

A Special Meeting of the Town Board, Town of Babylon, was held at the Town House, 200 East Sunrise Highway, Lindenhurst, NY on Thursday, the 28th day of June, 2018 at 3:30 p.m. prevailing time.

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

Supervisor Schaffer: Please remain standing for a moment of silence and I ask that you keep in your thoughts and prayers the brave service men and women who are serving our Country here and aboard as well as those families still suffering from the aftermath of super storm Sandy.

Thank you, please be seated.

The Deputy Town Clerk called the roll:

Councilman Manetta	Present
Councilman Martinez	Present
Councilman McSweeney	Present
Councilwoman Gordon	Absent
Supervisor Schaffer	Present

1. A PUBLIC HEARING IN REFERENCE TO AMENDING CHAPTER 61, OF THE CODE OF THE TOWN OF BABYLON (WARD DISTRICTS)

**RESOLUTION NO. 500 JUNE 28, 2018
ACCEPTING A DONATION**

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 donation of \$100,000.00 be accepted with gratitude from Engel Burman at Deer Park LLC, to be used for renovation of the Van Bourgondien Park.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 501 JUNE 28, 2018
ACCEPTING A DONATION**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the donation of 80 pieces of stainless steel, bent on 2-1/2" x 1-1/2" x 1/8" x 1-1/2", long angle with centered hole in each leg, with a total value of \$160.00, be accepted with gratitude from Sims Steel Corporation for the Department of Public Works.

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

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 502 JUNE 28, 2018
ADOPTING THE TOWN OF BABYLON PERSONALLY IDENTIFIABLE INFORMATION POLICY**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Town Attorney, that the attached personally identifiable information policy is hereby adopted for the Town of Babylon.

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

The resolution was thereupon declared duly adopted.

Personally Identifiable Information Policy

Policy Statement

It is the policy of the Town of Babylon to protect personally identifiable information (PII) of employees and those that use any of our Town services. The electronic restrictions and safeguards outlined in this policy provide guidance for employees that have access to PII retained by the Town of Babylon to ensure compliance with state and federal regulations.

Definitions

Personally, Identifiable Information (PII) is any information pertaining to an individual that can be used to distinguish or trace a person's identity. Some information that is considered PII is available in public sources such as telephone books, public websites, etc. This type of information is considered to be Public PII and includes:

1. First and Last name
2. Address
3. Work telephone number
4. Work e-mail address
5. Home telephone number
6. Photos and video

In contrast, Protected PII is defined as any one or more of types of information including, but not limited to:

1. Social security number
2. Username and password
3. Passport number
4. Credit card number
5. Clearances
6. Banking information
7. Biometrics
8. Data and place of birth
9. Mother's maiden name
10. Criminal, medical and financial records
11. Photos and video including any of the above

Procedures

This section provides guidelines on how to maintain and discard PII. If current procedures fall outside this policy or questions arise please contact Town Attorney to suggest more efficient procedures for protecting PII. All electronic files that contain Protected PII will reside within a protected information system location. All physical files that contain Protected PII will reside within a locked file cabinet or room when not being actively viewed or modified. Protected PII is not to be downloaded to personal or organization owned workstations or mobile devices (such as laptops, personal digital assistants, mobile phones, tablets or removable media). PII will also not be sent through any form of insecure electronic communication E.g. E-mail or instant messaging systems. Significant security risks emerge when PII is transferred from a secure location to a less secure location or is disposed of improperly. When disposing of PII, the physical or electronic file should be through the Office of the Town Clerk with a supervised burn.

Incident Reporting

The Town Clerk and Information Technology Department must be informed of a real or suspected disclosure of Protected PII data within 24 hours after discovery. E.g. Misplacing a paper report, loss of a laptop, mobile device, or removable media containing PII, accidental email of PII, possible virus, or malware infection or a computer containing PII.

Audits

Periodic audits of organization owned equipment and physical locations may be performed to ensure that protected PII is stored in approved information systems or locations. The purpose of the audit is to ensure compliance with this policy and to provide information necessary to continuously improve practices.

Enforcement

An employee found to be in violation of this policy may be subject to disciplinary action as deemed appropriate based on the facts and circumstances giving rise to the violation.

Records Disposal

Records containing personal data are to be disposed of so as to prevent inadvertent compromise of data. Paper records are disposed of via a supervised burn at the direction of the Town Clerk. The disposal method will render all personal data unrecognizable and beyond reconstruction.

**RESOLUTION NO. 503 JUNE 28, 2018
ADOPTING LOCAL LAW NO. 18 OF 2018 AMENDING CHAPTER 61 OF THE BABYLON TOWN CODE (WARD DISTRICTS)**

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

WHEREAS, the Town Board of the Town of Babylon having duly called and held a Public Hearing at Babylon Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, on the 28th day of June 2018 upon the question of enactment of Local Law No. 18 of 2018 of the Town of Babylon, Suffolk County, New York, being a Local Law amending the Code of the Town of Babylon, Chapter 61;

NOW, THEREFORE, be it

RESOLVED AND ORDAINED, by the Town Board of the Town of Babylon that Local Law No. 18 of 2018, 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. 18 of 2018

A Local Law amending the Code of the Town of Babylon, Chapter 61.

