ENVIRONMENTAL DETERMINATION IN REFERENCE TO ADOPTING A LOCAL LAW OF 2021 CHAPTER 213-562, ZONING, ARTICLE XIV GRAND CANAL BOAT BERTH DISTRICT AMERICAN VENICE OF THE CODE OF THE TOWN OF BABYLON WILL NOT HAVE A SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT

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

WHEREAS, the Town Board of the Town of Babylon is considering adopting a Local Law of 2021 Chapter 213-562, Zoning Article XIV, the Grand Canal Boat Berth District; and

WHEREAS, the proposed Local Law code involves the regulation and specifying the permitted uses of the deeded waterfront parcels in the Grand Canal area of American Venice in the Town of Babylon as identified on the proposed changes to the Town of Babylon Zoning Map; and

WHEREAS, the proposed Local Law seeks to promote the more orderly use of these parcels and to limit improvements to those specifically related to boat dockage and waterfront use and access; and

WHEREAS, the Town Board of the Town of Babylon hereby declares its intent to be the lead agency for the Grand Canal Boat Berth District in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

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

WHEREAS, the Town Board of the Town of Babylon hereby classifies the proposal as an Unlisted Action and an uncoordinated review was conducted; and

WHEREAS, in accordance with the requirements of 6NYCRR Sections 617.6 and 617.7, and Sections 114-6 and 114-7 of Chapter 114 of the Code of the Town of Babylon, the Department of Environmental Control has reviewed the Environmental Assessment Form with respect to the proposed Local Law of 2021, Chapter 213-562, Zoning, Article XIV the Grand Canal Boat Berth District; and

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

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

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

1. The proposed Local Law seeks to improve conditions and protect the quality of life in the American Venice community through the implementation of a new zoning district that will limit and specify the uses and improvements permitted on the deeded waterfront parcels.
2. Limiting the types of uses and the intensity of land use on these parcels will also have beneficial impacts on environmental resources by preventing fuel storage and commercial uses and the parking of vehicles on these parcels which are located primarily in the 100 Year Flood Zone. This will help prevent releases of petroleum and other contaminants into the marine environment during storm and flooding events.
3. The proposed Local Law will limit non-marine related uses and excessive outside storage on the parcels which will reduce debris fields and recovery needs after storm and flooding events. This will also have a favorable impact on community character.
4. The proposed Local Law will not adversely impact surface or groundwater resources or increase stormwater runoff. The requirements include limits on lot coverage and also encourage the use of pervious surfaces, prohibits Floating Homes and the installation of sanitary facilities or habitable space or occupancy on deeded dock slip parcels.
5. The proposal will not increase traffic or negatively impact any sensitive environmental resources.
6. The American Venice Historical District designation was adopted by the Town Board of the Town of Babylon on March 20, 2007. This action will not have any adverse impacts on the historical resources of the community. In fact, the proposed Local Law will have beneficial impacts on American Venice by improving the visual and community character of the area. Most importantly, the view corridor of the Grand Canal.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon as lead agency hereby determines that the adoption of Local Law Number of 2021, Chapter 213-562 Zoning, Article XIV the Grand Canal Boat Berth District; will not have a significant adverse impact on the environment.

AND FURTHER BE IT

RESOLVED, that based upon the foregoing determination, the Town Board of the Town of Babylon hereby adopts a NEGATIVE DECLARATION, for the adoption of a Local Law of 2021, Chapter 213-562 Zoning, Article XIV, the Grand Canal Boat Berth District; as required by the SEQRA AND TOBEQRA.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 478 JULY 21, 2021

ADOPTING A LOCAL LAW OF 2021 AMENDING CHAPTER 213-562 ARTICLE XIV OF THE BABYLON TOWN CODE (GRAND CANAL BOAT BERTH DISTRICT)

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Old Town Hall, 47 W Main Street, Babylon, on the 7th day of July, 2021 upon the question of enactment of a Local Law of 2021 of the Town of Babylon, Suffolk County, New York, being a Local Law adding the Code of the Town of Babylon, Chapter 213 (Grand Canal Boat Berth District);

WHEREAS; in accordance with the requirements of 6NYCRR Sections 617.6 and 617.7, and Sections 114-6 and 114-7 of Chapter 114 of the Code of the Town of Babylon, the Department of Environmental Control has reviewed the Environmental Assessment Form with respect to the Grand Canal Boat Berth District American Venice and a Negative Declaration was adopted by the Town Board on July 7th, 2021; and

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 5 of 2021, of the Town of Babylon, Suffolk County, New York, is hereby enacted as follows and effective upon its filing with the New York State Department of State:

LOCAL LAW NO. 5 of 2021

AMENDING THE CODE OF THE TOWN OF BABYLON, CHAPTER 165

Section 1. **AMEND** as follows:

CHAPTER 213 GRAND CANAL BOAT BERTH DISTRICT

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.