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

The resolution was thereupon declared duly adopted.

**Exhibit "A"
Chapter 61 Ward Districts**

ADD:

Chapter 61: Procedures for Ballot Propositions Proposing Ward Districts

§ 61-1 Ward Districts.

The Town Board may upon its own motion and shall, upon a petition, in such form and filed with the Town Clerk as specifically set forth herein, cause to be submitted at a biennial Town election, a proposition to establish a system of Ward Districts for the election of Councilmen/Wardens within the Town of Babylon.

§ 61-2 Procedure for submission of petition.

A. Any petition seeking an election proposition to establish Ward Districts shall be submitted to the Town Clerk in the following manner:

1. The petition shall be subscribed and authenticated by voters registered to vote in the Town of Babylon at the time of signature. All witnesses must be registered to vote within the Town of Babylon at the time of signature.
2. The petition shall designate, in writing, the name and mailing address of a contact person.
3. The number of signatures on the petition must be equal to at least 5% of the total votes cast for Governor in the Town of Babylon at the last general election in the Town held for the election of state officers.
4. All signatures on the petition must be subscribed and authenticated in the manner set forth in the New York State Election Law for the authentication of nominating petitions.
5. All signatures on the petition submitted to the Town Clerk must be dated at the time of signature; such date shall be no greater than 180 days prior to the filing of the petition with the Clerk.

§ 61-3 Contents of proposition.

A. The proposition contained within the petition or within the Town Board's own motion must set forth clearly to the voters of the Town of Babylon a summary of the change proposed. At minimum, the proposition must explain:

1. That an at-large system exists in the Town which enables every registered voter to elect all members of the Town Board;
2. That Ward Districts are proposed;
3. The number of Ward Districts proposed;
4. That, if approved, voters would vote for one Councilperson/Warden only in their respective ward, rather than each of at-large Councilpersons/Wardens running for election;
5. That, if approved, the Town Board would establish the Ward Districts.

§ 61-4 Objections to petition; rejection.

A. Written objections to the petition may be submitted to the Town Clerk in the manner and during the time periods set forth in the New York State Election Law for the filing of objections to nominating petitions.

B. If a determination is made that a petition is insufficient following a review by the Town Clerk and the Town Attorney, the Town Clerk shall give notice of the determination by registered mail to the contact person on the petition. If the determination of insufficiency of the petition is made upon specific objections to the petition, as set forth in the New York State Election Law, the Town Clerk shall also give notice of the determination to the objectors.

§ 61-5 Procedure for establishment or abolishment of Ward Districts.

A. Whenever a proposition for the establishment of Ward Districts is adopted, the establishment shall occur in the manner set forth in Town Law § 85 in its current form and as amended.

B. The procedure for abolishment of Ward Districts shall be as set forth in the Town Law § 85 in its current form and as amended.

**RESOLUTION NO. 504 JUNE 28, 2018
AUTHORIZING A PERMANENT EASEMENT WITH THE VILLAGE OF AMITYVILLE FOR THE UNDERWATER LAND
LOCATED AT THE SOUTHERLY END OF SOUTH BAY AVENUE, AMITYVILLE, NEW YORK**

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

WHEREAS, the Village of Amityville has commenced a project known as the Amityville Waterfront Resiliency Project (the "Project") which involves the installation of bulkheads and related appurtenances within the Village of Amityville; and

WHEREAS, in order to properly effectuate the Project, the Village must obtain a permanent easement over certain underwater land owned by the Town of Babylon located at the southerly end of South Bay Avenue in Amityville, New York and further described on the annexed Schedule A description; and

WHEREAS, the Town, at this time, does not object to granting such permanent easement,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute a Permanent Easement Agreement granting to the Village of Amityville, a permanent easement for the installation, replacement and maintenance of bulkheads and related appurtenances upon the land described in the annexed Schedule A and upon such terms, covenants and conditions acceptable to the Town Attorney; and be it further

RESOLVED, that this Resolution is subject to a permissive referendum and that the Town Clerk is hereby directed to publish notice of the adoption of this resolution in an official newspaper of the Town.