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

B. Only one accessory structure is permitted on a deeded waterfront parcel, including but not limited to sheds, pergolas and gazebos. All improvements including but not limited to sheds, pergolas, gazebos, fences, electric power and lighting; and boat lifts shall require a building permit. The addition of a pervious surface and or landscaping does not require a building permit.

C. The lot coverage inclusive of both the accessory structure and any impervious surfaces shall not exceed 50% in any case. Up to a 4' wide dock platform running parallel over the land and abutting a bulkhead shall be exempt from the lot coverage calculation.

§ 213-565 Prohibited Uses and Improvements

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

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

§ 213-566 Other Approvals Required

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

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

§ 213-567 Property Maintenance and Upkeep

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

§ 213-568 Outside Storage

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

Section 2. Severability.

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

Section 3. Effective Date.

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 479 JULY 12, 2021
TOWN BOARD ENVIRONMENTAL DETERMINATION TEMPORARY WAIVER OF FEES IN REFERENCE TO A LOCAL LAW OF 2021 CHAPTER 213-562, ZONING, ARTICLE XIV GRAND CANAL BOAT BERTH DISTRICT AMERICAN VENICE OF THE CODE OF THE TOWN OF BABYLON

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

WHEREAS, the Town Board of the Town of Babylon adopted Local Law Number 5 of 2021, Chapter 213-562, Zoning Article XIV, the Grand Canal Boat Berth District on July 21st, 2021; and

WHEREAS, the Local Law code involves the regulation and specifying the permitted uses of the deeded waterfront parcels in the Grand Canal area of American Venice in the Town of Babylon and as identified on the recent changes to the Town of Babylon Zoning Map; and

WHEREAS, the proposed Local Law seeks to promote the more orderly use of these parcels and to limit improvements to those specifically related to boat dockage and waterfront use and access; and

WHEREAS, the Town Board of the Town of Babylon would like to see a rapid improvement in the appearance and uses on the deeded waterfront parcels; and

WHEREAS, it is the Town Board of the Town of Babylon's belief that a temporary waiver of building application and permit fees and solid waste disposal fees will help accomplish this goal; and

WHEREAS, the Town Board of the Town of Babylon has determined that the temporary waiver of application and building permit and solid waste disposal fees is a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA) and no further action is required pursuant to SEQRA and TOBEQRA; and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Babylon hereby directs:

1. The Commissioner of the Department of Planning and Development to waive Application and Building Permit Fees in accordance with Section 49-20 of the Code of the Town of Babylon in connection with improvements on the deeded dock slips as shown on the Town of Babylon Zoning Map; Grand Canal Boat Berth District and Grand Canal Boat Berth District Parking Allowed, subject to the requirements of Chapter 213-562 Zoning, Article XIV, the Grand Canal Boat Berth District from this date, June 9, 2021 for a period of approximately six months with an expiration date on December 8, 2021 .
2. The Commissioner of the Department of Environmental Control to waive disposal fees for solid waste in accordance with Section 135-5 of the Code of the Town of Babylon regarding the cleanup and removal of solid waste including derelict boats in connection with the deeded dock slips as shown on the Town of Babylon Zoning Map; Grand Canal Boat Berth District and Grand Canal Boat Berth District Parking Allowed, subject to the requirements of Chapter 213-562 Zoning, Article XIV, the Grand Canal Boat Berth District from this date June 9, 2021 for a period of approximately six months with an expiration date on December 8, 2021.

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 480 JULY 12, 2021
TOWN BOARD ENVIRONMENTAL DETERMINATION IN REFERENCE TO THE 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

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

WHEREAS, Eneyet K. Chawdhury (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the n/w/c/o Bayshore Rd. and Commack Rd., Deer Park, New York, SCTM No. 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045, and further described on the annexed Schedule A, from B-Residence District to E-Business District; and

WHEREAS, this proposal involves a change of zone in order to construct a 7,931sf (footprint), two-story commercial building, with a 5,946sf super market with a 4,756.5sf second floor office/storage area, and two (2) retail stores, along with associated site improvements and

WHEREAS, the Town Board of the Town of Babylon hereby declares its intent to be the lead agency for the application of Eneyet K. Chawdhury in accordance with the State Environmental Quality Review Act (SEQRA) and the Town of Babylon Environmental Quality Review Act (TOBEQRA); and

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

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

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

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

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

1. The proposal will not create a significant increase in traffic.
2. The project will be developed in conformance with Chapter 189 of the Code of the Town of Babylon Stormwater Management and Erosion and Sediment Control requirements. A full Stormwater Pollution Prevention Plan (SWPPP) will be prepared. Post construction stormwater management will address long term maintenance of the stormwater infrastructure on the subject site.
3. The project site does not contain any sensitive environmental resources.
4. Solid waste service and disposal can be accommodated by the Town of Babylon Commercial Garbage District.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Babylon as lead agency hereby determines that the proposal by Eneyet K. Chawdhury will not have a significant adverse impact on the environment.

AND FURTHER, be it

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

VOTES: 4 _____ YEAS: 4 _____ NAYS: 0 _____

The resolution was thereupon declared duly adopted.

SCHEDULE A

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

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

RUNNING THENCE NORTH 22 DEGREES 53 MINUTES 45 SECONDS WEST 28.03 FEET
RUNNING THENCE NORTH 21 DEGREES 04 MINUTES 10 SECONDS EAST 125.00 FEET
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RUNNING THENCE NORTH 56 DEGREES 16 MINUTES 35 SECONDS WEST 141.58 FEET

7/21/2021 Minutes

TO THE POINT OR PLACE OF BEGINNING
OVERALL PARCEL

RESOLUTION NO. 481 JULY 12, 2021
GRANTING 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

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

WHEREAS, Eneyet K. Chawdhury (the "Petitioner") has heretofore petitioned this Board for a change of zone of certain property which is located on the n/w/c/o Bayshore Rd. and Commack Rd., Deer Park, New York, SCTM No. 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045, and further described on the annexed Schedule A, from B-Residence District to E-Business District; and

WHEREAS, a public hearing was held on said petition on the 7th day of July, 2021; and

WHEREAS, in accordance with Section 617.5(c)(9) State Environmental Quality Review (SEQR), this proposal involves a change of zone in order to construct a 7,931sf (footprint), two-story commercial building, with a 5,946sf super market with a 4,756.5sf second floor office/storage area, and two (2) retail stores, along with associated site improvements and the Board has adopted a Negative Declaration and no further action is required pursuant to SEQR; and

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

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Babylon that the application of Eneyet K. Chawdhury, for Job No. 15-35AE for a change of zone from B-Residence District to E-Business District for the premises described in the attached Schedule A, be and the same hereby is granted, and further that the Zone Map of the Town of Babylon be and the same hereby shall be amended to reflect the zone change subject to the following conditions:

Condition:

1. Subject to final site plan approval from the Planning Board.
2. Subject to Zoning Board of Appeals approval for any associated variances.
3. Subject to SCDPW approval.
4. Subject to SCDHS approval.
5. As a minimum measure to reduce noise levels, applicant/owner to install sound insulation panels around all roof top air-conditioning units, chillers and refrigeration units and sound insulation blankets around all air-handling units if required by the Town.
6. Owner/applicant shall comply with the Town of Babylon Stormwater Code (Chapter 189).
 - a) An Industrial Agreement must be signed.
 - b) Stormwater application fee must be submitted.
 - c) Contain all stormwater runoff on-site to Engineering requirements.
7. During construction, owner/applicant is responsible to sweep access streets and keep the roadways free of dirt and mud.
8. Subject to the requirements of Highway Engineering, Engineering, & the Fire Marshal.
9. The developer must comply with the standard offsite requirements imposed by the Highway Division, Department of Public Works.
10. Owner to contribute to the fund for the installation and maintenance of emergency vehicle optical pre-emption equipment on traffic signals in the area. Estimated cost to be \$1,500.00.
11. Address number, building number or approved building identification to be placed in a position visible from the street.
12. Water saving plumbing fixtures to be utilized.
13. Fire and smoke detection systems and carbon monoxide detectors should be installed in accordance with NFPA 72.
14. The sprinklers and carbon monoxide detectors shall be connected to a central station monitoring system.
15. All regulatory and warning signs are to adhere to the Manual of Uniform Traffic Control Devices for Streets and Highways specifications. All signs must also be fabricated using high-intensity retro reflective sheeting.
16. Any new transformer locations must be approved by the Town of Babylon Planning Division prior to installation.
17. A rodent control plan will be implemented prior to construction in order to remove rodent populations from the site. Additionally, the adjacent landowners will be notified prior to the commencement of construction.
18. Fugitive dust generation shall be controlled by appropriate means such as watering.
19. The location of new transformers and water service devices shall be approved by the Town of Babylon Planning Department prior to installation and shall not be located adjacent to any roadways.
20. Construction will be conducted between the hours of 7am and 8pm on weekdays and between the hours of 9am and 4pm on Saturdays. No exterior construction will be permitted on Sundays, only interior construction. Construction activities on site shall be in strict conformance with Chapter 156-9D of the Noise Code of the Town of Babylon.
21. SCTM#'s 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045 shall be merged.