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 IMPROVEMNETS THEREON ERECTED, SITUATE, LYING AND BEING IN THE INC. VILLAGE OF AMITYVILLE, TOWN OF BABYLON, COUNTY OF SUFFOLK AND STATE OF NEW YORK, BEING PART OF THE ROADWAY SHOWN ON MAP OF UNQUA PARK FILED IN THE OFFICE OF THE CLERK, COUNTY OF SUFFOLK ON AUGUST 25, 1919: FILE No. 742 WHICH SAID PART OF LOT IS MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHERE THE EASTERLY SIDE OF SOUTH BAY AVENUE INTERSECTS WITH THE SOUTHERY SIDE OF RICHMOND AVENUE. RUNNING THENCE ALONG THE EASTERLY SIDE OF SOUTH BAY AVENUE SOUTH 38 DEGREES 46 MINUTES 00 SECONDS WEST 1298.87 FEET TO THE POINT OR PLACE OF BEGINNING;
 RUNNING THENCE SOUTH 45 DEGREES 31 MINUTES 22 SECONDS EAST 11.64 FEET;
 RUNNING THENCE SOUTH 38 DEGREES 33 MINUTES 50 SECONDS WEST 18.35 FEET;
 RUNNING THENCE NORTH 53 DEGREES 14 MINUTES 52 SECONDS WEST 72.65 FEET;
 RUNNING THENCE NORTH 38 DEGREES 21 MINUTES 50 SECONDS EAST 28.18 FEET;
 RUNNING THENCE SOUTH 45 DEGREES 31 MINUTES 22 SECONDS EAST 61.46 FEET TO THE POINT OR PLACE OF BEGINNING

RESOLUTION NO. 505 JUNE 28, 2018

APPOINTING BOARD MEMBERS AND SETTING SALARIES OF BOARD OF ASSESSMENT REVIEW

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, that the following appointments effective this date are made to certain Municipal Board positions and administrative personnel who serve at the pleasure of Town Board; and be it further

RESOLVED, that the salaries are hereby set effective this date for the below listed administrative personnel and Municipal Board Members who serve at the pleasure of the Town Board, and Municipal Board Members who have been appointed for specific terms as set forth hereinbelow:

BOARD OF ASSESSMENT REVIEW

<u>NAME</u>	<u>TITLE</u>	<u>TERM EXP.</u>	<u>SALARY</u>
Karen Crescione	Chairperson	9/30/2022	9,750/ann.
Thomas Humphrey	Member	9/30/2021	8,750/ann.
Nathan King	Member	9/30/2020	8,750/ann.
Genine Rigney	Member	9/30/2019	8,750/ann.
Alicia Marks	Member	9/30/2018	8,750/ann.
Nancy Ciolino	Secretary		6,000/ann.
Marianne Hunt	Stenographer		6,000/ann.

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 506 JUNE 28, 2018
 AUTHORIZING EMPLOYEE REIMBURSEMENT**

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 Comptroller is hereby authorized to issue reimbursement to the following employee(s):

<u>EMPLOYEE</u>	<u>AMOUNT</u>
Maryann Andersen	\$182.20 for Jackets

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 507 JUNE 28, 2018
 CONFIRMING MEMBERSHIP TO THE NORTH LINDENHURST FIRE DEPARTMENT, INC.**

The following resolution was offered by Councilman Martinez 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 Lindenhurst Fire Department, Inc., 1630 Straight Path, North Lindenhurst, New York:

<u>Name</u>	<u>Address</u>
Lisa Abramski	94 Farmers Avenue, North Lindenhurst, NY 11757
Matthew Smedly	184 South 7 th Street, Lindenhurst, NY 11757
Nicholas D. Frazzitta	750 50 th Street, Lindenhurst, NY 11757

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 508 JUNE 28, 2018
 AUTHORIZING REFUND OF FEES DEPARTMENT OF PARKS, RECREATION & CULTURAL AFFAIRS**

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

BE IT RESOLVED, by the Town Board of the Town of Babylon, upon the recommendation of the Parks, Recreation and Cultural Affairs Department, that the following fees be refunded:

<u>Name</u>	<u>Address</u>	<u>Fee</u>	<u>Activity</u>	<u>Receipt Number</u>
Charissa Grant	103 Hale Road, North Babylon, NY 11703	\$300.00	Day Camp	128538
Gary Happich	27 Woodbridge Ct, West Babylon, NY 11704	\$25.00	Camping Permit	129918
Robert Prisco	111 12 th Street, West Babylon, NY 11704	\$25.00	Recreation Permit	Paid Cash
Estelita Canas	37 Arthur Street, Copiague, NY 11726	\$85.00	Day Camp	129499
Margaret Giancontieri	591 N. Lewis Avenue, Lindenhurst, NY 11757	\$650.00	Day Camp	128347
Robert Neal	37 Young Street, Babylon, NY 11704	\$50.00	Dock Permit	129782

VOTES: 4 YEAS: 4 NAYS: 0

The resolution was thereupon declared duly adopted.

Being no further business before the Board, the meeting adjourned at 3:35 pm on the motion of Councilman Manetta, seconded by Councilman Martinez.

 Stephen Greenwald, Deputy Town Clerk

/jt