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

1. No Medical use permitted.
2. No exterior-mounted steel security gates or shutters permitted. Only interior-mounted mesh type security gates permitted.
3. Owner/applicant shall comply with all NYS regulations for handicapped accessibility including but not limited to handicapped ramps and handicapped parking spaces.
4. The entire building should have a fully automatic fire sprinkler system installed pursuant to NFPA 13 and Section 213-235 of the Town Zoning Code and as required by the Fire Marshal.
5. All site lighting to be contained on site and must conform to dark-sky lighting regulations.
6. The Town of Babylon is not responsible for any damage to the curbs or light poles on site in connection with solid waste pick up.
7. The owner/developer is responsible for maintaining all site development improvements including, but not limited to the following: fire and smoke detection system, automatic fire sprinkler system, building, drainage, curbs, sidewalks, fencing, asphalt, landscaping, refuse enclosure, etc.
8. All refuse shall be contained within the perimeter and height of the refuse enclosure as approved by the site plan.
9. All noise generating equipment on-site including but not limited to heating ventilation and air conditioning (HVAC), chillers, refrigeration units and compressors shall operate in conformance with Chapter 156 Town of Babylon Noise Code. In the event that any such equipment exceeds Chapter 156 standards immediate steps shall be taken to mitigate those noise levels.
10. All buildings, structures, signs, fences and landscaping shall be maintained in accordance with all applicable codes and ordinances of the Town of Babylon, and violations thereof may be prosecuted and enforced in the same manner as provided therein.
11. No further development of the site without Planning Board approval.
12. No truck idling is permitted at any time. Owner to post signs "No Idling of Engines—No Exceptions."
13. All refuse shall be contained within the perimeter and height of the refuse enclosure as approved by the site plan.
14. By virtue of this site plan approval, SCTM #'s 0100-090-01-042, 0100-090-01-043, 0100-090-01-044, & 0100-090-01-045 are effectively merged. No parcel shall operate independent of the other parcels, since they only function conjointly as one contiguous site.
15. Maintenance access shall be in accordance with Section 189-8 of the Code of the Town of Babylon. The Town of Babylon shall be provided with access to the stormwater infrastructure at reasonable times for periodic inspection by the Town of Babylon and its officers to ensure that the infrastructure is maintained in proper working condition to meet design standards and any other provisions established by Chapter 189. This agreement shall be binding on all subsequent landowners.
16. Maintenance after construction shall be in accordance with Section 189-8 of the Code of the Town of Babylon. Stormwater management practices installed in accordance with Chapter 189 shall be operated and maintained to ensure that the goals of Chapter 189 are fully achieved. Proper operation and maintenance includes, at minimum, the following:
 - a. A preventive/corrective maintenance program for all critical facilities and systems of treatment and control (or related appurtenances) which are installed or used by the owner or operator to achieve the goals of Chapter 189. A written record of stormwater management system maintenance activities shall be established and maintained on site and be available for review by the Town of Babylon upon request.
 - b. Written procedures for operation and maintenance and training new maintenance personnel shall be prepared and maintained on site and will be available for review by the Town of Babylon upon request.

- c. Discharges from the SMPs shall not exceed design criteria or contribute to water quality standard violations in accordance with § 189-8B of the Code of the Town of Babylon.
17. Upon completion of construction, any stormwater control structures impacted during construction shall be cleaned by the owner or operator. Routine maintenance of the storm water infrastructure on the site will include the following:
- a. Monitoring of the drainage inlets (catch basins) will be completed routinely, particularly after large storm events and must be kept free from obstruction by leaves trash and other debris.
 - b. Drainage grates must be kept free from obstruction by leaves, trash and other debris.
 - c. Drainage structures shall be inspected annually to determine if sediment removal is necessary to ensure that the drainage structures are properly functioning and that they permit adequate conveyance throughout the system. If applicable, the manufacturer's specifications for maintenance procedures and frequency must be strictly followed.
 - d. The drainage structures must be routinely monitored for the removal of surface sediment and trash.
 - e. Street sweeping of the parking areas shall be conducted at least four times annually to remove sediment that may impact the drainage infrastructure and additionally, as necessary due to storm events.
 - f. The grounds and parking area shall be inspected for litter monthly and any litter shall be removed as necessary.

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

RESOLVED, that if the owners hereto, or any of them, their lessees, their heirs, successors, or assignees shall violate or attempt to violate any of the covenants or conditions required by the granting of this permit, it shall be lawful for the Town of Babylon to prosecute any proceedings at law or in equity, including but not limited to enforcement by way of injunctive relief; any remedies chosen by the Town Board to enforce any covenant, restriction or condition herein shall be cumulative and at the discretion of the Town Board as to how best to enforce such covenant, restriction or condition; the election of one method of enforcement shall not constitute a bar to electing any other method of enforcement permitted by law; and be it further,

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

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

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

The resolution was thereupon declared duly adopted.

SCHEDULE A

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:

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 RUNNING THENCE NORTH 56 DEGREES 16 MINUTES 35 SECONDS WEST 141.58 FEET
 TO THE POINT OR PLACE OF BEGINNING

OVERALL PARCEL

RESOLUTION NO. 482 JULY 21, 2021

AUTHORIZING THE EMERGENCY BOARD UP, DRAINING/SECURING ABOVE GROUND POOL AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 580 THORN ST., N. BABYLON, NY 11703 SCTM NO. 0100-152.00-01.00-014.000

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

WHEREAS, a certain structure(s) located at 580 Thorn Street, N. Babylon, New York, bearing SCTM# 0100-152.00-01.00-014.000 the doors and windows are open and accessible, septic overflow, 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 and above ground pool drained/secured, 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, the above ground pool drained/secured and the removal of all debris (hot water tank), located at 580 Thorn Street, N. Babylon, New York, bearing SCTM# 0100-152.00-01.00-014.000 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 inspectors report dated July 12, 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: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 483 JULY 21, 2021

AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE (IN-GROUND POOL), LOCATED AT 155 WRIGHT AVENUE, DEER PARK, NY 11729 SCTM NO. 0100-024.00-01.00-058.000

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

WHEREAS, a certain structure(s) located at 155 Wright Avenue, Deer Park, New York, bearing SCTM# 0100-024.00-01.00-058.000 the in-ground pool is 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 in-ground pool 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 (in-ground pool) 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 in-ground pool located at 155 Wright Avenue, Deer Park, New York, bearing SCTM# 0100-024.00-01.00-058.000 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-ground pool), in accordance

with the Conclusions and Recommendations set forth in the inspector's report dated July 13, 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: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 484 JULY 21, 2021

AUTHORIZING THE EMERGENCY BOARD UP AND SECURING OF UNSAFE STRUCTURE, LOCATED AT 80 W. 11TH STREET, DEER PARK, NY 11729 SCTM NO. 0100-062.00-01.00-097.000

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

WHEREAS, a certain structure(s) located at 80 W. 11th Street, Deer Park New York, bearing SCTM# 0100-062.00-01.00-097.000 has no running water as per a communication with Suffolk County Water Authority, 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 80 W. 11th Street, Deer Park, New York, bearing SCTM# 0100-062.00-01.00-097.000 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 July 21, 2021 located in the Code Enforcement Department; and be it further

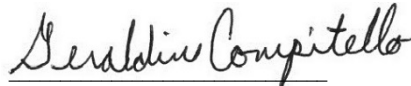
RESOLVED, that the Department of Public Works shall undertake the necessary securing, removal and cleanup; and be it further

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

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

Being no further business before the Board, the meeting adjourned at 2:47 pm on the motion of Councilman McSweeney, seconded by Councilman Martinez.



Geraldine Compitello, Town Clerk

/jt